

*Same, DN 3001*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing under section 210.8(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.8(b)).

**FOR FURTHER INFORMATION CONTACT:** Lisa R. Barton, Acting 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 Document Information System (EDIS) at EDIS,<sup>1</sup> 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 at United States International Trade Commission (USITC) at USITC.<sup>2</sup> The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at EDIS.<sup>3</sup> 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 and a submission pursuant to section 210.8(b) of the Commission's Rules of Practice and Procedure filed behalf of Ivoclar Vivadent AG, Ivoclar Vivadent, Inc., Ivoclar Vivadent Manufacturing, Inc. on February 19, 2014. 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 lithium silicate materials and products containing same. The complaint name as respondents Dentsply International Inc. of York, PA; Dentsply Prosthetics U.S. LLC a/k/a Dentsply Ceramco of York, PA; and DeguDent GmbH of Germany. The complainant requests that the Commission issue a limited exclusion order and cease and desist orders.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length,

inclusive of attachments, on any public interest issues raised by the complaint or section 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would 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 requested remedial orders are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;
- (iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;
- (iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and
- (v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar 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 electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number ("Docket No. 3001") in a prominent place on the cover page and/or the first page. (*See Handbook for Electronic Filing Procedures, Electronic Filing Procedures* 4). Persons with

questions regarding 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 and on EDIS.<sup>5</sup>

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 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: February 20, 2014.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2014-04026 Filed 2-24-14; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-853]

### Certain Wireless Consumer Electronics Devices and Components Thereof; Notice of Commission Determination Finding No Violation of Section 337; Termination of Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has found no violation of Section 337 in the above-referenced investigation. The investigation is terminated.

**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,

<sup>5</sup> Electronic Document Information System (EDIS): <http://edis.usitc.gov>.

<sup>1</sup> Electronic Document Information System (EDIS): <http://edis.usitc.gov>.

<sup>2</sup> United States International Trade Commission (USITC): <http://edis.usitc.gov>.

<sup>3</sup> Electronic Document Information System (EDIS): <http://edis.usitc.gov>.

<sup>4</sup> Handbook for Electronic Filing Procedures: [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf).

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 Technology Properties Limited LLC and Phoenix Digital Solutions LLC, both of Cupertino, California; and Patriot Scientific Corporation of Carlsbad, California (collectively “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 (“section 337”), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wireless consumer electronics devices and components thereof by reason of infringement of certain claims of U.S. Patent No. 5,809,336 (“the ‘336 patent”). The Commission's notice of investigation named the following as respondents: Acer, Inc. of Taipei, Taiwan and Acer America Corporation of San Jose, California (collectively “Acer”); Amazon.com, Inc. of Seattle, Washington (“Amazon”); Barnes and Noble, Inc. of New York, New York (“B&N”); Garmin Ltd of Schaffhausen, Switzerland, Garmin International, Inc. of Olathe, Kansas, and Garmin USA, Inc. of Olathe, Kansas (collectively “Garmin”); HTC Corporation of Taoyuan, Taiwan and HTC America of Bellevue, Washington (collectively “HTC”); Huawei Technologies Co, Ltd. of Shenzhen, China (“Huawei Tech.”); Huawei North America of Plano, Texas (“Huawei NA”); Kyocera Corporation of Kyoto, Japan and Kyocera Communications, Inc. of San Diego, California (collectively “Kyocera”); LG Electronics, Inc. of Seoul, Republic of Korea and LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey (collectively “LG”); Nintendo Co. Ltd. of Kyoto, Japan and Nintendo of America, Inc. of Redmond, Washington (collectively “Nintendo”); Novatel Wireless, Inc. of San Diego, California (“Novatel”); Samsung Electronics Co., Ltd., of Seoul, Republic of Korea and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (collectively “Samsung”); Sierra Wireless, Inc. of

British Columbia, Canada and Sierra Wireless America, Inc. of Carlsbad, California (collectively “Sierra”); and ZTE Corporation of Shenzhen, China and ZTE (USA) Inc. of Richardson, Texas (collectively “ZTE”). The Office of Unfair Import Investigations was named as a participating party.

The Commission later amended the Notice of Investigation to remove Huawei NA as a respondent and to add Huawei Device Co., Ltd. of Shenzhen, China; Huawei Device USA Inc. of Plano, Texas; and Futurewei Technologies, Inc. d/b/a Huawei Technologies (USA) of Plano, Texas (“new Huawei respondents”) as respondents. 78 FR 12354 (Feb. 22, 2013). The Commission later terminated respondents Sierra and Kyocera from the investigation. Notice (Feb. 4, 2013); Notice (Sept. 20, 2013). The Commission also terminated respondents Acer and Amazon from the investigation. 78 FR 71643, 71644 (Nov. 29, 2013).

The active respondents in the investigation include: B&N, Garmin, HTC, Huawei Tech., the new Huawei respondents, LG, Nintendo, Novatel, Samsung, and ZTE. Nintendo was accused of infringing only claims 1 and 11, for which the Commission determined not to review the ALJ's findings of no infringement. Id.

