

this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Benjamin Levi, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2781.

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 (2010).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on July 26, 2010, *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 toner cartridges or components thereof that infringe one or more of claims 128-130, 132, 133, and 139-143 of the '803 patent; and claims 24-30 of the '454 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:
Canon Inc., 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo 146-8501 Japan.
Canon U.S.A., Inc., One Canon Plaza, Lake Success, NY 11042, Canon Virginia, Inc., 12000 Canon Boulevard, Newport News, VA 23606.

(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:

Ninestar Image Int'l, Ltd., No. 63, Mingzhubei Road, Zhuhai, China 519075.

Ninestar Technology Co., Ltd., No. 63, Mingzhubei Road, Zhuhai, China 519075.

Ninestar Management Co., Ltd., No. 63, Mingzhubei Road, Zhuhai, China 519075, Zhuhai Seine Technology Co., Ltd., No. 63, Mingzhubei Road, Zhuhai, China 519075.

Seine Image Int'l Co., Ltd., 9/F Unit 18, New Commerce Centre, No. 9 On Lai Str., Shatin, Hong Kong.

Ninestar Image Co., Ltd., 9/F Unit 18, New Commerce Centre, No. 9 On Lai Str., Shatin, Hong Kong.

Ziprint Image Corp., 19805 Harrison Avenue, Walnut, CA 91789.

Nano Pacific Corp., 377 Swift Avenue, South San Francisco, CA 94080.

Ninestar Tech. Co., Ltd., 17950 East Ajax Circle, City of Industry, CA, 91748.

Town Sky, Inc., 5 S. Linden Avenue, Suite 4, South San Francisco, CA, 94080.

ACM Technologies, Inc., 2535 Research Drive, Corona, CA 92882.

LD Products, Inc., 2500 Grand Avenue, Long Beach, CA 90815.

Printer Essentials.com, Inc., 5190 Neil Road, Ste. 205, Reno, NV 89502.

XSE Group, Inc., d/b/a Image Star, 35 Philmack Drive, Middletown, CT, 06457

Copy Technologies, Inc., d/b/a ITM Corporation, 130 James Aldredge, Blvd. SW., Atlanta, GA 30336.

Red Powers, Inc., d/b/a LaptopTraveller.com, 120 West Grand Avenue #205, Alhambra, CA 91801.

Direct Billing International, Inc., d/b/a OfficeSupplyOutfitters.com, 5910 Sea Lion Place, Suite 100, Carlsbad, CA 92010.

Compu-Imaging, Inc., 8880 N.W. 18th Terrace, Doral, FL 33172.

EIS Office Solutions, Inc., 5803 Sovereign Drive, Suite 214, Houston, TX 77036.

123 Refills, Inc., 4981 Irwindale Avenue, Suite 200, Irwindale, CA 91706.

(c) The Commission investigative attorney, party to this investigation, is Benjamin Levi, 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 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 therefore 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.

Issued: July 26, 2010.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 2010-18708 Filed 7-29-10; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-661]

In the Matter of Certain Semiconductor Chips Having Synchronous Dynamic Random Access Memory Controllers and Products Containing Same; Notice of Commission Final Determination of Violation of Section 337; Termination of Investigation; Issuance of Limited Exclusion Order and Cease and Desist Orders

