

Form No.	Burden estimate per form (in minutes)	Number of respondents	Annual number of responses	Annual burden on respondents (in hours)
Form 7-2180 .....	60	3,595	3,667	3,667
Form 7-2180EZ .....	45	373	380	285
Form 7-2181 .....	78	1,050	1,071	1,392
Form 7-2184 .....	45	32	33	25
Form 7-2190 .....	60	1,601	1,633	1,633
Form 7-2190EZ .....	45	96	98	74
Form 7-2191 .....	78	777	793	1,031
Form 7-2194 .....	45	4	4	3
Form 7-21PE .....	75	135	138	173
Form 7-21PE-IND .....	12	4	4	1
Form 7-21TRUST .....	60	694	708	708
Form 7-21VERIFY .....	12	5,069	5,170	1,034
Form 7-21FC .....	30	214	218	109
Form 7-21XS .....	30	144	147	74
Form 7-21FARMOP .....	78	172	175	228
Totals .....	.....	13,960	14,239	10,437

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.*).

**Chris Beardsley,**

*Director, Policy and Programs.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Reclamation**

[RR83550000, 201R5065C6, RX.59389832.1009676; OMB Control Number 1006-0023]

**Agency Information Collection Activities; Forms To Determine Compliance by Certain Landholders**

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of information collection; request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Reclamation (Reclamation), are proposing to renew an information collection.

**DATES:** Interested persons are invited to submit comments on or before November 16, 2020.

**ADDRESSES:** Send your comments on this information collection request (ICR) by mail to Stephanie McPhee, Bureau of Reclamation, Office of Policy and Programs, 84-55000, P.O. Box 25007, Denver, CO 80225-0007; or by email to [smcphee@usbr.gov](mailto:smcphee@usbr.gov). Please reference Office of Management and Budget

(OMB) Control Number 1006-0023 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Stephanie McPhee by email at [smcphee@usbr.gov](mailto:smcphee@usbr.gov), or by telephone at (303) 445-2897.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. 3501 *et seq.*) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4) How might the agency 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 response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should 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.

*Abstract.*

*Identification of limited recipients—*Some entities that receive Reclamation irrigation water may believe that they are under the Reclamation Reform Act of 1982 (RRA) forms submittal threshold and, consequently, may not submit the appropriate RRA form(s). However, some of these entities may in fact have a different RRA forms submittal threshold than what they believe it to be due to the number of natural persons benefiting from each entity and the location of the land held by each entity. In addition, some entities that are exempt from the requirement to submit RRA forms due to the size of their landholdings (directly and indirectly owned and leased land) may in fact be receiving Reclamation irrigation water for which the full-cost rate must be paid because the start of Reclamation

irrigation water deliveries occurred after October 1, 1981 [43 CFR 426.6(b)(2)]. The information obtained through completion of the Limited Recipient Identification Sheet (Form 7-2536) allows us to establish entities' compliance with Federal reclamation law. The Limited Recipient Identification Sheet is disbursed at our discretion.

**Trust review**—In order to administer section 214 of the RRA and 43 CFR 426.7, we are required to review and approve all trusts. Land held in trust generally will be attributed to the beneficiaries of the trust rather than the trustee if the criteria specified in the RRA and 43 CFR 426.7 are met. We may extend the option to complete and submit for our review the Trust Information Sheet (Form 7-2537) instead of actual trust documents when we become aware of trusts with a relatively small landholding (40 acres or less in districts subject to the prior law provisions of Federal reclamation law, 240 acres or less in districts subject to the discretionary provisions of Federal reclamation law). If we find nothing on the completed Trust Information Sheet that would warrant the further review of a particular trust, that trustee will not be burdened with submitting trust documents to us for in-depth review. The Trust Information Sheet is disbursed at our discretion.

