

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-577]

In the Matter of Certain Wireless Communication Equipment, Articles Therein, and Products Containing the Same; Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on June 2, 2006, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Samsung Telecommunications America, LLP of Richardson, Texas and Samsung Electronics Co., Ltd. of Korea (collectively, "Samsung"). Samsung filed a supplement to the complaint on June 23, 2006. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States and sale of certain wireless communication equipment, articles therein, and products containing the same by reason of infringement of claims 1-16 of U.S. Patent No. 6,598,202, claims 1-29 of U.S. Patent No. 6,882,636, claims 1-6, 10-13, 16-19, 26-31, 34, 36, 38-41, 45, 47, and 48 of U.S. Patent No. 6,154,652, claims 1-32 and 34-35 of U.S. Patent No. 6,920,331, claims 1-11 of U.S. Patent No. 6,421,353, claims 1, 2, 4, 5, 9, 11, 12, 14, 15, 17, 21-23, and 25, of U.S. Patent No. 6,920,602, and claims 1-33 of U.S. Patent No. 6,928,604. 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 a permanent exclusion order and permanent 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: Rett Snotherly, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2599.

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 (2006).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on June 29, 2006, *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 wireless communication equipment, articles therein, or products containing the same by reason of infringement of one or more of claims 1-16 of U.S. Patent No. 6,598,202, claims 1-29 of U.S. Patent No. 6,882,636, claims 1-6, 10-13, 16-19, 26-31, 34, 36, 38-41, 45, 47, and 48 of U.S. Patent No. 6,154,652, claims 1-32, 34 and 35 of U.S. Patent No. 6,920,331, claims 1-11 of U.S. Patent No. 6,421,353, claims 1, 2, 4, 5, 9, 11, 12, 14, 15, 17, 21-23, and 25 of U.S. Patent No. 6,920,602, and claims 1-33 of U.S. Patent No. 6,928,604 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—
Samsung Telecommunications America LLP, 1301 East Lookout Drive, Richardson, Texas 75082. Samsung Electronics Co., Ltd., Samsung Main Building, 250, Taepyung-ro 2-ka, Chung-ku, Seoul 100-742 Korea.

(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:
Ericsson, Inc., 6300 Legacy Drive, Plano, Texas 75024.
Telefonaktiebolaget LM Ericsson, Torshamnsgatan 23, Kista, 164 83 Stockholm Sweden.

Sony Ericsson Mobile Communications AB, Nya Vattentornet, Lund, Sweden SE-221 88.

Sony Ericsson Mobile Communications (USA) Inc., 7001 Development Drive, Research Triangle Park, NC 27709.

(c) The Commission investigative attorney, party to this investigation, is Rett Snotherly, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Honorable Paul J. Luckern is designated as 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) 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 respondents, 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 a limited exclusion order or cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: June 29, 2006.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E6-10539 Filed 7-5-06; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Public Comment Period for Proposed First Amendment to Consent Decree Under the Clean Air Act

Under 28 CFR 50.7, notice is hereby given that, for a period of 30 days, the United States will receive public comments on a proposed First