

venture and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Pursuant to Section 6(b) of the Act, the identities of the parties to the venture are: Alcatel-Lucent USA Inc., Mountain View, CA; Arista Networks Inc., Santa Clara, CA; Big Switch Networks, Mountain View, CA; Brocade Communications Systems, Inc., San Jose, CA; Ciena Corporation, Hanover, MD; Cisco Systems Inc., San Jose, CA; Citrix Systems, Inc., Santa Clara, CA; Cyan Inc., Petaluma, CA; Dell Inc., Round Rock, TX; Ericsson Inc., San Jose, CA; Fujitsu Limited, Kawasaki, JAPAN; Hewlett Packard Company, Palo Alto, CA; Huawei Technologies Co. Ltd., Shenzhen, PEOPLE'S REPUBLIC OF CHINA; International Business Machines Inc., Endicott, NY; Inocybe Technologies Inc., Gatineau, Quebec City, CANADA; Intel Corporation, Santa Clara, CA; Juniper Networks, Sunnyvale, CA; Microsoft Corporation, Redmond, WA; NEC Corporation, Tokyo, JAPAN; PLUMgrid Inc., Sunnyvale, CA; Radware LTD, Telaviv, ISRAEL; Red Hat Inc., Raleigh, NC; and VMware Inc., Palo Alto, CA.

The general area of OpenDaylight's planned activity is to (a) Advance the creation, evolution, promotion, and support of an open source software defined network software platform ("Platform"); (b) support and maintain the strategic framework of the Platform through the technologies made available by the organization to make the Platform a success; (c) support and maintain policies set by the Board; (d) promote such Platform worldwide; and (e) undertake such other activities as may from time to time be appropriate to further the purposes and achieve the goals set forth above.

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—DVD Copy Control Association

Notice is hereby given that, on May 31, 2013, pursuant to Section 6(a) of the National Cooperative Research and

Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), DVD Copy Control Association ("DVD CCA") 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, Hakuto Taiwan Ltd., Taipei, TAIWAN, has been added as a party to this venture.

Also, Dongguan ChuDong Electronic Technology Co., Ltd., Guangdong, People's Republic of China; Huizhou Aihua Multimedia Co., Ltd., Guangdong, People's Republic of China; and Kentec, Inc., Taipei, Taiwan, have withdrawn 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 DVD CCA intends to file additional written notifications disclosing all changes in membership.

On April 11, 2001, DVD CCA 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 August 3, 2001 (66 FR 40727).

The last notification was filed with the Department on February 20, 2013. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on March 21, 2013 (78 FR 17431).

**Patricia A. Brink,**

*Director of Civil Enforcement, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

[Docket No. 11-63]

#### Bio Diagnostic International; Denial of Application

On June 8, 2011, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Bio Diagnostic International, Inc. (hereinafter, BDI or Respondent), of Brea, California. The Show Cause Order proposed the denial of Respondent's application for a registration as a distributor of list I chemicals, on the ground that Respondent's registration "would be

inconsistent with the public interest." Show Cause Order at 1 (citing 21 U.S.C. 823(h) and 824(a)(4)).

The Show Cause Order specifically alleged that on September 1, 2009, Respondent had applied for a DEA registration as a distributor of iodine, a list I chemical. *Id.* The Order alleged that Mr. Paul Anand, Ph.D., was Respondent's owner and operator, and that during a pre-registration investigation, he had failed to provide a Food and Drug Administration registration, that he had failed to obtain a California Department of Justice Bureau of Narcotic Enforcement Controlled Chemical Substances Permit, and that he had "failed to accurately complete" employee screening forms as requested by Agency Investigators. *Id.* at 1-2. The Order also alleged that during the inspection, "investigators discovered that approximately 50 to 100 expired bottles of Lugol's solution, a product containing . . . [i]odine, were left unsecured on a shelf within BDI's proposed controlled location without a proper registration" and that "BDI failed to record, secure, or dispose of the expired list I chemical products as required by law." *Id.* at 2. Finally, the Order alleged that "[o]n December 8, 2010 . . . state investigators attempted to conduct a site inspection at BDI's business facility" but that they "were not successful because BDI did not cooperate with attempts to conduct this inspection." *Id.*

On June 27, Mr. Anand filed a request for a hearing on behalf of Respondent and the matter was placed on the docket of the Office of Administrative Law Judges (ALJ). Thereafter, the assigned ALJ issued an order for pre-hearing statements; both parties complied with the order.

In its pre-hearing statement, the Government provided notice that one of its witnesses would testify that "Respondent is required to have a valid California Board of Pharmacy license . . . or a California Bureau of Narcotic Enforcement permit . . . and . . . Respondent's state permit expired on June 11, 2011 and was not renewed." Gov. Pre-Hearing Statement, at 6-7. The Government noticed that its witness would further testify that "currently the Respondent is not authorized to handle list I chemicals in the State of California." *Id.* at 7.

Based on the above, the ALJ issued a Memorandum to Parties and Order. Therein, the ALJ ordered the parties to address two issues: (1) whether the "Respondent presently possess[es] a valid . . . state license, registration or other authority to handle listed chemicals, to include list I chemicals,