

Prussia, Pennsylvania; InterDigital Technology Corporation of Wilmington, Delaware; and IPR Licensing, Inc. of Wilmington, Delaware (collectively, "InterDigital"). 76 FR 54252 (Aug. 31, 2011). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain wireless devices with 3G capabilities and components thereof by reason of infringement of certain claims of United States Patent Nos. 7,349,540 (terminated from the investigation); 7,502,406 (the '406 patent); 7,536,013 (the '013 patent); 7,616,970 (the '970 patent); 7,706,332 (the '332 patent); 7,706,830 (the '830 patent); and 7,970,127 (the '127 patent). The notice of investigation named several respondents. The complaint and notice of investigation were subsequently amended to allege infringement of certain claims of United States Patent No. 8,009,636 (the '636 patent) and to add the LG entities as respondents. 76 FR 81527 (Dec. 28, 2011). The complaint and notice of investigation were further amended to include an additional respondent. 77 FR 26788 (May 7, 2012).

InterDigital Communications, LLC subsequently moved for leave to amend the Complaint and Notice of Investigation to reflect the fact that it converted from a Pennsylvania limited liability company to a Delaware corporation, and changed its name to InterDigital Communications, Inc. The ALJ issued an ID granting the motion and the Commission determined not to review. *See* Order No. 91 (Jan. 17, 2013); Notice of Commission Determination Not to Review an Initial Determination Granting Complainants' Motion for Leave to Amend the Complaint and Notice of Investigation (Feb. 4, 2013).

On June 4, 2012, the ALJ granted a motion by LG under 19 CFR 210.21(a)(2) to terminate the investigation as to LG based on an arbitration agreement. *See* Order No. 30 (June 4, 2012). The Commission determined not to review. InterDigital appealed LG's termination from this investigation, and the Federal Circuit reversed the Commission's determination. *InterDigital Comm'ns, LLC v. Int'l Trade Comm'n*, 718 F.3d 1336 (Fed. Cir. 2013). The mandate issued on October 10, 2013, returning jurisdiction to the Commission.

On June 28, 2013, the ALJ issued his final initial determination ("ID"), finding no violation of section 337 by respondents whose products were adjudicated ("Adjudicated Respondents"). On December 19, 2013,

the Commission determined to affirm the ALJ's finding of no violation of section 337 as to those respondents with the modifications set forth in a Commission opinion that issued on December 20, 2013. The Commission adopted the ALJ's findings that the '970, '013, and '127 patents are invalid in light of the prior art. However, due to the LG remand, the Commission noted that all other issues, namely, validity of the '830, '636, '406, and '332 patents, domestic industry, and FRAND continue to remain under review.

On January 13, 2014, InterDigital moved to withdraw the complaint as to LG. On January 23, 2014, the Commission investigative attorney filed a response in support of the motion. That same day, LG filed a response stating that it does not oppose the motion.

Having reviewed the motion and responses, the Commission has determined to grant the motion. The motion complies with the requirements of Commission Rule 210.21 (19 CFR 210.21) and includes the required statement that there are no agreements, written or oral, express or implied, between the parties concerning the subject matter of this investigation. In addition, there appear to be no extraordinary circumstances that would compel denying the motion. *Certain Ultrafiltration Membrane Sys. and Components Thereof*, Inv. No. 337-TA-107, Commission Action and Order, at 2 (Mar. 11, 1982). As all the parties observe, terminating the investigation as to LG will conserve substantial public and private resources. Under these circumstances, termination of LG will not adversely affect the public health and welfare, competitive conditions in the U.S. economy, the production of like or directly competitive articles in the United States, or U.S. consumers.

In its December 19, 2013, notice terminating the Adjudicated Respondents, the Commission noted that due to the LG remand, issues pertaining to the validity of the Power Ramp Up (the '830 and '636 patents) and Power Control (the '406 and '332 patents) patents as well as domestic industry and FRAND remained under review. The Commission has determined to adopt the ALJ's finding in the final ID that the Adjudicated Respondents failed to establish by clear and convincing evidence that the '830, '636, '406, and '332 patents are invalid. The Commission has determined to take no position on whether InterDigital established a domestic industry as required by 19 U.S.C. 1337(a)(2). In view of its finding that Adjudicated Respondents did not violate section 337

because of non-infringement and the withdrawal of the remaining respondents, the Commission has also determined to take no position on the FRAND issues. *See Beloit Corp. v. Valmet Oy*, 742 F.2d 1421, 1423 (Fed. Cir. 1984) ("The Commission . . . is at perfect liberty to reach a 'no violation' determination on a single dispositive issue. That approach may often save the Commission, the parties, and this court substantial unnecessary effort.").

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 210.21, 210.42-46 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.21, 210.42-46 and 210.50).

Issued: February 12, 2014.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

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## DEPARTMENT OF LABOR

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Affordable Care Act Advance Notice of Rescission

**AGENCY:** Office of the Secretary, DOL.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employee Benefits Security Administration (EBSA) sponsored information collection request (ICR) titled, "Affordable Care Act Advance Notice of Rescission," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Submit comments on or before March 21, 2014.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201312-1210-004](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201312-1210-004) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–EBSA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–6881 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor–OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:**

*Authority:* 44 U.S.C. 3507(a)(1)(D). The Patient Protection and Affordable Care Act provides rules regarding rescissions of health coverage for group health plans and health insurance issuers offering group or individual health insurance coverage. Under the statute and interim final regulations issued by the EBSA, a group health plan or a health insurance issuer offering group or individual health insurance coverage generally must not rescind coverage except in the case of fraud or an intentional misrepresentation of a material fact. Furthermore, coverage may not be cancelled unless prior notice is provided. Specifically, interim final regulations that the EBSA has promulgated provide that a group health plan or a health insurance issuer offering group health insurance coverage must provide at least 30 days advance notice to an individual before coverage may be rescinded. The notice must be provided regardless of whether the rescission is of group or individual coverage; or whether, in the case of group coverage, the coverage is insured or self-insured, or the rescission applies to an entire group or only to an individual within the group.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject

to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1210–0141.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on February 28, 2014. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on November 29, 2013 (78 FR 71669).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1210–0141. The OMB is particularly interested in comments that:

- 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;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* DOL–EBSA.

*Title of Collection:* Affordable Care Act Advance Notice of Rescission.

*OMB Control Number:* 1210–0141.

*Affected Public:* Private Sector—businesses or other for profits and not-for-profit institutions.

*Total Estimated Number of Respondents:* 100.

*Total Estimated Number of Responses:* 1,600.

*Total Estimated Annual Time Burden:* 26 hours.

*Total Estimated Annual Other Costs Burden:* \$400.

Dated: February 10, 2014.

**Michel Smyth,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Transit Worker Protections Under Federal Transit Act Section 5333(b) Urban Program

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Office of Labor Management Standards (OLMS) sponsored information collection request (ICR) titled, “Transit Worker Protections under Federal Transit Act Section 5333(b) Urban Program,” to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.*

**DATES:** Submit comments on or before March 21, 2014.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201309-1245-002](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201309-1245-002) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–OLMS, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202–395–6881 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor–OASAM, Office of