

industry products to satisfy the technical prong of the domestic industry requirement. Additionally, the Commission has determined to take no position on whether Netlist satisfied the economic prong of the domestic industry requirement for either the '907 or '623 patents. The Commission also affirms the Final ID's finding that SK hynix showed that claims 1–5, 7, 8, 10, 14, and 15 of the '907 patent are invalid as obvious. Finally, the Commission has determined to reverse the ALJ's findings that the '907 patent is essential to a JEDEC standard and that the JEDEC Patent Policy is unenforceable, has determined to affirm the ALJ's finding that the '623 patent is not shown to be essential to a JEDEC standard, and has determined to vacate all other finding relating to obligations to license on reasonable and nondiscriminatory terms.

Accordingly, the Commission finds no violation of section 337 based on Netlist's failure to establish infringement and the technical prong of the domestic industry requirement, and on SK hynix's showing that claims 1–5, 7, 8, 10, 14, and 15 of the '907 patent are invalid as obvious. The Commission's determinations are explained more fully in the accompanying Opinion. All other findings in the ID under review that are consistent with the Commission's determinations are affirmed. The investigation is hereby 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: April 7, 2020.

**Lisa Barton,**

*Secretary to the Commission.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1141]

### **Certain Cartridges for Electronic Nicotine Delivery Systems and Components Thereof; Notice of a Commission Determination To Issue Remedial Orders and Impose a Bond on Defaulting Respondents; Termination of the Investigation**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission (the "Commission") has determined to issue a limited exclusion order and cease and desist orders against the respondents found to be in default in this investigation, namely, DripTip Vapes LLC ("DripTips") of Plantation, Florida; Shenzhen OVNS Technology Co., Ltd. ("OVNS") of Guangdong, China; Shenzhen Haka Flavor Technology Co., Ltd. ("Haka") of Guangdong, China; and Shenzhen OCIGA Technology Co., Ltd. ("OCIGA") of Guangdong, China (collectively, "the Defaulting Respondents"). The Commission has also determined to impose a bond equal to 281 percent of the entered value of the accused products imported during the period of Presidential review. The investigation is hereby terminated.

**FOR FURTHER INFORMATION CONTACT:** Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal telephone on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On December 27, 2018, the Commission instituted the present investigation based on a complaint filed by Juul Labs, Inc. ("Juul" or "Complainant") of San Francisco, California. 83 FR 66746-747 (Dec. 27, 2018). The complaint alleges a violation of 19 U.S.C. 1337, as amended ("Section 337"), in the importation, sale for importation, and sale in the United States after importation of certain cartridges used in electronic nicotine delivery systems and components thereof that allegedly infringe one or more of the asserted claims of U.S. Patent Nos. 10,058,129; 10,104,915; 10,111,470; 10,117,465; and 10,117,466. *Id.* The complaint also alleges the existence of a domestic industry. *Id.* The notice of investigation named 23 respondents. *Id.* The Office of Unfair Import Investigations ("OUII") was also named as a party. *Id.*

On May 3, 2019, the presiding administrative law judge ("ALJ") found the Defaulting Respondents in default.

Order No. 26 (May 3, 2019), *not rev'd*, Comm'n Notice (May 31, 2019). On September 9, 2019, Juul filed a Declaration Seeking Immediate Relief Against Defaulting Respondents. On September 19, 2019, OUII filed a response opposing Juul's declaration as premature and stating that any requested relief should be deferred until the end of the investigation.

The Commission terminated the investigation with respect to all of the other respondents through a series of settlement agreements and consent orders. Order No. 51 (Dec. 5, 2019), *not rev'd*, Comm'n Notice (Jan. 6, 2020); Order Nos. 46–50 (Nov. 18, 2019), *not rev'd*, Comm'n Notice (Dec. 16, 2019); Order No. 44 (Sept. 18, 2019), *not rev'd*, Comm'n Notice (Oct. 15, 2019); Order No. 34 (June 14, 2019), *not rev'd*, Comm'n Notice (July 10, 2019); Order No. 30 (May 15, 2019), *not rev'd*, Comm'n Notice (June 12, 2019); Order No. 25 (April 18, 2019), *not rev'd*, Comm'n Notice (May 15, 2019); Order Nos. 19–21 (Apr. 10, 2019), *not rev'd*, Comm'n Notice (May 7, 2019); Order Nos. 15, 16 (Mar. 12, 2019), *not rev'd*, Comm'n Notice (Mar. 26, 2019); Order Nos. 13, 14 (Feb. 28, 2019), *not rev'd*, Comm'n Notice (Mar. 26, 2019).

