

outside of estuaries seaward 3 nautical miles (nmi) (3.5 miles [mi]; 5.6 kilometers [km]) from Louisiana, Mississippi, and Alabama, or 9 nmi (10.4 mi; 16.7 km) from Texas and Florida to the limit of State jurisdiction.

In the Programmatic EIS, BOEM evaluated seven alternatives. All but the No Action Alternative focused on mitigation measures to avoid or reduce the potential environmental impacts that could result from future G&G activities in the GOM. The Programmatic EIS and Record of Decision are available at <https://www.boem.gov/regions/gulf-mexico-ocs-region/resource-evaluation/gulf-mexico-geological-and-geophysical-gg>.

After careful consideration, the Record of Decision identifies BOEM's selection of Alternative C of the Programmatic EIS. Under Alternative C, G&G activities would continue to be permitted and authorized, and would include the mitigation measures, monitoring, reporting, survey protocols, and guidance that were in place prior to the settlement agreement in *Natural Resources Defense Council Ins., et al., v. Bernhardt, et al., Defendants and API, et al., Intervenor, Defendants, No. 2:10-cv-01882 (E.D. La.)*, as well as additional mitigation and temporal measures for survey protocols for seismic airgun and nonairgun HRG surveys. While BOEM is selecting Alternative C at this programmatic stage, rather than adopting the non-airgun, HRG survey protocol (as described in Appendix B of the Programmatic EIS), the protocol will be reserved, considered, and applied at the site-specific stage, on an as-needed basis, to further minimize the potential for injury to marine mammals and sea turtles. BOEM's selection of the Preferred Alternative meets the purpose of and need for the proposed action, balances regional and national policy considerations, and includes appropriate measures to minimize potential environmental and socioeconomic impacts. This decision does not by itself authorize any activities. The mitigation measures contemplated in Alternative C may be supplemented by additional requirements or tailored as site-specific circumstances warrant in permits or other specific authorizations after BOEM completes additional environmental review.

Authority: This Notice of Availability of a Record of Decision is published pursuant to the regulations (40 CFR part 1503; 1978, as amended in 1986 and 2005) implementing the provisions of the National Environmental Policy Act

of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Michael A. Celata,

Regional Director, New Orleans Office.

[FR Doc. 2020-26781 Filed 12-3-20; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1220]

Certain Filament Light-Emitting Diodes and Products Containing Same (II); Notice of Commission Decision Not To Review an Initial Determination Granting a Motion to Intervene

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 14) of the presiding administrative law judge ("ALJ") granting a motion to intervene filed by non-party Signify North America Corp. ("Signify").

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 may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email 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: On October 5, 2020, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on a complaint filed by The Regents of the University of California ("Complainant"). See 85 FR 62761-62 (Oct. 5, 2020). The complaint, as supplemented, alleges a violation 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 filament light-emitting diodes and products containing the same by

reason of infringement of certain claims of U.S. Patent Nos. 9,240,529; 9,859,464; 10,593,854; 10,644,213; and 10,658,557. See *id.* The notice of investigation names the following respondents: General Electric Company of Boston, Massachusetts; Consumer Lighting (U.S.) LLC, d/b/a GE Lighting of Cleveland, Ohio; Savant Systems, Inc. of Hyannis, Massachusetts; Home Depot Product Authority, LLC; Home Depot U.S.A., Inc.; and The Home Depot, Inc. of Atlanta, Georgia; Feit Electric Company, Inc. of Pico Rivera, California; Satco Products, Inc. of Brentwood, New York; IKEA Supply AG of Pratteln, Switzerland; IKEA U.S. Retail LLC of Conshohocken, Pennsylvania; and IKEA of Sweden AB of Almhult, Sweden. See *id.* The Office of Unfair Import Investigations ("OUII") is also a party to the investigation. See *id.*

On October 26, 2020, Signify filed a motion to intervene in this investigation pursuant to Commission Rule 210.19 (19 CFR 210.19). Signify argued that its motion is timely and that "[i]ntervention is necessary so that Signify may properly defend its LED products that are alleged to be imported and/or sold after importation by the Home Depot Respondents." See Mot. at 1. No party opposed the motion to intervene except that Complainant argued that Signify should not be allowed to intervene as to the issue of domestic industry because Signify's interests on that issue are adequately represented by the existing parties. See Complainant's Resp. at 3 (Nov. 2, 2020). On November 2, 2020, OUII filed a response in support of the motion to intervene.

On November 5, 2020, the ALJ issued the subject ID (Order No. 14) granting Signify's motion to intervene. The ID notes that "[n]o party disputes that Signify should be allowed to intervene." See ID at 2. The ID finds that "Signify may fully participate as a party in the investigation, including with respect to all claims and defenses at issue in the investigation." See *id.* No petition for review of the subject ID was filed.

The Commission has determined not to review the subject ID. Signify is an intervenor in this investigation.

The Commission's vote for this determination took place on November 30, 2020.

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: November 30, 2020.

Katherine Hiner,

Supervisory Attorney.

[FR Doc. 2020-26660 Filed 12-3-20; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-1233]

Certain Active Optical Cables and Products Containing the Same; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on October 29, 2020, under section 337 of the Tariff Act of 1930, as amended, on behalf of Cosemi Technologies, Inc. of Irvine, California. A supplement to the complaint was filed on November 16, 2020. 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 active optical cables and products containing the same by reason of infringement of certain claims of U.S. Patent No. 8,948,197 (“the ‘197 patent’”), U.S. Patent No. 9,641,250 (“the ‘250 patent’”), U.S. Patent No. 9,971,115 (“the ‘115 patent’”), and U.S. Patent No. 9,979,479 (“the ‘479 patent’”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained 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 at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT:

Katherine Hiner, Office of Docket Services, U.S. International Trade Commission, telephone (202) 205-1802.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2020).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on November 30, 2020, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 5, 6, 13-15, and 19 of the ‘197 patent; claims 1-5, 8-10, and 13 of the ‘250 patent; claims 1-6, 9, and 12-16 of the ‘115 patent, and claims 15, 18, and 25 of the ‘479 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “active optical data cables, including USB cables (USB A, A/C, C/C [USB and Display Port alternate mode variations], and A/micro-B [hybrid]), HDMI cables, and Display Port cables and products incorporating the same”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

- (a) The complainant is:
Cosemi Technologies, Inc., 1370 Reynolds Avenue, Suite 100, Irvine, CA 92614
- (b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:
EverPro Technologies Company Ltd., #9 Guanggu Road, Wuhan, Hubei 430073, China
Fibbr Technologies, #9 Optics Valley Avenue, East Lake Hi-tech Development Zone, Wuhan, Hubei 430073, China

Logitech Inc., 7700 Gateway Blvd., Newark, CA 94560

Facebook Technologies, LLC, 1 Hacker Way, Menlo Park, CA 94025

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

The Office of Unfair Import Investigations will not be named as a party to this investigation.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: November 30, 2020.

Katherine Hiner,

Supervisory Attorney.

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