

**FOR FURTHER INFORMATION CONTACT:**

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**SUPPLEMENTARY INFORMATION:**

On February 2, 1994, the presiding administrative law judge (ALJ) issued his final ID in this investigation. The ALJ determined that no violation of section 337 of the Tariff Act of 1930, as amended, has occurred in the importation or sale of certain diltiazem hydrochloride and diltiazem preparations by reason of infringement of claim 1 of U.S. Letters Patent 4,438,035. Under Commission interim rule 210.53(h), the ID would have become the determination of the Commission on March 20, 1995, unless review was ordered or the review deadline extended.

On February 6, 1995, complainants Tanabe Seiyaku Co., Ltd. and Marion Merrell Dow, Inc. filed a letter requesting a six-day extension of time—from February 15, 1995, until February 21, 1995—to file a petition for review of the ID. On February 7, respondents Mylan Pharmaceuticals, Inc., Mylan Laboratories, Inc., and Profarmaco Nobel LRL submitted a letter taking no position on complainants' request for an extension of time, but requesting, in the event the Commission grants complainants' request, a six-day extension of time—from February 28, 1995 to March 6, 1995—to file their response to complainants' petition for review. A similar request was made on February 8, 1995, by the Fermion respondents.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and Commission interim rule 210.53(h) (19 CFR 210.53(h)).

Copies of the nonconfidential version of 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.

Issued: February 10, 1995.

By order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 95-3819 Filed 2-15-95; 8:45 am]

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**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-366]

**Notice of Commission Determination To Take No Action Concerning the Presiding Administrative Law Judge's Withdrawal of an Initial Determination Designating the Investigation "More Complicated"**

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

In the matter of Certain Microsphere Adhesives, Process for Making Same, and Products Containing Same, Including Self-Stick Repositionable Notes.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to take no action concerning a decision (Order No. 28) by the presiding administrative law judge (ALJ) in the above-captioned investigation which withdraws an earlier initial determination (ID) designating the investigation "more complicated." Order No. 28 states that the investigation may be designated "more complicated" at a later date if it appears that the current March 8, 1995, deadline for issuance of the ALJ's final ID cannot be met.

**ADDRESSES:** Copies of Order No. 28 and all other non-confidential documents filed in connection with this investigation 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., Washington, DC 20436, telephone (202) 205-2000.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3104. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On January 10, 1995, the ALJ issued an ID (Order No. 26) which designated the investigation "more complicated." The ID stated that the investigation's current schedule did not afford adequate time for the ALJ to read post-hearing briefs and write the final ID on violation. At

the time that Order No. 26 was issued, the ALJ contemplated a supplemental evidentiary hearing on January 23, 1995. That hearing was scheduled at the request of complainant Minnesota Mining and Manufacturing Co. (3M) and was to focus on whether respondent Print-Form GmbH & Co. infringed 3M's patent in issue. The ID also based its "more complicated" designation on the complex nature of the chemical processes at issue in the investigation.

On January 17, 1995, complainant 3M moved for reconsideration and reversal of Order No. 26, stating that it no longer wished a supplemental hearing. 3M urged that the investigation not be designated "more complicated" because of the short length of time remaining in the term of its patent at issue. 3M's motion was unopposed by any party and was supported by the Commission investigative attorney. On January 20, 1995, the ALJ issued Order No. 28 which grants 3M's motion to the extent that it withdraws the "more complicated" designation. However, Order No. 28 states that the ALJ may designate the investigation "more complicated" at a later date if she encounters difficulty in completing the final ID by the current March 8, 1995, deadline.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337).

Issued: February 10, 1995.

By order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 95-3817 Filed 2-15-95; 8:45 am]

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**INTERSTATE COMMERCE COMMISSION**

[Ex Parte No. 388 (Sub-No. 16)]

**Intrastate Rail Rate Authority—Mississippi**

**AGENCY:** Interstate Commerce Commission.

**ACTION:** Notice of provisional recertification.

**SUMMARY:** The State of Mississippi has filed an application for recertification. The Commission, under State Intrastate Rail Rate Authority, 5 I.C.C.2d 680, 685 (1989), provisionally recertifies the State of Mississippi to regulate intra-state rail rates, classifications, rules, and practices. After its review, the Commission will issue a recertification decision or take other appropriate action.