

after the classification becomes effective.

**Authority:** 43 CFR 2741.

**Sharon DiPinto,**

*Assistant Field Manager, Division of Lands, Las Vegas, NV.*

[FR Doc. 05-13882 Filed 7-13-05; 8:45 am]

**BILLING CODE 4310-HC-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**Colorado: Filing of Plats of Survey**

July 1, 2005.

**Summary:** The plats of survey of the following described land will be officially filed in the Colorado State Office, Bureau of Land Management, Lakewood, Colorado, effective 10 a.m., July 1, 2005. All inquiries should be sent to the Colorado State Office (CO-956), Bureau of Land Management, 2850 Youngfield Street, Lakewood, Colorado 80215-7093.

The plat, representing the dependent resurveys and surveys, in Township 21 South, Range 69 West, Sixth Principal Meridian, Group 1335, Colorado, was accepted June 15, 2005.

The plat, in two sheets, representing the metes-and-bounds survey of a portion of the boundary of the American Flats Wilderness Addition to the Uncompahgre Wilderness as described in Pub. L. 103-77, the "Colorado Wilderness Act of 1993", in Suspended Townships 43 North, Ranges 6 and 7 West, New Mexico Principal Meridian, Group 1369, Colorado, was accepted June 10, 2005.

The supplemental plat creating lost 14, 15, 16 and 17 as a result of M.S. 18249, Grand Aspen, Black Cat and Protection lodes, being cancelled on March 4, 2005, in Township 48 North, Range 2 East, Sec. 29, New Mexico Principal Meridian, Colorado, was accepted April 19, 2005.

These plats and resurvey notes were requested by the Bureau of Land Management for administrative and management purposes.

The plat of survey requested by the U.S. Forest Service, Durango, Colorado, for the purpose of identifying the boundaries of National Forest lands, in Molas Park, in suspended Township 40 North, Range 7 West, New Mexico Principal Meridian, Group 1422, Colorado, was accepted May 19, 2005.

The plat, representing the dependent resurvey, and corrective dependent resurvey, in Township 32 North, Range 7 West, New Mexico Principal Meridian, Group 1418, Colorado, was accepted April 18, 2005. This survey

was requested by the Southern Ute Indian Tribe, through the State Director, Colorado, in order to identify Southern Ute tribal trust lands.

The plat, representing the dependent resurvey and surveys in Township 48 North, Range 4 West, New Mexico Principal Meridian, Group 1396, Colorado, was accepted June 30, 2005. This survey was requested by the Bureau of Indian Affairs, with the approval of the State Director, Colorado, in order to identify the boundary of Ute Mountain Ute lands for management purposes.

**Randall M. Zanon,**

*Chief Cadastral Surveyor for Colorado.*

[FR Doc. 05-13868 Filed 7-13-05; 8:45 am]

**BILLING CODE 4310-JB-M**

**INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-524]

**In the Matter of Certain Point of Sale Terminals and Components Thereof; Notice of Commission Decision Not To Review an Order and an Initial Determination Terminating the Investigation Based on Withdrawal of the Complaint; Schedule for Filing an Appeal of a Sanctions Order; Stay of Enforcement of the Sanctions Order Pending Appeal to the Commission**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") order (ALJ Order No. 40) denying the respondents' joint motion for sanctions and an initial determination ("ID") (ALJ Order No. 49) terminating the above-captioned investigation. Notice is also hereby given that the Commission is setting a schedule for filing an appeal of the sanctions levied in ALJ Order No. 48.

**FOR FURTHER INFORMATION CONTACT:**

Rodney Maze, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3065. Copies of non-confidential 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. 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>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** This patent-based section 337 investigation was instituted by the Commission based on a complaint filed by Verve, LLC ("Verve"), of Austin, Texas. 69 FR 53945 (September 3, 2004). The complainant alleged 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 point of sale terminals and components thereof by reason of infringement of claims 1 and 2 of U.S. Patent No. 5,012,077. The complaint named Thales e-Transactions, Inc. of Atlanta, Georgia, Thales Group of Plaisir Cedex, France, CyberNet USA, Inc. of San Jose, California, CyberNet, Inc. of Seoul, Korea, Lipman USA, Inc. of Syosset, New York, Lipman Electronic Engineering, Ltd. of Rosh Haayin, Israel, Ingenico Corp. USA of Atlanta, Georgia, Ingenico of Puteaux Cedex, France, Trintech, Inc. of Addison, Texas, Trintech Group, PLC of Dublin, Ireland, Hypercom Corp. of Phoenix, Arizona and VeriFone, Inc. of Alpharetta, Georgia as respondents. Eight respondents remain in this investigation, as two respondents were terminated on summary determination of no violation and two respondents were terminated on the basis of a settlement agreement.

On February 7, 2005, the ALJ issued Order No. 31 finding that Verve lacked sufficient standing by itself to maintain this investigation without joining Omron Tateisi Electronics Company ("Omron"). On February 11, 2005, Verve filed a motion for withdrawal of the complaint and termination of the investigation. On February 18, 2005, the remaining respondents filed a joint motion for sanctions for improper filing of the complaint, abuse of discovery and failure to make discovery, and attorneys' fees for the sanctionable conduct found to exist. Six of the remaining respondents also filed individual motions for sanctions. On March 10, 2005, Verve filed a joint response in opposition to all of the remaining respondents' motions for sanctions. On March 18, 2005, the Commission investigative attorney ("IA") filed separate responses opposing the respondents' motions for sanctions

while supporting sanctions by the ALJ *sua sponte*. On April 1, 2005, Verve filed a reply to the IA's response.

