

withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Abstract:** The regulations at 30 CFR 254 establish requirements for spill-response plans for oil-handling facilities seaward of the coast line, including associated pipelines, and are the subject of this collection. This request also covers any related Notices to Lessees and Operators (NTLs) that BSEE issues to clarify, supplement, or provide additional guidance on some aspects of our regulations.

BSEE uses the information collected under 30 CFR 254 to determine compliance with the Oil Pollution Act of 1990 (OPA) by lessees/operators. Specifically, BSEE needs the information to:

- Determine that lessees/operators have an adequate plan and are sufficiently prepared to implement a quick and effective response to a discharge of oil from their facilities or operations.
- Review plans prepared under the regulations of a State and submitted to BSEE to satisfy the requirements in 30 CFR 254 to ensure that they meet minimum requirements of OPA.
- Verify that personnel involved in oil-spill response are properly trained and familiar with the requirements of the spill-response plans and to lead and witness spill-response exercises.
- Assess the sufficiency and availability of contractor equipment and materials.
- Verify that sufficient quantities of equipment are available and in working order.
- Oversee spill-response efforts and maintain official records of pollution events.
- Assess the efforts of lessees/operators to prevent oil spills or prevent substantial threats of such discharges.

**Title of Collection:** 30 CFR part 254, Oil-Spill Response Requirements for Facilities Located Seaward of the Coast Line.

**OMB Control Number:** 1014-0007.

**Form Number:** None.

**Type of Review:** Extension of a currently approved collection.

**Respondents/Affected Public:**

Potential respondents comprise Federal oil, gas, or sulphur lessees or operators of facilities located in both State and Federal waters seaward of the coast line and oil-spill response companies.

**Total Estimated Number of Annual Respondents:** Varies, not all of the potential respondents will submit information in any given year and some may submit multiple times.

**Total Estimated Number of Annual Responses:** 1,675.

**Estimated Completion Time per Response:** Varies from 10 minutes to 338 hours, depending on activity.

**Total Estimated Number of Annual Burden Hours:** 60,989.

**Respondent's Obligation:** Most responses are mandatory, while others are required to obtain or retain benefits.

**Frequency of Collection:** On occasion, monthly, annually, biennially, and varies by section.

**Total Estimated Annual Nonhour Burden Cost:** We have not identified any non-hour cost burdens associated with this collection of information.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: August 3, 2018.

**Doug Morris,**

*Chief, Office of Offshore Regulatory Programs.*

[FR Doc. 2018-20800 Filed 9-24-18; 8:45 am]

**BILLING CODE 4310-VH-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1047]

### Certain Semiconductor Devices and Consumer Audiovisual Products Containing the Same; Commission's Final Determination of No Violation of Section 337; 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 no violation of section 337 of the Tariff Act of 1930, as amended, by respondents Sigma Designs, Inc. and Vizio, Inc. The investigation is terminated.

#### FOR FURTHER INFORMATION CONTACT:

Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-5468. 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 April 12, 2017, based on a complaint filed by Broadcom Corporation ("Broadcom") of Irvine, California. 82 FR 17688. 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 semiconductor devices and consumer audiovisual products containing the same that infringe U.S. Patent Nos. 7,310,104 ("the '104 patent"); 7,342,967 ("the '967 patent"); 7,590,059 ("the '059 patent"); 8,068,171 ("the '171 patent"); and 8,284,844 ("the '844 patent"). *Id.* The Commission's notice of investigation named as respondents MediaTek Inc. of Hsinchu City, Taiwan, MediaTek USA Inc. of San Jose, California, and MStar Semiconductor Inc. of ChuPei Hsinchu Hsien, Taiwan (together, "MediaTek"); Sigma Designs, Inc. of Fremont, California ("Sigma"); LG Electronics Inc. of Seoul, Republic of Korea and LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey (together, "LG"); Funai Electric Company, Ltd., of Osaka, Japan, Funai Corporation, Inc. of Rutherford, New Jersey, and P&F USA, Inc. of Alpharetta, Georgia (together, "Funai"); and Vizio, Inc., of Irvine, California ("Vizio"). *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

Several parties were terminated from the investigation based on settlement. Specifically, the Commission terminated the investigation with respect to Funai, Order No. 31 (Nov. 7, 2017), *not reviewed* Notice (Dec. 12, 2017); MediaTek, Order No. 35 (Nov. 29, 2017), *not reviewed* Notice (Dec. 19, 2017); and LG, Order No. 42 (Apr. 9, 2018), *not reviewed* Notice (May 4, 2018). Accordingly, only respondents Sigma and Vizio (together, "Respondents") remained in the investigation at the time of the final ID.

