

Minnesota; Red Lake Band of Chippewa Indians, Minnesota; and the White Earth Band of Minnesota Chippewa Tribe, Minnesota (hereinafter referred to as "The Tribes").

History and Description of the Remains

At an unknown date, human remains representing, at minimum, one individual were removed from an undesignated site in Koochiching County, MN, by unknown persons. In 1998, the human remains were donated to Tom Trow at the University of Minnesota, who transferred them to the Minnesota Office of the State Archaeologist. In 1999, the human remains were transferred to the MIAC (H373). No known individuals were identified. No associated funerary objects are present.

The condition of the human remains and cranial morphology identify these human remains as pre-contact American Indian. The human remains have no archeological classification and cannot be associated with any present-day Indian tribe.

Determinations Made by the Minnesota Indian Affairs Council

Officials of the MIAC have determined that:

- Based on non-destructive physical analysis and catalogue records, the human remains are Native American.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian tribe.
- According to final judgments of the Indian Claims Commission, the land from which the Native American human remains were removed is the aboriginal land of The Tribes.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of one individual of Native American ancestry.
- Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains is to The Tribes

Additional Requestors and Disposition

Representatives of any Indian tribe that believes itself to be culturally affiliated with the human remains or any other Indian tribe that believes it satisfies the criteria in 43 CFR 10.11(c)(1) should contact James L. (Jim) Jones, Cultural Resource Director, Minnesota Indian Affairs Council, 3801 Bemidji Avenue NW., Suite 5, Bemidji, MN 56601, telephone (218) 755-3223, before January 23, 2012. Disposition of the human remains to The Tribes may proceed after that date if no additional requestors come forward.

The Minnesota Indian Affairs Council is responsible for notifying The Tribes that this notice has been published.

Dated: December 20, 2011.

Sherry Hutt,

Manager, National NAGPRA Program.

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DEPARTMENT OF THE INTERIOR

National Park Service

[2253-665]

Notice of Inventory Completion: University of Denver Department of Anthropology and Museum of Anthropology, Denver, CO; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of the University of Denver Department of Anthropology and Museum of Anthropology, Denver, CO. The human remains and cultural items were removed from Maricopa County or Pinal County, AZ.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

This notice corrects the number of associated funerary objects for the Hill Ruin and Gila Plain Sites.

In the **Federal Register** (66 FR 55957-55958, Monday, November 5, 2001) paragraph number four is corrected by substituting the following paragraph:

Around 1925, human remains representing, at minimum, one individual were recovered from the Hill Ruin Site in either Maricopa or Pinal County, AZ, by archeologist Frank Midvale. At an unknown date, the remains were transferred to Fallis F. Rees, who donated them to the University of Denver Department of Anthropology and Museum of Anthropology in 1967. No known individuals were identified. The 283 associated funerary objects are: 1 Sacaton Red-on-Buff bowl, 1 Sacaton Red-on-Buff bowl fragment, 280 Sacaton

phase and Santa Cruz phase projectile points, and 1 lot of calcined shell beads strung on twine.

Paragraph number six is corrected by substituting the following paragraph:

At an unknown date, human remains representing, at minimum, one individual were recovered from an unknown site in the Gila Plain, in either Maricopa or Pinal County, AZ, by an unknown person. The remains were cremated and are in fragmentary condition. At an unknown date, the remains came into the possession of Fallis F. Rees, who donated them to the University of Denver Department of Anthropology and Museum of Anthropology in 1967. No known individuals were identified. The eight associated funerary objects are: 1 plainware "cremation" bowl, 1 "cremation" olla, 2 buff ceramic rim sherds, 1 piece of cut and decorated mica, 1 shell fragment, 1 possible shell bracelet, and 1 lot of fragmented faunal remains.

Paragraph number ten is corrected by substituting the following paragraph:

Officials of the University of Denver Department of Anthropology and Museum of Anthropology have determined that:

- Pursuant to 43 CFR 10.2(d)(1), the human remains listed above represent the physical remains of, at minimum, two individuals of Native American ancestry.
- Pursuant to 43 CFR 10.2(d)(2), the 291 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 43 CFR 10.2(e), there is a relationship of shared group identity that can be reasonably traced between these Native American human remains and associated funerary objects and the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Hopi Tribe of Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico (herein after referred to as "The Tribes").

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Anne Amati, NAGPRA Coordinator/Registrar, University of Denver Department of Anthropology and Museum of Anthropology, 2000 E Asbury Ave. Sturm Hall 146, Denver,

CO 80208, telephone (303) 871-2687, before January 23, 2012. Repatriation of the human remains and associated funerary objects to The Tribes may proceed after that date if no additional claimants come forward.

The University of Denver Department of Anthropology and Museum of Anthropology is responsible for notifying The Tribes that this notice has been published.

Dated December 20, 2011.

