

**54. Tradition Mortgage LLC, Lakeville, MN [Docket No. 19–2049–MR]**

**Action:** On May 12, 2020, the Board voted to enter into a settlement agreement with Tradition Mortgage LLC, (“Tradition Mortgage”) that included a civil money penalty of \$14,819. The settlement agreement does not constitute an admission of liability or fault.

**Cause:** The Board took this action based on the following alleged violations of HUD requirements: Tradition Mortgage (a) failed to timely notify HUD of a state sanction in fiscal year 2018; and (b) submitted a false certification to HUD concerning Tradition Mortgage’s fiscal year 2018.

**55. United Home Loans, Inc., Westchester, IL [Docket No. 20–2015–MR]**

**Action:** On September 1, 2020, the Board voted to accept a settlement agreement with United Home Loans, Inc. (“United Home”) that included a civil money penalty of \$5,000. The settlement does not constitute an admission of liability or fault.

**Cause:** The Board took this action based on the following alleged violation of HUD requirements: United Home failed to timely notify HUD of a sanction in fiscal year 2019.

**56. Valley Mortgage Inc., Fargo, ND [Docket No. 19–1956–MR]**

**Action:** On December 17, 2019, the Board voted to enter into a settlement agreement with Valley Mortgage Inc. (“Valley Mortgage”) that included a civil money penalty of \$9,468 and the indemnification of one FHA-insured mortgage for a term of five years. The settlement agreement does not constitute an admission of liability or fault.

**Cause:** The Board took this action based on the following alleged violation of HUD requirements: Valley Mortgage violated FHA underwriting requirements by approving a loan that was not eligible for FHA insurance by failing to properly calculate the borrowers’ effective income.

**57. VIG Mortgage Corporation, San Juan, PR [Docket No. 20–2016–MR]**

**Action:** On May 12, 2020, voted to enter into a settlement agreement with VIG Mortgage Corporation (“VIG”) that included a civil money penalty of \$4,909. The settlement agreement does not constitute an admission of liability or fault.

**Cause:** The Board took this action based on the following alleged violation of HUD requirements: VIG Mortgage failed to timely notify HUD of a change

to VIG Mortgage’s business structure, consisting of a change in ownership, in fiscal year 2018.

**58. Weststar Mortgage Corporation, Albuquerque, NM [Docket No. 20–2005–MR]**

**Action:** On May 12, 2020, the Board voted to enter into a settlement agreement with Weststar Mortgage Corporation (“Weststar”) that included a civil money penalty of \$5,000. The settlement agreement does not constitute an admission of liability or fault.

**Cause:** The Board took this action based on the following alleged violation of HUD requirements: Weststar failed to timely notify HUD of a sanction in fiscal year 2019.

**II. Lenders That Failed To Timely Meet Requirements for Annual Recertification of HUD/FHA Approval but Came Into Compliance**

**Action:** The Board entered into settlement agreements with the following lenders, which required the lender to pay a civil money penalty without admitting fault or liability.

**Cause:** The Board took these actions based upon allegations that the listed lenders failed to comply with HUD’s annual recertification requirements in a timely manner.

The lenders below paid the following civil money penalty amounts:

1. *Central Bank and Trust Lender, WY (\$10,067) [Docket No. 20–2038–MRT]*

The following lenders paid civil money penalties of \$5,000.

2. *Community Investment Corporation, Chicago, IL [Docket No. 20–2081–MRT]*
3. *Great Lakes Financial Group Ltd, Cleveland, OH [Docket No. 20–2090–MRT]*

The following lenders paid civil money penalties of \$4,500.

4. *Buckeye State Bank, Powell, OH [Docket No. 20–2029–MRT]*
5. *First Flight Federal Credit Union, Cary, NC [Docket No. 20–2032–MRT]*
6. *Grand Savings Bank, Grove, OK [Docket No. 20–2034–MRT]*
7. *SWI Financial Services Inc, Escondido, CA [Docket No. 20–2032–MRT]*
8. *Windsor Federal Savings [Docket No. 19–2040–MRT]*

**III. Lenders That Failed To Meet Requirements for Annual Recertification of HUD/FHA Approval**

**Action:** The Board voted to withdraw the FHA approval of each of the lenders listed below for a period of one (1) year.

**Cause:** The Board took this action based upon allegations that the lenders

listed below were not in compliance with HUD’s annual recertification requirements.

