

SUPPLEMENTARY INFORMATION: Agenda topics will include an introduction of new BLM managers, an update on the Planning 2.0 Rule, implementation of Greater Sage-Grouse plans, and updates on current resource management planning efforts and major projects.

A public comment period will take place on Feb. 23 from 3 p.m. to 4 p.m., where the public may address the RAC. Written comments may also be sent to the BLM Utah State Office at the address listed in the **ADDRESSES** section of this notice.

The meeting is open to the public; however, transportation, lodging, and meals are the responsibility of the participating individuals.

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to leave a message or question for the above individual. The FRS is available 24 hours a day, seven days a week. Replies are provided during normal business hours.

Authority: 43 CFR 1784.4-1.

Richard T. Cardinale,
Acting Assistant Secretary, Land and Minerals Management.

[FR Doc. 2017-02301 Filed 2-2-17; 8:45 am]

BILLING CODE 4310-DQ-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-972]

Certain Automated Teller Machines, ATM Modules, Components Thereof, and Products Containing the Same; Commission Determination To Review in Part a Final Initial Determination Finding a Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding; and Granting a Motion To Amend the 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 has determined to review in part the final initial determination (“final ID”) issued by the presiding administrative law judge (“ALJ”) on November 30, 2016, finding a violation of section 337 of the Tariff Act of 1930, in the above-captioned investigation. The Commission has also determined to grant the motion filed on December 23, 2016, by the complainants to amend the

complaint and notice of investigation. The Commission requests certain briefing from the parties on the issues under review, as indicated in this notice. The Commission also requests briefing from the parties and interested persons on the issues of remedy, the public interest, and bonding.

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 (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://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 November 20, 2015, based on a complaint filed by Diebold Incorporated and Diebold Self-Service Systems (collectively, “Diebold”). 80 FR 72735-36 (Nov. 20, 2015). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 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 automated teller machines, ATM modules, components thereof, and products containing the same by reason of infringement of certain claims of six United States Patents: 7,121,461 (“the ‘461 patent”); 7,249,761 (“the ‘761 patent”); 7,314,163 (“the ‘163 patent”); 6,082,616 (“the ‘616 patent”); 7,229,010 (“the ‘010 patent”); and 7,832,631 (“the ‘631 patent”). *Id.* The notice of investigation named as respondents Nautilus Hyosung Inc. of Seoul, Republic of Korea; Nautilus Hyosung America Inc. of Irving, Texas; and HS Global, Inc. of Brea, California (collectively, “Nautilus”). *Id.* at 72736. The Office of Unfair Import Investigations was not named as a party. *Id.*

The ‘461 patent, ‘761 patent, and ‘163 patent were previously terminated from the investigation. *See* Order No. 12

(Apr. 28, 2016), *not reviewed*, Notice (May 11, 2016); Order No. 21 (June 28, 2016), *not reviewed*, Notice (July 28, 2016). The presiding administrative law judge (“ALJ”) conducted an evidentiary hearing from August 29, 2016 through September 1, 2016. On November 30, 2016, the ALJ issued the final Initial Determination (“final ID” or “ID”). The final ID found a violation of section 337 with respect to the ‘616 and ‘631 patents, and no violation with respect to the ‘010 patent. ID at 207-09. The ALJ recommended that a limited exclusion order and cease and desist orders issue against Nautilus.

Nautilus and Diebold each filed a petition for review of the ID. No party petitioned for review concerning the ‘010 patent, the Commission has determined not to review the ID’s finding of no violation as to the ‘010 patent, and the investigation is hereby terminated as to that patent. What remain are asserted claims 1, 5-8, 10, 16, 26 and 27 of the ‘616 patent; and asserted claims 1-7 and 18-20 of the ‘631 patent. Diebold’s petition deals principally with the ‘616 patent, and Nautilus’s petition deals principally with the ‘631 patent.

Separately, on December 23, 2016, Diebold moved the Commission for leave to amend the complaint and notice of investigation to change the name of Diebold, Incorporated (one of the two complainants) to Diebold Nexdorf, Incorporated. Nautilus did not oppose the motion. The Commission hereby grants the motion.

On December 30, 2016, the parties submitted statements on the public interest. Diebold contends that the investigation does not raise any public interest concerns. Nautilus asserts that a Commission exclusion order should include a certification provision and that any Commission remedial orders be tailored to allow repair of existing Nautilus ATMs in the United States. In addition, the Commission received submissions from United States Representative James B. Renacci, United States Senator Sherrod Brown, and certain Nautilus customers.

Having reviewed the record of investigation, including the ALJ’s orders and initial determinations, including the final ID, as well as the parties’ petitions for review and responses thereto, the Commission has determined to review the ID in part.

For the ‘616 patent, the Commission has determined to review the constructions of the terms “service opening” and “a second position

wherein . . . the service opening is not accessible from outside the housing.” The Commission finds that the term “service opening” is to receive its plain and ordinary meaning. The Commission finds that the term means “an opening through which a component may be serviced.” The Commission finds that the term “second position wherein . . . the service opening is not accessible from outside the housing” is to be afforded its plain and ordinary meaning. The claim language “the service opening is not accessible from outside the housing” in the second position, read in view of the intrinsic record of the ’616 patent, expressly states that “the service opening is not accessible”; it does not state that the “service point” is not accessible from outside the housing in the second position. The Commission’s reasoning in support of its claim construction determinations is set forth more fully in the Commission Claim Construction Opinion.

