

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-832]

Certain Ink Application Devices and Components Thereof and Methods of Using the Same; Institution of Investigation Pursuant to 19 U.S.C. 1337

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 January 30, 2012, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of MT.Derm GmbH of Berlin, Germany and Nouveau Cosmetique USA Inc. of Orlando, Florida. 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 ink application devices and components thereof and methods of using the same by reason of infringement of certain claims of U.S. Patent No. 6,345,553 (“the ‘553 patent”) and U.S. Patent No. 6,505,530 (“the ‘530 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205-2000. 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 <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: The Office of Unfair Import Investigations,

U.S. International Trade Commission, telephone (202) 205-2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2011).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on February 28, 2012, *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 ink application devices and components thereof and methods of using the same that infringe one or more of claims 1-3, 7-12, and 16-20 of the ‘530 patent and claims 1-4, 10, 12-14, 21-23, and 26-28 of the ‘553 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) 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 complainants are:
MT.Derm GmbH, Gustav-Krone-Str. 3, 14167 Berlin, Germany;
Nouveau Cosmetique USA Inc., 189 South Orange Avenue, Suite 1110—The Plaza South Tower, Orlando, FL 32801.

(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:
T-Tech Tattoo Device Inc., 10 Grenoble Drive PH11, North York, Ontario, Canada M3C 1C7;
Yiwu Beyond Tattoo Equipments Co., Ltd., Houzhai Industrial Zone, Yiwu City, Zhejiang Province, China;
Guangzhou Pengcheng Cosmetology Firm, Booth 109, The First Floor, Anhua Beauty Exchange Center, 121 West Guangyuan Road, Yuexiu District, Guangzhou, Guangdong, China.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

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

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(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission 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: February 29, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012-5321 Filed 3-5-12; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-74,336]

Polaris Industries, Including On-site Leased Workers From Westaff, Supply Technologies, Aerotek Securitas Security Services, Volt Workforce Solutions and Select Staffing, Osceola, WI; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (“Act”), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 26, 2010, applicable to workers of Polaris Industries, including on-site leased workers from Westaff, Osceola, Wisconsin. The notice was published in the **Federal Register** on September 15, 2010 (75 FR 56143). The notice was amended on December 6, 2010, January 21, 2011 and April 12, 2011 to include

on-site leased workers from Supply Technologies, Aerotek Securitas Security Services and Volt Workforce Solutions. The notices were published in the **Federal Register** on December 13, 2010 (75 FR 77666), February 2, 2011 (76 FR 5833) and April 22, 2011 (76 FR 22729).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in activities related to the production of components for recreational vehicles.

The company reports that workers leased from Select Staffing were employed on-site at the Osceola, Wisconsin location of Polaris Industries. The Department has determined that these workers were sufficiently under the control of Polaris Industries to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Select Staffing working on-site at the Osceola, Wisconsin location of Polaris Industries.

The amended notice applicable to TA-W-74,336 is hereby issued as follows:

All workers of Polaris Industries, including on-site leased workers from Westaff, Supply Technologies, Aerotek, Securitas Security Services, Volt Workforce Solutions and Select Staffing, Osceola, Wisconsin, who became totally or partially separated from employment on or after June 28, 2009 through August 26, 2012, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 22nd day of February 2012.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 2012-5394 Filed 3-5-12; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-74,325]

Exxonmobil Chemical Company Films Business Division Including on-Site Leased Workers From Manpower, RCG-IT and Genesis Macedon, NY; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"),

19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on October 8, 2010, applicable to ExxonMobil Chemical Company, Films Business Division, including on-site leased workers from Manpower, Macedon, New York. The workers provide customer support services. The notice was published in the **Federal Register** on October 25, 2010 (75 FR 65520).

At the request of the New York State agency, the Department reviewed the certification for workers of the subject firm. The company reports that workers leased from RCG-IT and Genesis were employed on-site at the Macedon, New York location of ExxonMobil Chemical Company, Films Business Division. The Department has determined that these workers were sufficiently under the control of ExxonMobil Chemical Company, Films Business Division, Macedon, New York to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from RCG-IT and Genesis working on-site at the Macedon, New York location of ExxonMobil Chemical Company, Films Business Division.

The amended notice applicable to TA-W-74,325 is hereby issued as follows:

All workers of ExxonMobil Chemical Company, Films Business Division, including on-site leased workers from Manpower, RCG-IT and Genesis, Macedon, New York, who became totally or partially separated from employment on or after June 25, 2009, through October 8, 2012, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

The amended notice applicable to TA-W-75,252A is hereby issued as follows:

All leased workers from The Hamilton-Ryker Group LLC, Securitas Security Services, Take Care Corporation, Conestoga Rovers and Associates, Phillips Engineering, Rockwell Engineering, Excel Logistics, and American Food and Vending, Calhoun Spotting Service, and Job World working on-site at The Goodyear Tire and Rubber Company, North American Tire, Union City, Tennessee (TA-W-75,252A), who became totally or partially separated from employment on or after February 10, 2010, through April 6, 2013, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC this 23rd day of February 2012.

Michael W. Jaffe,

Certifying Officer, Office of Trade Adjustment Assistance.

[FR Doc. 2012-5395 Filed 3-5-12; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of *February 13, 2012 through February 17, 2012*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) the increase in imports contributed importantly to such workers' separation