

publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

- Availability of Data. The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:

- The scientific data relied upon;
- The analysis relied upon; and
- The methodology, including

models, used to gather and analyze data.

**XIV. Questions and Requests for IEED Assistance.** IEED staff may provide technical consultation, upon written request by an applicant. The request must clearly identify the type of assistance sought. Technical consultation does not include funding to prepare a grant proposal, grant writing assistance, or pre-determinations as to the likelihood that a proposal will be awarded. The applicant is solely responsible for preparing its grant proposal. Technical consultation may include clarifying application requirements, confirming whether an applicant previously submitted the same or similar proposal, and registration information for SAM or ASAP.

**XV. Separate Document(s):**

- Application for Federal Assistance SF-424 Form.
- Project Narrative, Budget, Tribal Resolution, and Critical Information page.

**XVI. Paperwork Reduction Act:** The information collection requirements contained in this notice have been reviewed and approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3504(h). The OMB control number is 1076-0178. The authorization expires on December 31, 2020. An agency may not conduct or sponsor, and you are not required to respond to, any information collection that does not display a currently valid OMB Control Number.

**XVII. Authority:** This is a discretionary grant program authorized under the Snyder Act (25 U.S.C. 13) and the Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94). The Snyder Act authorizes the BIA to expend such moneys as Congress may appropriate for the benefit, care, and assistance of Indians for the purposes listed in the Act. NABDI grants facilitate two of the purposes listed in the Snyder Act: "General support and civilization, including education" and "industrial assistance and advancement." The Further Consolidated Appropriations

Act 2020 authorizes the BIA to "carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations."

**Tara Sweeney,**

*Assistant Secretary—Indian Affairs.*

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**BILLING CODE 4337-10-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1132]

### Certain Motorized Vehicles and Components Thereof; Commission Final Determination Finding a Violation of Section 337; Issuance of a Limited Exclusion Order and a Cease and Desist Order; 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 a violation of section 337 of the Tariff Act of 1930 ("section 337"), as amended, in this investigation. The Commission has issued a limited exclusion order ("LEO") prohibiting the importation by respondents Mahindra & Mahindra Ltd. ("M&M") of Mumbai, India and Mahindra Automotive North America, Inc. ("MANA") of Auburn Hills, Michigan (collectively, "Respondents") of certain motorized vehicles and components thereof that infringe complainant's asserted trade dress. The Commission has also issued cease and desist orders ("CDOs") directed to respondents M&M and MANA. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:**

Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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](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 September 13, 2018, based on a complaint, as amended, filed by FCA US LLC of Auburn Hills, Michigan ("Complainant"). See 83 FR 46517 (Sept. 13, 2018). The complaint alleges violations of 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 motorized vehicles and components thereof by reason of: (1) Infringement of U.S. Trademark Registration Nos. 4,272,873; 2,862,487; 2,161,779; 2,794,553; and 4,043,984 (collectively, "the registered trademarks"); (2) trademark dilution and unfair competition in violating the complainant's common law trademark rights; and (3) trade dress infringement. See *id.* The notice of investigation names M&M and MANA as respondents in this investigation. See *id.* The Office of Unfair Import Investigations is also a party to this investigation. See *id.*

On November 8, 2019, the ALJ issued the FID finding a violation of section 337. Specifically, the FID finds that Respondents' Roxor vehicle infringes Complainant's Jeep trade dress but not its registered trademarks. The FID also finds that the domestic industry requirement is satisfied with respect to both claims. The RD recommends that the Commission issue an LEO barring entry of Respondents' articles that infringe the asserted trade dress and CDOs against Respondents. In addition, the RD recommends that the Commission set a bond during the period of Presidential review at ten (10) percent on unassembled Roxor components or one (1) percent on the finished Roxor vehicle.

On December 9, 2019, the private parties also filed statements on the public interest pursuant to Commission Rule 210.50. On December 6, 2019, members of the public, including Prime Mold, AdventureVet, Milton Manufacturing, and Midwest Manufacturing LLC, also filed written submissions in response to the **Federal Register** notice requesting public interest comments. See 84 FR 63890 (Nov. 19, 2019).

On January 22, 2020, the Commission issued a notice determining to review the FID in part. See 85 FR 5035 (Jan. 22, 2020). The Commission's notice also requested written submissions on remedy, the public interest, and

bonding. On February 7, 2020, the parties, including OUII, filed written submissions in response to the notice, and on February 14, 2020, the parties filed responses thereto.

Having examined the record of this investigation, including the FID, the RD, and the parties' and non-parties' submissions, the Commission has determined to affirm with modification the FID's determination of a violation of section 337. Specifically, as explained in the Commission Opinion filed concurrently herewith, the Commission has determined to affirm with modification the FID's findings with respect to the issues under review, *i.e.*: (1) Validity, infringement, and importation in connection with Complainant's trade dress infringement claim; and (2) non-infringement and domestic industry with respect to Complainant's claim of infringement of its registered trademarks. All findings in the FID that are not inconsistent with the Commission's determination are affirmed.