In view of the Commission’s determination to review and modify the construction of these two claim limitations, the Commission has also determined to review:

- (1) Whether the accused products infringe each of the asserted claims of the ’616 patent literally or under the doctrine of equivalents;
- (2) whether the asserted claims of the ’616 patent are obvious in view of Diebold’s 1064i ATM; and
- (3) whether Diebold has satisfied the technical prong for the domestic industry requirement for the ’616 patent.

The Commission has determined to review and to take no position on whether, for the ’631 patent, Diebold satisfied the economic prong of the domestic industry requirement under 19 U.S.C. 1337(a)(3)(B) based on its field service labor expenditures.

The Commission has determined not to review the remainder of the ID.

The parties are asked to brief the issues for the ’616 patent of infringement, obviousness in view of Diebold’s 1064i ATM, and the technical prong, in view of the Commission’s constructions, and with reference to the applicable law and the existing evidentiary record. For each argument presented, the parties’ submissions should demonstrate that the argument has been preserved in accordance with the ALJ’s Ground Rules as well as Commission Rule 210.43(b), 19 CFR 210.43(b).

In connection with the final disposition of this investigation, the Commission may (1) issue an order that could result in the exclusion of the subject articles from entry into the

United States, and/or (2) issue one or more cease and desist orders that could result in the respondent(s) being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843, Comm’n Op. (December 1994).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission’s action. See Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

Written Submissions: The parties to the investigation are requested to file written submissions on the issues under review as set forth above. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding. The complainants are requested to submit proposed remedial orders for the

Commission’s consideration. The complainants are also requested to state the date that the ’631 and ’616 patents expire, the HTSUS numbers under which the accused products are imported, and the names of known importers of the products at issue in this investigation. The written submissions and proposed remedial orders must be filed no later than close of business on February 10, 2017, and should not exceed 40 pages. Reply submissions must be filed no later than the close of business on February 17, 2017, and such replies should not exceed 30 pages. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

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 investigation number (“Inv. No. 337-TA-972”) in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf). 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 information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

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).

By order of the Commission.

Issued: January 30, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017-02276 Filed 2-2-17; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1306 (Final)]

Large Residential Washers From China

Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission ("Commission") determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) ("the Act"), that an industry in the United States is materially injured by reason of imports of large residential washers from China, provided for in subheading 8450.20.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV").

Background

The Commission instituted this investigation effective December 16, 2015, following receipt of a petition filed with the Commission and Commerce by Whirlpool Corporation, Benton Harbor, Michigan. The Commission scheduled the final phase of the investigation following notification of a preliminary determination by Commerce that imports of large residential washers from China were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigation 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** of August 18, 2016 (81 FR 55231). The hearing was held in Washington, DC, on December 7, 2016,

and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made this determination pursuant to section 735(b) of the Act (19 U.S.C. 1673d(b)). It completed and filed its determination in this investigation on January 30, 2017. The views of the Commission are contained in USITC Publication 4666 (January 2017), entitled *Large Residential Washers from China: Investigation No. 731-TA-1306 (Final)*.

By order of the Commission.

Issued: January 30, 2017.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2017-02245 Filed 2-2-17; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-718 (Fourth Review)]

Glycine From China; Determination

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty order on glycine from China 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, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted this review on August 1, 2016 (81 FR 50547) and determined on November 4, 2016 that it would conduct an expedited review (81 FR 87589, December 5, 2016).

The Commission made this determination pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determination in this review on January 31, 2017. The views of the Commission are contained in USITC Publication 4667 (January 2017), entitled *Glycine From China: Investigation No. 731-TA-718 (Fourth Review)*.

By order of the Commission.

Issued: January 31, 2017.

Katherine M. Hiner,

Acting Supervisory Attorney.

[FR Doc. 2017-02340 Filed 2-2-17; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Richard W. Walker, Jr., M.D.; Decision and Order

On October 3, 2016, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Richard W. Walker, M.D. (Registrant), of League City, Texas. The Show Cause Order proposed the revocation of his DEA Certificate of Registration No. AW2558750, on the ground that he does not have authority to dispense controlled substances in Texas, the State in which he is registered with the Agency. Order to Show Cause, at 1 (citing 21 U.S.C. 823(f) and 824(a)(3)).

With respect to the Agency's jurisdiction, the Show Cause Order alleged that Registrant is the holder of Registration No. AW2558750, pursuant to which he is authorized to dispense controlled substances in schedules II through V as a practitioner, at the registered address of 4604 Hispania View Drive, League City, Texas. *Id.* The Order also alleges that Registrant's registration does not expire until May 31, 2017. *Id.*

As ground for the proposed action, the Show Cause Order alleged that "[t]he Texas Medical Board issued an order, effective June 10, 2016, which accepted [the] surrender of [his] authority to practice medicine." *Id.* The Order thus asserted that as a consequence of the Board's action, Registrant is without authority to dispense controlled substances in Texas, the State in which he is registered, and thus, "DEA must revoke" his Registration. *Id.* at 1 (citing 21 U.S.C. 802(21), 823(f)(1) and 824(a)(3)).

The Show Cause Order notified Registrant of his right to request a hearing on the allegations or to submit a written statement in lieu of a hearing, the procedure for electing either option, and the consequence of failing to elect either option. *Id.* at 2 (citing 21 CFR 1301.43).

The Show Cause Order also notified Registrant of his right to submit a corrective action plan. *Id.* at 2-3 (citing 21 U.S.C. 824(c)(2)(C)).

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).