

Dated: August 10, 2007.

**Michael L. Carpenter,**

Senior Permit Biologist, Branch of Permits,  
Division of Management Authority.

[FR Doc. E7-17502 Filed 9-4-07; 8:45 am]

BILLING CODE 4310-55-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-550]

### In the Matter of Certain Modified Vaccinia Ankara ("MVA") Viruses and Vaccines and Pharmaceutical Compositions Based Thereon; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation in Its Entirety Based on a Consent Order; Issuance of Consent Order

**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. 54) of the presiding administrative law judge ("ALJ") in the above-captioned investigation terminating the investigation in its entirety on the basis of a consent order.

**FOR FURTHER INFORMATION CONTACT:**

Clint A. Gerdine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-2310. 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 (<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:** This investigation was instituted on September 23, 2005, based on a complaint filed by Bavarian Nordic A/S of Denmark ("Bavarian Nordic"). The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) ("section 337") in the

importation into the United States, the sale for importation, and the sale within the United States after importation of certain Modified Vaccinia Ankara ("MVA") viruses and vaccines and pharmaceutical compositions based thereon by reason of infringement of various claims of United States Patent Nos. 6,761,893 and 6,913,752. The complaint also alleged violations of section 337 in the importation of certain MVA viruses and vaccines and pharmaceutical compositions based thereon or in the sale of such articles by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States. The complaint named a single respondent, Acambis PLC of the United Kingdom ("Acambis"). Only the patent allegations remain in this investigation.

After a hearing and post-hearing briefing, the then-presiding ALJ issued a final initial determination ("final ID") on September 6, 2006, finding no violation of section 337. The ALJ held that the patents were infringed but invalid.

Bavarian Nordic, Acambis, and the Commission investigative attorney filed petitions for review of the final ID. On November 22, 2006, the Commission determined to review the final ID in its entirety, and to ask the parties for briefing on the issues on review and on remedy, the public interest, and bonding. On February 21, 2007, the Commission determined to remand the final ID to the ALJ and to extend the target date for completion of the investigation to October 19, 2007. The target date was subsequently extended to February 20, 2008.

On July 27, 2007, complainant and respondent filed a joint motion to terminate the investigation on the basis of a consent order. The Commission investigative attorney filed a response in support of the motion. The consent order includes a provision vacating the final ID of September 6, 2006.

The ALJ issued the subject ID on August 9, 2007, granting the motion for termination. He found that the consent order stipulation satisfies Commission rule 210.21(c)(3)(i), and that the termination of the investigation by consent order is not contrary to the public interest. No party petitioned for review of the ID. The Commission has determined not to review the ID. The investigation is terminated in its entirety and the final ID of September 6, 2006, is vacated.

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

Issued: August 29, 2007.

By order of the Commission.

**Marilyn R. Abbott,**

Secretary to the Commission.

[FR Doc. E7-17465 Filed 9-4-07; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-577]

### In the Matter of Certain Wireless Communications Equipment, Articles Therein, and Products Containing the Same; Notice of Commission Decision Not To Review an Initial Determination Terminating the Investigation Based on 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 an initial determination ("ID") (Order No. 59) issued by the presiding administrative law judge ("ALJ") terminating the above-captioned investigation based on a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Paul M. Bartkowski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5432. 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:** This investigation was instituted on June 29, 2006, based on a complaint filed by Samsung Telecommunications America, LLP and Samsung Electronics Co., Ltd. ("Complainants"). The complaint alleged violations of section 337 of the

Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States and the sale of certain wireless communications equipment, articles therein, and products containing the same by reason of infringement of certain claims of U.S. Patent Nos. 6,598,202; 6,882,636; 6,154,652; 6,920,331; 6,421,353; 6,920,602; and 6,928,604. The complaint named four respondents: Ericsson, Inc.; Telefonaktiebolaget LM Ericsson; Sony Ericsson Mobile Communications AB; and Sony Ericsson Mobile Communications (USA) Inc. ("Respondents").

On August 9, 2007, the presiding administrative law judge issued the subject ID (Order No. 59) granting a joint motion by Complainants and Respondents to terminate the investigation based upon a signed patent license agreement between the private parties. 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 section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Issued: August 29, 2007.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E7-17464 Filed 9-4-07; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review; Comment Request

August 29, 2007.

The Department of Labor hereby announces the submission of the following information collection request (ICR), utilizing emergency review procedures specified in 5 CFR 1320.13, for the Office of Management and Budget (OMB) review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). OMB approval has been requested by September 17, 2007. A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or

by contacting Darrin King on 202-693-4129 (this is not toll-free number) / e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Interested parties are encouraged to send comments within 5 days from the date of this publication in the **Federal Register**. Comments should be sent to the Office of Information and Regulatory Affairs, Attn: Katherine Astrich, OMB Desk Officer for the Employment and Training Administration, Room 10235, Washington, DC 20503 (Telephone: 202-395-7316 / Fax: 202-395-6974, these are not toll-free numbers). Comments may be submitted by E-mail to [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The Office of Management and Budget is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

*Agency:* Employment and Training Administration.

*Title:* Work Opportunity Tax Credit (WOTC) and Welfare-to-Work (WtW) Tax Credit.

*OMB Control Number:* 1205-0371.

*Form Numbers:* ETA-9062; ETA-9058; ETA-9057; ETA-9059; ETA-9063; ETA-9061; and ETA-9065.

*Affected Public:* State Workforce Agencies; participating agencies; business sector; and disadvantaged jobseekers.

*Estimated Number of Annual Respondents:* 990,000.

*Estimated Total Annual Burden Hours:* 848,325.

*Total Estimated Annual Cost Burden:* \$0.

*Description:* On May 25, 2007 the President signed into law the *Small Business and Work Opportunity Tax Act of 2007* (Pub. L. 110-28). Section 8211

of this Act extended and modified the WOTC Program for a continuing 44-month period through August 31, 2011. The new provisions and amendments to certain target groups apply to new hires that begin to work for an employer after May 25. Another recent legislation, the *Tax Relief and Health Care Act of 2006* (Pub. L. 109-432) signed into law on December 20, 2006 extended the WOTC for two additional years through December 31, 2007 and consolidated the program by merging the Welfare-to-Work Tax Credit into the WOTC. This Act also made various amendments and introduced new provisions that streamline the program and make it easier for the business sector to participate. The statutory changes and new provisions required that the following program report, processing and administrative forms, and materials be revised and updated to reflect the new changes and provisions:

To request a certification from a state workforce agency (SWA), employers or their representatives must submit not only IRS Form 8850 but also either ETA Form 9061 or 9062. SWAs cannot process timely filed but incomplete requests. Through a special arrangement with OMB, IRS Form 8850 was cleared by OMB May 26, 2007. Therefore, ETA is requesting this emergency ICR approval of the listed forms and program materials so that the SWAs can start processing all the new certification requests with the changes that became effective May 26, 2007. This emergency approval will help prevent the accumulation of unprocessed timely filed certification requests, which will result in significant backlogs for the states and the timely issuance to employers of certifications for all the new eligible hires in accordance with Congressional intent.

**Darrin King,**

*Acting Departmental Clearance Officer.*

[FR Doc. E7-17483 Filed 9-4-07; 8:45 am]

**BILLING CODE 4510-FN-P**