

5 snowmobiles each allocated for non-commercially guided access. BAT requirements for snowmobiles would remain the same as the BAT requirements in the 2011/2012 interim regulation until the 2017/2018 winter season, at which time additional sound and air emission requirements would be implemented. BAT requirements for snowcoaches would also be implemented beginning in the 2017/2018 season. If OSVs meet additional voluntary standards for air and sound emissions beyond those required for BAT, the group size of snowmobiles would be allowed to increase from an average of 7 to an average of 8 per transportation event, and snowcoaches would be allowed to increase from one to two snowcoaches per transportation event. Sylvan Pass would remain open.

More information regarding Yellowstone in the winter, including educational materials and a detailed history of winter use in Yellowstone, is available at <http://www.nps.gov/yell/planvisit/winteruse/index.htm>.

Dated: January 15, 2013.

**John Wessels,**

*Regional Director, Intermountain Region,  
National Park Service.*

[FR Doc. 2013-04124 Filed 2-21-13; 8:45 am]

**BILLING CODE 4312-CB-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-853]

### **Certain Wireless Consumer Electronics Devices and Components Thereof; Commission Determination Concerning an Initial Determination Granting a Motion To Amend Complaint and Notice of Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission did not determine to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 17) granting a motion of complainants Technology Properties Limited LLC and Phoenix Digital Solutions LLC of Cupertino, California and Patriot Scientific Corporation of Carlsbad, California (collectively "Complainants") to amend the Complaint and Notice of Investigation ("NOI"). The ID therefore became the determination of the Commission.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International

Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2301. 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 August 24, 2012, based on a complaint filed by Complainants. 77 FR 51572-573 (August 24, 2012). The complaint alleges violations of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of U.S. Patent No. 5,809,336. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named numerous respondents, including Huawei Technologies Co, Ltd. of Shenzhen, China ("Huawei"); Huawei North America of Plano, Texas ("Huawei North America"); Sierra Wireless, Inc. of British Columbia, Canada and Sierra Wireless America, Inc. of Carlsbad, California (collectively "Sierra"). The Office of Unfair Import Investigation was also named as a participating party. On February 4, 2013, the Commission terminated the investigation with respect to Sierra. Notice (Feb. 4, 2013); see Order No. 17 (Jan. 15, 2013).

On November 13, 2012, Complainants filed a motion to amend the Complaint and NOI to remove Huawei North America as a respondent and to add Huawei Device Co., Ltd., Huawei Device USA Inc., and Futurewei Technologies, Inc. (collectively, "Proposed Respondents") as respondents. On November 23, 2012, the Commission investigative staff filed a response in support of the motion. On November 26, 2012, Huawei and Proposed Respondents filed a response opposing the motion.

On January 8, 2013, the ALJ issued the subject ID, granting Complainants' motion to amend the Complaint and NOI pursuant to section 210.14(b)(1) of the Commission's Rules of Practice and

Procedure (19 CFR 210.14(b)(1)). The ALJ found that good cause supported granting the motion because the public interest will be best served by the inclusion of all relevant parties in a single investigation. No petitions for review of this ID were filed.

The subject ID became the determination of the Commission on February 8, 2013, under section 210.42(h)(3) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)(3)).

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 section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Issued: February 15, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013-04068 Filed 2-21-13; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-781]

### **Certain Microprocessors, Components Thereof, and Products Containing Same; Termination of Investigation With a Finding of No Violation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review in part the final initial determination ("ID") issued by the presiding administrative law judge ("ALJ") on December 14, 2012, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in this investigation. On review, the Commission has determined to reverse or vacate certain findings, and to terminate the investigation with a finding of no violation.

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Esq., 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 (<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 July 7, 2011, based on a complaint filed by X2Y Attenuators, LLC of Erie, Pennsylvania ("X2Y"). 76 FR 39,895 (July 7, 2011). The respondents are Intel Corporation and Intel America, Inc., both of Santa Clara, California; Componentes Intel de Costa Rica S.A. of Heredia, Costa Rica; Intel Technology Sdn Bhd of Penang, Malaysia; and Intel Products (Chengdu) Ltd. of Chengdu, China (collectively, "Intel"), as well as two of Intel's customers who import computers containing accused Intel microprocessors, Apple Inc. of Cupertino, California ("Apple"); and Hewlett-Packard Company of Palo Alto, California ("HP").

Originally, X2Y asserted numerous claims from five patents. X2Y later received leave to amend the notice of investigation to add a sixth patent, Order No. 13 (Oct. 14, 2011), *not reviewed*, Nov. 14, 2011, but X2Y later moved to terminate the investigation as to three of the six patents and as to certain claims of the remaining three, Order No. 35 (June 13, 2012), *not reviewed*, June 29, 2012; Order No. 59 (Sept. 7, 2012), *not reviewed*, Oct. 4, 2012. What remains are claims 23 and 30 of U.S. Patent No. 7,609,500 ("the '500 patent"); claims 29, 31, 33, and 36 of U.S. Patent No. 7,916,444 ("the '444 patent"); and claims 20, 28-31 of U.S. Patent No. 8,023,241 ("the '241 patent").

On December 14, 2012, the presiding ALJ issued the ID. The ALJ found no violation of section 337. Based substantially on adoption of certain of respondents' claim constructions, the ALJ found that none of the patent claims were infringed and that most were invalid as indefinite under 35 U.S.C. 112(b). The ALJ rejected the respondents' other section 112 challenges, as well as their equitable defenses based upon equitable estoppel, unclean hands, and laches. The ALJ found in the alternative that if X2Y's claim constructions were adopted, all of the asserted claims would be invalid under 35 U.S.C. 102 or 103 in view of the prior art.

On December 31, 2012, X2Y filed a petition for review that challenged

certain claim constructions, as well as the ALJ's findings of noninfringement and invalidity. That same day, the respondents filed a contingent petition for review arguing additional bases for no violation. On January 9, 2013, the private parties opposed each other's petitions. In addition, the Commission investigative attorney filed a narrow opposition, which recommended against Commission review of the domestic industry issues raised by the private parties.

Having examined the record of this investigation, including the ALJ's final ID, the petition for review, and the responses thereto, the Commission has determined to review the final ID in part.

With respect to the issues raised in X2Y's petition for review, the Commission has determined to review the ALJ's determination that the term "portion" in the '444 and '241 patents is indefinite under 35 U.S.C. 112(b). The Commission finds that the term is not insolubly ambiguous and affords the term its ordinary meaning. The Commission has also determined to review and reverse the ALJ's determination that all of the asserted patent claims have a "capacitance" requirement not part of the adopted claim constructions. The Commission has determined not to review the ALJ's constructions of the terms "electrode" (all asserted patents) and "perimeter edge" (the '241 patent). The Commission has determined not to review the ALJ's finding of noninfringement based upon these constructions. Regarding the ALJ's alternative invalidity findings under 35 U.S.C. 102 and 103 based upon claim constructions rejected by the ALJ and the Commission, the Commission reviews and vacates those determinations.

In view of the foregoing, the Commission, like the ALJ, therefore does not reach the written description and anticipation arguments raised by the respondents in their contingent petition, both of which rely on claim constructions inconsistent with the Commission's findings.

X2Y petitioned for review of the ALJ's determination that X2Y did not demonstrate the existence of a domestic industry under 19 U.S.C. 1337(a)(3)(C) through its licensing activities. The respondents petitioned for review of the ALJ's determination that X2Y did demonstrate the existence of a domestic industry under section 337(a)(3)(C) through the engineering, research and development activities and investments of X2Y's licensee. The Commission has determined to vacate the ALJ's

determinations under section 337(a)(3)(C) without reaching the merits. The ALJ's findings under this subsection are nondispositive in view of the Commission's adopted claim constructions. Moreover, it appears that the issues would be nondispositive even under X2Y's proposed claim constructions, in view of the ALJ's findings under section 337(a)(3)(A) and (a)(3)(B).

The Commission has determined not to review the remainder of the ID. Accordingly, the Commission has terminated this investigation with a finding of no violation. The Commission's determinations will be set forth more fully in the Commission's forthcoming opinion.

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 sections 210.42-46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-46).

Issued: February 15, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013-04070 Filed 2-21-13; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

[Docket No. OLP 153]

### Notice of Establishment of the National Commission on Forensic Science and Solicitation of Applications for Commission Membership

**AGENCY:** Department of Justice.

**ACTION:** Notice of Establishment and Solicitation of Applications for Membership.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, as amended, the Attorney General will be establishing the National Commission on Forensic Science. This notice establishes criteria and procedures for the selection of members.

**DATES:** Applications must be received on or before March 25, 2013.

**ADDRESSES:** All applications should be submitted to: Armando Bonilla by email at [Armando.Bonilla2@usdoj.gov](mailto:Armando.Bonilla2@usdoj.gov) or by mail at Department of Justice, 950 Pennsylvania Ave NW., Room 4313, Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:** Armando Bonilla by email at [Armando.Bonilla2@usdoj.gov](mailto:Armando.Bonilla2@usdoj.gov) or by mail at Department of Justice, 950 Pennsylvania Ave NW., Room 4313, Washington, DC 20530.