On April 11, 2005, the ALJ issued Order No. 40 denying all of the respondents' motions for sanctions and ordering Verve to show cause why sanctions should not be imposed by the ALJ. On May 5, 2005, Verve filed a response to the show cause order. On May 16, 2005, the respondents filed a joint reply to Verve's response.

On June 7, 2005, the ALJ issued Order No. 48 imposing, *sua sponte*, monetary sanctions on Verve, its principals, and its counsel. On June 13, 2005, Verve filed a motion to stay the enforcement of Order No. 48, pending its appeal of the order to the Commission.

Meanwhile, on June 8, 2005, the ALJ issued an ID (Order No. 49) granting Verve's motion for withdrawal of the complaint and termination of the investigation. On June 14, 2005, the respondents filed a joint petition for review of Order No. 40 and the ID. On June 21, 2005, the IA and Verve filed separate responses opposing the respondents' petition for review.

Having examined Order No. 40, the ID, and the parties' submissions, the Commission determined not to review the order and the ID. The Commission also granted Verve's motion to stay enforcement of Order No. 48, pending appeal to the Commission. Finally, the Commission determined to treat Order No. 48 and the ID as having been issued concurrently. Pursuant to Commission Rule 210.25(d), the Commission has set forth a briefing schedule for appeal of Order No. 48. Petitions for review of Order No. 48 must be filed no later than July 29, 2005. Responses to the petitions must be filed no later than August 12, 2005.

The authority for the Commission's determinations are contained in section 337 of the Tariff Act of 1930, as amended 19 U.S.C. 1337, and in sections 210.42, 210.43, and 210.25(d) of the Commission's Rules of Practice and Procedure (19 CFR 210.42, 210.43, and 210.25(d)).

By order of the Commission.

Issued: July 8, 2005.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 05-13839 Filed 7-13-05; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-510]

### In the Matter of Certain Systems for Detecting and Removing Viruses or Worms, Components Thereof, and Products Containing Same; Notice of Commission Decision Not To Review a Final Initial Determination Finding a Violation of Section 337; Request for Written Submissions on the Issues of Remedy, the Public Interest, and Bonding

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review a final initial determination ("ID") issued by the presiding administrative law judge ("ALJ") in the above-captioned investigation on May 9, 2005, finding a violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337. Notice is also hereby given that the Commission is requesting briefing on the issues of remedy, the public interest, and bonding.

**FOR FURTHER INFORMATION CONTACT:** Jean H. Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3104. Copies of the public version of the ID and all 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:** The Commission instituted this investigation on June 3, 2004, based on a complaint filed by Trend Micro Inc. of Cupertino, California ("Trend Micro"). 69 FR 32044-45 (2004). The complaint alleged violations of section 337 in the importation into the United States, the sale for importation into the United States, or the sale within the United

States after importation of certain systems for detecting and removing viruses or worms, components thereof, and products containing same by reason of infringement of claims 1-22 of U.S. Patent No. 5,623,600 ("the '600 patent"). The notice of investigation named Fortinet, Inc. ("Fortinet") as the sole respondent.

On October 12, 2004, the ALJ issued Order No. 6 terminating the investigation as to claims 2, 5-6, 9-10, and 16-22 of the '600 patent based upon Trend Micro's unopposed motion to withdraw these claims. The Commission did not review Order No. 6, hence the claims of the '600 patent in issue are claims 1, 3, 4, 7, 8, and 11-15.

On December 14, 2004, the ALJ issued Order No. 13 granting complainant Trend Micro's motion for a summary determination that it satisfies the economic prong of the domestic industry requirement. Order No. 13 was not reviewed by the Commission.

An evidentiary hearing was held from January 24, 2005, to January 28, 2005. On March 29, 2005, a second evidentiary hearing was conducted and additional exhibits received into evidence.

On May 9, 2005, the ALJ issued his final ID and recommended determinations on remedy and bonding. He found a violation of section 337 based on his determinations that claims 4, 7, 8, 11, 12, 13, 14 and 15 of the '600 patent are not invalid or unenforceable, and that they are infringed by respondent's products. The ALJ also found that an industry exists that is related to the '600 patent, and that the respondent has imported infringing product. The ALJ further found that claims 1 and 3 of the '600 patent are anticipated by prior art.

On May 20, 2005, respondent Fortinet filed a petition for review of the final ID and complainant Trend Micro filed a contingent petition for review. The IA did not file a petition. On May 27, 2005, Fortinet filed a response to Trend Micro's contingent petition for review, and Trend Micro filed a response to Fortinet's petition for review. On June 2, 2005, the IA filed a response to Trend Micro's and Fortinet's petitions for review.

Having examined the record in this investigation, including the ALJ's final ID, the petitions for review, and the responses thereto, the Commission has determined not to review the ID, thereby finding a violation of section 337.

In connection with the final disposition of this investigation, the Commission may issue (1) an order that could result in the exclusion of the