

MESSAGE NO: 6178204 MESSAGE DATE: 06/27/2006

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 0090208
MESSAGE #
(s):

CASE #(s): A-580-812

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/29/1992 TO 04/30/1995

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ INSTR.-DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS 1 MEG &
ABOVE - KOREA PROD'D BY LG SEMICON (PREVIOUSLY GOLDSTAR) (A-580-812-001)
IMP'D BY RENESAS (HITACHI)

MESSAGE NO: 6178204

DATE: 06 27 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 0090208

REFERENCE DATE: 03 30 2000

CASES: A - 580 - 812

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- - - -

PERIOD COVERED: 10 29 1992 TO 04 30 1995

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ INSTR.-DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS
1 MEG & ABOVE - KOREA PROD'D BY LG SEMICON (PREVIOUSLY
GOLDSTAR) (A-580-812-001) IMP'D BY RENESAS (HITACHI)

1. ON 05/15/2006, THE SUPREME COURT OF THE UNITED STATES DENIED
THE PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT
OF APPEALS FOR THE FEDERAL CIRCUIT IN RENESAS TECHNOLOGY
AMERICA, INC. V. UNITED STATES, 140 FED. APPX. 943, 2005 U.S.
APP. LEXIS 13278(2005) (REFERENCE CIT COURT NO. 00-00114)(SEE
INJUNCTION MESSAGE #0090208, DATED 03/30/2000). THUS, FOR ALL
SHIPMENTS OF DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE

MEGABIT AND ABOVE FROM KOREA PRODUCED BY LG SEMICON CO., LTD. (A-580-812-001) (PREVIOUSLY KNOWN AS GOLDSTAR ELECTRON CO., LTD, A-580-812-001) AND IMPORTED BY RENESAS TECHNOLOGY AMERICA, INC. (PREVIOUSLY KNOWN AS HITACHI SEMICONDUCTOR (AMERICA) INC.), ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 10/29/1992 THROUGH 04/30/1995 LIQUIDATE AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF ENTRY.

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE

REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O4:RT)

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party