

(b) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* since the *Order Date*, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.61 of the Commission's rules.

By order of the Commission.

Issued: May 27, 2003.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 03-13724 Filed 5-30-03; 8:45 am]

**BILLING CODE 3510-DS-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-478]

### In the Matter of Certain Ground Fault Circuit Interrupters and Products Containing Same; Notice of a Commission Determination To Review and Remand a Portion of an Initial Determination Denying a Motion for Monetary Sanctions as Moot, and Not To Review the Remainder of the Initial Determination

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review and remand the portion of the presiding administrative law judge's ("ALJ's") initial determination ("ID") denying respondents' motion for monetary sanctions as moot and not to review the remainder of the ID, which grants a motion to terminate the above-captioned investigation based on withdrawal of the complaint.

**FOR FURTHER INFORMATION CONTACT:** Timothy P. Monaghan, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3152. Copies of the Commission's order, the ID, and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>) The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** On August 23, 2002 the Commission instituted this investigation, which concerns allegations of unfair acts in violation of section 337 of the Tariff Act of 1930 in the importation and sale of certain ground fault circuit interrupters ("GFCIs") and products containing same by reason of infringement of claims 1-4 of the U.S. Patent No. 4,595,894 ("the '894 patent"). 67 FR 54671. The complainant is Leviton Manufacturing

Co., Inc. ("Leviton"), and the respondents are Yueqing Huameili Electronic Co., Ltd. d/b/a HML, Yueqing Huameili Electronic Co., Ltd., Van-Sheen Electric Appliance Co. d/b/a Yatai Switch Factory, Sammax International Limited, and Jiamei Electrical Engineering Co., Ltd.

On January 8, 2003, Leviton filed a motion seeking summary determination that certain of respondents' GFCI products infringe claim 1 of the '894 patent. On February 14, 2003, respondents filed an Opposition and Conditional Cross-Motion for Summary Determination that the '894 patent is invalid and unenforceable. On February 21, 2003, the presiding ALJ issued Order No. 9, denying Leviton's infringement motion.

On January 22, 2003, respondents filed a motion to compel complete responses to their discovery requests. On February 3, 2003, the ALJ issued Order No. 7 granting in part respondents' motion to compel. On February 21, 2003, respondents filed a Motion to Compel Compliance with Order No. 7 and for Sanctions.

On March 3, 2003, Leviton filed a motion to terminate the investigation based upon withdrawal of the complaint pursuant to rule 210.21(a)(1).

On March 17, 2003, the ALJ issued an ID (Order No. 11) granting in part respondents' cross-motion for summary determination on invalidity, and on April 15, 2003, the Commission determined to review and reverse that ID.

On April 30, 2003, the ALJ issued an ID (Order No. 13) granting Leviton's motion to terminate the investigation and denying all pending motions, including respondents' motion for monetary sanctions, as moot.

On May 7, 2003, Leviton filed a petition for review of Order No. 13 requesting that the Commission review and vacate certain statements set forth in footnote 3 of Order No. 13, and on May 7, 2003, respondents filed a petition for review of the portion of Order No. 13 denying their motion for monetary sanctions as moot.

On May 14, 2003, Leviton responded to respondents' petition for review, respondents responded to Leviton's petition for review, and the Commission investigative attorney responded to both petitions.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rules 210.42, 210.43, 19 CFR 210.42 and 210.43.

Issued: May 27, 2003.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 03-13690 Filed 5-30-03; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-493]

### In the Matter of Certain Zero-Mercury-Added Alkaline Batteries, Parts Thereof, and Products Containing Same; Notice of Investigation

**AGENCY:** International Trade Commission.

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 28, 2003, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Energizer Holdings, Inc. and Eveready Battery Company, Inc., both of St. Louis, Missouri. Letters supplementing the complaint were filed on May 1, 9, and 20, 2003. The complaint as supplemented alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain zero-mercury-added alkaline batteries, parts thereof, and products containing same by reason of infringement of claims 1-12 of U.S. Patent No. 5,464,709. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a permanent general exclusion order and permanent cease and desist orders.