1. *Apex Lending Inc., Santa Ana, CA*
2. *Aries Loans Inc., El Segundo, CA*
3. *City National Bank of New Jersey, Newark, NJ*
4. *Consumer Loan Services, LLC, La Crosse, WI*
5. *Gulf Atlantic Funding Group, Davie, FL*
6. *Metro Phoenix Financial Services, LLC, Phoenix, AZ*
7. *Mortgage Bank of California, Manhattan Beach, CA*
8. *South Central Bank and Trust Co., Chicago, IL*
9. *United Police Federal Credit Union, Miami, FL*

**Janet M. Golrick,**

*Acting Assistant Secretary for Housing/FHA Commissioner Chair, Mortgagee Review Board.*

[FR Doc. 2021–02921 Filed 2–11–21; 8:45 am]

**BILLING CODE 4210–67–P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**[Docket No. FR–6245–N–01]**

**Mortgage and Loan Insurance Programs Under the National Housing Act—Debenture Interest Rates**

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice announces changes in the interest rates to be paid on debentures issued with respect to a loan or mortgage insured by the Federal Housing Administration under the provisions of the National Housing Act (the Act). The interest rate for debentures issued under Section 221(g)(4) of the Act during the 6-month period beginning January 1, 2021, is  $3\frac{3}{4}$  percent. The interest rate for debentures issued under any other provision of the Act is the rate in effect on the date that the commitment to insure the loan or mortgage was issued, or the date that the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is higher. The interest rate for debentures issued under these other provisions with respect to a loan or mortgage committed or endorsed during the 6-month period beginning January 1, 2021, is  $1\frac{3}{8}$  percent.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Olazabal, Department of Housing and Urban Development, 451 Seventh Street SW, Room 5146,

Washington, DC 20410–8000; telephone (202) 402–4608 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number through TTY by calling the Federal Information Relay Service at (800) 877–8339 (this is a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 224 of the National Housing Act (12 U.S.C. 1715o) provides that debentures issued under the Act with respect to an insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4) of the Act) shall bear interest at the rate in effect on the date the commitment to insure the loan or mortgage was issued, or the date the loan or mortgage was endorsed (or initially endorsed if there are two or more endorsements) for insurance, whichever rate is highest. This provision is implemented in HUD’s regulations at 24 CFR 203.405, 203.479, 207.259(e)(6), and 220.830. These regulatory provisions state that the applicable rates of interest will be published twice each year as a notice in the **Federal Register**.

Section 224 further provides that the interest rate on these debentures will be set from time to time by the Secretary of HUD, with the approval of the Secretary of the Treasury, in an amount not in excess of the annual interest rate determined by the Secretary of the Treasury pursuant to a statutory formula based on the average yield of all outstanding marketable Treasury obligations of maturities of 15 or more years.

The Secretary of the Treasury (1) has determined, in accordance with the provisions of Section 224, that the statutory maximum interest rate for the period beginning January 1, 2021, is 1<sup>3</sup>/<sub>8</sub> percent; and (2) has approved the establishment of the debenture interest rate by the Secretary of HUD at 1<sup>3</sup>/<sub>8</sub> percent for the 6-month period beginning January 1, 2021. This interest rate will be the rate borne by debentures issued with respect to any insured loan or mortgage (except for debentures issued pursuant to Section 221(g)(4)) with insurance commitment or endorsement date (as applicable) within the first 6 months of 2021.

For convenience of reference, HUD is publishing the following chart of debenture interest rates applicable to mortgages committed or endorsed since January 1, 1980:

Effective interest rate	on or after	prior to
9 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 1980	July 1, 1980.
9 <sup>7</sup> / <sub>8</sub> .....	July 1, 1980	Jan. 1, 1981.

