

to be held at 9:30 a.m. on June 14, 2012, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), 207.24, and 207.66 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party to the review may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is June 11, 2012. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is July 2, 2012; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the review may submit a written statement of information pertinent to the subject of the review on or before July 2, 2012. On July 24, 2012, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before July 26, 2012, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments took effect on November 7, 2011. See 76 FR 61937 (Oct. 6, 2011) and the newly revised Commission's Handbook on E-Filing, available on the Commission's Web site at <http://edis.usitc.gov>.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: March 16, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012-6917 Filed 3-21-12; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-783]

Certain GPS Navigation Products, Components Thereof, and Related Software; Termination of Investigation on the Basis of Settlement

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 the presiding administrative law judge's initial determination ("ID") (Order No. 14) granting a joint motion to terminate the above-captioned investigation on the basis of a settlement agreement.

FOR FURTHER INFORMATION CONTACT:

Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2532. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 July 7, 2011, based on a complaint filed by Honeywell International Inc. of Morristown, New Jersey ("Honeywell") that alleged a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, in the importation, sale for importation, and sale within the United States after importation of certain GPS navigation products, components thereof, and related software, by reason of the infringement of certain claims of U.S. Patent Nos. 5,461,388, 6,088,653, 6,865,452, and 7,209,070. 76 FR 39896 (July 7, 2011). The notice of investigation named as respondents Furuno Electric Co., Ltd. of Nishinomiya, Japan, and Furuno U.S.A., Inc. of Camas, Washington (collectively, "Furuno").

On February 9, 2012, Honeywell and Furuno jointly moved to terminate the investigation in its entirety on the basis of a settlement agreement. On February 28, 2012, the ALJ granted the motion as an ID. Order No. 14 at 2.

No petitions for review of the ID were filed. The Commission has determined not to review the ID.

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 sections 210.21 and 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.21, 210.42).

Issued: March 16, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012-6907 Filed 3-21-12; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-750]

Certain Mobile Devices, and Related Software Thereof; Notice of Commission Decision To Review in Part and on Review To Affirm a Final Determination Finding No Violation of Section 337; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part the presiding administrative law judge's ("ALJ") final initial determination ("ID") issued on January

13, 2012, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337 in the above-captioned investigation, and on review, to affirm the ID's finding of no violation. The investigation is hereby terminated.

FOR FURTHER INFORMATION CONTACT:

Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 November 30, 2010, based on a complaint filed by Apple Inc., f/k/a Apple Computer, Inc., of Cupertino, California. 75 FR 74081-82. The complaint alleges 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, and the sale within the United States after importation of certain mobile devices and related software by reason of infringement of certain claims of U.S. Patent Nos. 7,812,828 ("the '828 Patent"); 7,663,607 ("the '607 Patent"); and 5,379,430 ("the '430 Patent"). The Commission's notice of investigation named Motorola, Inc. n/k/a Motorola Solutions of Schaumburg, Illinois ("Motorola Solutions") and Motorola Mobility, Inc. ("Motorola") of Libertyville, Illinois as respondents. The Office of Unfair Import Investigation was named as a participating party. The Commission subsequently terminated Motorola Solutions as a respondent based on withdrawal of allegations pursuant to Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)). Notice (Aug. 31, 2011).

On January 13, 2012, the ALJ issued his final ID, finding no violation of Section 337. Specifically, the ALJ determined that accused products do not infringe the asserted claims of the '828 Patent either literally or under the

doctrine of equivalents ("DOE"). The ALJ also found that the asserted claims of the '828 Patent are not invalid. The ALJ further found that the accused products literally infringe the asserted claims of the '430 and '607 patents, but do not infringe under DOE. The ALJ also found that the asserted claims of the '430 Patent are invalid under 35 U.S.C. § 102 for anticipation, and that the asserted claims of the '607 Patent are invalid under 35 U.S.C. § 102 for anticipation and under 35 U.S.C. § 103 for obviousness. The ALJ further found that Apple has standing to assert the '430 Patent, and that Motorola is not licensed to practice the '430 Patent. The ID also includes the ALJ's recommended determination on remedy and bonding in the event that the Commission reversed his finding of no violation of Section 337.

On January 30, 2012, Apple filed a petition for review of certain aspects of the ID's findings concerning claim construction infringement, and validity. Also on January 30, 2012, Motorola filed a contingent petition for review of certain aspects of the ID's findings concerning claim construction infringement, validity, domestic industry, standing, and licensing. On February 7, 2012, Motorola filed a response to Apple's petition for review. Also on February 7, 2012, Apple filed a response to Motorola's contingent petition for review. Further on February 7, 2012, the Commission investigative attorney filed a joint response to both Apple's and Motorola's petitions.

On February 22, 2012, non-party Google Inc. filed a public interest statement in response to the post-RD Commission Notice issued on January 25, 2012. See Corrected Notice of Request for Statements on the Public Interest (Jan. 25, 2012). On February 23, Apple filed a post-RD statement on the public interest pursuant to section 201.50(a)(4) of the Commission's Rules of Practice and Procedure (19 CFR 201.50(a)(4)), along with a motion for leave to file the statement out of time.

Having examined the record of this investigation, including the ALJ's final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in part.

