

maximum of five minutes. If reasonable accommodation is required, please contact the BLM's Prineville District at (541) 416-6889 as soon as possible.

FOR FURTHER INFORMATION CONTACT: Christina Lilienthal, Public Affairs Specialist, 3050 NE Third, Prineville, OR 97754, (541) 416-6889 or e-mail: christina_lilienthal@blm.gov.

Dated: January 29, 2010.

Deborah J. Henderson-Norton,

District Manager, Prineville District Office.

[FR Doc. 2010-2426 Filed 2-3-10; 8:45 am]

BILLING CODE 4310-33-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-665]

In the Matter of: Certain Semiconductor Integrated Circuits and Products Containing Same; Notice of Commission Determination To Review in Part a Final Initial Determination Finding No Violation of Section 337 and on Review To Take No Position on One Issue; Termination of the Investigation With a Finding of No Violation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part the final initial determination ("ID") issued by the presiding administrative law judge ("ALJ") on October 14, 2009, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in this investigation. On review, the Commission has determined to take no position on one issue, and to terminate this investigation with a finding of no violation.

FOR FURTHER INFORMATION CONTACT: Sidney A. Rosenzweig, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<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>. 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 Inv. No. 337-TA-665 on December 24, 2008, based on a complaint filed by Qimonda AG of Munich, Germany ("Qimonda"). 73 FR 79165 (Dec. 24, 2008). The complaint alleged a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain semiconductor integrated circuits and products containing same by reason of infringement of various claims of U.S. Patent Nos. 5,213,670 ("the '670 patent"); 5,646,434 ("the '434 patent"); 5,851,899 ("the '899 patent"); 6,495,918 ("the '918 patent"); 6,593,240 ("the '240 patent"); 6,714,055 ("the '055 patent"); and 6,103,456 ("the '456 patent"). The complaint further alleged that there exists a domestic industry with respect to each of the asserted patents. The complaint named the following respondents: LSI Corporation of Milpitas, California ("LSI"); Seagate Technology of the Cayman Islands; Seagate Technology (US) Holdings Inc. of Scotts Valley, California; Seagate Memory Products (US) Corporation of Scotts Valley, California; and Seagate (US) LLC of Scotts Valley, California (collectively "Seagate"). Qimonda accuses of infringement certain LSI integrated circuits, as well as certain Seagate hard disk drives that contain the accused LSI integrated circuits.

The ALJ conducted an evidentiary hearing from June 1-9, 2009. Prior to the hearing, Qimonda tacitly withdrew three of the asserted patents: The '055 patent, the '240 patent, and the '456 patent. Qimonda did not present evidence regarding those patents at the hearing, and did not include any analysis of those patents in its post-hearing briefing.

On October 14, 2009, the ALJ issued his final ID. The ID formally withdrew the '055 patent, the '240 patent, and the '456 patent from the investigation. The ALJ found that based on his claim constructions, Qimonda had not demonstrated that it practices any of the patents in suit. Accordingly, the ALJ ruled that an industry does not exist in the United States that exploits any of the four remaining asserted patents, as required by 19 U.S.C. 1337(a)(2). The ALJ ruled that certain LSI products infringe certain claims of the '918 patent, but that no accused products infringe any of the other asserted

patents. The ALJ ruled that all of the asserted claims of the '918 patent, and some of the asserted claims of the '434 patent, are invalid under 35 U.S.C. 102, but that the asserted claims of the '670 and '899 patents are not invalid.

On October 27, 2009, Qimonda filed a petition for review of the ID. Qimonda did not petition for review of the ALJ's finding of no violation of section 337 as to the '670 patent. Thus, only three patents—the '434, '899, and '918 patents—remain in suit. On November 5, 2009, the Respondents and IA filed responses to Qimonda's petition.

Having examined the record of this investigation, including the ALJ's final ID, the petition for review, and the responses thereto, the Commission has determined to review the final ID in part. Specifically, the Commission has determined to review and to take no position on whether U.S. Patent No. 6,424,051 to Shinogi anticipates, under 35 U.S.C. 102, any of the asserted claims of the '918 patent. *See Beloit Corp. v. Valmet Oy*, 742 F.2d 1421, 1422-23 (Fed. Cir. 1984).

The Commission has determined not to review the remainder of the ID. Accordingly, the Commission has terminated this investigation with a finding of no violation.

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 sections 210.42-46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-46).

By order of the Commission.

Issued: January 29, 2010.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 2010-2319 Filed 2-3-10; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 332-509; Inv. No. 332-510]

Small and Medium-Sized Enterprises: U.S. and EU Export Activities, and Barriers and Opportunities Experienced by U.S. Firms and Small and Medium-Sized Enterprises: Characteristics and Performance

AGENCY: United States International Trade Commission.