Effective interest rate	on or after	prior to	Effective interest rate	on or after	prior to
11 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 1981	July 1, 1981.	2 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 2018	July 1, 2018.
12 <sup>7</sup> / <sub>8</sub> .....	July 1, 1981	Jan. 1, 1982.	3 <sup>1</sup> / <sub>8</sub> .....	July 1, 2018	Jan. 1, 2019.
12 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 1982	Jan. 1, 1983.	3 <sup>3</sup> / <sub>8</sub> .....	Jan. 1, 2019	July 1, 2019.
10 <sup>1</sup> / <sub>4</sub> .....	Jan. 1, 1983	July 1, 1983.	2 <sup>3</sup> / <sub>4</sub> .....	July 1, 2019	Jan. 1, 2020.
10 <sup>3</sup> / <sub>8</sub> .....	July 1, 1983	Jan. 1, 1984.	2 <sup>1</sup> / <sub>4</sub> .....	Jan. 1, 2020	July 1, 2020.
11 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 1984	July 1, 1984.	1 <sup>1</sup> / <sub>4</sub> .....	July 1, 2020	Jan. 1, 2021.
13 <sup>3</sup> / <sub>8</sub> .....	July 1, 1984	Jan. 1, 1985.	1 <sup>3</sup> / <sub>8</sub> .....	Jan. 1, 2021	July 1, 2021.
11 <sup>5</sup> / <sub>8</sub> .....	Jan. 1, 1985	July 1, 1985.			
11 <sup>1</sup> / <sub>8</sub> .....	July 1, 1985	Jan. 1, 1986.			
10 <sup>1</sup> / <sub>4</sub> .....	Jan. 1, 1986	July 1, 1986.			
8 <sup>1</sup> / <sub>4</sub> .....	July 1, 1986	Jan. 1, 1987.			
8 .....	Jan. 1, 1987	July 1, 1987.			
9 .....	July 1, 1987	Jan. 1, 1988.			
9 <sup>1</sup> / <sub>8</sub> .....	Jan. 1, 1988	July 1, 1988.			
9 <sup>3</sup> / <sub>8</sub> .....	July 1, 1988	Jan. 1, 1989.			
9 <sup>1</sup> / <sub>4</sub> .....	Jan. 1, 1989	July 1, 1989.			
9 .....	July 1, 1989	Jan. 1, 1990.			
8 <sup>1</sup> / <sub>8</sub> .....	Jan. 1, 1990	July 1, 1990.			
9 .....	July 1, 1990	Jan. 1, 1991.			
8 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 1991	July 1, 1991.			
8 <sup>1</sup> / <sub>2</sub> .....	July 1, 1991	Jan. 1, 1992.			
8 .....	Jan. 1, 1992	July 1, 1992.			
8 .....	July 1, 1992	Jan. 1, 1993.			
7 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 1993	July 1, 1993.			
7 .....	July 1, 1993	Jan. 1, 1994.			
6 <sup>5</sup> / <sub>8</sub> .....	Jan. 1, 1994	July 1, 1994.			
7 <sup>3</sup> / <sub>4</sub> .....	July 1, 1994	Jan. 1, 1995.			
8 <sup>3</sup> / <sub>8</sub> .....	Jan. 1, 1995	July 1, 1995.			
7 <sup>1</sup> / <sub>4</sub> .....	July 1, 1995	Jan. 1, 1996.			
6 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 1996	July 1, 1996.			
7 <sup>1</sup> / <sub>4</sub> .....	July 1, 1996	Jan. 1, 1997.			
6 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 1997	July 1, 1997.			
7 <sup>1</sup> / <sub>8</sub> .....	July 1, 1997	Jan. 1, 1998.			
6 <sup>3</sup> / <sub>8</sub> .....	Jan. 1, 1998	July 1, 1998.			
6 <sup>1</sup> / <sub>8</sub> .....	July 1, 1998	Jan. 1, 1999.			
5 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 1999	July 1, 1999.			
6 <sup>1</sup> / <sub>8</sub> .....	July 1, 1999	Jan. 1, 2000.			
6 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 2000	July 1, 2000.			
6 <sup>1</sup> / <sub>2</sub> .....	July 1, 2000	Jan. 1, 2001.			
6 .....	Jan. 1, 2001	July 1, 2001.			
5 <sup>7</sup> / <sub>8</sub> .....	July 1, 2001	Jan. 1, 2002.			
5 <sup>1</sup> / <sub>4</sub> .....	Jan. 1, 2002	July 1, 2002.			
5 <sup>3</sup> / <sub>4</sub> .....	July 1, 2002	Jan. 1, 2003.			
5 .....	Jan. 1, 2003	July 1, 2003.			
4 <sup>1</sup> / <sub>2</sub> .....	July 1, 2003	Jan. 1, 2004.			
5 <sup>1</sup> / <sub>8</sub> .....	Jan. 1, 2004	July 1, 2004.			
5 <sup>1</sup> / <sub>2</sub> .....	July 1, 2004	Jan. 1, 2005.			
4 <sup>7</sup> / <sub>8</sub> .....	Jan. 1, 2005	July 1, 2005.			
4 <sup>1</sup> / <sub>2</sub> .....	July 1, 2005	Jan. 1, 2006.			
4 <sup>7</sup> / <sub>8</sub> .....	Jan. 1, 2006	July 1, 2006.			
5 <sup>3</sup> / <sub>8</sub> .....	July 1, 2006	Jan. 1, 2007.			
4 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 2007	July 1, 2007.			
5 .....	July 1, 2007	Jan. 1, 2008.			
4 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 2008	July 1, 2008.			
4 <sup>5</sup> / <sub>8</sub> .....	July 1, 2008	Jan. 1, 2009.			
4 <sup>1</sup> / <sub>8</sub> .....	Jan. 1, 2009	July 1, 2009.			
4 <sup>1</sup> / <sub>8</sub> .....	July 1, 2009	Jan. 1, 2010.			
4 <sup>1</sup> / <sub>4</sub> .....	Jan. 1, 2010	July 1, 2010.			
4 <sup>1</sup> / <sub>8</sub> .....	July 1, 2010	Jan. 1, 2011.			
3 <sup>7</sup> / <sub>8</sub> .....	Jan. 1, 2011	July 1, 2011.			
4 <sup>1</sup> / <sub>8</sub> .....	July 1, 2011	Jan. 1, 2012.			
2 <sup>7</sup> / <sub>8</sub> .....	Jan. 1, 2012	July 1, 2012.			
2 <sup>3</sup> / <sub>4</sub> .....	July 1, 2012	Jan. 1, 2013.			
2 <sup>1</sup> / <sub>2</sub> .....	Jan. 1, 2013	July 1, 2013.			
2 <sup>7</sup> / <sub>8</sub> .....	July 1, 2013	Jan. 1, 2014.			
3 <sup>5</sup> / <sub>8</sub> .....	Jan. 1, 2014	July 1, 2014.			
3 <sup>1</sup> / <sub>4</sub> .....	July 1, 2014	Jan. 1, 2015.			
3 .....	Jan. 1, 2015	July 1, 2015.			
2 <sup>7</sup> / <sub>8</sub> .....	July 1, 2015	Jan. 1, 2016.			
2 <sup>7</sup> / <sub>8</sub> .....	Jan. 1, 2016	July 1, 2016.			
2 <sup>1</sup> / <sub>2</sub> .....	July 1, 2016	Jan. 1, 2017.			
2 <sup>3</sup> / <sub>4</sub> .....	Jan. 1, 2017	July 1, 2017.			
2 <sup>7</sup> / <sub>8</sub> .....	July 1, 2017	Jan. 1, 2018.			

