

the United States, the sale for importation, and the sale within the United States after importation of regarding certain semiconductors and devices and products containing the same, including printed circuit boards, automotive parts, and automobiles. The complainant names as respondents: Arrow Electronics, Inc. of Centennial, CO; Avent, Inc. of Phoenix, AZ; Digi-Key Electronics of Thief River Falls, MN; Future Electronics Inc. of Canada; Mazda Motor Corporation of Japan; Mazda North American Operations of Irvine, CA; Mazda Motor of America, Inc. of Irvine, CA; MediaTek Inc. of Taiwan; MediaTek USA Inc. of San Jose, CA; Mercedes-Benz Group AG of Germany; Mercedes-Benz AG of Germany; Mercedes-Benz USA, LLC of Sandy Springs, GA; Mouser Electronics of Mansfield, TX; Newark of Chicago, IL; NXP Semiconductors N.V. of Netherlands; NXP USA, Inc. of Austin, TX; Rochester Electronics, LLC of Newburyport, MA and Visteon Corporation of Van Buren Township, MI. The complainant requests that the Commission issue a limited exclusion order and cease and desist orders and impose a bond upon respondent's alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested

exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3637") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures.¹) Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at EDIS3Help@usitc.gov.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly

¹ Handbook for Electronic Filing Procedures: https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.

sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. government employees and contract personnel,² solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.³

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: August 24, 2022.

Katherine Hiner,

Acting Secretary to the Commission.

[FR Doc. 2022-18607 Filed 8-29-22; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1222 (Sanctions Proceedings I and II)]

Certain Video Processing Devices, Components Thereof, and Digital Smart Televisions Containing the Same; Notice of a Commission Determination Not To Review an Order Denying Respondents' Motion for Sanctions and To Deny Complainant's Motion for Sanctions; Termination of Sanctions Proceedings

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the "Commission") has determined not to review an order (Order No. 75) issued by the presiding administrative law judge ("ALJ") denying the respondents' motion for sanctions and to deny a motion for sanctions filed by complainant DivX, LLC. Both sanctions proceedings are hereby terminated.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Office of the General

² All contract personnel will sign appropriate nondisclosure agreements.

³ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

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 system ("EDIS") at <https://edis.usitc.gov>. For help accessing EDIS, please email 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 (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted the underlying investigation on October 19, 2020, based on a complaint, as supplemented, filed by DivX, LLC ("DivX") of San Diego, California. 85 FR 66355 (Oct. 19, 2020). The complaint alleges a violation of section 337 of the Tariff Act, as amended, 19 U.S.C. 1337 ("Section 337"), from the importation, sale for importation, or sale in the United States after importation of certain video processing devices, components thereof, and digital smart televisions containing the same by reason of infringement of one or more asserted claims of U.S. Patent Nos. 10,212,486 ("the '486 patent"); 8,832,297; 10,412,141; and 10,484,749. *Id.* The complaint further alleges the existence of a domestic industry. *Id.*

The Commission's notice of investigation names the following respondents: Samsung Electronics Co., Ltd. of Gyeonggi-do, Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; Samsung Electronics HCMC CE Complex Co., Ltd. of Ho Chi Minh City, Vietnam (collectively, "Samsung"); LG Electronics Inc. of Seoul, Korea; LG Electronics U.S.A., Inc. of Englewood Cliffs, New Jersey (collectively "LG"); MediaTek, Inc. of Hsinchu City, Taiwan; MediaTek USA Inc. of San Jose, California; MStar Semiconductor, Inc. of Hsinchu Hsien, Taiwan (collectively, "MediaTek"); Realtek Semiconductor Corp. of Hsinchu, Taiwan ("Realtek"); TCL Corporation of Huizhou, Guangdong, China; TCL Technology Corporation of Huizhou, Guangdong, China; TCL Electronics Holdings Ltd. of Shenzhen, Guangdong, China; TTE Technology, Inc. of Corona, California; Shenzhen TCL New Technologies Co. of Shenzhen, Guangdong, China; TCL King Electrical Appliances (Huizhou) Co. Ltd. of Huizhou, Guangdong, China; TCL MOKA International Ltd. of Sha Tin,