**Acreage limitation provisions applicable to public entities**—Land farmed by a public entity can be considered exempt from the application of the acreage limitation provisions provided the public entity meets certain criteria pertaining to the revenue generated through the entity's farming activities (43 CFR 426.10 and the Act of July 7, 1970, Pub. L. 91-310). We are required to ascertain whether public entities that receive Reclamation irrigation water meet such revenue criteria regardless of how much land the

public entities hold (directly or indirectly own or lease) [43 CFR 426.10(a)]. In order to minimize the burden on public entities, standard RRA forms are submitted by a public entity only when the public entity holds more than 40 acres subject to the acreage limitation provisions westwide, which makes it difficult to apply the revenue criteria as required to those public entities that hold less than 40 acres. When we become aware of such public entities, we request those public entities complete and submit for our review the Public Entity Information Sheet (Form 7-2565), which allows us to establish compliance with Federal reclamation law for those public entities that hold 40 acres or less and, thus, do not submit a standard RRA form because they are below the RRA forms submittal threshold. In addition, for those public entities that do not meet the exemption criteria, we must determine the proper rate to charge for Reclamation irrigation water deliveries. The Public Entity Information Sheet is disbursed at our discretion.

**Acreage limitation provisions applicable to religious or charitable organizations**—Some religious or charitable organizations that receive Reclamation irrigation water may believe that they are under the RRA forms submittal threshold and, consequently, may not submit the appropriate RRA form(s). However, some of these organizations may in fact have a different RRA forms submittal threshold than what they believe it to be depending on whether these organizations meet all of the required criteria for full special application of the acreage limitations provisions to religious or charitable organizations [43 CFR 426.9(b)]. In addition, some organizations that (1) do not meet the criteria to be treated as a religious or charitable organization under the acreage limitation provisions, and (2)

are exempt from the requirement to submit RRA forms due to the size of their landholdings (directly and indirectly owned and leased land), may in fact be receiving Reclamation irrigation water for which the full-cost rate must be paid because the start of Reclamation irrigation water deliveries occurred after October 1, 1981 [43 CFR 426.6(b)(2)]. The Religious or Charitable Organization Identification Sheet (Form 7-2578) allows us to establish certain religious or charitable organizations' compliance with Federal reclamation law. The Religious or Charitable Organization Identification Sheet is disbursed at our discretion.

**Title of Collection:** Forms to Determine Compliance by Certain Landholders, 43 CFR part 426.

**OMB Control Number:** 1006-0023.  
**Form Numbers:** Form 7-2536, Form 7-2537, Form 7-2565, and Form 7-2578.

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

**Respondents/Affected Public:** Entity landholders, trusts, public entities, and religious or charitable organizations identified by Reclamation that are subject to the acreage limitation provisions of Federal reclamation law.

**Total Estimated Number of Annual Respondents:** 500.

**Total Estimated Number of Annual Responses:** 500.

**Estimated Completion Time per Response:** See table below.

**Total Estimated Number of Annual Burden Hours:** 72 hours.

**Respondent's Obligation:** Mandatory.

**Frequency of Collection:** Generally, these forms will be submitted only once per identified entity, trust, public entity, or religious or charitable organization. Each year, we expect new responses in accordance with the following numbers.

**Total Estimated Annual Nonhour Burden Cost:** None.

Form No.	Burden estimate per form (in minutes)	Number of respondents	Annual number of responses	Annual burden on respondents (in hours)
Limited Recipient Identification Sheet .....	5	175	175	15
Trust Information Sheet .....	5	150	150	13
Public Entity Information Sheet .....	15	100	100	25
Religious or Charitable Identification Sheet .....	15	75	75	19
Totals .....	.....	500	500	72

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.*).

**Chris Beardsley,**

*Director, Policy and Programs.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-936 (Remand)]

### Certain Footwear Products; Commission Determination To Affirm in Part and Reverse in Part a Remand Initial Determination; Issuance of a General Exclusion Order and Cease and Desist Orders; 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 determined to affirm in part and reverse in part a remand initial determination (“RID”) of the presiding administrative law judge (“ALJ”) in the above-captioned investigation. The Commission has issued a general exclusion order (“GEO”) directed to footwear products that infringe U.S. Trademark Registration No. 4,398,753 (“the ’753 trademark”), and cease and desist orders (“CDOs”) directed to two respondents found in default. The investigation is terminated in its entirety.