Accordingly, the Commission finds that there is a violation of section 337 with respect to Complainant's trade dress infringement claim. The Commission has determined that the appropriate remedy is an LEO against Respondents' infringing products, and CDOs against respondents M&M and MANA. The Commission has also determined that the public interest factors enumerated in subsections 337(d)(1) and (f)(1) (19 U.S.C. 1337(d)(1), (f)(1)) do not preclude the issuance of the LEO and CDOs. The Commission has further determined to set a bond during the period of Presidential review at ten (10) percent on unassembled Roxor components or one hundred (100) percent on the finished Roxor vehicle (19 U.S.C. 1337(j)).

The Commission's orders and opinion were delivered to the President and to the United States Trade Representative on the day of their issuance.

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: June 11, 2020.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2020-12996 Filed 6-16-20; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1124]

### Certain Powered Cover Plates; Issuance of a General Exclusion Order and Four Cease and Desist Orders; Termination 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 issue a general exclusion order ("GEO") and four cease and desist orders ("CDOs") in the above-captioned investigation. The Commission has terminated this investigation.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, 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 may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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 the investigation on July 23, 2018, based on a complaint filed by SnapRays, LLC d/b/a SnapPower of Vineyard, UT ("SnapPower," or "Complainant"). 83 FR 34871 (July 23, 2018). The complaint, as supplemented, 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 powered cover plates by reason of infringement of certain claims of U.S. Patent Nos. 9,871,324; 9,882,361 ("the '361 patent"); 9,917,430; and U.S. Design Patent No. D819,426. *Id.* at 34872. The complaint further alleges that a domestic industry exists. *Id.* The Commission's notice of investigation named the following respondents: (1) Ontel Products Corporation of Fairfield, New Jersey; (2) Dazone, LLC of Ontario, Canada ("Dazone"); (3) Shenzhen C-Myway of Shenzhen, Guangdong,

China; (4) E-Zshop4u LLC of Howey in the Hills, Florida; (5) Desteny Store of Fort Meyers, Florida ("Desteny"); (6) Zhongshan Led-Up Light Co., Ltd. of Zhongshan, Guangdong, China; (7) AllTrade Tools LLC of Cypress, California; (8) Guangzhou Sailu Info Tech. Co., Ltd. of Guangzhou, Guangdong, China; (9) Zhejiang New-Epoch Communication Industry Co., Ltd. of Yueqing, Zhejiang, China ("NEPCI"); (10) KCC Industries of Eastvale, California; (11) Vistek Technology Co., Ltd. of Fuyong, Baoan, Shenzhen, China ("Vistek"); (12) Enstant Technology Co., Ltd. of Xixiang Baoan District, Shenzhen, China ("Enstant"); and (13) Manufacturers Components Incorporated of Pompano Beach, Florida ("MCI"). *Id.* The Office of Unfair Import Investigations is participating in the investigation.

The Commission previously terminated the investigation as to, or found in default, all named respondents except Enstant and Vistek (collectively, "Enstant/Vistek"). Order No. 5 (Sept. 26, 2018), *non-reviewed* Notice (Oct. 29, 2018); Order No. 6 (Sept. 26, 2018), *non-reviewed* Notice (Oct. 29, 2018); Order No. 8 (Sept. 28, 2018), *non-reviewed* Notice (Oct. 23, 2018); Order No. 12 (Oct. 2, 2018), *non-reviewed* Notice (Nov. 27, 2018); Order No. 18 (Nov. 28, 2018), *non-reviewed* Notice (Dec. 21, 2018); Order, No. 36 (Apr. 11, 2019), *non-reviewed* Notice (May 8, 2019).

Respondents Enstant and Vistek chose not to contest importation and infringement. Similarly, there were no genuine disputes of material fact with respect to the technical prong of the domestic industry ("DI") requirement. As a result, the presiding administrative law judge ("ALJ") decided these legal issues against Enstant and Vistek and the Defaulting Respondents through orders granting complainant SnapPower's motions for summary determination. *See* Order No. 39 (July 10, 2019) (Importation and Infringement); Order No. 40 (July 22, 2019) (Technical DI).

On August 12, 2019, the ALJ issued an "Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond" ("ID/RD") finding a violation of section 337 with respect to the participating respondents Enstant and Vistek and defaulting respondents Dazone, Desteny, MCI, and NEPCI (collectively, "Defaulting Respondents") under all of the asserted patents. *See* ID/RD at 125-26.

The final ID notes that "Respondents Enstant and Vistek filed a motion for summary determination of non-infringement ('Redesign SD Motion') of