

No. 5,470,257 (“the ‘257 patent’”) following a remand from the United States Court of Appeals for the Federal Circuit (“Federal Circuit”) in *John Mezzalingua Associates v. Int’l Trade Comm’n*, 2011 U.S. App. LEXIS 8806 (Fed. Cir. Apr. 28, 2011).

FOR FURTHER INFORMATION CONTACT:

Michelle Klancnik, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5468. 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: The Commission instituted this investigation on May 30, 2008, based on a complaint filed by John Mezzalingua Associates, Inc. d/b/a PPC, Inc. of East Syracuse, New York (“PPC”). 73 FR 31145 (May 30, 2008). The complaint alleged 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 coaxial cable connectors and components thereof and products containing the same by reason of infringement of various United States Patents, including the ‘257 patent. The complaint named eight respondents. After institution, two respondents were terminated based on consent orders and four respondents were found to be in default (“defaulting respondents”). Two respondents, Fu-Ching Technical Industry, Co., Ltd. and Gem Electronics, Inc. (“the active respondents”), remained active.

On October 13, 2009, the presiding administrative law judge issued a final initial determination (“ID”) and a recommended determination on remedy and bonding. The Commission determined to review the final ID in part.

On March 31, 2010, the Commission found no violation of section 337 for the ‘257 patent. The Commission found

infringement of the ‘257 patent by the defaulting respondents and no infringement by the active respondents. The Commission nevertheless found no violation of section 337 because it found no domestic industry for the ‘257 patent. Having found no violation, the Commission did not make a remedy determination for the ‘257 patent.

Complainant PPC appealed to the Federal Circuit. In *John Mezzalingua Associates v. International Trade Commission*, 2011 U.S. App. LEXIS 8806 (Fed. Cir. Apr. 28, 2011), the Federal Circuit reversed the Commission’s finding of no violation, entered a judgment of violation, and remanded the investigation to the Commission for proceedings consistent with its opinion. The Federal Circuit’s mandate issued on June 30, 2011.

On July 18, 2011, the Commission issued a notice requesting comments from the parties regarding how to proceed with the investigation following the remand from the Federal Circuit. On July 29, 2011, PPC filed a response to the Commission’s notice. On August 1, 2011, the Commission investigative attorney filed a response to the Commission’s notice.

Having reviewed the record to the investigation including all relevant submissions, the Commission has determined that the appropriate form of remedy is a general exclusion order. The general exclusion order prohibits the unlicensed entry of coaxial cable connectors and components thereof and products containing the same that infringe claim 1 and/or 5 of the ‘257 patent.

The Commission further determined that the public interest factors enumerated in section 337(d) (19 U.S.C. 1337(d)) do not preclude issuance of the general exclusion order. Finally, the Commission determined that the amount of bond during the Presidential review period (19 U.S.C. 1337(j)) shall be in the amount of thirteen (13) cents per coaxial connector of the defaulting respondents—Hanjiang Fei Yu Electronics Equipment Factory of China, Zhongguang Electronics of China, Yangzhou Zhongguang Electronics Co. of China, and Yangzhou Zhongguang Foreign Trade Co. Ltd. of China. A bond in the amount of zero is required for any other coaxial cable connector or component thereof or product containing the same covered by the general exclusion order. The Commission’s order was delivered to the President and the United States Trade Representative on the day of its issuance.

The authority for the Commission’s determination is contained in section

337 of the *Tariff Act of 1930*, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

Issued: September 13, 2011.

By order of the Commission.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2011-23894 Filed 9-16-11; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-806]

Certain Digital Televisions Containing Integrated Circuit Devices and Components Thereof; Notice of Institution of Investigation; Institution of Investigation Pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 12, 2011, under section 337 of the *Tariff Act of 1930*, as amended, 19 U.S.C. 1337, on behalf of Renesas Electronics Corporation of Japan and 511 Technologies, Inc. of Marshall, Texas. Letters supplementing the complaint were filed on September 1, 2011 and September 6, 2011. 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 digital televisions containing integrated circuit devices and components thereof by reason of infringement of certain claims of U.S. Patent No. 7,199,432 (“the ‘432 patent’”) and U.S. Patent No. 6,531,400 (“the ‘400 patent’”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and a cease and desist order.

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: The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

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 (2011).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on September 12, 2011, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be 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 digital televisions containing integrated circuit devices and components thereof that infringe one or more of claims 9, 10, 12, 31, 32, and 35 of the '432 patent and claims 6-10 of the '400 patent, 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 complainants are:

Renasas Electronics Corporation,
Nippon Building, 2-6-2, Ote-machi,
Chiyoda-ku, Tokyo 100-0004, Japan;
511 Technologies, Inc., 511 N.
Washington Avenue, Marshall, TX
75670.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served:
Vizio, Inc., 39 Tesla, Irvine, CA 92618.

(c) The 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 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 respondent 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)-(e) 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 the 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.

By order of the Commission.

Issued: September 13, 2011.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2011-23890 Filed 9-16-11; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

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

Notice is hereby given that on September 12, 2011, a proposed Consent Decree in *United States of America v. CDS Investment Co., et al.*, Civil Action No. 2:11-cv-5696, D.J. Ref. 90-11-3-1604/1, was lodged with the United States District Court for the Eastern District of Pennsylvania.

In this action the United States sought reimbursement of response costs incurred and to be incurred in connection with the release or threatened release of hazardous substances at the AIW Frank/Mid-County Mustang Superfund Site (the "Site") located near Exton, West Whiteland Township, Chester County,

Pennsylvania. The Consent Decree obligates the Settling Defendants to pay a total of \$830,000 which the United States and Pennsylvania will share in reimbursement of past response costs each has incurred at the Sites. The United States will receive 75% of this amount, and Pennsylvania will receive 25%. Pennsylvania will file a separate complaint and consent decree in order to effectuate its settlement with the Settling Defendants. The settlement also contains provisions by which the United States would receive at least 65% of the proceeds of any future recovery on insurance policies related to business operations at the Sites.

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 Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to 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 of America v. CDS Investment Co., et al.*, Civil Action No. 2:11-cv-5696, D.J. Ref. 90-11-3-1604/1.

During the public comment period, the Consent Decree may be examined on the following Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html, maintained by the Department of Justice. 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), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.50 (@ 25 cents per page reproduction cost) 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.

Robert Brook,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2011-23957 Filed 9-16-11; 8:45 am]

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