ACTION: Notice of time and place of additional public hearings in St. Louis, MO, and Portland, OR, and reaffirming of time and place of Washington, DC hearing.

SUMMARY: The Commission will hold a public hearing on these investigations in St. Louis, MO, beginning at 9:30 a.m. on March 10, 2010 at the Hilton St. Louis at the Ballpark, and in Portland, OR, beginning at 9:30 a.m. on March 12, 2010 at the Holiday Inn Portland Airport. As previously announced, the Commission will also hold a public hearing on these investigations in Courtroom A at the U.S. International Trade Commission Building, 500 E Street, SW., Washington, DC, beginning at 9:30 a.m. on Tuesday, February 9, 2010 (and continuing on February 10, 2010, if needed).

ADDRESSES: All written correspondence should be addressed to the Secretary, United States International Trade Commission, 500 E Street, SW., Washington, DC 20436. The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

FOR FURTHER INFORMATION CONTACT: Project Leaders Justino De La Cruz (202-205-3252 or justino.delacruz@usitc.gov) or Laura Bloodgood (202-708-4726 or laura.bloodgood@usitc.gov) for information specific to these investigations. For information on the legal aspects of these investigations, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091 or william.gearhart@usitc.gov). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or margaret.olaughlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). 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.

Background Information: The hearings relate to the second and third of a series of three investigations that the Commission is conducting under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)) at the request of the United States Trade Representative (USTR). The Commission received the request for the investigations on October 6, 2009. The Commission delivered its report to the USTR on the first investigation, No. 332-508, *Small and Medium-Sized Enterprises: Overview of Participation in U.S. Exports*, on January 12, 2010, and it is available to the public at www.usitc.gov. The

Commission is scheduled to deliver its reports to the USTR on the second and third investigations, investigation No. 332-509, *Small and Medium-Sized Enterprises: U.S. and EU Export Activities, and Barriers and Opportunities Experienced by U.S. Firms*, and investigation No. 332-510, *Small and Medium-Sized Enterprises: Characteristics and Performance*, by July 6, 2010, and October 6, 2010, respectively. Notices announcing institution of the three investigations were published in the **Federal Registers** of October 28, 2009 (74 FR 55581); December 1, 2009 (74 FR 62812); and December 11, 2009 (74 F.R. 65787). The second and third notices also announced the Washington, DC hearing and the intent to hold additional hearings in St. Louis, MO and Portland, OR.

Public Hearings: The times and places of the three hearings and deadlines for filing requests to appear and any pre- or post-hearing briefs or statements or summaries of testimony are as follows: *Washington, DC:*

The hearing will be held in Courtroom A at the U.S. International Trade Commission Building, 500 E Street, SW., Washington, DC, beginning at 9:30 a.m. on Tuesday, February 9, 2010 (and continuing on February 10, 2010, if needed).

January 26, 2010: Deadline for filing requests to appear.

January 28, 2010: Deadline for filing pre-hearing briefs, statements, or summaries of testimony.

February 9, 2010: Public hearing (Washington, DC).

February 10, 2010: Public hearing, second day if needed.

February 23, 2010: Deadline for filing post-hearing briefs or statements.

St. Louis, MO:

The hearing will be held at the Hilton St. Louis at the Ballpark, One South Broadway, St. Louis, MO 63102, beginning at 9:30 a.m. local time on Wednesday, March 10, 2010.

February 24, 2010: Deadline for filing requests to appear.

February 26, 2010: Deadline for filing pre-hearing briefs, statements, or summaries of testimony.

March 10, 2010: Public hearing (St. Louis, MO).

March 26, 2010: Deadline for filing post-hearing briefs or statements.

Portland, OR:

The hearing will be held at the Holiday Inn Portland Airport, 8439 NE Columbia Boulevard, Portland, OR 97220, beginning at 9:30 a.m. local time on Friday, March 12, 2010.

February 26, 2010: Deadline for filing requests to appear.

March 2, 2010: Deadline for filing pre-hearing briefs, statements, or summaries of testimony.

March 12, 2010: Public hearing (Portland, OR).

March 26, 2010: Deadline for filing post-hearing briefs or statements.

The above hearings will be open to the public. Accordingly, persons testifying should not include confidential business information in their testimony. Any person desiring to submit confidential business information to the Commission in these investigations should do so in writing in accordance with the procedures set out in the "Written Submissions" section below.