Specifically, the Commission determines to review the ID for the limited purpose of clarifying that the ALJ also found claims 24-26, and 29 of the '828 Patent not infringed, and on review, to affirm this finding. We note that the ID does not explicitly address the issue of infringement of claims 24-26 and 29 of the '828 Patent, but finds no violation of Section 337 by reason of

infringement of claims 1, 2, 10, 11, 24-26, and 29 of the '828 Patent. See ID at 205. We find, however, that the ALJ's analysis of the claim limitations "mathematically fitting an ellipse" and "mathematically fit an ellipse" with respect to claims 1 and 10, respectively, of the '828 Patent reflects the arguments and evidence adduced by Apple with respect to infringement of claims 24-26 and 29. Apple presented no argument or evidence concerning infringement of the limitation "means for fitting an ellipse to at least one of the pixel groups" in claim 24 and, by dependency, claims 25-26 and 29 of the '828 Patent separate from its infringement arguments concerning claims 1 and 10. Accordingly, Apple has failed to meet its burden to demonstrate infringement of claims 25-26 and 29 of the '828 Patent.

The Commission also determines to review the ID's finding that the asserted claims of the '607 Patent are obvious under 35 U.S.C. § 103 in view of the reference "SmartSkin: An Infrastructure for Freehand Manipulation on Interactive Surfaces" by Jun Rekimoto either alone or in combination with Japan Unexamined Patent Application Publication No. 2002-342033A to Jun Rekimoto, and on review, modify the ID but affirm the finding that Motorola has demonstrated by clear and convincing evidence that the asserted claims of the '607 Patent are invalid under 35 U.S.C. § 103. The Commission's reasoning will be set forth in an opinion to be issued shortly.

The Commission also determines to review the ID's finding that the accused products infringe claims 1, 3 and 5 of the '430 Patent, and on review, affirm the ID's finding of direct infringement, but find that the analysis of infringement is incomplete in the ID because the ID's analysis does not address the Commission's decision in *Certain Electronic Devices with Image Processing Systems, Components Thereof, And Associated Software*, 337-TA-724, Comm. Op. at 10-20 (Dec. 21, 2011).

The Commission has determined not to review the remaining issues decided in the ID. Apple's motion for leave to file its public interest comments out of time is denied as moot.

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 sections 210.42-46 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-46 and 210.50).

By order of the Commission.

Issued: March 16, 2012.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2012-6914 Filed 3-21-12; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation and Liability Act

Notice is hereby given that on February 23, 2012, a proposed Consent Decree in *United States of America v. Blacksburg Country Club, Inc.*, Case No. 7:12-cv-00087, D.J. Ref. 90-11-3-09770, was lodged with the United States District Court for the Western District of Virginia.

In this action the United States, acting at the request of the United States Department of the Interior ("DOI"), acting through the Fish and Wildlife Service ("FWS"), alleged claims against the Defendant Blacksburg Country Club, Inc. ("BCC"). These claims were for natural resource damages pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9601 *et seq.*, with respect to a release of hazardous substances allegedly caused by BCC at its golf course in Blacksburg, Virginia into the North Fork of the Roanoke River. This release, which occurred on or about July 9, 2007, resulted in injury and/or damage to natural resources under the trusteeship of DOI and FWS: Namely, the death of an estimated 169 Roanoke logperch, a federally endangered species. DOI incurred expenses responding to the release and assessing the injury to natural resources that it caused.

Under the proposed consent decree, BCC has obligated itself to implement a Restoration Plan, described at Appendix A of the Consent Decree, consisting of six (6) separate projects to restore reaches of the North Fork of the Roanoke River in the vicinity of the golf course. It has also agreed to pay FWS' natural resource damage assessment costs of \$18,964.34, and will pay future travel costs incurred by certain FWS personnel in monitoring implementation of the Restoration Plan.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree.

Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to pubcomment-ees.enrd@usdoj.gov or

mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States of America v. Blacksburg Country Club, Inc.*, Case No. 7:12-cv-00087, D.J. Ref. 90-11-3-09770.

During the public comment period, the Consent Decree may be examined on the following Web site, <http://www.usdoj.gov/enrd/ConsentDecrees.html>, maintained by the Department of Justice. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or emailing a request to "Consent Decree Copy" (EESCDCopy.ENRD@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$18.75 (@ 25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Robert Brook,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division

[FR Doc. 2012-6912 Filed 3-21-12; 8:45 am]

BILLING CODE 4410-15-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Proposed Information Collection Request; Training, Training Plans, and Records

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for comments.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal and state agencies with an opportunity to comment on proposed or continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps ensure that requested information collections are in formats appropriate to the mining community, that reporting is minimal, collection instruments are clearly understood, and that the impact of collection requirements can be properly assessed.

The Mine Safety and Health Administration is soliciting comments concerning the proposed extension of an existing information collection, OMB

Control Number 1219-0131, Part 46—Training, Training Plans, and Records.

OMB last approved this information collection request (ICR) on March 10, 2009.

DATES: Submit comments on or before May 21, 2012.

ADDRESSES: Comments must be identified with "OMB Control Number 1219-0131" and sent to both the Office of Management and Budget (OMB) and MSHA. Comments to MSHA may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Facsimile:* 202-693-9441, include "OMB 1219-0131" in the subject line of the message.

- *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. For hand delivery, sign in at the receptionist's desk on the 21st floor.

Comments to OMB may be sent by mail addressed to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, 725 17th Street NW., Washington, DC 20503, Attn: Desk Officer for MSHA.

FOR FURTHER INFORMATION CONTACT: Greg Moxness, Chief, Economic Analysis Division, Office of Standards, Regulations, and Variances, MSHA, at moxness.greg@dol.gov (email); 202-693-9440 (voice); or 202-693-9441 (facsimile).

SUPPLEMENTARY INFORMATION:

I. Background

The requirements related to OMB 1219-0131 apply at shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines. The requirements are intended to help protect miners by ensuring that they are trained about the hazards to which they can be exposed as a result of their employment at these operations.

II. Desired Focus of Comments

The Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to training, training plans, and records at these operations. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of MSHA's functions,