

increasing complexity of the project, the level of controversy related to the project, and the level of public involvement during the scoping process.

On July 16, 2010, the Notice of Availability for the Draft EIS was published in the **Federal Register** (75 FR 41517) and a 45-day Draft EIS public comment period began. During this time, the BLM hosted 4 public meetings in Cañon City, Cotopaxi, Salida, and Denver, Colorado. Based on public comments received, the BLM extended the comment period by 15 days, ending on September 14, 2010. The responses to comments are presented in the *Over the River* Final EIS.

Public comments focused on concerns with emergency response and safety, cleanup and restoration, impacts to the special values of the Arkansas Canyonlands ACEC, wildlife, threatened and endangered species, recreation, transportation, and socioeconomics. These comments have been addressed within the range of alternatives in the Final EIS where applicable.

**Additional Final EIS Inspection Addresses:** Additional copies of the *Over the River* Final EIS are available at the BLM Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado; Cañon City Public Library, 516 Macon Ave., Cañon City, Colorado; Salida Regional Library, 405 E. Street, Salida, Colorado; Arkansas Headwaters Recreation Area office, 307 West Sackett Ave., Salida, Colorado; Denver Public Library, 10 W. Fourteenth Ave. Parkway, Denver, Colorado; and the Cotopaxi Store, 20204 U.S. Highway 50, Cotopaxi, Colorado.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment on the Final EIS, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** 40 CFR 1506.6 and 1506.10.

**Helen M. Hankins,**

*Colorado State Director.*

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**BILLING CODE 4310-JB-P**

## INTERNATIONAL TRADE COMMISSION

### Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *In Re Certain Wireless Devices with 3G Capabilities and Components Thereof*, DN 2835; the Commission is soliciting comments on any public interest issues raised by the complaint.

#### FOR FURTHER INFORMATION CONTACT:

James R. Holbein, Secretary to the Commission, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>, and 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:** The Commission has received a complaint filed on behalf of InterDigital Communications LLC, InterDigital Technology Corporation, and IPR Licensing Inc. on July 26, 2011. The complaint 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 wireless devices with 3g capabilities and components thereof. The complaint names as respondents Huawei Technologies Co., Ltd. of China; FutureWei Technologies, Inc. d/b/a Huawei Technologies (USA) of TX; Nokia Corporation of Finland; Nokia Inc. of NY; ZTE Corporation of China; and ZTE (USA) Inc. of TX.

The complainant, proposed respondents, other interested parties, and members of the public are invited

to file comments, not to exceed five pages in length, on any public interest issues raised by the complaint. Comments should address whether issuance of an exclusion order and/or a cease and desist order in this investigation would negatively affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the potential orders;

(iii) Indicate the extent to which like or directly competitive articles are produced in the United States or are otherwise available in the United States, with respect to the articles potentially subject to the orders; and

(iv) Indicate whether Complainant, Complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to an exclusion order and a cease and desist order within a commercially reasonable time.

Written submissions must be filed no later than by close of business, five business days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Submissions should refer to the docket number ("Docket No. 2835") in a prominent place on the cover page and/or the first page. The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/documents/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the

Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50(a)(4) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.50(a)(4)).

By order of the Commission.

Issued: July 26, 2011.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-19225 Filed 7-28-11; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-712]

### **Certain Digital Set-Top Boxes and Components Thereof; Notice of Commission Determination Not To Review a Final Initial Determination; Affirming-in-Part ALJ Order No. 33 Granting Summary Determination That Complainant Satisfied the Economic Prong of the Domestic Industry Requirement Under 19 U.S.C. 1337(a)(3); Schedule for Filing Written Submissions on 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 ("the Commission") has determined not to review the final initial determination ("ID") issued by the presiding administrative law judge ("ALJ") on May 20, 2011, in the above-captioned investigation; the Commission has also determined to affirm-in-part ALJ Order No. 33 granting summary determination that complainant satisfies the economic prong of the domestic industry requirement.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3116. 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 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>. 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 investigation was instituted on April 21, 2010, based on a complaint filed by Verizon Communications Inc. and Verizon Services Corp. (collectively, "Verizon"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain digital set-top boxes and components thereof, that infringe one or more of claim 14 of U.S. Patent No. 5,635,979; claim 38 of U.S. Patent No. 5,666,293; claim 13 of U.S. Patent No. 6,381,748 ("the '748 patent"); claim 14 of U.S. Patent No. 6,367,078; and claim 5 of U.S. Patent No. 7,561,214. 75 FR 20861 (2010). Complainant named Cablevision Systems Corp. of Bethpage, New York ("Cablevision") as the only respondent. *Id.*

On September 7, 2010, Verizon moved for summary determination that its activities in the United States concerning its FiOS TV services satisfy the economic prong of the domestic industry requirement under 19 U.S.C. 1337(a)(3). On September 24, 2010, Cablevision filed an opposition to Verizon's motion. Also on September 24, 2010, the Commission investigative attorney ("the IA") filed a response in support of Verizon's motion. On January 11, 2010, the ALJ issued an ID (Order No. 33) granting Verizon's motion. On January 20, 2011, respondent Cablevision filed a petition for review of the Summary ID. On January 27, 2011, Verizon and the IA each filed a response to the petition for review. On February 11, 2011, the Commission determined to review the Summary ID and requested written submissions from the parties on the issues under review. All of the parties timely submitted their respective initial and reply submissions.

The evidentiary hearing on violation of Section 337 was held from January 24, 2011 through February 1, 2011. On May 20, 2011, the ALJ issued his final ID finding a violation of section 337 as to the '748 patent only. The ID included the ALJ's recommended determination

on remedy and bonding. All the parties to the investigation filed timely petitions for review of various portions of the final ID, as well as timely responses to the petitions. On July 1, 2011, Cablevision filed an unopposed motion for leave to file a supplemental submission regarding a district court proceeding. *ActiveVideo Networks, Inc. v. Verizon Commc'ns, Inc.*, Civil Action No. 2:10cv248. The motion is hereby granted.

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 final ID. The Commission has also determined to affirm-in-part the ALJ's Order No. 33, granting Verizon's motion for summary determination that it has satisfied the economic prong of the domestic industry requirement under 19 U.S.C. 1337(a)(3)(C). In particular, the Commission affirms that Verizon has satisfied the economic prong of the domestic industry requirement based on its investment in the software development and testing, installation, and support associated with the set-top boxes that were alleged to practice the asserted claims of the patents-in-suit because Verizon's investments in those activities are "substantial" within the meaning of Section 337(a)(3)(C). The Commission takes no position on the remainder of the summary determination ID. Specifically, the Commission takes no position on whether Verizon's investments in the FiOS network satisfy the economic prong.

In connection with the final disposition of this investigation, the Commission may (1) issue an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in the respondent being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or are likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843 (Dec. 1994) (Commission Opinion).