On September 6, 2013, the ALJ issued his final initial determination (“ID”), finding no violation of Section 337 with respect to all of the named respondents. Specifically, the ALJ found that the importation requirement of Section 337 is satisfied. The ALJ also found that none of the accused products directly or indirectly infringe the asserted claims of the ‘336 patent. The ALJ further found that the asserted claims of the ‘336 patent have not been found to be invalid. The ALJ also found that respondents have not shown that the accused LG product is covered by a license to the ‘336 patent. The ALJ further found that Complainants have satisfied the domestic industry requirement pursuant to 19 U.S.C. 1337(a)(3)(C) for the ‘336 patent because Complainants' licensing activities have a nexus to the ‘336 patent and because Complainants' licensing investments with respect to the ‘336 patent are substantial. The ALJ also found that there are no public interest issues that would preclude issuance of a remedy were the Commission to find a violation of section 337. The ALJ also issued a recommended determination, recommending that the appropriate remedy is a limited exclusion order barring entry of infringing wireless consumer electronics devices and

components thereof against the active respondents. The ALJ did not recommend issuance of a cease and desist order against any respondent. The ALJ also did not recommend the imposition of a bond during the period of Presidential review. On September 12, 2013, the ALJ issued a Notice of Clarification supplementing the Final ID. Notice of Clarification Regarding Final Initial Determination (Sept. 12, 2013).

On September 23, 2013, Complainants filed a petition for review of certain aspects of the final ID concerning asserted claims 6 and 13 of the ‘336 patent. In particular, Complainants requested that the Commission review the ID's construction of the “entire oscillator” terms recited in claims 6 and 13 and the ID's infringement findings based on those limitations. Complainants also requested that the Commission review the ID's infringement findings concerning the limitations “varying,” “independent,” and “asynchronous” recited in claims 6 and 13. Also on September 23, 2013, the respondents who had not settled with Complainants filed a contingent petition for review of certain aspects of the final ID. In particular, the respondents requested review of the ID's finding that Complainants have satisfied the domestic industry requirement based on licensing activities. On October 17, 2013, the respondents filed a response to Complainants' petition for review. Also on October 17, 2013, Complainants filed a response to the respondents' contingent petition for review. Further on October 17, 2013, the IA filed a joint response to the private parties' petitions.

On October 17, 2013, Complainants filed a post-RD statement on the public interest pursuant to Commission Rule 210.50(a)(4). On October 23, 2013, the respondents also filed a submission pursuant to the rule. No responses from the public were received in response to the post-RD Commission Notice issued on September 9, 2013. See Notice of Request for Statements on the Public Interest (Sept. 9, 2013).

On November 25, 2013, the Commission determined to review the final ID in part with respect to the ID's findings concerning claim construction and infringement of claims 6 and 13 of the ‘336 patent and domestic industry. 78 FR at 71644–45. The Notice of Review included briefing questions regarding the certain issues under review. Id. The Commission determined not to review the remaining issues decided in the final ID. Id. at 71644. The Commission also extended the target

date for completion of the investigation to January 29, 2014. *Id.* at 71645.

On December 19, 2013, in response to a request from the parties, the Commission granted the parties an extension to file their reply submissions in response to the Commission's request for briefing to January 6, 2014, and further extended the target date for completion of the investigation to February 19, 2014. Notice (Dec. 19, 2013).

On December 23, 2013, the parties filed initial submissions responding to the Commission's request for briefing on review and concerning remedy, the public interest, and bonding. On January 6, 2014, the parties filed reply submissions. Several third parties filed submissions concerning the public interest, including: Sprint Spectrum, L.P.; CTIA—The Wireless Association®; and United States Cellular Corporation.

Having examined the record of this investigation, including the ALJ's final ID, the petitions for review and the responses thereto, and the parties' submissions on review, the Commission has determined to find no violation of section 337 with respect to the '336 patent.

Specifically, the Commission affirms the ID's claim constructions as to claims 6 and 13 of the '336 patent.

Regarding infringement, the Commission affirms with modification the ALJ's finding that the accused products do not satisfy the "entire oscillator," "varying," and "external clock" limitations of claims 6 and 13. Moreover, the Commission affirms the ALJ's finding that Complainants failed to prove indirect infringement because they failed to prove direct infringement.

With respect to the domestic industry requirement, the Commission finds that Complainants have satisfied the economic prong of the domestic industry requirement based on modified reasoning.

The investigation is terminated.

The Commission will issue an opinion reflecting its decision within seven days of this notice.

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: February 19, 2014.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2014-03968 Filed 2-24-14; 8:45 am]

BILLING CODE 7020-02-P

## DEPARTMENT OF JUSTICE

[OMB No. 1121-NEW]

### Agency Information Collection Activities: New Proposed Collection; Comments Requested: 2013 Census of Federal, State, and Local Law Enforcement Agencies

**ACTION:** 30-day notice.

The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics (BJS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 78, Number 207, pages 64012-64013, on October 25, 2013, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until March 27, 2014. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden or associated response time, should be directed to the Office of Management and Budget, Officer of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. The best way to ensure your comments are received is to email them to [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). All comments should reference the eight digit OMB number or the title of the collection.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether, and if so, how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection:* New collection

(2) *Title of the Form/Collection:* 2013 Census of Federal State, and Local Law Enforcement Agencies (Census).

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* The form numbers is CJ-38. The applicable component within the Department of Justice is the Bureau of Justice Statistics, Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Federal, State, and Local Government. This information collection is a census of federal, state, and local publically-funded law enforcement agencies. The affected public that will be asked to respond will include approximately 18,000 State, regional, county, municipal, campus, and tribal law enforcement agencies that employ the equivalent of one full-time sworn personnel with general arrest powers and roughly 75 federal law enforcement agencies that employ personnel authorized to carry a firearm and make arrests. The information will provide national statistics on the number of sworn and civilian personnel by type of agency and functions performed by each agency.

(5) *An estimate of the total number of respondents and the average amount of time for a respondent to respond:* It is estimated that 18,000 state and local respondents will take an average of 60 minutes to complete form CJ-38. In addition, 75 federal respondents will take an average of 30 minutes to complete a shortened version of the CJ-38 (CJ-38F).

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 18,038 total annual burden hours associated with this collection.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution