

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-793]

Certain Flat Panel Display Devices, and Products Containing the Same; Notice of Commission Determination Not To Review an Initial Determination Granting Complainants' Unopposed Motion for Leave To Amend the Complaint and Notice of Investigation**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 ("ALJ") initial determination ("ID") (Order No. 6) granting Complainant's unopposed motion for leave to amend the complaint and notice of investigation.

FOR FURTHER INFORMATION CONTACT:

Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3042. 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 28, 2011, based on a complaint filed by AU Optronics Corporation of Hsinchu, Taiwan and AU Optronics Corporation America of Milpitas, California (collectively, "AU Optronics"). 76 FR 45296 (July 28, 2011). 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, the sale for importation, and the sale within the United States after importation of certain flat panel display devices, and products containing the same by reason of infringement of various claims of United States Patent Nos. 6,281,955;

7,697,093; 7,286,192; 6,818,967; 7,199,854; and 7,663,729. The complaint named as respondents Samsung Electronics Co., Ltd. of Seoul, Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; AT&T, Inc. of Dallas, Texas ("AT&T"); Best Buy Co., Inc. of Richfield, Minnesota ("Best Buy"); and BrandsMart USA, Inc. of Hollywood, Florida ("BrandsMart").

On August 31, 2011, AU Optronics filed an unopposed motion for leave to amend the complaint and notice of investigation to add as respondents: AT&T Mobility LLC of Atlanta, Georgia; Best Buy Stores, L.P. of Richfield, Minnesota; BestBuy.com, LLC of Eden Prairie, Minnesota; Best Buy Purchasing, LLC of Richfield, Minnesota; and Interbond Corporation of America of Fort Lauderdale, Florida, d/b/a BrandsMart U.S.A. (collectively, "New Respondents"), and to terminate the investigation as to AT&T, Best Buy, and BrandsMart.

On September 15, 2011, the ALJ issued the subject ID, granting the motion. The ALJ found that, pursuant to Commission Rule 210.14(b) (19 CFR 210.14(b)), good cause exists to amend the complaint and notice of investigation. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID. Accordingly, the New Respondents are added as respondents to this investigation and AT&T, Best Buy, and BrandsMart are terminated from the investigation.

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: October 6, 2011.

By order of the Commission.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2011-26445 Filed 10-12-11; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-809]

Certain Devices for Mobile Data Communication; Notice of Institution of Investigation; Institution of Investigation Pursuant to 19 U.S.C. 1337**AGENCY:** U.S. International Trade Commission.**ACTION:** Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on August 31, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Openwave Systems Inc. of Redwood City, California. Supplements to the complaint were received on September 1, 16, and 19, 2011. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain devices for mobile data communication by reason of infringement of certain claims of U.S. Patent No. 6,233,608 ("the '608 patent'"); U.S. Patent No. 6,289,212 ("the '212 patent'"); U.S. Patent No. 6,405,037 ("the '037 patent'"); U.S. Patent No. 6,430,409 ("the '409 patent'"); and U.S. Patent No. 6,625,447 ("the '447 patent'"). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (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>.

FOR FURTHER INFORMATION CONTACT: the Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2011).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on October 5, 2011, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain devices for mobile data communication that infringe one or more of claims 1, 3, 5–9, 33–36, and 47–50 of the ‘608 patent; claims 1–11, 14–24, 28–33, and 35–38 of the ‘212 patent; claims 1–14 and 27 of the ‘037 patent; claims 12–44 and 63–84 of the ‘409 patent; and claims 1–7, 9–19, and 21–29 of the ‘447 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Openwave Systems Inc., 2100 Seaport Boulevard, Redwood City, CA 94063.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Apple Inc., 1 Infinite Loop, Cupertino, CA 95014.

Research In Motion Ltd., 295 Phillip Street, Waterloo, Ontario N2L 3W8, Canada.

Research In Motion Corp., 122 West John Carpenter Parkway, Suite 430, Irving, TX 75039.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Acting Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d)–(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of

investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

Issued: October 6, 2011.

By order of the Commission.

James R. Holbein,

Secretary to the Commission.

[FR Doc. 2011–26444 Filed 10–12–11; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993; ASTM International

Notice is hereby given that, on August 31, 2011, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), ASTM International (“ASTM”) has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act’s provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ASTM has provided an updated list of current, ongoing ASTM standards activities originating between May 2011 and August 2011 designated as Work Items. A complete listing of ASTM Work Items, along with a brief description of each, is available at <http://www.astm.org>.

On September 15, 2004, ASTM filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 10, 2004 (69 FR 65226).

The last notification was filed with the Department on May 11, 2011. A notice was published in the **Federal**

Register pursuant to Section 6(b) of the Act on June 13, 2011 (76 FR 34252).

For additional information, please contact Thomas B. O’Brien, Jr., Vice President and General Counsel, at 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, telephone # 610–832–9597.

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2011–26427 Filed 10–12–11; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993; PXI Systems Alliance, Inc.

Notice is hereby given that, on September 6, 2011, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (“the Act”), PXI Systems Alliance, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act’s provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Shikino High-Tech Co. Ltd., Toyama, Japan, has been added as a party to this venture. Also, DC to Light Limited, Bray, Wicklow, Ireland, has withdrawn as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and PXI Systems Alliance, Inc. intends to file additional written notifications disclosing all changes in membership.

On November 22, 2000, PXI Systems Alliance, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on March 8, 2001 (66 FR 13971).

The last notification was filed with the Department on June 29, 2001. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on August 9, 2011 (76 FR 48883).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2011–26428 Filed 10–12–11; 8:45 am]

BILLING CODE 4410–11–M