

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-682]

Notice of Investigation; In the Matter of Certain Collaborative System Products and Components Thereof

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 July 2, 2009, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of eInstruction Corporation of Denton, Texas. Supplements to the complaint were filed on July 10, 2009 and July 23, 2009. The complaint, as supplemented, 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 collaborative system products and components thereof by reason of infringement of certain claims of U.S. Patent No. 6,930,673. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and a cease and desist order.

ADDRESSES: The complaint and supplements, except for any confidential information contained therein, are 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: Aarti Shah, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2657.

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 (2008).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on August 3, 2009, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation is 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 collaborative system products or components thereof that infringe one or more of claims 1-3, 6-10, 13-18, and 21-24 of U.S. Patent No. 6,930,673, 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 complainant is—eInstruction Corporation, 308 N. Carroll Boulevard, Denton, Texas 76201.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: QOMO HiteVision, LLC, 28265 Beck Road, Suite C-1, Wixom, Michigan 48393.

(c) The Commission investigative attorney, party to this investigation, is Aarti Shah, Esq., 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 Honorable Paul J. Luckern, 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 respondent 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 the 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.

Marilyn R. Abbott,
Secretary to the Commission.

Issued: August 3, 2009.

William R. Bishop,
Acting Secretary to the Commission.

[FR Doc. E9-18935 Filed 8-6-09; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on August 4, 2009, a proposed Consent Decree in *United States et al. v. Aleris International, Inc. et al.*, Civil Action No. 1:09-cv-00340, was lodged with the United States District Court for the Northern District of Ohio.

The Consent Decree would resolve claims for injunctive relief and the assessment of civil penalties asserted by the United States; the States of Idaho, Illinois, Indiana, Michigan, Ohio, Tennessee, and West Virginia; the Commonwealths of Kentucky and Virginia; the Oklahoma Department of Environmental Quality; and the Maricopa County Air Quality Department (collectively, "Plaintiffs") against Aleris International, Inc. and 13 of its subsidiaries (collectively, "Aleris") pursuant to Sections 113(b) and 304(a)(1) of the Clean Air Act, 42 U.S.C. 7413(b) and 7604(a)(1).

Aleris processes aluminum scrap and dross to produce various secondary aluminum products, a process that results in emissions of regulated air pollutants, including dioxins and furans, hydrogen chloride, particulate matter, and hydrocarbons. The Plaintiffs' Amended Complaint, filed concurrently with the Consent Decree, alleges that Aleris violated Section 112 of the Clean Air Act, 42 U.S.C. 7412; the National Emissions Standards for Hazardous Air Pollutants ("NESHAP")