

respect to the '967 patent, the '171 patent, claims 21–30 of the '059 patent, and claim 14 of the '844 patent. Order No. 24 (Oct. 10, 2017), *not reviewed* Notice (Oct. 24, 2017). Broadcom also elected to withdraw claims 5 and 11–13 of the '844 patent in its post-hearing brief. ID at 7. Accordingly, at the time of the final ID, the only remaining claims were claims 1, 10, 11, 16, 17, and 22 of the '104 patent; claims 1–4, 6–10, of the '844 patent; and claims 11–20 of the '059 patent.

On May 11, 2018, the ALJ issued a final ID finding no violation of section 337. Specifically, he found that Respondents did not infringe any claim, that the asserted claims of the '844 patent are invalid, and that Broadcom did not satisfy the technical prong of the domestic industry requirement for the '104 patent. On May 29, 2018, Broadcom and Respondents each petitioned for review of the ID. On June 6, 2018, the parties opposed each other's petitions.

On July 17, 2018, the Commission determined to review the following issues: (1) The construction of “a processor adapted to control a decoding process” in claim 1 of the '844 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; (2) the finding that the prior art reference Fandrianto anticipates the limitation “adapted to perform a decoding function on a digital media stream” of claim 1 of the '844 patent; (3) the construction of “the blended graphics image” in claim 1 of the '104 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; (4) the construction of “blend the blended graphics image with the video image using the alpha values and/or at least one value derived from the alpha values” limitation in claim 1 of the '104 patent, as well as related issues of infringement, invalidity, and the technical prong of the domestic industry requirement with respect to the limitation; and (5) the finding that claims 1 and 10 of the '104 patent are invalid as obvious if certain claim constructions are modified. The Commission determined not to review the ID's finding of no violation with respect to the '059 patent.

Having examined the record of this investigation, including the ALJ's final ID, the petitions, responses, and other submissions from the parties and the public, the Commission has determined that Broadcom has not proven a violation of section 337 by Sigma and Vizio. Specifically, the Commission has

determined to modify the ID's construction of “a processor adapted to control a decoding process,” and, under the modified construction, finds that the limitation is satisfied for the technical prong of the domestic industry requirement and invalidity, but is not satisfied for infringement. The Commission also has determined to affirm under modified reasoning that Fandrianto satisfies the limitation “adapted to perform a decoding function on a digital media stream.” The Commission has additionally determined to modify the ID's construction of “the blended graphics image,” and, under the modified construction, finds that the limitation is satisfied for infringement and the technical prong. The Commission has further determined to affirm under modified reasoning the ID's construction of “blend the blended graphic image with the video image using the alpha values and/or at least one value derived from the alpha values,” and affirms the ID's findings on infringement, invalidity, and the technical prong with respect to the limitation. Finally, the Commission has determined to take no position on the ID's finding that claims 1 and 10 of the '104 patent are obvious.

Accordingly, the Commission has determined that Broadcom has failed to show a violation of section 337 with respect to both the '844 and '104 patents. For the '844 patent, the Commission finds that Broadcom failed to establish infringement, but did satisfy the technical prong of the domestic industry requirement. The Commission further finds that the Respondents showed by clear and convincing evidence that claims 1–10 are invalid as anticipated. For the '104 patent, the Commission finds that Broadcom failed to show both infringement and the satisfaction of the technical prong of the domestic industry requirement. The Commission's determinations are explained more fully in the accompanying Opinion. All other findings in the ID under review that are consistent with the Commission's determinations are affirmed.

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: September 19, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–20778 Filed 9–24–18; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standard

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before October 25, 2018.

ADDRESSES: You may submit your comments, identified by “docket number” on the subject line, by any of the following methods:

1. *Email:* zzMSHA-comments@dol.gov. Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202–693–9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452, Attention: Sheila McConnell, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect a copy of the petition and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

FOR FURTHER INFORMATION CONTACT: Barbara Barron, Office of Standards, Regulations, and Variances at 202–693–9447 (voice), barron.barbara@dol.gov (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations Part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor (Secretary) determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2018–017–C.

Petitioner: Raw Coal Mining Company, Inc., 356 South College Avenue, Bluefield, Virginia 24605.

Mine: EDM No. 1 Mine, MSHA I.D. No. 46–09507, located in McDowell County, West Virginia.

Regulation Affected: 30 CFR 75.1101–1(b) (Deluge-type water spray systems).

