

(“the ‘949 patent”); RE 41,922 (“the ‘922 patent”); 7,863,533 (“the ‘533 patent”); 7,789,697 (“the ‘697 patent”); 7,912,501 (“the ‘501 patent”); D558,757 (“the D’757 patent”); and D618,678 (“the D’678 patent”) (collectively, “the Asserted Patents”). The complaint further alleges the existence of a domestic industry. The respondents named in the Commission’s notice of investigation are Samsung Electronics Co, Ltd. of Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; and Samsung Telecommunications America, LLC of Richardson, Texas (collectively, “Samsung”). A Commission investigative attorney (“IA”) participated in the investigation.

On May 3, 2012, the ALJ issued an ID partially terminating the investigation with respect to all claims of the ‘533 patent; claims 1–3, 11, 12, 15, 16 and 21–27 of the ‘697 patent; and claim 3 of the ‘949 patent (Order No. 17) (not reviewed by the Commission, May 3, 2012).

On October 24, 2012, the ALJ issued his final ID in this investigation finding a violation of section 337 in connection with the claim of the D’678 patent; claims 1, 4–6 and 10–20 of the ‘949 patent; claims 29, 30 and 33–35 of the ‘922 patent; and claims 1–4 and 8 of the ‘501 patent. The ALJ found no violation of section 337 in connection with the claim of the D’757 patent; claims 31 and 32 of the ‘922 patent; and claims 13 and 14 of the ‘697 patent. The ALJ also found that the asserted claims of the Asserted Patents were not shown to be invalid. The ALJ further found that a domestic industry in the United States exists that practices the Asserted Patents, except for the ‘697 patent. On November 7, 2012, the ALJ issued his recommended determination on remedy and bonding.

Apple and Samsung filed timely petitions for review of various portions of the final ID, as well as timely responses to the petitions. The IA filed only a response to the petitions for review. On December 3, 2012, Apple and Samsung filed public interest comments pursuant to Commission rule 210.50(a)(4). That same day, non-party Google filed submissions in response to the Notice of Request for Statements on the Public Interest. See 77 FR 68829–30 (Nov. 16, 2012).

Having examined the record of this investigation, including the ALJ’s final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in its entirety. The Commission does not seek further briefing at this time. Rather, the Commission remands the investigation

to the ALJ with respect to certain issues related to the ‘922 patent and the ‘501 patent, as set forth in the accompanying Remand Order.

In light of the remand, the ALJ shall set a new target date within thirty days of this notice consistent with the Remand Order. The current target date for this investigation is March 27, 2013.

Briefing, if any, on remanded and reviewed issues, and on remedy, bonding, and the public interest will follow Commission consideration of the remand ID.

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 23, 2013.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

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**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

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

On January 22, 2013, the Department of Justice lodged a proposed Consent Decree in the United States District Court for the Southern District of Texas in the lawsuit entitled, *United States and State of Texas v. GB Biosciences Corp., et al.*, Civil Action No. 4:13–CV–00151.

In this action the United States, on behalf of the National Oceanic and Atmospheric Administration (“NOAA”) and the U.S. Department of Interior (“DOI”), as federal trustees, together with the State of Texas, seeks natural resource damages pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), in connection with the Greens Bayou Site located in Houston, Texas (the “Site”).

The United States and the State have negotiated a consent decree with GB Biosciences Corp., ISK Magnetics, Inc., and Occidental Chemical Corp. (collectively “Settlers”) to resolve the CERCLA claims, as well as the state law claims. Under the Consent Decree, the Settlers agree to reimburse the United States and the State for natural resource damage assessment costs (\$31,060.00 to

the federal trustees), to complete two restoration projects selected by the trustees valued at approximately \$800,000.00, and to reimburse the trustees for any further monitoring or corrective action obligations after completion of construction of the restoration project. The Settlement includes a covenant not to sue under Section 107(a) of CERCLA.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and State of Texas v. GB Biosciences Corp., et al.*, D.J. Ref. No. 90–5–1–1–09071. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	<i>pubcommentees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD P.O. Box 7611, Washington, D.C. 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$54.75 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits, the cost is \$17.50.

**Maureen Katz,**

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

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**BILLING CODE 4410–15–P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Importer of Controlled Substances; Notice of Application; Mylan Technologies, Inc.

Pursuant to Title 21 Code of Federal Regulations 1301.34 (a), this is notice that on December 7, 2012, Mylan