**ADDRESSES:** The complaint and supplements, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

General information concerning the Commission may be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Benjamin D. M. Wood, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2582.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2002).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on May 27, 2003, ordered that—pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain zero-mercury-added alkaline batteries, parts thereof, or products containing same by reason of infringement of one or more of claims 1-12 of U.S. Patent No. 5,464,709, and whether an industry in the United States exists as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served: (a) The complainants are—

Energizer Holdings, Inc., 533 Maryville University Drive, St. Louis, Missouri 63141, Eveready Battery Company, Inc., 533 Maryville University Drive, St. Louis, Missouri 63141

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Atico International U.S.A., Inc., 501 South Andrews Avenue, P.O. Box 14368, Fort Lauderdale, Florida 33302,

Sichuan Changhong Electric Company, Ltd., 35 East Mianxing Road, Hightech Park, Mianyang, Sichuan 621000, China

Changhong Battery Company, 35 East Mianxing Road, Hightech Park, Mianyang, Sichuan 621000, China

Chung Pak Battery Works, 7/f Chung Pak Comm Building, 2 Cho Uyen Street, Yau Tong, Kowloon, Hong Kong

Dorcy International, Inc., 2700 Port Road, Columbus, Ohio 43217-1136  
FDK Corporation, Hamagomu Building, 5-36-11, Shinbashi, Minato-Ku, Tokyo 105-8677 Japan

FDK Energy Co., Ltd., 614 Washizu, Kosai-Shi, Shizuoka-ken 431-0431 Japan

Fujian Nanping Nanfu Battery Co., Ltd., 109 Industry Road, Nanping, Fujian 353000, China

Golden Million Enterprises, Inc., 1201 Broadway, Suite 601, New York, New York 10001

Golden Power Industries, Ltd., Flat C, 20/F, Block 1, Tai Ping Industrial Centre 57 Ting Kok Road, Tai Po, N.T., Hong Kong

Gold Peak Industries, Ltd., 8/F, Gold Peak Building, 30 Kwai Wing Road, Kwai Chung N.T., Hong Kong

GP Industries Limited, 97 Pioneer Road, Singapore 639579

GP Batteries International, Ltd., 50 Gul Crescent, 629543, Singapore

Gold Peak Industries (North America), Inc., 11235 West Bernardo Court, San Diego, California 92127-1638

Guangdong Chaoan Zhenglong Enterprise Co., Ltd, Huaqiao Industrial Zone, Caitang Chaozhou City, Guangdong 515644, China

Guangzhou Tiger Head Battery, Group Co., Ltd., 568 Huangpu Street Middle Section, Guangzhou 510655, China,

Hi-Watt Battery Industry Company, Ltd., 21 Tung Yuen Street, Yau Tong Bay, Kowloon, Hong Kong

Maxell Corporation of America, 22-08 Route 208, Fair Lawn, New Jersey 07410

Monster Cable Products, Inc., 455 Valley Drive, Brisbane, California 94005

Ningbo Baowang Battery Co., Ltd., No. 66 Keji Road, Science Technological Industry Zone Ninghai, Ningbo 315600, China

PT International Chemical Industrial Co., Ltd., Jl. Daan Mogot Km. 9, Cengkareng, Jakarta 11470, Indonesia

The Mazel Company d/b/a The Powerhouse Group, 31000 Aurora Road, Solon, Ohio 44139

Universal Battery Corporation, 4300 Wiley Post Road, Addison, Texas 75001, Winner International, L.L.C., 32 West State Street, Sharon, Pennsylvania 16146

Zhejiang 3-Turn Battery Co., Ltd., Huailu Industrial Park of Dongyang, Zhejiang 322104, China

Zhongyin Ningbo Battery Co., Ltd., No. 99, Dahetou St. Duantang, Ningbo Zhejiang, 315011, China

(c) Benjamin D.M. Wood, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington,