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 *https://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://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 the original investigation on July 1, 2016, based on a complaint filed by Fujifilm Corporation of Tokyo, Japan, and Fujifilm Recording Media U.S.A., Inc. of Bedford, Massachusetts (collectively, ''Fujifilm''). 81 FR 43243–44 (July 1, 2016). Pertinent to this action, the complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (''section 337''), in the sale for importation, importation, and sale within the United States after importation of certain magnetic data storage tapes and cartridges containing the same by reason of infringement of, *inter alia,* claims 1, 4–9, 11 and 14 of U.S. Patent No. 6,641,891 (''the '891 patent''). The Commission's Notice of Investigation named the Sony respondents as respondents. The Office of Unfair Import Investigations (''OUII'') was also named as a party to the investigation.

On March 8, 2018, the Commission found a section 337 violation as to the '891 patent and issued a limited exclusion order (''LEO'') and cease and desist orders (''CDOs'') to each of the Sony respondents. 83 FR 11245–47 (March 14, 2018). The LEO generally prohibits the Sony respondents from importing certain magnetic data storage tapes and cartridges containing the same that infringe the '891 patent, with certain exceptions related to service and repair and verification testing. The CDOs prohibit the Sony respondents from importing, selling, marketing, advertising, distributing, transferring (except for exportation) certain magnetic data storage tapes and cartridges containing the same that infringe the '891 patent, and soliciting United States agents or distributors for these activities.

On June 13, 2018, the Commission instituted a formal enforcement proceeding, pursuant to Commission Rule 210.75(a) (19 CFR 210.75(a)), to determine whether a violation of the March 8, 2018 CDOs issued in the original investigation has occurred and to determine what, if any, enforcement measures are appropriate. 83 FR 27626–27 (June 13, 2018). The named respondents are Sony and Sony Storage Media Solutions Corporation of Tokyo, Japan; Sony Storage Media Manufacturing Corporation of Miyagi, Japan; Sony DADC US Inc. of Terre Haute, Indiana; and Sony Latin America Inc. of Miami, Florida. OUII was also named as a party.

On August 23, 2018, the Commission instituted a modification proceeding, pursuant to Commission Rule 210.76(b) (19 CFR 210.76(b)), to determine whether the LEO and CDOs issued in the underlying investigation should be modified to exclude certain of Sony's redesigned tape products. 83 FR 42690 (Aug. 23, 2018). The Commission consolidated the modification and on-going enforcement proceedings and delegated the consolidated proceeding to the ALJ.

On October 10, Sony filed a motion to terminate the modification portion of the consolidated proceeding based on withdrawal of its request for a determination that its redesigned products do not infringe the '891 patent. The motion indicated that Fujifilm does not oppose the requested termination. On October 11, 2018, OUII filed a response supporting the motion.

On October 19, 2018, the ALJ issued the subject ID granting Sony's motion pursuant to Commission Rule 210.21(a)(1) (19 CFR 210.21(a)(1)). The ID finds that Sony's motion complies with the Commission's rules and that there are no extraordinary circumstances that might justify denying the motion. No party petitioned for review of the ID.

The Commission has determined not to review the subject 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 Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: November 14, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–25254 Filed 11–19–18; 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—Pistoia Alliance, Inc.

Notice is hereby given that, on October 26, 2018, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Pistoia 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, Andrew Hughes (individual member), Wilmslow, UNITED KINGDOM; Indiana Biosciences Research Institute, Indianapolis, IN; CAS, Columbus, OH; Genialis, Inc., Houston, TX; Catalytic Data Science, Wilton, CT; Incedo, Inc., Santa Clara, CA; Sanofi, Cambridge, MA; and Cancer Epigenetics Society, Vienna, AUSTRIA, have been added as parties to this venture.

Also, WuXi AppTec, Shanghai, PEOPLE'S REPUBLIC OF CHINA; and BioRAFT, Cambridge, MA, have withdrawn as parties 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 Pistoia Alliance, Inc. intends to file additional written notifications disclosing all changes in membership.

On May 28, 2009, Pistoia 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 July 15, 2009 (74 FR 34364).

The last notification was filed with the Department on August 10, 2018. A notice was published in the **Federal Register** pursuant to Section 6(b) of the

Act on September 4, 2018 (83 FR 44903).

Suzanne Morris,

Chief, Premerger and Division Statistics Unit, Antitrust Division.

[FR Doc. 2018–25241 Filed 11–19–18; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–392]

Bulk Manufacturer of Controlled Substances Application: Patheon API Manufacturing, Inc.

