

patent; and (4) the asserted claims of the '873 patent are invalid under 35 U.S.C. 112, ¶ 1 and 35 U.S.C. 102 and/or 103. On July 16, 2014, the ALJ issued his recommendation on remedy and bonding ("RD") in the event the Commission found a violation of section 337. On July 21, 2014, BHM filed a petition for review of the final ID only with respect to the '873 and '652 patents and the remaining respondents (including intervenor) filed a joint petition for review with respect to all asserted patents. On July 29, 2014, BHM, the remaining respondents, and the Commission investigative attorney each filed a response to the opposing petition for review. On July 30, 2014, the remaining respondents (including intervenor), filed an unopposed motion for leave to file a corrected joint response to BHM's petition for review along with the corrected joint response. The Commission has determined to grant respondents' motion.

Upon considering the record in this investigation, including the final ID and the parties' submissions, the Commission has determined to review-in-part the final ID under 19 CFR 210.44. On such review of the final ID, the Commission has modified a specific portion of the final ID and has vacated all portions of the final ID that reference *Suprema, Inc. v. ITC*, 742 F.3d 1350 (Fed. Cir. 2013), *reh'g en banc granted and vacated*, 2014 WL 3036241 (May 13, 2014). Specifically, the Commission has modified the following portion of the final ID: Section VIII.A.4, on page 460, before the last period "," of the citation to *Certain Male Prophylactic Devices*, the citation language "; *Certain Integrated Circuit Chips and Products Containing the Same*, Inv. No. 337-TA-859, Comm'n Op. at 30-51 (August 22, 2014)" has been inserted. The Commission has also vacated the following portions of the final ID: (1) Section III.A, the last paragraph on pages 9-10; (2) Section III.A.1, the citation language "*Suprema*, slip op. at 18 (" and the closing parenthesis ")" in this citation on page 10; (3) the entirety of Section III.A.2.a on page 11; and (4) the entirety of Section III.C.3 on pages 20-23. The Commission has determined not to review the remainder of the final ID under 19 CFR 210.42(h)(2).

In addition, the Commission has determined that BHM did not petition for review of the ALJ's finding in the final ID of invalidity of the asserted claims of the '873 patent under 35 U.S.C. 102 and/or 103, and therefore has abandoned these issues under 19 CFR 210.43(b)(2). See *Allied Corp. v. ITC*, 850 F.2d 1573 (Fed. Cir. 1988). The Commission has also determined that

BHM has petitioned for review of certain issues based on arguments that BHM did not set forth in detail in its pre- and/or post-hearing briefing before the ALJ, and therefore the Commission has determined that these issues are waived and deemed abandoned. See *Ajinomoto Co., Inc. v. ITC*, 597 F.3d 1267 (Fed. Cir. 2010); Order No. 2 (ALJ's Ground Rules, June 19, 2013). These abandoned issues are the following: (1) Infringement of the '652 patent by accused Samsung and LG products with the Slacker application preinstalled; and (2) satisfaction of the economic prong of the domestic industry requirement with respect to all asserted patents. Specifically, these issues are found to be waived and therefore deemed abandoned because: (1) BHM did not present evidence of infringement with respect to Samsung and LG product models with the Slacker application preinstalled before the ALJ; and (2) BHM did not argue allocations of [] investments under 19 U.S.C. 1337(a)(3)(A), (B) with respect to specific domestic industry products (that practice the asserted patents) identified in its "Identification of Models of Domestic Industry Products" in its pre-hearing brief.

The Commission has also determined to grant the joint motion to terminate the investigation as to Panasonic. Section 337(c) provides, in relevant part, that the Commission may terminate an investigation "on the basis of an agreement between the private parties to the investigation." When the investigation is before the Commission, as is the case here, the Commission may act on a motion to terminate on the basis of settlement. See *Certain Insect Traps*, Inv. No. 337-TA-498, Notice of Commission Determination to Terminate the Investigation in its Entirety on the Basis of a Settlement Agreement, 69 Fed. Reg. 63176 (Oct. 29, 2004). Section 210.21(b) of the Commission's Rules of Practice and Procedure (19 CFR 210.21(b)), which implements section 337(c), requires that a motion for termination based upon a settlement contain a copy of that settlement agreement, as well as a statement that there are no other agreements, written or oral, express or implied, between the parties concerning the subject matter of the investigation. The joint motion complies with these requirements.

The Commission also considers the public interest when terminating an investigation based upon a settlement agreement. 19 CFR 210.50(b)(2). We find no evidence that termination of the investigation as to Panasonic will prejudice the public interest or that

settlement will adversely impact the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers. Moreover, the public interest favors settlement to avoid needless litigation and to conserve public and private resources. Accordingly, the Commission hereby grants the consent motion to terminate this investigation as to Panasonic on the basis of a settlement agreement.

Finally, the Commission has terminated the investigation with a finding of no violation of section 337.

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: September 11, 2014.

Jennifer D. Rohrbach,

Supervisory Attorney.

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DEPARTMENT OF JUSTICE

[OMB Number 1140-0080]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Notification of Change of Mailing or Premise Address

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until November 17, 2014.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Christopher Reeves, *Christopher.R.Reeves@usdoj.gov*, Chief, Federal Explosives Licensing Center,

244 Needy Road, Martinsburg, WV 25405.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Overview of this information collection 1140-0080:

1 *Type of Information Collection:* Extension of an existing collection.

2 *The Title of the Form/Collection:* Notification of Change of Mailing or Premise Address.

3 *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: None.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4 *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Not-for-profit institutions.

Other: Business or other for-profit.

Abstract: Licensees and permittees whose mailing address will change must notify the Chief, Federal Explosives Licensing Center, at least 10 days before the change.

The information is used by ATF to identify correct locations of storage of explosives licensees/permittees and location of storage of explosive materials for purposes of inspection, as well as to notify permittee/licensees of any change in regulations or laws that may affect their business activities.

5 *An estimate of the total number of respondents and the amount of time estimated for an average respondent to*

respond: An estimated 1,000 respondents will take 10 minutes to respond via letter to the Federal Explosives Licensing Center.

6 *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 170 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., Room 3E-405B, Washington, DC 20530.

Dated: September 11, 2014.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2014-22085 Filed 9-16-14; 8:45 am]

BILLING CODE 4410-FY-P

DEPARTMENT OF JUSTICE

[OMB Number 1140-0040]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Application for an Amended Federal Firearms License

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until November 17, 2014.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Tracey Robertson, *Tracey.Robertson@atf.gov*, Chief, Federal Firearms Licensing Center, 244 Needy Road, Martinsburg, WV 25405.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should

address one or more of the following four points:

- 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Overview of this information collection 1140-0040:

1. *Type of Information Collection:* Extension of an existing collection.

2. *The Title of the Form/Collection:* Application for an Amended Federal Firearms License.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: ATF Form 5300.38.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Business or other for-profit.

Other: Individual or households.

Abstract: The form is primarily used when a Federal firearms licensee makes application to change the location of the business premises. The form is also used for changes of trade or business name, changes of mailing address, changes of contact information, changes of hours of operation/availability, and allows for licensees to indicate any changes of business structure.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 18,000 respondents will take 30 minutes to complete the form.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 9,000 hours.

If additional information is required contact: Jerri Murray, Department Clearance Officer, United States