

The conveyance of the land, will be subject to the following terms, conditions, and reservations:

1. Rights-of-way thereon for ditches and canals constructed by the authority of the United States Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945).

2. Provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior.

3. All mineral deposits in the land so patented, and the right to prospect for, mine, and remove such deposits from the same under applicable law and regulations as established by the Secretary of the Interior are reserved to the United States, together with all necessary access and exit rights.

4. Lease or conveyance of the parcel is subject to valid existing rights.

5. An appropriate indemnification clause protecting the United States from claims arising out of the patentee's use, occupancy, or occupation on the leased/patented lands.

6. Any other reservations that the authorized officer determines appropriate to ensure public access and proper management of Federal lands and interests therein.

7. A limited reversionary provision stating that title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that, without the approval of the Secretary of the Interior or his delegate, the patentee or its approved successor attempts to transfer title to or control over the lands to another, the lands have been devoted to a use other than that for which the lands were conveyed, the lands have not been used for the purpose for which the lands were conveyed for a 5-year period, or the patentee has failed to follow the approved development plan or management plan. No portion of the land shall, under any circumstance, revert to the United States if any such portion has been used for solid waste disposal or for any other purpose which may result in the disposal, placement, or release of any hazardous substance.

*Classification Comments:* Interested persons may submit comments involving the suitability of the land for development and use as a cemetery, while maintaining, preserving, and improving the cemetery. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with state and Federal programs.

*Application Comments:* Interested persons may submit comments

regarding the specific use proposed in the application and plan of development and management, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly relating to the suitability of the lands for the use as a cemetery, while maintaining, preserving, and improving the cemetery.

Any adverse comments will be reviewed by the BLM Nevada State Director or other authorized official of the Department of the Interior, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective on January 6, 2020. The lands will not be offered for conveyance until after the classification becomes effective.

Before including your address, phone number, email address, or other personal identifying information in any comment, be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

(Authority: 43 CFR 2741.5)

**David Kampwerth,**

*Field Manager, Humboldt River Field Office.*

[FR Doc. 2019-24221 Filed 11-5-19; 8:45 am]

**BILLING CODE 4310-HC-P**

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1121]

**Certain Earpiece Devices and Components Thereof; Commission Determination To Vacate the Domestic Industry Finding as to One Asserted Patent; Remand the Investigation in Part to the Presiding Administrative Law Judge for Further Proceedings as to That Asserted Patent; and Extend the Target Date; Issuance of a General Exclusion Order, a Limited Exclusion Order, and Cease and Desist Orders as to the Other Five Asserted Patents**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to vacate the presiding administrative law judge's ("ALJ") domestic industry finding with respect to U.S. Patent No. 9,398,364 ("the '364 patent"), remand the

investigation in part to the ALJ for further proceedings with respect to that patent consistent with its concurrently issued opinion and remand order, and extend the target date for completion of the investigation. The Commission has also determined to issue: (1) A general exclusion order prohibiting the unlicensed importation of certain earpiece devices and components thereof that infringe one or more of claims 1 and 7 of U.S. Patent No. 9,036,852 ("the '852 patent"); claims 1 and 8 of U.S. Patent No. 9,036,853 ("the '853 patent"); claims 1 and 6 of U.S. Patent No. 9,042,590 ("the '590 patent"); and claims 1, 7, and 8 of U.S. Patent No. 8,249,287 ("the '287 patent"); (2) a limited exclusion order prohibiting respondent V4ink Inc. ("V4ink") from importing certain earpiece devices and components thereof that infringe claim 1 of U.S. Patent No. 8,311,253 ("the '253 patent"); and (3) cease and desist orders against certain respondents that were found in default or had not participated in the above-captioned investigation. The investigation is terminated with respect to these five patents.

**FOR FURTHER INFORMATION CONTACT:**

Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2392. 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 <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 June 29, 2018, based on a complaint filed on behalf of Bose Corporation ("Bose") of Framingham, Massachusetts. 83 FR 30,776 (Jun. 29, 2018). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337") based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain earpiece devices and

components thereof by reason of infringement of one or more claims of the '852, '853, '590, '253, '287, and '364 patents. The complaint further alleges that an industry in the United States exists as required by section 337.

The notice of investigation named fourteen respondents: (1) 1MORE USA, Inc. ("1MORE") of San Diego, California; (2) APSkins of Seattle, Washington; (3) Beebo Online Limited ("Beebo") of North Las Vegas, Nevada; (4) iHip of Edison, New Jersey; (5) LMZT LLC of Brooklyn, New York; (6) Misodiko of ShenZhen, Guangdong, China; (7) Phaiser LLC ("Phaiser") of Houston, Texas; (8) Phonete of Shenzhen, China; (9) REVJAMS of New York, New York; (10) SMARTOMI Products, Inc. of Ontario, California; (11) Spigen, Inc. of Irvine, California; (12) Sudio AB of Stockholm, Sweden; (13) Sunvalley Tek International, Inc. of Fremont, California; and (14) TomRich of Shenzhen, China. The Office of Unfair Import Investigations ("OUII") was also named as a party in this investigation.

