

(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 complainant is—Marvell International, Ltd., Canon's Court, 22 Victoria Street, Hamilton HM 12, Bermuda.

(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:

Realtek Semiconductor Corporation, No. 2, Industry East Road IX, 41 Science-Based Industrial Park, Hsinchu 300, Taiwan.

Real Communications, Inc., 2870 Zanker Road, Suite 110, San Jose, CA 95134.

(c) Rett Sotherly, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Room 401-O, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Charles E. Bullock is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

By order of the Commission.

Issued: January 12, 2005.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05-1020 Filed 1-18-05; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF LABOR

### Bureau of Labor Statistics

#### Proposed Collection; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the "Consumer Price Index Commodities and Services Survey." A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office listed in the **ADDRESSES** section below on or before March 21, 2005.

**ADDRESSES:** Send comments to Amy A. Hobby, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue, NE., Washington, DC 20212, telephone number 202-691-7628. (This is not a toll free number.)

**FOR FURTHER INFORMATION CONTACT:** Amy A. Hobby, BLS Clearance Officer, telephone number 202-691-7628. (See **ADDRESSES** section.)

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Under the direction of the Secretary of Labor, the Bureau of Labor Statistics (BLS) is directed by law to collect, collate, and report full and complete statistics on the conditions of labor and

the products and distribution of the products of the same; the Consumer Price Index (CPI) is one of these statistics. The collection of data from a wide spectrum of retail establishments and government agencies is essential for the timely and accurate calculation of the Commodities and Services (C&S) component of the CPI.

The CPI is the only index compiled by the U.S. Government that is designed to measure changes in the purchasing power of the urban consumer's dollar. The CPI is a measure of the average change in prices over time paid by urban consumers for a market basket of goods and services.

The CPI is used most widely as a measure of inflation, and serves as an indicator of the effectiveness of government economic policy. It also is used as a deflator of other economic series, that is, to adjust other series for price changes and to translate these series into inflation-free dollars. A third major use of the CPI is to adjust income payments. Almost two million workers are covered by collective bargaining contracts which provide for increases in wage rates based on increases in the CPI.

The continuation of the collection of prices for the CPI is essential since the CPI is the nation's chief source of information on retail price changes. If the information on C&S prices were not collected, Federal fiscal and monetary policies would be hampered due to the lack of information on price changes in a major sector of the U.S. economy, and estimates of the real value of the Gross National Product could not be made. The consequences to both the Federal and private sectors would be far-reaching and would have serious repercussions on Federal government policy and institutions.

##### II. Current Action

The Telephone Point of Purchase Survey (TPOPS) is a household survey used to identify the universe of outlets from which sampled outlets are selected. A quarter of the CPI's priced geographic areas are surveyed each year, so that over a four year period the entire outlet sample is reselected.

A new initiative to reinstate a subset of the currently priced item sample in existing outlets to account for new goods has recently been deployed. This initiative is referred to as Item Rotation. Item rotation is a process that allows for the inclusion of new goods when reinitiating existing quotes within currently priced outlets and enables the item sample to be refreshed without the expense and delay of a full TPOPS rotation. Item rotation is completed at

currently priced outlets for selected item categories where the priced items are reinitiated two years after the original initiation, thus offering the chance that new goods will be selected for pricing. An example is prescription drugs where, based on current sales data, a new sample of prescribed drugs will be selected to replace the currently priced drugs. Since this reselection will include all currently dispensed drugs, those prescription drugs that have been introduced since the previous initiation will have a chance to be selected.

A key element completed during 2004 was to convert all on going data collection and transmission to electronic systems. The introduction of a Computer-Assisted Data Collection (CADC) for the C&S portion of the CPI has resulted in significant advantages by increasing productivity and improving the overall quality of the CPI. Electronic data collection and transmission provide long-term savings through a major reduction of mail, paperwork, and printing costs. Electronic systems allow for price collection to cover the entire

month, reduce data capture mistakes, speed up review time, and to improve survey logistics management.

*Type of Review:* Revision of a currently approved collection.

*Agency:* Bureau of Labor Statistics.

*Title:* Consumer Price Index Commodities and Services Survey.

*OMB Number:* 1220-0039.

*Affected Public:* Business or other for-profit; not-for-profit institutions; and State, local, or tribal government.

Activity	Total number of respondents	Frequency	Total annual responses	Hours per response (average)	Estimated total burden hours
Pricing .....	42,314	Monthly/Bimonthly .....	385,904	.33	127,348
Initiation .....	12,634	Annual .....	12,634	1.0	12,634
Re-initiation .....	440	Annual .....	440	1.0	440
Test pricing .....	1,900	Annual .....	1,900	.65	1,235
Totals .....	57,288	.....	400,878	.....	141,657

*Total Burden Cost (Capital/Startup):* \$0.

*Total Burden Cost (Operating/Maintenance):* \$0.

**III. Desired Focus of Comments**

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed in Washington, DC, this 11th day of January 2005.

**Cathy Kazanowski,**  
Chief, Division of Management Systems,  
Bureau of Labor Statistics.

[FR Doc. 05-1002 Filed 1-18-05; 8:45 am]

**BILLING CODE 4510-28-P**

**LIBRARY OF CONGRESS**

**Copyright Office**

[Docket No. 2005-1 CARP]

**Notice of Intent To Audit**

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Public notice.

**SUMMARY:** The Copyright Office of the Library of Congress is announcing receipt of three notices of intent to audit preexisting subscription services that transmit sound recordings under statutory licenses. The audits intend to verify statements of account for the years 2001, 2002, and 2003.

**FOR FURTHER INFORMATION CONTACT:** Tanya M. Sandros, Associate General Counsel, or Abioye E. Oyewole, CARP Specialist, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Telephone: (202) 707-8380. Telefax: (202) 707-3423.

**SUPPLEMENTARY INFORMATION:** Section 114(d)(2) of title 17 of the United States Code provides statutory licensing requirements for subscription services that perform sound recordings by means of digital audio transmissions. Those that were in existence and were

performing sound recordings by means of interactive audio-only subscription digital audio transmissions to the public for a fee on or before July 31, 1998, are known as "preexisting subscription services." Three services fall within this category: DMX Music, Inc., Muzak LLC, and Music Choice ("the Services"). These services make payments of royalty fees to and file reports of sound recording performances with SoundExchange. SoundExchange is a collecting rights entity that was designated by the Librarian of Congress to collect and distribute royalty fee payments made under section 114(d)(2) by the three preexisting subscription services. See 68 FR 39837 (July 3, 2003).

Pursuant to section 260.5 of title 37 of the Code of Federal Regulations, an interested party may initiate an audit of any one of the three preexisting services. SoundExchange, as the designated collector and distributor of royalties paid by preexisting subscription services to interested copyright parties, is an interested party and may conduct one audit per calendar year of one or all of the Services for the purpose of verifying their statements of account. As a preliminary matter, the interested party is required to submit a notice of its intent to audit a preexisting subscription service with the Copyright Office and to serve this notice on the service to be audited. 37 CFR 260.5(c).

On December 21, 2004, SoundExchange filed with the Copyright Office three notices of intent to audit the preexisting subscription