

205–3116. Copies 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. 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 November 25, 2008, based on the complaint of Masai Marketing & Trading AG of Romanshorn, Switzerland and Masai USA Corp. of Haley, Idaho ("Complainants"). 73 FR 73884 (Nov. 25, 2008). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain active comfort footwear that infringes certain claims of U.S. Patent No. 6,341,432. Complainants named as respondents RYN Korea Co., Ltd. of Seoul, Korea ("RYN"); Main d/b/a WalkingShoesPlus.com of Los Angeles, California ("WalkingShoesPlus"); and Feet First Inc. of Boca Raton, Florida ("Feet First"). The Tannery of Cambridge, Massachusetts and A Better Way to Health of West Melbourne, Florida were subsequently added as respondents in the investigation by an unreviewed initial determination ("ID") (Order No. 4). 74 FR 11378 (Mar. 17, 2009).

On May 21, 2009, the Commission determined not to review an ID (Order No. 6) finding WalkingShoesPlus and Feet First in default for failure to respond to the complaint and notice of investigation.

On August 5, 2009, the Commission determined not to review an ID (Order No. 12) terminating the investigation based on a settlement agreement as to RYN and withdrawal of the complaint as to the remaining respondents. The Commission also requested briefing on remedy, bonding, and the public interest in connection with the defaulting respondents. 74 FR 40843 (Aug. 13, 2009).

Complainants and RYN filed a joint response to the Commission's request. The joint response states that Complainants do not believe that any remedy should be ordered against the defaulting parties and that Complainants therefore seek no relief against them. Complainants and RYN contend that the issuance of any remedy as to the defaulting parties would not be consistent with the spirit of the settlement agreement that resolved the dispute and led to the termination of the investigation. Complainants and RYN therefore submit that no remedy should be imposed on the defaulting parties, that there are no public interest concerns, and that a bond should not be imposed. The investigative attorney also filed a response to the Commission's request. She takes the position that, under the unique circumstances presented, no limited exclusion order or cease and desist order should issue against defaulting respondents.

Based on consideration of the record, including the responses of the parties to the Commission's request for briefing, the fact that Complainants do not seek relief against the defaulting respondents, and the settlement agreement between the Complainants and RYN, the Commission has determined not to issue a remedy against the defaulting respondents and has terminated the investigation in its entirety.

The authority for the Commission's determination is contained in section 337(g) of the Tariff Act of 1930, as amended (19 U.S.C. 1337(g)), and in section 210.21 of the Commission's Rules of Practice and Procedure (19 CFR 210.21).

By order of the Commission.

Issued: October 26, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

**William R. Bishop,**

*Acting Secretary to the Commission.*

[FR Doc. E9–26060 Filed 10–28–09; 8:45 am]

**BILLING CODE P**

## **INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337–TA–691]

### **Certain Inkjet Ink Supplies and Components Thereof; Notice of Investigation**

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

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 23, 2009, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Hewlett-Packard Company of Palo Alto, California. A letter supplementing the complaint was filed on October 7, 2009. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain inkjet ink supplies and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 6,959,985; 7,104,630; 6,089,687; and 6,264,301. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone 202–205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at <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>.

**FOR FURTHER INFORMATION CONTACT:** Benjamin Levi, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2781.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2009).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on October 22, 2009, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation is instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain inkjet ink supplies or components thereof that infringe one or more of claims 1–7 and 22–28 of U.S. Patent No. 6,959,985; claims 1–10, 12, 14, 18–20, 22, 26, and 28–35 of U.S. Patent No. 7,104,630; claims 6, 7, 9, and 10 of U.S. Patent No. 6,089,687; and claims 1–3, 5, and 6 of U.S. Patent No. 6,264,301, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(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—

Hewlett-Packard Company, 3000  
Hanover Street, Palo Alto, CA 94304

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Zhuhai Gree Magneto-Electric Co. Ltd.,  
No. 205, Shihua West Road,  
Xiangzhou District, Zhuhai,  
Guangdong 519000, China

InkPlusToner.com, 7851 Alabama Ave.  
#5, Canoga Park, California 91304

Mipo International Ltd., 7/F Wong Tze  
Building, No. 71 Hoi Yuen Road,  
Kwun Tong, Kowloon, Hong Kong  
Mextec Group Inc. d/b/a Mipo America  
Ltd., 3100 N.W. 72nd Avenue #106,  
Miami, Florida 33122

Shanghai Angel Printer Supplies Co.  
Ltd., No. 81 Kanguan Road, Zhujiajiao  
Industrial Zone, Qingpu District,  
Shanghai, China

SmartOne Services LLC d/b/a  
InkForSale.net, 27613 Del Norte  
Court, Hayward, California 94545

Shenzhen Print Media Co., Ltd., Room  
10A Xingfu Ge Zhongfu Building  
(129), Fumin Rd., Futian District,  
Shenzhen, China

Comptree Ink d/b/a Meritline, ABCInk,  
EZ, Label, and CDR DVDR Media,  
18961 East Arenth Ave., City of  
Industry, California 91748

Zhuhai National Resources & Jingjie  
Imaging, Products Co., Ltd., No. 1  
Industrial Building, Pingdong 2 Road,  
Nanping S&T Industrial Community,  
Zhuhai, Guangdong, China

Tatrix International, 10 C, Garden  
Building, No. 1083 JiuZhou Road,

Jida, Zhuhai, Guangdong, China  
519015

Ourway Image Co., Ltd., No. 125  
Renmin East Road, Zhuhai,  
Guangdong, China

(c) The Commission investigative attorney, party to this investigation, is Benjamin Levi, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate 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 not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation 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 an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

Issued: October 23, 2009.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9–25997 Filed 10–28–09; 8:45 am]

**BILLING CODE 7020–02–P**

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on October 21, 2009, a proposed Consent Decree in

*United States v. Louisiana Midland Transport Company, L.L.C.* (“Louisiana Midland”), C.A. No. 1:09–cv–01825 (W.D. La.), was lodged with the United States District Court for the Western District of Louisiana. The Consent Decree resolves the United States’ claim for response costs against Louisiana Midland, pursuant to Section 107(a)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. 9607(a)(2). The claim relates to response costs incurred by the U.S. Environmental Protection Agency (“EPA”) in connection with clean-up activities performed at the Doughty’s Treating Plant Site, located in Jena, La Salle Parish, Louisiana. Under the Consent Decree, defendant Louisiana Midland will pay EPA \$1,200,000 in reimbursement of a portion of the response costs incurred by EPA in connection with the Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Acting Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov), or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, and should refer to *United States v. Louisiana Midland Transport Company, L.L.C.*, DOJ Reference No. 90–11–3–09181.

The Consent Decree may be examined at the Office of the United States Attorney, 300 Fannin Street, Suite 3201, Shreveport, Louisiana, and at U.S. EPA Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044–7611, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514–0097, phone confirmation number (202) 514–1547. In requesting a copy of the Consent Decree from the Consent Decree Library, please enclose a check in the amount of \$5.50 (25 cents per page production costs), payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.