Sherry Hutt,

Manager, National NAGPRA Program.

[FR Doc. 2011-32946 Filed 12-22-11; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-710]

Certain Personal Data and Mobile Communications Devices and Related Software; Final Determination Finding Violation of Section 337; Issuance of a Limited Exclusion Order; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has found a violation of section 337 in this investigation and has issued a limited exclusion order prohibiting importation of infringing personal data and mobile communications devices and related software. The Commission has determined that exclusion of articles subject to this order shall commence on April 19, 2012.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2532. 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 April 6, 2010, based on a complaint filed by Apple Inc., and its subsidiary NeXT Software, Inc., both of Cupertino, California (collectively, "Apple"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain personal data and mobile communications devices and related software that infringe certain U.S. patents. 75 FR 17434 (Apr. 6, 2010). The notice of investigation named as respondents High Tech Computer Corp. of Taoyuan City, Taiwan and its United States subsidiaries HTC America Inc. of Bellevue, Washington, and Exedia, Inc. of Houston, Texas (collectively, "HTC").

Several patents that had been asserted by Apple in this investigation were earlier asserted by Apple in Investigation No. 337-TA-704 against Nokia Corp. of Espoo, Finland and Nokia Inc. of White Plains, New York (collectively, "Nokia"). On motion by the Commission investigative attorney ("IA") in the 704 investigation and by the respondents in both investigations, the Chief ALJ transferred Apple's assertion of overlapping patents against Nokia from the 704 investigation into the 710 investigation. *See Inv. No. 337-TA-704, Order No. 5 (Apr. 26, 2010).* However, Apple and Nokia entered a settlement agreement, and on July 21, 2011, the Commission determined not to review the presiding ALJ's termination of the investigation as to Nokia in the 710 investigation based on settlement.

On July 15, 2011, the ALJ issued the final ID. By that time, the investigation had narrowed to certain claims of four patents: claims 1, 3, 8, 15, and 19 of U.S. Patent No. 5,946,647 ("the '647 patent"); claims 1, 2, 24, and 29 of U.S. Patent No. 6,343,263 ("the '263 patent"); claims 1, 5, and 6 of U.S. Patent No. 5,481,721 ("the '721 patent"); and claims 1 and 7 of U.S. Patent No. 6,275,983 ("the '983 patent"). The final ID found a violation of section 337 by HTC by virtue of the infringement of claims 1, 8, 15, and 19 of the '647 patent, and claims 1, 2, 24, and 29 of the '263 patent. The final ID found that claim 3 of the '647 patent was not infringed. In addition, the final ID found that Apple had demonstrated neither infringement nor Apple's own practice (for purposes of establishing the existence of a domestic industry) of claims 1, 5, and 6 of the '721 patent and claims 1 and 7 of the '983 patent. The

final ID concluded that HTC had not demonstrated that any of the asserted patent claims were invalid. The ALJ recommended the issuance of a limited exclusion order but that zero bond be posted during the Presidential review period.

HTC, Apple, and the IA each petitioned for review of the final ID. On September 15, 2011, the Commission determined to review several issues regarding each of the four patents asserted in this investigation. 76 FR 58,537 (Sept. 21, 2011). The parties filed briefing on the issues under review, remedy, the public interest, and bonding. In addition, the following non-parties submitted comments on the public interest: the Association for Competitive Technology; Google Inc.; and T-Mobile USA, Inc. ("T-Mobile").

Having examined the record of this investigation, including the ALJ's final ID and the aforementioned briefing and comments, the Commission has determined that there is a violation of section 337 by reason of the importation and sale of articles that infringe claims 1 and 8 of the '647 patent. The Commission has determined to reverse the ALJ's finding of violation as to claims 15 and 19 of the '647 patent and as to the asserted claims of the '263 patent. The Commission affirms the ALJ's conclusion that there has been no violation as to the '721 and '983 patents.

The Commission has further determined that the appropriate remedy is a limited exclusion order prohibiting the entry of personal data and mobile communications devices and related software that infringe claims 1 or 8 of the '647 patent. The Commission has also determined that the public interest factors enumerated in section 337(d), 19 U.S.C. 1337(d), do not preclude the issuance of the limited exclusion order. Notwithstanding the foregoing, the Commission has determined that based on consideration of competitive conditions in the United States economy, the exclusion of articles subject to the order shall commence on April 19, 2012 to provide a transition period for U.S. carriers. In addition, the Commission has determined, based on consideration of the effect of exclusion on United States consumers, that until December 19, 2013, HTC may import refurbished handsets to be provided to consumers as replacements under warranty or an insurance contract (whether the warranty or contract is offered by HTC, a carrier, or by a third party). This exemption does not permit HTC to call new devices "refurbished" and to import them as replacements. The Commission has determined not to issue a cease and desist order and that