New Territories, Hong Kong; and TCL Smart Device (Vietnam) Co., Ltd. of Bac Tan Uyen District, Binh Duong Province, Vietnam (collectively, "TCL"). *Id.* at 66356. The Office of Unfair Import Investigations was not named as a party to this investigation. *Id.*

The Commission partially terminated the investigation with respect to certain patents and patent claims withdrawn by DivX. Order No. 25 (Jan. 15, 2021), *unreviewed by Comm'n Notice* (Feb. 1, 2021); Order No. 34 (Feb. 19, 2021), *unreviewed by Comm'n Notice* (March 15, 2021); Order No. 49 (April 21, 2021), *unreviewed by Comm'n Notice* (May 10, 2021); Order No. 65 (June 28, 2021), *unreviewed by Comm'n Notice* (July 28, 2021). The Commission also partially terminated the investigation with respect to certain respondents due to settlement. Order No. 37 (terminating MediaTek), *unreviewed by Comm'n Notice* (March 12, 2021); Order No. 69 (Aug. 12, 2021) (terminating LG, Samsung), *unreviewed by Comm'n Notice* (Sept. 15, 2021).

On February 8, 2021, DivX served its initial infringement contentions, which included allegations that RealTek infringed the asserted '486 patent.

On March 12, 2021, the presiding administrative law judge ("ALJ") issued a *Markman* order construing the disputed claim terms of the asserted patents. Order No. 40 (March 12, 2021).

On July 6, 2021, DivX filed an unopposed motion to terminate the investigation with respect to RealTek due to withdrawal of the complaint. The presiding ALJ orally granted DivX's motion and instructed RealTek not to participate in the evidentiary hearing. The evidentiary hearing was held from July 8-15, 2021.

On August 4, 2022, the Commission determined not to review an initial determination (Order No. 67) terminating RealTek from the investigation due to withdrawal of the complaint. Order No. 67 (July 16, 2021), *unreviewed by Comm'n Notice* (Aug. 4, 2021).

On October 4, 2021, former respondent RealTek filed a motion for sanctions against DivX, pursuant to Commission Rules 210.4 and 210.25(b) (19 CFR 210.4, 210.25(b)), for alleging misleading the ALJ and making misrepresentations regarding its infringement contentions. On October 14, 2021, DivX filed its opposition to RealTek's motion.

On April 19, 2022, DivX and TCL, the last remaining respondent, jointly moved to terminate the investigation based on a settlement agreement. On May 24, 2022, the Commission determined not to review an initial

determination (Order No. 76) granting the joint termination motion. Order No. 76 (April 22, 2022), *unreviewed by 87 FR 32184-85* (May 27, 2022).

On April 22, 2022, the ALJ issued an order denying RealTek's sanctions motion. Order No. 75 (April 22, 2022). In its May 24, 2022, notice terminating the investigation, the Commission set a briefing schedule for petitions for review of Order No. 75, pursuant to Commission Rule 210.25(d) (19 CFR 210.25(d)). 87 FR at 32185.

On June 1, 2022, RealTek filed a petition for review of Order No. 75, pursuant to the Commission's schedule. On June 8, 2022, DivX filed its opposition to RealTek's petition.

On June 16, 2022, DivX filed a motion for sanctions against RealTek stemming from its filing of its petition for review of Order No. 75. On June 27, 2022, RealTek filed its opposition to DivX's motion for sanctions.

Upon consideration of Order No. 75, the parties' submissions, and the evidence of record, the Commission has determined not to review Order No. 75. The sanctions proceeding (Sanctions Proceeding I) is hereby terminated.

Upon consideration of DivX's motion for sanctions, RealTek's opposition thereto, and the evidence of record, the Commission has also determined to deny DivX's motion for sanctions. The sanctions proceeding (Sanctions Proceeding II) is hereby terminated.

The Commission voted to approve this determination on August 24, 2022.

The authority for the Commission's determinations 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).

Issued: August 24, 2022.

Katherine Hiner,

Acting 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—MLCommons Association

Notice is hereby given that, on July 25, 2022, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), MLCommons Association ("MLCommons") filed written notifications simultaneously with the Attorney General and the