On October 4, 2018, Bose moved to amend the notice of investigation and for leave to file an amended complaint in order, among other things, (i) to correct the name of respondent iHip to Zeikos, Inc.; and (ii) to correct the name and address of respondent SMARTOMI Products, Inc. to V4ink. On October 29, 2018, the ALJ granted the motion. *See* Order No. 10 (Oct. 29, 2018), *not rev'd* by Comm'n Notice (Nov. 23, 2018); 83 FR 61168 (Nov. 28, 2018); 83 FR 62900 (Dec. 6, 2018). Bose filed and served its amended complaint on February 21, 2019.

During the course of the investigation, Bose settled with the following respondents: APSkins; Zeikos, Inc.; LMZT LLC; Spigen, Inc.; Sudio AB; and Sunvalley Tek International, Inc. *See* Order Nos. 8 and 9 (Oct. 19, 2018), *not rev'd* by Comm'n Notice (Nov. 9, 2018); Order No. 11 (Oct. 29, 2018), *not rev'd* by Comm'n Notice (Nov. 27, 2018); Order No. 12 (Nov. 26, 2018), *not rev'd* by Comm'n Notice (Dec. 19, 2018); Order Nos. 14 and 15 (Feb. 21, 2019), *not rev'd* by Comm'n Notice (Mar. 11, 2019). In addition, with the exception of Spigen, Inc., consent orders were issued against all of these respondents. *Id.* Thus, the investigation has been terminated with respect to these six respondents.

Five other respondents have been found in default pursuant to Commission Rule 210.16, 19 CFR 210.16: Beebo; Misodiko; Phaiser; V4ink; and TomRich (collectively, "the Defaulting Respondents"). *See* Order No. 7 (Sep. 20, 2018); Order No. 13 (Dec.

11, 2018), *not rev'd* by Comm'n Notice (Dec. 21, 2018).

On February 8, 2019, Bose moved for summary determination of a violation of section 337. Bose filed a corrected motion on March 1, 2019. Thereafter, Bose filed several replacement exhibits and a supplemental index.

The remaining three respondents, 1MORE, Phonete, and REVJAMS (collectively "the Non-Participating Respondents"), have not submitted any response, appeared, or otherwise participated in the investigation despite being served with the complaint or amended complaint, and the motion for summary determination of violation. The three Non-Participating Respondents and the five Defaulting Respondents were the subject of Bose's motion for summary determination of a violation of section 337. On March 22, 2019, OUII filed a response supporting Bose's motion in substantial part and supporting the requested remedy of a general exclusion order.

On June 28, 2019, the ALJ issued the subject ID and his Recommended Determination ("RD") on remedy and bonding. The ID grants in part Bose's motion for summary determination of a violation of section 337. Specifically, the ALJ found, *inter alia*, that Bose established that the importation requirement is satisfied as to each Defaulting Respondent and Non-Participating Respondent and each accused product; that other than infringement of claim 7 of the '852 patent with respect to the Misodiko, Phonete, and TomRich products, Bose established infringement of claims 1 and 7 of the '852 patent; claims 1 and 8 of the '853 patent; claims 1 and 6 of the '590 patent; claim 1 of the '253 patent; claims 1, 7, and 8 of the '287 patent; and claims 1 and 11 of the '364 patent; and that Bose satisfied the domestic industry requirement for each asserted patent. In addition, the ALJ recommended that the Commission issue a general exclusion order, cease and desist orders, and impose a 100 percent bond during the period of Presidential review. No petitions for review were filed.

On August 14, 2019, the Commission determined to review the ID in part and requested briefing on one issue it determined to review, and on remedy, the public interest, and bonding. 84 FR 43159-161 (Aug. 20, 2019). Specifically, the Commission determined to review and reverse the ID's finding that Bose has established infringement of claim 7 of the '852 patent with respect to Beebo's Dodocool Earhooks. The Commission also determined to review the ID's finding that Bose has satisfied the economic prong of the domestic

industry requirement under subparagraphs 337(a)(3)(A) and (B) with respect to the '364 patent. The Commission further determined to review and take no position on the ID's finding that Bose has satisfied the economic prong of the domestic industry requirement under subparagraph 337(a)(3)(C) with respect to the asserted patents. The Commission determined not to review the remainder of the ID. The Commission's determination resulted in finding a violation of section 337 by reason of infringement of claims 1 and 7 of the '852 patent; claims 1 and 8 of the '853 patent; claims 1 and 6 of the '590 patent; claim 1 of the '253 patent; and claims 1, 7, and 8 of the '287 patent; and the satisfaction of the domestic industry requirement under subparagraphs 337(a)(3)(A) and (B) with respect to these patents.

On August 28, 2019, Bose and OUII filed initial written submissions regarding the issue on review, and on remedy, the public interest, and bonding. That same day, non-party Anker Innovations Limited ("Anker") filed a written submission concerning remedy. On September 5, 2019, Bose filed a response to Anker's submission.