To assist the Commission in the preparation of the two reports, the Commission is particularly interested in obtaining information and views on the following:

- The most significant constraints that U.S. SMEs face in their efforts to export.
- The strategies that SMEs have adopted to address or overcome those constraints.
- The benefits to SMEs of increased export opportunities from free trade agreements or other trading arrangements.
- The U.S. free trade agreements or other trading arrangements that have been most beneficial to SMEs that export.
- The characteristics of SMEs that export services.
- How exporting affects SME business performance.
- The extent to which U.S. SMEs have global operations.
- How SMEs based in the United States differ in their exporting activities from SMEs based in the European Union and other leading economies.

In the event that as of the close of business on the deadline for filing requests to appear no witnesses have filed requests to appear at a hearing, that hearing will be canceled. Any person interested in attending a hearing as an observer or non-participant may call the Office of the Secretary (202-205-2000) after the deadline for filing requests to appear for information concerning whether that hearing will be held.

Notice of Appearance: Written requests to appear at the Commission hearings must be filed with the Secretary to the Commission in Washington, DC by 5:15 p.m. Eastern Time of the filing deadline for the hearing at which the person wishes to appear. The request, which may be in

the form of a letter and which should be on company or other appropriate stationery, should identify the hearing at which the person wishes to appear, the investigation to which their testimony pertains (it could be both investigations), their name, title, and company or other organizational affiliation (if any), address, telephone number, e-mail address, and industry or main line of business of the company if any they are representing. Requests to appear must be made by post mail or delivered in person (see "ADDRESSES"). The Commission will also accept requests to appear filed by e-mail to SMEhearings@usitc.gov, or through Laura Bloodgood at laura.bloodgood@usitc.gov. The Commission does not accept requests filed by fax.

Pre- and Post-Hearing Briefs And Statements, Summaries: Participants are encouraged to provide a pre-hearing brief or statement or, in lieu thereof, may provide a one-page summary of the testimony they plan to present. Such summaries will be placed in the public record and therefore should not include any confidential business information. Any confidential business information included in a pre-hearing brief or statement should be submitted in accordance with the procedures set forth below under "Written Submissions." Post-hearing briefs and statements would generally be for the purpose of responding to matters raised at the hearing, including questions asked by the Commissioners or testimony presented by other interested parties.

Written Submissions: In lieu of or in addition to participating in the hearing, interested parties are invited to file written submissions concerning these investigations. All written submissions should be addressed to the Secretary to the Commission, and all such submissions (other than pre- and post-hearing statements) should be received not later than 5:15 p.m. Eastern Time, March 26, 2010. One signed original (or a copy so designated) and fourteen (14) copies of each document must be filed. In the event that confidential treatment of a document is requested, at least four (4) additional copies must be filed, in which the confidential information must be deleted (see below for further information regarding confidential business information). Written submissions may be filed by post mail or delivered in person (see ADDRESSES), or filed using the Commission's electronic filing procedure described below.

To use the Commission's electronic filing procedure, filers must first be

registered users of the Commission's Electronic Document Information System (EDIS), accessible from the USITC Web site (<http://www.usitc.gov/secretary/edis.htm>). The Commission's rules for electronic filing are available in its *Handbook on Electronic Filing Procedures* (http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf). All written submissions must conform with the provisions of section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8). Persons with questions regarding electronic filing and EDIS should contact the Office of the Secretary (202-205-2000).

Any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

In his request letter, the USTR stated that his office intends to make the Commission's reports available to the public in their entirety, and asked that the Commission not include any confidential business information or national security classified information in the reports that the Commission transmits to his office. Any confidential business information received by the Commission in these investigations and used in preparing this report will not be published in a manner that would reveal the operations of the firm supplying the information.

By order of the Commission.

Issued: January 29, 2010.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 2010-2260 Filed 2-3-10; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Modification of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on January 28, 2010, a proposed Amended Consent Decree in *United States v. Nassau*

Metals Corporation, Inc., Civil Action No. 3: 96-CV-562, D.J. Ref. 90-11-3-1057A was lodged with the United States District Court for the Middle District of Pennsylvania.

In this action the United States sought reimbursement of response costs incurred in connection with the release or threatened release of hazardous substances at the C&D Recycling Superfund Site, Luzerne County, Pennsylvania (the "Site"). The Consent Decree obligates the Settling Defendant to reimburse \$753,222 of the United States' past response costs paid in connection with the Site, and to pay future response costs to be incurred by the United States at the Site as well.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Nassau Metals Corporation, Inc.*, Civil Action No. 3: 96-CV-562, D.J. Ref. 90-11-3-1057A.

The Consent Decree may be examined at the Office of the United States Attorney, Middle District of Pennsylvania, 228 Walnut Street, Suite 220, Harrisburg, PA 17154, and at U.S. EPA Region 3. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, <http://www.usdoj.gov/enrd/ConsentDecrees.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$3.50 (@ 25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Maureen Katz,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2010-2261 Filed 2-3-10; 8:45 am]

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