The Commission also terminated two patents and several claims of the remaining patents based on Broadcom's partial withdrawal of the complaint. Specifically, the Commission terminated the investigation with

respect to the '967 patent, the '171 patent, claims 21–30 of the '059 patent, and claim 14 of the '844 patent. Order No. 24 (Oct. 10, 2017), *not reviewed* Notice (Oct. 24, 2017). Broadcom also elected to withdraw claims 5 and 11–13 of the '844 patent in its post-hearing brief. ID at 7. Accordingly, at the time of the final ID, the only remaining claims were claims 1, 10, 11, 16, 17, and 22 of the '104 patent; claims 1–4, 6–10, of the '844 patent; and claims 11–20 of the '059 patent.

On May 11, 2018, the ALJ issued a final ID finding no violation of section 337. Specifically, he found that Respondents did not infringe any claim, that the asserted claims of the '844 patent are invalid, and that Broadcom did not satisfy the technical prong of the domestic industry requirement for the '104 patent. On May 29, 2018, Broadcom and Respondents each petitioned for review of the ID. On June 6, 2018, the parties opposed each other's petitions.

On July 17, 2018, the Commission determined to review the following issues: (1) The construction of “a processor adapted to control a decoding process” in claim 1 of the '844 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; (2) the finding that the prior art reference Fandrianto anticipates the limitation “adapted to perform a decoding function on a digital media stream” of claim 1 of the '844 patent; (3) the construction of “the blended graphics image” in claim 1 of the '104 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; (4) the construction of “blend the blended graphics image with the video image using the alpha values and/or at least one value derived from the alpha values” limitation in claim 1 of the '104 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; and (5) the finding that claims 1 and 10 of the '104 patent are invalid as obvious if certain claim constructions are modified. The Commission determined not to review the ID's finding of no violation with respect to the '059 patent.

Having examined the record of this investigation, including the ALJ's final ID, the petitions, responses, and other submissions from the parties and the public, the Commission has determined that Broadcom has not proven a violation of section 337 by Sigma and Vizio. Specifically, the Commission has

determined to modify the ID's construction of “a processor adapted to control a decoding process,” and, under the modified construction, finds that the limitation is satisfied for the technical prong of the domestic industry requirement and invalidity, but is not satisfied for infringement. The Commission also has determined to affirm under modified reasoning that Fandrianto satisfies the limitation “adapted to perform a decoding function on a digital media stream.” The Commission has additionally determined to modify the ID's construction of “the blended graphics image,” and, under the modified construction, finds that the limitation is satisfied for infringement and the technical prong. The Commission has further determined to affirm under modified reasoning the ID's construction of “blend the blended graphic image with the video image using the alpha values and/or at least one value derived from the alpha values,” and affirms the ID's findings on infringement, invalidity, and the technical prong with respect to the limitation. Finally, the Commission has determined to take no position on the ID's finding that claims 1 and 10 of the '104 patent are obvious.

Accordingly, the Commission has determined that Broadcom has failed to show a violation of section 337 with respect to both the '844 and '104 patents. For the '844 patent, the Commission finds that Broadcom failed to establish infringement, but did satisfy the technical prong of the domestic industry requirement. The Commission further finds that the Respondents showed by clear and convincing evidence that claims 1–10 are invalid as anticipated. For the '104 patent, the Commission finds that Broadcom failed to show both infringement and the satisfaction of the technical prong of the domestic industry requirement. The Commission's determinations are explained more fully in the accompanying Opinion. All other findings in the ID under review that are consistent with the Commission's determinations are affirmed.

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: September 19, 2018.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2018–20778 Filed 9–24–18; 8:45 am]

**BILLING CODE 7020–02–P**

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification of Application of Existing Mandatory Safety Standard

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

**DATES:** All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before October 25, 2018.

**ADDRESSES:** You may submit your comments, identified by “docket number” on the subject line, by any of the following methods:

1. *Email:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202–693–9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452, Attention: Sheila McConnell, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect a copy of the petition and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

**FOR FURTHER INFORMATION CONTACT:** Barbara Barron, Office of Standards, Regulations, and Variances at 202–693–9447 (voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:** Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations Part 44 govern the application, processing, and disposition of petitions for modification.