**FOR FURTHER INFORMATION CONTACT:**

Cathy Chen, 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 this investigation

on November 17, 2014, based on a complaint filed on behalf of Converse Inc. (“Converse” or “Complainant”) of North Andover, Massachusetts. 79 FR 68482-83 (Nov. 17, 2014). The complaint alleges, *inter alia*, violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain footwear products by reason of infringement of U.S. Trademark Registration Nos. 3,258,103 (“the ’103 trademark”) and 1,588,960 (“the ’960 trademark”), and the ’753 trademark, registered on September 10, 2013, and the common law trademark rights for the same mark (the “CMT”). *See id.* The Commission’s notice of investigation names numerous respondents including Skechers U.S.A., Inc. (“Skechers”) of Manhattan Beach, California, and Highline United LLC d/b/a Ash Footwear USA (“Highline”), now of Hyde Park, Massachusetts. *Id.* New Balance Athletic Shoe, Inc. (“New Balance”) of Boston, Massachusetts, was subsequently added to the investigation as a respondent-intervenor. 80 FR 9748 (Feb. 24, 2015). Only Skechers, Highline, and New Balance remain active in the investigation (collectively, the “Active Respondents”). The following five respondents were found in default: Dioniso SRL (“Dioniso”) of Perugia, Italy; Shenzhen Foreversun Industrial Co., Ltd. (a/k/a Shenzhen Foreversun Shoes Co., Ltd.) (“Foreversun”) of Shenzhen, China; Fujian Xinya I&E Trading Co. Ltd. of Jinjiang, China; Zhejiang Ouhai International Trade Co. Ltd. (“Ouhai”) of Wenzhou, China; and Wenzhou Cereals Oils & Foodstuffs Foreign Trade Co. Ltd. of Wenzhou, China (collectively, the “Defaulting Respondents”). Every other respondent was terminated from the investigation or settled with Converse. The Office of Unfair Import Investigations (“OUII”) is also a party to the investigation. 79 FR at 68483.

On June 23, 2016, the Commission found a violation of section 337 with respect to the ’103 trademark and the ’960 trademark and issued a GEO directed against infringing footwear products. 81 FR 42377-79 (June 29, 2016). The Commission found no violation of section 337 with respect to the ’753 trademark because it determined the ’753 trademark and the common law trademark rights in the CMT were invalid based on a lack of secondary meaning. *Id.* at 42379.

Thereafter, Converse appealed the Commission’s finding of no violation of section 337 with respect to the ’753

trademark and its alleged common law trademark rights in the CMT. The Federal Circuit vacated the Commission’s finding and remanded the investigation to the Commission in *Converse, Inc. v. International Trade Commission*, 909 F.3d 1110 (Fed. Cir. 2018). On April 9, 2019, the Commission, in turn, remanded the matter to the ALJ who adjudicated the original investigation to make findings and issue an RID with respect to the CMT in accordance with the Federal Circuit decision.

On July 31, 2019, Converse, the Active Respondents, and OUII each filed an initial brief regarding the issues on remand. On August 9, 2019, Converse and the Active Respondents each filed a reply brief.

On October 9, 2019, the ALJ issued his RID finding no violation of section 337 by the Active Respondents. Specifically, the RID found that Converse had not established secondary meaning of the CMT prior to each Active Respondents’ alleged first use and, therefore, Converse possessed no valid common law trademark rights in the CMT. The RID also found that the Active Respondents’ accused products do not infringe even if the CMT were found to have acquired secondary meaning, except for one Skechers product found to infringe. The RID further found the Defaulting Respondents’ accused products infringe the ’753 trademark.

On October 22, 2019, Converse, the Active Respondents, and OUII each filed a petition for review of the RID. On October 30, 2019, each of these parties filed responses to the other petitions for review.

On February 7, 2020, the Commission determined to review the RID in part. 85 FR 8322 (Feb. 13, 2020). Specifically, the Commission determined to review the RID’s infringement, validity, and injury analyses with respect to the common law trademark rights in the CMT and the RID’s validity and infringement analyses with respect to the ’753 trademark. *Id.* The Commission also requested additional briefing from the parties on the issues under review and on the issues of remedy, the public interest, and bonding. *Id.* at 8322-23. Converse, the Active Respondents, and OUII filed timely initial and reply written submissions.

Having reviewed the record in this investigation, including the RID and the parties’ written submissions, the Commission has determined to affirm in part and reverse in part the RID’s findings under review. Specifically, the Commission reverses the RID’s finding that the CMT had not acquired