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before January 22, 2019.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (''Assistant Administrator'') pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.33(a), this is notice that on September 26, 2018, Patheon API Manufacturing, Inc., 309 Delaware St., Greenville, South Carolina 29605 applied to be registered as a bulk manufacturer for the basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Thebaine	9333	II
Noroxymorphone	9668	II

The company plans to manufacture the above-listed controlled substances as an Active Pharmaceutical Ingredient (API) for supply to its customers.

Dated: November 2, 2018.

John J. Martin,

Assistant Administrator.

[FR Doc. 2018–25228 Filed 11–19–18; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 18–36]

Eldor Brish, M.D.; Decision and Order

On June 25, 2018, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Eldor Brish, M.D. (Respondent), of Houston, Texas. The Show Cause Order proposed the revocation of Respondent's DEA Certificate of Registration No. FB2033049 on the ground that he has ''no state authority to handle controlled substances.'' Order to Show Cause, at 1 (citing 21 U.S.C. 824(a)(3)). For the same reason, the Order also proposed the denial of any of Respondent's ''applications for renewal or modification of such registration and any applications for any other DEA registrations.'' *Id.*

With respect to the Agency's jurisdiction, the Show Cause Order alleged that Respondent is the holder of Certificate of Registration No. FB2033049, pursuant to which he is authorized to dispense controlled substances as a practitioner in schedules II through V, at the registered address of 5400 Pinemont Drive, #108, Houston, Texas. *Id.* The Order also alleged that this registration does not expire until July 31, 2019. *Id.*

Regarding the substantive grounds for the proceeding, the Show Cause Order alleged that on May 18, 2018, the Texas Medical Board (TMB) ''issued an Order of Temporary Suspension suspending'' Respondent's Texas medical license, and Respondent is therefore ''without authority to practice medicine or handle controlled substances in Texas, the [S]tate in which [he is] registered with DEA.'' *Id.* at 2. Based on his ''lack of authority to [dispense] controlled substances in . . . Texas,'' the Order asserted that ''DEA must revoke'' Respondent's registration. *Id.* (citing 21 U.S.C. 824(a)(3); 21 CFR 1301.37(b)).

The Show Cause Order notified Respondent of (1) his right to request a hearing on the allegations or to submit a written statement in lieu of a hearing, (2) the procedure for electing either option, and (3) the consequence for failing to elect either option. *Id.* (citing 21 CFR 1301.43). The Order also notified Respondent of his right to submit a corrective action plan. *Id.* at 2–3 (citing 21 U.S.C. 824(c)(2)(C)).

On July 23, 2018, Respondent, through counsel, filed a letter requesting a hearing on the allegations. July 23, 2018 Letter from Respondent's Counsel to Hearing Clerk (hereinafter, Hearing Request). In his Hearing Request, Respondent ''requests a hearing be conducted to contest all of the legal issues and factual allegations raised in the DEA's Order in support of its proposed revocation.'' *Id.* at 1. Respondent specifically requested a hearing ''to determine whether the DEA is authorized to revoke'' Respondent's registration and, ''even if the DEA has authority to revoke, whether a revocation in the instant case represents an abuse of power and/or a failure to exercise appropriate discretion.'' *Id.* at 1–2.

The matter was placed on the docket of the Office of Administrative Law Judges and assigned to Administrative Law Judge Mark M. Dowd (hereinafter, ALJ). On July 31, 2018, the ALJ ordered the Government to ''file evidence to support the allegation that the Respondent lacks state authority to handle controlled substances'' and file ''any motion for summary disposition'' no later than August 3, 2018. Order Directing the Filing of Government Evidence of Lack of State Authority Allegation and Briefing Schedule, at 1. The ALJ also directed Respondent to file his response to any summary disposition motion no later than August 8, 2018. *Id.* at 2.

On August 3, 2018, the Government filed its Motion for Summary Disposition. In its Motion, the Government argued that Respondent lacks authority to handle controlled substances in Texas because the TMB ''suspended Respondent's Texas Medical License'' on May 18, 2018. Government's Motion for Summary Disposition (hereinafter Government's Motion or Govt. Mot.) at 3; Government Exhibit (GX) 2 to Govt. Mot. The Government also noted that the TMB conducted a hearing on June 25, 2018 and then ''issued a second suspension order'' on June 27, 2018. Govt. Mot. at 3 (citing GX 3 to Govt. Mot.). The Government further argued that, ''[a]bsent authority by the State of Texas to dispense controlled substances, Respondent is not authorized to possess a DEA registration in that state.'' *Id.* Lastly, the Government argued that under Agency precedent, revocation is warranted even where a State has