

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1259
(Modification Proceeding)]

Certain Toner Supply Containers and Components Thereof (I); Notice of Commission Determination Not To Review an Initial Determination Terminating the Modification Proceeding Based on Withdrawal of the Petition; Termination of Modification Proceeding

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. 23) of the presiding administrative law judge (“ALJ”) granting the unopposed motion of respondents Katun Corporation (“Katun”) and General Plastic Industrial Co. Ltd. (“General Plastic”) to terminate the modification proceeding based on withdrawal of their petition for modification. The modification proceeding is hereby terminated.

FOR FURTHER INFORMATION CONTACT: Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3228. 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. 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: On April 13, 2021, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by Canon Inc. of Tokyo, Japan; Canon U.S.A., Inc. of Melville, New York; and Canon Virginia, Inc. of Newport News, Virginia (collectively, “Complainants”). See 86 FR 19284-86. The complaint, as supplemented, alleges a violation of section 337 based upon the importation into the United States, sale for importation, or sale after importation into the United States of certain toner supply containers and

components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,209,667 (“the ‘667 patent”); 10,289,060 (“the ‘060 patent”); 10,289,061 (“the ‘061 patent”); 10,295,957 (“the ‘957 patent”); 10,488,814 (“the ‘814 patent”); 10,496,032 (“the ‘032 patent”); 10,496,033 (“the ‘033 patent”); 10,514,654 (“the ‘654 patent”); 10,520,881 (“the ‘881 patent”); 10,520,882 (“the ‘882 patent”); 8,565,649; 9,354,551; and 9,753,402. *Id.* The complaint further alleges that a domestic industry exists. *Id.*

The Commission instituted two separate investigations based on the complaint and defined the scope of the present investigation as whether there is a violation of section 337 in the importation, sale for importation, or sale within the United States after importation of toner supply containers and components thereof by reason of infringement of certain claims the ‘667 patent, the ‘060 patent, the ‘061 patent, the ‘957 patent, the ‘814 patent, the ‘032 patent, the ‘033 patent, the ‘654 patent, the ‘881 patent, and the ‘882 patent (collectively, “the Asserted Patents”). *Id.* The notice of investigation (“NOI”) names twenty-six respondents, including General Plastic of Taichung, Taiwan and Katun of Minneapolis, Minnesota. *Id.* The Office of Unfair Import Investigations (“OUII”) was also a party to the investigation. *Id.*

The complaint and NOI were later amended to correct the name of a respondent. Order No. 5 (May 13, 2021), *unreviewed by* 86 FR 29292-93 (June 1, 2021).

Twenty-two of the named respondents were later found in default (hereinafter, “Defaulting Respondents”). See Order No. 7 (June 22, 2021), *unreviewed by* Notice (July 6, 2021); Order No. 18 (Sept. 28, 2021), *unreviewed by* Notice (Oct. 27, 2021). Several respondents, including General Plastic and Katun were later terminated from the investigation based on consent order stipulations. Order No. 10 (July 1, 2021), *unreviewed by* Notice (July 19, 2021). Another respondent was later terminated based on partial withdrawal of the complaint. Order No. 13, *unreviewed by* Notice (Aug. 25, 2021).

The Commission also terminated the investigation as to certain claims of the Asserted Patents. Order No. 11, *unreviewed by* Notice (Aug. 25, 2021).

On August 1, 2022, the Commission affirmed an initial determination issued by the presiding ALJ, granting summary determination of a violation of section 337 with respect to Defaulting Respondents. 87 FR 48039-41 (Aug. 5, 2022). Accordingly, the Commission

issued: (1) a GEO prohibiting the unlicensed entry of certain toner supply containers and components thereof that infringe one or more of claim 1 of the ‘667 patent; claim 1 of the ‘060 patent; claim 1 of the ‘061 patent; claim 1 of the ‘957 patent; claims 1 and 12 of the ‘814 patent; claims 50, 58, and 61 of the ‘032 patent; claims 1 and 13 of the ‘033 patent; claims 46 and 50 of the ‘654 patent; claims 1, 10, and 13 of the ‘881 patent; or claims 1 and 8 of the ‘882 patent; and (2) CDOs against certain of Defaulting Respondents. *Id.*

On April 25, 2023, respondents Katun and General Plastic filed a petition pursuant to Commission Rule 210.76 (19 CFR 210.76) to modify the GEO in order to clarify that the order does not cover certain Katun and General Plastic redesigned toner supply containers. On May 5, 2023, Complainants filed an opposition to the petition. OUII did not file a response to the petition.

On June 1, 2023, the Commission instituted a modification proceeding, pursuant to Commission Rule 210.76(a) (19 CFR 210.76(a)), to determine whether certain redesigned toner supply containers of Katun and General Plastic infringe the ‘667 patent, the ‘060 patent, the ‘061 patent, the ‘957 patent, the ‘814 patent, the ‘032 patent, the ‘033 patent, the ‘654 patent, the ‘881 patent, or the ‘882 patent. 88 FR 35915-35917 (June 1, 2023).

On July 3, 2023, Katun and General Plastic filed a motion to terminate the modification proceeding based on the withdrawal of their petition. That same day, Complainants filed a response stating that Complainants do not oppose the motion but reserve their right to oppose institution of any future proceeding. On July 5, 2023, OUII filed a response supporting the motion to terminate.

On July 11, 2023, the presiding ALJ issued the subject ID granting Katun’s and General Plastic’s motion to terminate the modification proceeding pursuant to Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)). Order No. 23 (July 11, 2023). The ID finds that the motion complies with the Commission’s rules and that there are no extraordinary circumstances that might justify denying the motion. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. The modification proceeding is terminated.

The Commission vote for this determination took place on August 9, 2023.

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: August 9, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023-17475 Filed 8-14-23; 8:45 am]

BILLING CODE P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Disclosures for Participant Directed Individual Account Plans

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Employee Benefits Security Administration (EBSA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before September 14, 2023.

ADDRESSES: 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. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202-693-0213, or by email at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: This information collection requires plan fiduciaries to disclose plan- and investment-related fee and expense information to participants and beneficiaries in all participant directed individual account plans (e.g., 401(k)-type plans) for plan years that began on or after January 1, 2010 and at least annually thereafter (defined as at least once in any 14-month period, without regard to whether the plan operates on a calendar or fiscal year basis). For additional substantive information about this ICR, see the related notice published in the **Federal Register** on February 8, 2023 (88 FR 8317).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL-EBSA.

Title of Collection: Disclosures for Participant Directed Individual Account Plans.

OMB Control Number: 1210-0090.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 619,650.

Total Estimated Number of Responses: 1,039,819,787.

Total Estimated Annual Time Burden: 5,204,349 hours.

Total Estimated Annual Other Costs Burden: \$221,557,106.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Acting Departmental Clearance Officer.

[FR Doc. 2023-17425 Filed 8-14-23; 8:45 am]

BILLING CODE 4510-29-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2007-0039]

Intertek Testing Services NA, Inc.: Application for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the application of Intertek Testing Services NA, Inc., for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application.

DATES: Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before August 30, 2023.

ADDRESSES: Comments may be submitted as follows:

Electronically: You may submit comments, including attachments, electronically at: <http://www.regulations.gov>, the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

OSHA will place comments, including personal information, in the public docket, which will be available online. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates.

Instructions: All submissions must include the agency's name and the docket number for this rulemaking (Docket No. OSHA-2007-0039). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <https://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting information they do not want made available to the public, or submitting materials that contain personal information (either about themselves or others), such as Social Security numbers and birthdates.

Docket: To read or download comments or other material in the docket, go to <http://www.regulations.gov>. Documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website.