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined that there is a violation of 19 U.S.C. 1337 in the above-captioned investigation by the respondents in the investigation. To remedy the violation it has found, the Commission has determined to issue a limited exclusion order and to issue cease and desist orders to certain respondents. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Paul M. Bartkowski, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5432. 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 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>. 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-661 on December 10, 2008, based on a complaint filed by Rambus, Inc. of Los Altos, California ("Rambus"). 73 FR 75131-2. The complaint, as amended and supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor chips having synchronous dynamic random access memory controllers and product containing the same by reason of infringement of certain claims of U.S. Patent Nos. 6,470,405 ("the '405 patent"); 6,591,353 ("the '353 patent"); 7,287,109 ("the '109 patent"); 7,117,998 ("the '998 patent"); 7,210,016 ("the '016 patent"); 7,287,119 ("the '119 patent"); 7,330,952 ("the '952 patent"); 7,330,953 ("the '953 patent"); and 7,360,050 ("the '050 patent"). The Commission's notice of investigation named the following respondents: NVIDIA Corporation of Santa Clara, California; Asustek Computer, Inc. of Taipei, Taiwan; ASUS Computer International, Inc. of Fremont, California; BFG Technologies, Inc. of Lake Forest, Illinois; Biostar Microtech (USA) Corp. of City of Industry, California; Biostar Microtech International Corp. of Hsin Ten, Taiwan; Diablotek Inc. of Alhambra, California; EVGA Corp. of Brea, California; G.B.T. Inc. of City of Industry, California; Gigabyte Technology Co., Ltd. of Taipei, Taiwan; Hewlett-Packard Co. of Palo Alto, California; MSI Computer Corp. of City of Industry, California; Micro-star International Co., Ltd. of Taipei, Taiwan; Palit Multimedia Inc. of San Jose, California; Palit Microsystems Ltd. of Taipei, Taiwan; Pine Technology Holdings, Ltd. of Hong Kong; and Sparkle Computer Co. of Taipei, Taiwan (referred to collectively as "Respondents").

On July 13, 2009, the Commission issued a notice terminating the '119, '952, '953, and '050 patents and certain claims of the '109 patent from the investigation.

On January 22, 2010, the ALJ issued his Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond ("ID"). The ALJ found that Respondents violated section 337 by importing certain semiconductor chips having synchronous dynamic random access memory controllers and products

containing same with respect to various claims of the '405, '353, and '109 patents ("the Barth I patents"). The ALJ determined that there was no violation of section 337 with respect to the asserted claims of the '016 and '998 patents ("the Ware patents").

On March 25, 2010, the Commission determined to review (1) the ID's anticipation and obviousness findings with respect to the Ware patents; (2) the ID's obviousness-type double patenting analysis regarding the asserted Barth I patents; and (3) the ID's analysis of the alleged obviousness of the asserted Barth I patents. The Commission invited briefing on the issues under review and on the issues of remedy, the public interest, and bonding. On May 26, 2010, the Commission requested further briefing on the impact of a license between Rambus and Samsung Electronics Co. on the ALJ's findings and conclusions. On June 22, 2010, the Commission requested further briefing regarding patent exhaustion in light of *Fujifilm Corp. v. Benun*, which was issued by the United States Court of Appeals for the Federal Circuit on May 27, 2010.

Having examined the record of this investigation and the submissions filed, the Commission has determined to affirm the ALJ's ID, with certain modifications that are set forth in the Commission's opinion. Accordingly, the Commission has determined that a violation of section 337 has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain synchronous dynamic random access memory controllers and products containing the same by Respondents with respect to the Barth I patents. To remedy this violation, the Commission has determined to issue a limited exclusion order and cease-and-desist orders against respondents NVIDIA Corp.; Hewlett-Packard Co.; ASUS Computer International, Inc.; Palit Multimedia Inc.; Palit Microsystems Ltd.; MSI Computer Corp.; Micro-Star International; EVGA Corp.; DiabloTek, Inc.; Biostar Microtech Corp.; and BFG Technologies, Inc. The Commission has determined that this relief is not precluded by consideration of the factors set forth in 19 U.S.C. 1337(d), (f). The Commission has determined that the amount of the bond to permit importation during the Presidential review period under 19 U.S.C. 1337(j) is 2.65 percent of the entered value of the subject imports. The investigation is terminated.

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: July 26, 2010.

Marilyn R. Abbott,

Secretary to the Commission.

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

ACTION: Submission for OMB Review; Comment request.

SUMMARY: The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including, among other things, a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Linda Watts Thomas on 202-693-4223 (this is not a toll-free number) and e-mail mail to: DOL_PRA_PUBLIC@dol.gov.

Interested parties are encouraged to send written comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—Employee Benefits Security Administration, Room 10235, Washington, DC 20503, Telephone: 202-395-4816/Fax 202-395-5806 (these are not toll-free numbers), E-mail: OIRA_submission@omb.eop.gov within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the applicable OMB Control Number (see below).

The OMB is particularly interested in comments which:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;