Section 215 of Division G, Title II of Public Law 108–199, enacted January 23, 2004 (HUD’s 2004 Appropriations Act) amended Section 224 of the Act, to change the debenture interest rate for purposes of calculating certain insurance claim payments made in cash. Therefore, for all claims paid in cash on mortgages insured under Section 203 or 234 of the National Housing Act and endorsed for insurance after January 23, 2004, the debenture interest rate will be the monthly average yield, for the month in which the default on the mortgage occurred, on United States Treasury Securities adjusted to a constant maturity of 10 years, as found in Federal Reserve Statistical Release H–15. The Federal Housing Administration has codified this provision in HUD regulations at 24 CFR 203.405(b) and 24 CFR 203.479(b).

Similarly, Section 520(a) of the National Housing Act (12 U.S.C. 1735d) provides for the payment of an insurance claim in cash on a mortgage or loan insured under any section of the National Housing Act before or after the enactment of the Housing and Urban Development Act of 1965. The amount of such payment shall be equivalent to the face amount of the debentures that would otherwise be issued, plus an amount equivalent to the interest which the debentures would have earned, computed to a date to be established pursuant to regulations issued by the Secretary. The implementing HUD regulations for multifamily insured mortgages at 24 CFR 207.259(e)(1) and (e)(6), when read together, provide that debenture interest on a multifamily insurance claim that is paid in cash is paid from the date of the loan default at the debenture rate in effect at the time of commitment or endorsement (or initial endorsement if there are two or more endorsements) of the loan, whichever is higher.

Section 221(g)(4) of the Act provides that debentures issued pursuant to that paragraph (with respect to the assignment of an insured mortgage to the Secretary) will bear interest at the “going Federal rate” in effect at the time the debentures are issued. The term “going Federal rate” is defined to mean the interest rate that the Secretary of the Treasury determines, pursuant to a

statutory formula based on the average yield on all outstanding marketable Treasury obligations of 8- to 12-year maturities, for the 6-month periods of January through June and July through December of each year. Section 221(g)(4) is implemented in the HUD regulations at 24 CFR 221.255 and 24 CFR 221.790.

