

accused products do not infringe the asserted patents. On the same date, Ninestar filed an unopposed motion for leave to file a motion for summary determination that its accused products do not infringe the asserted patents. All of the active respondents' motions were contingent on the ALJ construing the asserted claims to require a pivotable coupling member. Also, on the same date, Canon moved for summary determination of infringement with respect to all of the respondents' accused products, both active and defaulting. Canon's motion was contingent on the ALJ construing the asserted claims to require a coupling member that does not need to pivot or incline. On December 10, 2018, Canon stated in its response to the two pending summary determination motions that it would not oppose the motions if the ALJ construed the asserted claims to require a pivotable coupling member. On the same date, OUII filed a response supporting all of the motions for summary determination of non-infringement, including Ninestar's motion for leave to file its motion for summary determination of non-infringement.

On February 28, 2019, the ALJ issued her *Markman* Order (Order No. 38) construing the asserted claims to require a pivotable coupling member. On March 6, 2019, Ninestar moved, based on the *Markman* Order's claim construction, for summary determination of non-infringement. On March 8, 2019, Canon stated in its response to Ninestar's motion that it would not oppose the motion based on the *Markman* Order.

On March 13, 2019, the ALJ issued the subject ID (Order No. 40) granting each motion for summary determination of non-infringement. In the subject ID, the ALJ also denied Canon's motion for summary determination of infringement as moot. On March 25, 2019, Canon and the Active Respondents each petitioned for review of the subject ID. On April 1, 2019, Canon and the Active Respondents each filed a response in opposition to the other party's petition for review. On the same date, OUII filed a response in opposition to each petition for review.

On May 6, 2019, the Commission determined to review the ID and the underlying *Markman* Order in their entirety and requested the parties to respond to certain questions concerning the issues under review. On May 14, 2019, Canon filed its written submission in response to the Commission questions. Canon stated that it does not seek relief against the defaulting respondents unless the *Markman*

Order's construction requiring a pivotable coupling member is modified.

Having reviewed the record of the investigation, including Order No. 40 and the *Markman* Order, the parties' briefing, and Canon's response, the Commission has determined to affirm the subject ID. Accordingly, the Commission finds no violation of section 337. The investigation is terminated.

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: May 20, 2019.

Katherine Hiner,

Acting Secretary to the Commission.

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DEPARTMENT OF JUSTICE

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

On May 17, 2019, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Middle District of Florida in the lawsuit entitled *United States of America v. BKF Capital Group, Inc.*, Civil Action No. 8:18-cv-01863-VMC-TGW.

The Consent Decree resolves the United States' claims set forth in its complaint against BKF Capital Group, Inc. ("Defendant") for cost recovery under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") relating to the release or threatened release of hazardous substances into the environment at Cattle Dipping Vat A (Site No. OT-59A) in Polk County, Florida, and Cattle Dipping Vats C and D (Site Nos. OT-59C and OT-59D) in Highlands County, Florida (together, the "Vat Sites") within the Avon Park Air Force Range ("APAFR"). Under the terms of the proposed consent decree, Defendant will reimburse \$725,000 of the costs incurred by the United States Air Force in connection with response actions at the Vat Sites. In return, the United States agrees not to sue or take administrative action against Defendant under Section 107(a) or Section 113 of CERCLA with regard to the Vat Sites.

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 of America v. BKF Capital Group, Inc.*, D.J. Ref. No. 90-11-3-11242. 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 email	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. 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 \$4.75 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the appendix and signature pages, the cost is \$3.00.

Henry Friedman,

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

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Office of Government Information Services

[NARA-2019-023]

Freedom of Information Act (FOIA) Advisory Committee Meeting

AGENCY: Office of Government Information Services (OGIS), National Archives and Records Administration (NARA).

ACTION: Notice of Federal Advisory Committee meeting.

SUMMARY: We are announcing an upcoming Freedom of Information Act