We compared COP to home market prices, net of movement charges, price adjustments, and discounts.

As a result of our COP investigation, we found no below-cost sales, and therefore did not disregard any home market sales as being below cost.

We calculated FMV on a monthly weighted-average basis. We compared all U.S. sales to sales of identical merchandise in Japan. In accordance with our practice in this case, we disregarded sample sales as being outside the ordinary course of trade. The sales in question represent small quantities of granular PTFE resin sold to testing facilities in Japan at prices substantially higher than the prices of the vast majority of Daikin's sales. Further, the sales in question were not for consumption, but for evaluation purposes. See PTFE Resin From Japan, 58 FR at 50345.

Where applicable, we made deductions for inland freight, discounts, and post-shipment price adjustments. To adjust for differences in circumstances of sale between the home market and the United States, we first deducted direct selling expenses incurred in the home market, which included credit and replacement of defective merchandise. For comparison to PP sales, we then added direct selling expenses incurred in the United States for replacement of defective merchandise, credit, and commissions (because no commissions were paid in the home market). Where applicable, in accordance with § 353.56(b)(1) of the Department's regulations, we offset U.S. commissions by deducting home market indirect selling expenses from FMV in an amount not exceeding those commissions. For comparison to ESP sales, in accordance with § 353.56(b)(2) of the Department's regulations, we deducted home market indirect selling expenses in an amount not to exceed the sum of U.S. commissions and indirect selling expenses incurred in the United States.

On January 5, 1994, the Court of Appeals for the Federal Circuit, in The Ad Hoc Committee of AZ–NM–TX–FL Producers of Gray Portland Cement v. United States, 13 F.3d 398 (Fed. Cir. 1994), held that the Department could not deduct home market movement charges from FMV pursuant to its inherent power to fill in the gaps in the antidumping statute. Accordingly, we now adjust for home market movement expenses under the circumstance-of-sale (COS) provision of 19 CFR 353.56 and the offset provisions of 19 CFR 353.56(b)(1) and (2), as appropriate. In this review, home market movement expenses incurred between the

warehouse and the customer after the sale were treated as direct COS deductions. Home market movement expenses were also incurred between the factory and the warehouse before the sale, and we have adjusted for such expenses as indirect selling expenses under the commission offset provision of 19 CFR 353.56(b)(1) and under the ESP offset provision of 19 CFR 353.56(b)(2), as appropriate.

In order to adjust for differences in packing between the two markets, we deducted home market packing costs from FMV and added U.S. packing costs. We also adjusted for Japanese consumption tax in accordance with our decision in Silicomanganese.

Preliminary Results of Review

As a result of our comparison of USP with FMV, we preliminarily determine that the following dumping margins exist:

Manufac- turer/ex- porter	Period	Margin (per- cent)
Daikin In- dustries .	08/01/92-07/31/93	23.19

Interested parties may submit written comments on these preliminary results. Interested parties may request disclosure within 5 days of the date of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held approximately 35 days from the date of publication. Case briefs and other written comments from interested parties may be submitted not later than 21 days from the date of publication. Rebuttal briefs and rebuttal comments, limited to issues raised in the case briefs, may be filed not later than 28 days from the date of publication. The Department will publish the final results of this administrative review including the results of its analysis of issues raised in any such written comments or at a hearing.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. Upon completion of this review, the Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Tariff Act:

(1) The cash deposit rates for the reviewed companies will be those rates established in the final results of this administrative review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 91.74 percent, the rate made effective by the final results of the most recent administrative review of the order (see PTFE Resin From Japan, 58 FR at 50346). As noted in the Department's previous final results in this proceeding, this rate is the "all others" rate from the LTFV investigation. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: December 23, 1994.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–2233 Filed 1–27–95; 8:45 am]

BILLING CODE 3510-DS-P

National Institute of Standards and Technology

Patent Licenses; ND Resources, Inc.

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of prospective grant of exclusive patent license.

SUMMARY: This is a notice in accordance with 35 U.S.C. 209(c)(1) and 37 CFR