The Secretary of the Treasury has determined that the interest rate to be borne by debentures issued pursuant to Section 221(g)(4) during the 6-month period beginning January 1, 2021, is  $3\frac{3}{4}$  percent. The subject matter of this notice falls within the categorical exemption from HUD's environmental clearance procedures set forth in 24 CFR 50.19(c)(6). For that reason, no environmental finding has been prepared for this notice.

(Authority: Sections 211, 221, 224, National Housing Act, 12 U.S.C. 1715b, 1715l, 1715o; Section 7(d), Department of HUD Act, 42 U.S.C. 3535(d).)

**Janet M. Golrick,**

*Acting Assistant Secretary for Housing—  
Federal Housing Commissioner.*

[FR Doc. 2021-02867 Filed 2-11-21; 8:45 am]

**BILLING CODE 4210-67-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1162]

### **Certain Touch-Controlled Mobile Devices, Computers, and Components Thereof; Commission Determination Not To Review an Initial Determination Terminating the Investigation as to Amazon, Dell, Lenovo, Microsoft, Motorola, and Samsung Based on Settlement; Termination of Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined not to review an initial determination ("ID") (Order No. 66) of the presiding administrative law judge ("ALJ") that terminates the investigation as to the remaining respondents (Amazon, Dell, Lenovo, Microsoft, Motorola, and Samsung) based on a settlement. This investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3427. 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 on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on June 24, 2019, based on a complaint filed by Neodron Ltd. of Dublin, Ireland ("Neodron"). 84 FR 29545 (June 24, 2019). The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain touch-controlled mobile devices, computers, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 8,432,173; 8,791,910; 9,024,790; and 9,372,580. *Id.*; 84 FR 55584 (Oct. 17, 2019). The amended complaint further alleges that an industry in the United States exists as required by section 337. 84 FR 29545; 84 FR 55584. The notice of investigation, as amended, named as respondents Amazon.com, Inc. of Seattle, Washington ("Amazon"); Dell Inc. of Round Rock, Texas; Dell Products LP of Round Rock, Texas (together, "Dell"); HP Inc. of Palo Alto, California ("HP"); Lenovo Group Ltd. of Beijing, China; Lenovo (United States) Inc. of Morrisville, North Carolina (together, "Lenovo"); Microsoft Corporation of Redmond, Washington ("Microsoft"); Motorola Mobility LLC of Chicago, Illinois ("Motorola"); Samsung Electronics Co., Ltd. of Suwon, South Korea; and Samsung Electronics America, Inc. of Ridgefield Park, New Jersey (together, "Samsung"). 84 FR 29545; 84 FR 55584. The Office of Unfair Import Investigations is not participating in the investigation. 84 FR 29545.

On September 2, 2020, this investigation was terminated as to HP. Order No. 59 (Aug. 20, 2020), *unreviewed*, Notice (Sept. 2, 2020).

On January 25, 2021, Neodron, Amazon, Dell, Lenovo, Microsoft, Motorola, and Samsung filed a joint motion to terminate all remaining respondents from the investigation based on a settlement agreement.

On January 27, 2021, the ALJ issued Order No. 66, the subject ID, which granted the motion. The ID found that the motion complies with Commission Rule 210.21(b). The ID further found that terminating the investigation as to all remaining respondents will not adversely affect the public interest. Because the investigation had already terminated as to HP, the ID would result in the termination of the investigation in its entirety. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. The investigation is hereby terminated in its entirety.

The Commission vote for this determination took place on February 8, 2021.

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: February 8, 2021.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2021-02877 Filed 2-11-21; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1179]

### **Certain Pouch-Type Battery Cells, Battery Modules, and Battery Packs, Components Thereof, and Products Containing the Same; Commission Determination Not To Review an Initial Determination Granting Complainants' Motion To Amend the Complaint and Notice of Investigation and Terminate the Investigation as to Certain Claims Based on Withdrawal of the Complaint**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined not to review an initial determination ("ID") (Order No. 53) of the presiding chief administrative law judge ("CALJ") granting complainants' corrected motion (1) for leave to amend the complaint and notice of investigation to reflect the respondents' corporate reorganization and (2) to withdraw allegations concerning certain claims of U.S. Patent No. 10,121,994 ("the '994 patent") from the complaint.