

skill, as described in *KSR*,” HTC Pet. 65—do not constitute a “concise argument” as required by Commission rules and omit the requisite “concise statement of the facts material to the consideration” of the issue. 19 CFR 210.43(b)(1). Such issues are deemed to have been abandoned as well.

The parties are invited to brief their positions on the issues under review enumerated above with reference to the applicable law and evidentiary record. In particular, the parties are requested to respond to the following questions:

(a) For the '263 patent, if the Commission were to find inconsistency between the ALJ's infringement and validity analyses, should the claim constructions for “realtime API” and/or “device handler program” be narrowed in accordance with the ID's analysis of validity? If a party answers this question “yes,” it is to identify where in the record (including in its petition for review) it made and preserved such contentions, and should explain in detail whether such narrowing of the scope of the asserted patent claims would result in a finding of noninfringement for any of the accused products.

(b) For the '647 patent, whether the Supreme Court's decision in *Global-Tech Appliances, Inc. v. SEB S.A.*, No. 10–6 (U.S. May 31, 2011) has any effect on the ALJ's inducement finding. If a party answers this question “yes,” it is to identify where in the record it made and preserved its arguments affected by *Global-Tech*.

(c) For the '647 patent, whether claim 15's “enabling selection of the structure and a linked action” (as opposed to the unclaimed step of “selection of the structure and a linked action” by the user) is a single step, and whether HTC made and preserved the argument that it is a single step.

(d) For the '721 patent, whether the ALJ's construction of the “processor means” has the effect of impermissibly transforming a method claim into an apparatus claim.

(e) For the '983 patent, whether any aspects of the parent applications' file histories are pertinent to the issues under review. If a party makes any such contentions, it is to identify where in the record it made and preserved such a position.

In connection with the final disposition of this investigation, the Commission may (1) Issue an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in the respondent(s) being required to cease and desist from

engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337–TA–360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) The public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission's action. See Presidential Memorandum of July 21, 2005, 70 FR. 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

**Written Submissions:** The parties to the investigation are requested to file written submissions as set forth above. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding. Complainant and the IA are also requested to submit proposed remedial orders for the Commission's consideration. Complainant is also requested to state the dates that the patents expire and the HTSUS numbers under which the accused products are

imported. The written submissions and proposed remedial orders must be filed no later than close of business on Thursday, October 6, 2011. Reply submissions must be filed no later than the close of business on Monday, October 17, 2011. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Any person desiring to submit a document to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 210.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

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 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.42–46 and 210.50).

By order of the Commission.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011–24209 Filed 9–20–11; 8:45 am]

BILLING CODE 7020–02–P

---

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **Notice Pursuant to The National Cooperative Research and Production Act of 1993—Cooperative Research Group on Development and Validation of FlawPRO for Assessing Defect Tolerance of Welded Pipes Under Generalized High Strain Conditions**

Notice is hereby given that, on August 15, 2011, pursuant to Section 6(a) the *National Cooperative Research and Production Act of 1993*, 15 U.S.C. 4301 *et seq.* (“the Act”), Southwest Research Institute—Cooperative Research Group on Development and Validation of FlawPRO for Assessing Defect Tolerance of Welded Pipes Under Generalized High Strain Conditions (“FlawPRO–JIP”) has filed written notifications

simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Petroleo Brasileiro S.A.—PETROBRAS, Rio de Janeiro, BRAZIL; and Subsea 7 Limited, Surrey, UNITED KINGDOM, have been added as parties to this venture.

No other changes have been made in either the membership or planned productivity of the group research project. Membership in this group research project remains open, and FlawPRO—JIP intends to file additional written notifications disclosing all changes in membership.

On May 17, 2011, FlawPRO—JIP filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on July 7, 2011 (76 FR 39901).

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

[FR Doc. 2011–24001 Filed 9–20–11; 8:45 am]

**BILLING CODE 4410–11–M**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Open Axis Group, Inc.

Notice is hereby given that, on August 22, 2011, pursuant to Section 6(a) of the *National Cooperative Research and Production Act of 1993*, 15 U.S.C. 4301 *et seq.* (“the Act”), Open Axis Group, Inc. (“Open Axis”) has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, MindTree Limited, Bangalore, INDIA; Goldenware Travel Technologies, Nashua, NH; Air France/KLM, Amstelveen, NETHERLANDS; Intelisys Aviation Systems, Shediac, New Brunswick, CANADA; and Hitchiker GmbH, Frankfurt, GERMANY, have been added as parties to this venture. Also, Continental Airlines, Houston, TX, has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Open Axis intends to file additional written notifications disclosing all changes in membership.

On October 6, 2010, Open Axis filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 16, 2010 (75 FR 70031).

The last notification was filed with the Department on May 31, 2011. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on July 7, 2011 (76 FR 39902).

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

[FR Doc. 2011–24000 Filed 9–20–11; 8:45 am]

**BILLING CODE 4410–11–M**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act Of 1993—Pistoia Alliance, Inc.

Notice is hereby given that, on August 17, 2011, pursuant to Section 6(a) of the *National Cooperative Research and Production Act of 1993*, 15 U.S.C. 4301 *et seq.* (“the Act”), Pistoia Alliance, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Atlas Platform Corp., Douglas, Isle of Man, UNITED KINGDOM; Binocular Vision Advisors LLC, San Francisco, CA; Molecular Connections, Basavanagudi, Bangalore, INDIA; and Constellation Technologies Ltd., Didcot, UNITED KINGDOM, have been added as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Pistoia Alliance, Inc. intends to file additional written notifications disclosing all changes in membership.

On May 28, 2009, Pistoia Alliance, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice

in the **Federal Register** pursuant to Section 6(b) of the Act on July 15, 2009 (74 FR 34364).

The last notification was filed with the Department on June 1, 2011. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on July 7, 2011 (76 FR 39902).

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

[FR Doc. 2011–24003 Filed 9–20–11; 8:45 am]

**BILLING CODE 4410–11–M**

## DEPARTMENT OF LABOR

### Proposed Information Collection Request of the ETA 581, Contribution Operations Report; Extension Without Change

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collection of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice or by accessing: <http://www.doleta.gov/OMB/OMBControlNumber.cfm>.

**DATES:** Written comments must be submitted to the office listed in the addressee section below on or before November 21, 2011.

**ADDRESSES:** Send comments to Joseph Toth, U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, 200 Constitution Avenue, NW., Frances Perkins Bldg. Room S–4524, Washington, DC, 20210, telephone number (202) 693–3894 (this is not a toll-free number) or by e-mail: [toth.joseph@dol.gov](mailto:toth.joseph@dol.gov).

**SUPPLEMENTARY INFORMATION:**