Modification Request: The petitioner requests a modification of the existing standard to permit the removal of blow-off dust covers from nozzles on deluge-type water spray systems.

The petitioner states that:

(1) Sections 75.1101–1 through 75.1101–4 set forth various requirements regarding deluge-type water spray systems; among the requirements there is no mandate to inspect and functionally test those systems. The petitioner conducts a weekly inspection and functional test of the complete deluge-type water spray system at its EDM No. 1 Mine.

(2) Currently, the petitioner complies with the requirements of section 75.1101–1(b) by providing each nozzle with a blow-off cover. The petitioner states that because of the frequent inspections and functional testing of the system, the blow-off dust covers are not necessary because the nozzles can be maintained in an unclogged condition through weekly use. Further, it is burdensome to recap the large number of blow-off dust covers after each weekly inspection and functional test.

(3) Petitioner proposes the following alternative method of achieving the result of the standard in section 75.1101–1(b), insofar as it requires that nozzles be provided with blow-off dust covers:

(a) Continue weekly inspection and functional testing of the complete deluge-type water spray system; and
(b) Remove blow-off dust covers from the nozzles.

The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded by the standard.

Patricia W. Silvey,

*Deputy Assistant Secretary for Operations,
Mine Safety and Health Administration.*

[FR Doc. 2018–20756 Filed 9–24–18; 8:45 am]

BILLING CODE 4520–43–P

OFFICE OF MANAGEMENT AND BUDGET

Request for Comments on 2018 Federal Cloud Computing Strategy

AGENCY: Office of Management and Budget.

ACTION: Notice of public comment period.

SUMMARY: The Office of Management and Budget (OMB) is seeking public comment on a draft document titled “2018 Federal Cloud Computing Strategy.”

DATES: The public comment period on the draft memorandum begins on September 24, 2018, and will last for 30 days. The public comment period will end on October 24, 2018.

ADDRESSES: Interested parties should provide comments at the following link: <https://cloud.cio.gov/>. The Office of Management and Budget is located at 725 17th Street NW, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Bill Hunt at ofcio@omb.eop.gov or the Office of the Federal Chief Information Officer at (202) 395–3080.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) is proposing a new Federal Cloud Computing Strategy (“Cloud Smart”) to increase cloud adoption across the Federal portfolio. As part of the President’s Management Agenda, the U.S. Government has committed to modernize legacy technology and leverage leading practices from industry to improve citizen services, reduce operational costs, and enhance the security of the Federal enterprise. The 2018 Federal Cloud Computing Strategy, “Cloud Smart,” an update of the original Cloud approach, addresses gaps in previous guidance, embraces new capabilities, and provides an end-to-end strategy to accelerate transformation.

This new, transformative strategy focuses on three key inter-related areas—security, procurement, and workforce—necessary to drive cloud adoption through building knowledge in government and removing burdensome policy barriers. This strategy will be available for review and public comment at <https://cloud.cio.gov/>.

Suzette Kent,

U.S. Federal Chief Information Officer.

[FR Doc. 2018–20819 Filed 9–24–18; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Office of Government Information Services

[NARA–2018–061]

Chief FOIA Officers Council Meeting

AGENCY: Office of Government Information Services (OGIS), National Archives and Records Administration (NARA).

ACTION: Notice of Chief FOIA Officers Council meeting.

SUMMARY: OGIS and the Office of Information Policy (OIP), U.S. Department of Justice, announce a second 2018 meeting of the Chief FOIA Officers Council.

DATES: The meeting will be Thursday, October 4, 2018, from 10:00 a.m. to 12 p.m. EDT. Please register for the meeting no later than October 2, at 5:00 p.m. EDT (registration information below).

Location: National Archives and Records Administration (NARA); 700 Pennsylvania Avenue NW; William G. McGowan Theater; Washington, DC 20408.

FOR FURTHER INFORMATION CONTACT: Martha Murphy, by mail at National Archives and Records Administration; Office of Government Information Services; 8601 Adelphi Road—OGIS; College Park, MD 20740–6001, by telephone at 202–741–5772, or by email at martha.murphy@nara.gov, with the subject line “Chief FOIA Officers Council.” To request additional accommodations (e.g., a transcript), email ogis@nara.gov or call 202–741–5770.

SUPPLEMENTARY INFORMATION: This meeting is open to the public in accordance with the Freedom of Information Act (5 U.S.C. 552(k)). The Chief FOIA Officers Council is co-chaired by the Directors of OIP and OGIS. Among the purposes of the Chief FOIA Officers Council is developing