

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, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. 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. 3738") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing

Procedures, Electronic Filing Procedures).<sup>1</sup>

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](mailto: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 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,<sup>2</sup> solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.<sup>3</sup>

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: April 18, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024-08651 Filed 4-22-24; 8:45 am]

**BILLING CODE 7020-02-P**

<sup>1</sup> Handbook for Electronic Filing Procedures: [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf).

<sup>2</sup> All contract personnel will sign appropriate nondisclosure agreements.

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

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1265 (Enforcement)]

### Certain Fitness Devices, Streaming Components Thereof, and Systems Containing Same; Notice of Commission Determination Not To Review an Initial Determination Terminating the Enforcement Proceeding Based on Settlement; Termination of the Proceeding

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 11) of the presiding Chief Administrative Law Judge ("CALJ") terminating the enforcement proceeding based on settlement. The enforcement proceeding 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:** On May 19, 2021, the Commission instituted the underlying investigation based on a complaint filed on behalf of complainants DISH DBS Corporation of Englewood, Colorado; DISH Technologies L.L.C. of Englewood, Colorado; and Sling TV L.L.C. of Englewood, Colorado (collectively, "DISH"). 86 FR 27106, 27106-07 (May 19, 2021). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain fitness devices, streaming components thereof, and systems containing the same by reason of infringement of certain claims of U.S. Patent Nos. 9,407,564 ("the '564

patent”); 10,469,554 (“the ‘554 patent”); 10,469,555 (“the ‘555 patent”); 10,757,156 (“the ‘156 patent”); and 10,951,680 (“the ‘680 patent”). *Id.* The complaint further alleged that a domestic industry exists. *Id.* The Commission’s notice of investigation named as respondents iFIT Inc., f/k/a ICON Health & Fitness, Inc. of Logan, Utah; FreeMotion Fitness, Inc. of Logan, Utah; NordicTrack, Inc. of Logan, Utah (together with iFIT Inc. and FreeMotion Fitness, Inc., “iFit”); Peloton Interactive, Inc. of New York, New York (“Peloton”); lululemon athletica inc. of Vancouver, Canada; and Curiouser Products Inc. d/b/a MIRROR of New York, New York (together with lululemon athletica inc., “MIRROR,” and together with the other respondents, “Respondents”). *Id.*; Order No. 14 (Nov. 4, 2021), *unreviewed by Comm’n Notice* (Dec. 6, 2021), 86 FR 70532 (Dec. 10, 2021). The Office of Unfair Import Investigations (“OUII”) participated in the investigation. 86 FR at 27106–07.

On March 8, 2023, the Commission issued its final determination, finding respondents Peloton and iFit in violation of section 337 as to the asserted claims of the ‘156, ‘554, and ‘555 patents, but not as to the asserted claims of the ‘564 patent. *See* 88 FR 15736 (Mar. 14, 2023). The investigation had terminated as to the asserted claims of the ‘680 patent prior to the issuance of the final initial determination, Order No. 21 (Mar. 3, 2022), *unreviewed by Comm’n Notice* (Mar. 23, 2022), and the final determination granted an unopposed motion to terminate as to MIRROR. *See* 88 FR at 15736. As a remedy, the Commission issued a limited exclusion order and cease and desist orders directed to Peloton and iFit. *Id.*

On May 5, 2023, the Commission modified the remedial orders in certain respects. *See* 88 FR 30158 (May 10, 2023). On June 1, 2023, the Commission rescinded the remedial orders directed to Peloton. *See* 88 FR 37274 (June 7, 2023).

On October 17, 2023, the Commission instituted an enforcement proceeding under Commission Rule 210.75 (19 CFR 210.75) to investigate alleged violations of the remedial orders by iFit. 88 FR 71603 (Oct. 17, 2023). In addition to DISH and iFit, OUII was also named as a party to the enforcement proceeding. *See id.*

On March 8, 2024, DISH and iFIT filed a joint motion requesting termination of the enforcement proceeding based on a settlement agreement. On March 18, 2024, OUII filed a response supporting the motion. No other responses were received in

response to the motion. Separately, DISH filed a petition with the Commission requesting that the Commission rescind the remedial orders issued in the underlying investigation based on the settlement.

On March 19, 2024, the CALJ issued the subject ID (Order No. 11) granting the motion. The ID found that the joint motion complies with Commission Rule 210.21(b)(1), 19 CFR 210.21(b)(1). Furthermore, in accordance with Commission Rule 210.50(b)(2), 19 CFR 210.50(b)(2), the ID found “no evidence that terminating this enforcement proceeding on the basis of settlement would adversely affect” the public interest. *See* Order No. 11 at 3.

No petitions for review of the subject ID were filed.

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

The Commission vote for this determination took place on April 18, 2024.

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 18, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024–08640 Filed 4–22–24; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF JUSTICE

[CPCLO Order No. 001–2024]

### Privacy Act of 1974; Systems of Records

**AGENCY:** Environment and Natural Resources Division, United States Department of Justice.

**ACTION:** Notice of a modified system of records.

**SUMMARY:** Pursuant to the Privacy Act of 1974 and Office of Management and Budget (OMB) Circular No. A–108, notice is hereby given that the Environment and Natural Resources Division (hereinafter “ENRD” or “Division”), a component within the United States Department of Justice (DOJ or Department), proposes to modify a system of records last published in full on February 23, 2000, titled “Environment and Natural

Resources Division Case and Related Files System,” (JUSTICE/ENRD–003).

**DATES:** In accordance with 5 U.S.C. 552a(e)(4) and (11), this notice is applicable upon publication, subject to a 30-day period in which to comment on the routine uses, described below. Please submit any comments by May 23, 2024.

**ADDRESSES:** The public, OMB, and Congress are invited to submit any comments by mail to the United States Department of Justice, Office of Privacy and Civil Liberties, ATTN: Privacy Analyst, 145 N St. NW, Suite 8W.300, Washington, DC 20530; by facsimile at 202–307–0693; or by email at [privacy.compliance@usdoj.gov](mailto:privacy.compliance@usdoj.gov). To ensure proper handling, please reference the above CPCLO Order No. on your correspondence.

**FOR FURTHER INFORMATION CONTACT:** Charles Smiroldo, FOIA Coordinator and Public Liaison, Department of Justice, Environment and Natural Resources Division Law and Policy Section, 950 Pennsylvania Avenue NW, Washington, DC 20530–0001 Telephone: (202) 514–0424.

**SUPPLEMENTARY INFORMATION:** Pursuant to updated OMB Guidance, ENRD has made administrative edits to the order and titles of sections in the notice. The Division also proposes these modifications to incorporate substantial developments made to the ENRD Justice Consolidated Office Network (ENRD JCON) information system, where the Division’s “Case and Related Files System” is maintained, in addition to various applications which maintain additional categories of information subject to the Privacy Act. Specifically, the Division will modify the system of records by renaming it, “Environment and Natural Resources Division Administrative and Case Related Files” (JUSTICE/ENRD–003); updating the “System Manager(s)” and “Addresses” section to reflect administrative changes; revising the categories of records covered by adding additional information maintained by applications housed on ENRD JCON; adding new routine uses for the new categories of records maintained on ENRD JCON (primarily relating to the electronic management and handling of case files during investigation and litigation, human capital, transit subsidy and financial reporting information, and public access to the records pursuant to Federal statutes or regulations); deleting and revising routine uses to provide clarity and additional specificity; revising the categories of records and purpose sections to reflect changes made to the system of records that