of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.8(c) of the Commission’s Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).


William R. Bishop, Supervisory Hearings and Information Officer. [FR Doc. 2013–12894 Filed 5–30–13; 8:45 am] BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–894 (Review)]

Certain Ammonium Nitrate From Ukraine

Determination

On the basis of the record 1 developed in the subject five-year review, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty order on certain ammonium nitrate from Ukraine would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted this review on June 1, 2012 (77 FR 32669) and determined on October 17, 2012 that it would conduct a full review (77 FR 65015, October 24, 2012). Notice of the scheduling of the Commission’s review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the Federal Register on October 24, 2012 (77 FR 65015). 2 The hearing was held in Washington, DC, on April 4, 2013, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this review to the Secretary of Commerce on May 24, 2013. The views of the Commission are contained in USITC Publication 4596 (May 2013), entitled Certain Ammonium Nitrate from Ukraine:

† The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

‡ The Commission published a revised schedule on December 11, 2012 (77 FR 73674).


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On April 23, 2012, the ALJ issued his final ID, finding a violation of section 337 by Microsoft. Specifically, the ALJ found that the Commission has subject matter jurisdiction, in rem jurisdiction over the accused products and in personam jurisdiction over the respondent. The ALJ also found that the importation requirement of section 337 (19 U.S.C. 1337(a)(1)(B)) has been satisfied. Regarding infringement, the ALJ found that Microsoft’s accused products directly infringe claims 1 and 12 of the ‘896 patent; claims 7, 8, and 10 of the ‘094 patent; claim 2 of the ‘596 patent; and claims 12 and 13 of the ‘571 patent. Id. at 330. The ALJ, however, found that the accused products do not infringe asserted claims 6, 8, and 17, of the ‘712 patent. With respect to invalidity, the ALJ found that the asserted claims of the ‘896, ‘094, ‘571, ‘712 patents and claim 2 of the ‘596 patent were not invalid. However, he found asserted claim 1 of the ‘596 patent invalid for anticipation. He also found that Microsoft failed to prevail on any of its equitable defenses and that Microsoft failed to establish that Motorola’s alleged obligation to provide a license on reasonable and nondiscriminatory terms (“RAND”) precluded a finding of violation of