The Commission, in terminating the last active respondent from the investigation, also terminated the proceedings before the ALJ. Order No. 51 at 3 (Dec. 5, 2019), *not rev'd*, Comm'n Notice (Jan. 6, 2020). Accordingly, Juul renewed its request for relief against the Defaulting Respondents on December 12, 2019. The Commission, in the same notice that terminated the investigation with respect to the last remaining respondent, requested briefing on the issues of remedy, bonding, and the public interest. Comm'n Notice (Jan. 6, 2020). The Commission also found Juul's September 9, 2019, declaration to be moot. *Id.*

On January 13, 2020, both Juul and OUII filed statements on remedy, public interest, and bonding. On January 20, 2020, Juul filed a reply to OUII's initial submission. None of the Defaulting Respondents filed a response to either the Commission's original notice or the initial submissions filed by Juul or OUII.

Upon review of the parties' submissions, and in the absence of any response from the Defaulting Respondents, the Commission has determined to issue a limited exclusion order and cease and desist orders against the Defaulting Respondents. The Commission has further determined to set a bond equal to 281 percent of the entered value of the covered products. The investigation is hereby 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).

While temporary remote operating procedures are in place in response to COVID-19, the Office of the Secretary is not able to serve parties that have not retained counsel or otherwise provided a point of contact for electronic service. Accordingly, pursuant to Commission Rules 201.16(a) and 210.7(a)(1) (19 CFR 201.16(a), 210.7(a)(1)), the Commission orders that the Complainant complete service for any party/parties without a method of electronic service noted on the attached Certificate of Service and shall file proof of service on the Electronic Document Information System (EDIS).

By order of the Commission.

Issued: April 7, 2020.

**Lisa Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—PXI Systems Alliance, INC.

Notice is hereby given that, on March 19, 2020, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), PXI Systems Alliance, Inc. ("PXI Systems") 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, Informtest, Zelenograd, Moscow, RUSSIA; TEVET, Greeneville, TN; and IC2 (Interdisciplinary Consulting Corp), Gainesville, FL, have been added 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 PXI Systems intends to file additional written notifications disclosing all changes in membership.

On November 22, 2000, PXI Systems 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 March 8, 2001 (66 FR 13971).

The last notification was filed with the Department on December 30, 2019. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on January 27, 2020 (85 FR 4705).

**Suzanne Morris,**

*Chief, Premerger and Division Statistics Unit, Antitrust Division.*

[FR Doc. 2020-07670 Filed 4-10-20; 8:45 am]

**BILLING CODE 4410-11-P**

## DEPARTMENT OF JUSTICE

[OMB Number 1124-0005]

#### Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Short Form to Registration Statement of Foreign Agents (NSD-6)

**AGENCY:** Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section (CES), National Security Division, U.S. Department of Justice.

**ACTION:** 30-Day notice.

**SUMMARY:** The Department of Justice (DOJ), National Security Division (NSD), will be submitting 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. There were three official communications received by NSD reflecting comments and recommendations. One communication was signed by fourteen individuals. The FARA Unit staff responded to each communication, satisfactorily addressing each comment and recommendation.

**DATES:** Comments are encouraged and will be accepted for an additional 30 days until May 13, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

**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;
- Enhance the quality, utility, and clarity of the information to be collected; and/or
- 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

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Short Form to Registration Statement (Foreign Agents).

3. *The agency form number:* Form NSD-6. The applicable component within the Department of Justice is the Foreign Agents Registration Act (FARA) Unit, Counterintelligence and Export Control Section, in the National Security Division.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Private Sector, Business or other for-profit. Other: Not-for-profit institutions, and individuals.

*Abstract:* This form contains Short Form to Registration Statement information used for registering foreign agents under the Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. 611 *et seq.*, (FARA).

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Based on the projected increases in registrations from 2017 to 2020, an estimated 892 new individual foreign agents will complete Form NSD-6 (OMB 1124-0005). Based on sample testing, each respondent will need .23 hours to complete the form, which takes into consideration the improved e-File 4.0 webform features. The following factors were considered when creating the burden estimate: The estimated total