Having examined the record of this investigation, including the ID and the submissions received, the Commission has determined to vacate the ID's finding that Bose has demonstrated the existence of a domestic industry under subparagraphs 337(a)(3)(A) and (B) with respect to the '364 patent. Accordingly, the Commission has determined to remand the investigation in part to the ALJ for further proceedings with respect to the '364 patent consistent with the Commission's concurrently issued opinion and remand order. The target date is extended to December 2, 2019. Commissioner Schmidlein does not join the decision to remand the investigation. Instead, she would affirm on modified grounds the determination that Bose demonstrated the existence of a domestic industry under subparagraphs 337(a)(3)(A) and (B) with respect to the '364 patent.

As for the remaining asserted patents, the Commission has determined that the appropriate form of relief in this investigation is: (a) A general exclusion order prohibiting the unlicensed importation of certain earpiece devices and components thereof that infringe one or more of claims 1 and 7 of the '852 patent; claims 1 and 8 of the '853 patent; claims 1 and 6 of the '590 patent; and claims 1, 7, and 8 of the '287 patent; (b) a limited exclusion order prohibiting respondent V4ink from importing certain earpiece devices and

components thereof that infringe claim 1 of the '253 patent; and (c) cease and desist orders prohibiting respondents 1MORE, Beebo, Phaiser, REVJAMS, V4ink, Misodiko, Phonete, and TomRich from further importing, selling, and distributing infringing products in the United States. The Commission has also determined that the public interest factors enumerated in paragraphs 337(d)(1) and (f)(1) (19 U.S.C. 1337(d)(1), (f)(1)) do not preclude the issuance of these remedial orders. Finally, the Commission has determined that the bond during the period of Presidential review pursuant to 19 U.S.C. 1337(j) shall be in the amount of one hundred (100) percent of the entered value of the imported articles that are subject to the exclusion orders. The Commission's orders were delivered to the President and to the United States Trade Representative on the day of their issuance. The investigation is hereby terminated with respect to the '852, '853, '590, '287, and '253 patents.

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: October 31, 2019.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2019-24193 Filed 11-5-19; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-610 and 731-TA-1425-1426 (Final)]

### Refillable Stainless Steel Kegs From China and Germany; Supplemental Schedule for the Final Phase of Anti-Dumping and Countervailing Duty Investigations

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice.

**DATES:** October 30, 2019.

**FOR FURTHER INFORMATION CONTACT:** Celia Feldpausch (202) 205-2387, Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special

assistance in gaining access to the Commission should contact the Office of the Secretary at (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 these investigations may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. Effective June 4, 2019, the Commission established a general schedule for the conduct of the final phase of its investigations on refillable stainless steel kegs from China, Germany, and Mexico,<sup>1</sup> following preliminary determinations by the U.S. Department of Commerce ("Commerce") that imports of refillable stainless steel kegs were being subsidized by the government of China,<sup>2</sup> and imports of refillable stainless steel kegs from China, Germany, and Mexico were being sold at less than fair value (LTFV) in the United States.<sup>3</sup> Notice of the scheduling of the final phase of the Commission's investigations 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 June 17, 2019 (84 FR 28070). The hearing was held in Washington, DC, on August 14, 2019, and all persons who requested the opportunity were permitted to appear in person or by counsel. On August 19, 2019, Commerce issued a final affirmative determination with respect to imports of refillable stainless steel kegs from Mexico.<sup>4</sup> The Commission issued its final affirmative determination regarding LTFV imports from Mexico on October 3, 2019 (84 FR 54174, October 9, 2019).

On October 24, 2019, Commerce issued its final affirmative determination that imports of refillable stainless steel kegs were being subsidized by the government of China,<sup>5</sup> and imports of refillable stainless steel kegs from China and Germany were being sold at LTFV in the United States.<sup>6</sup> Accordingly, the Commission currently is issuing a supplemental schedule for its antidumping and countervailing duty investigations on imports of refillable stainless steel kegs from China and Germany.

<sup>1</sup> 84 FR 28070 (June 17, 2019).

<sup>2</sup> 84 FR 13634 (April 5, 2019).

<sup>3</sup> 84 FR 25745 (June 4, 2019); 84 FR 25736 (June 4, 2019); and 84 FR 25738 (June 4, 2019).

<sup>4</sup> 84 FR 42894 (August 19, 2019).

<sup>5</sup> 84 FR 57005 (October 24, 2019).

<sup>6</sup> 84 FR 57010 (October 24, 2019) and 84 FR 57008 (October 24, 2019).

This supplemental schedule is as follows: The deadline for filing supplemental party comments on Commerce's final antidumping and countervailing duty determinations is November 8, 2019. Supplemental party comments may address only Commerce's final antidumping and countervailing duty determinations regarding imports of refillable stainless steel kegs from China and Germany. These supplemental final comments may not contain new factual information and may not exceed five (5) pages in length. The supplemental staff report in the final phase of these investigations regarding subject imports from China and Germany will be placed in the nonpublic record on November 18, 2019; and a public version will be issued thereafter.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: October 31, 2019.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2019-24179 Filed 11-5-19; 8:45 am]

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