

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 with secure communication capabilities, components thereof, and products containing the same that infringe one or more of claims 1, 2, 4–12, 17, 19, 21, 22, and 24–29 of the '181 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: VirnetX, Inc., 308 Dorla Court, Suite 206, Zephyr Cove, NV 89448.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Apple Inc., One Infinite Loop, Cupertino, CA 95014.

(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 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 respondent 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 the 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: December 1, 2011.

By order of the Commission.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011–31347 Filed 12–6–11; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–817]

### Certain Communication Equipment, Components Thereof, and Products Containing the Same, Including Power Over Ethernet Telephones, Switches, Wireless Access Points, Routers and Other Devices Used in LANs, and Cameras; Institution of Investigation

**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 November 1, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of ChriMar Systems, Inc. d/b/a DMS Technologies of Farmington Hills, Michigan. A supplement was filed on November 10, 2011, and an amended complaint was filed on November 16, 2011. The complaint, as amended and supplemented, 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 communication equipment, components thereof, and products containing the same, including power over ethernet telephones, switches, wireless access points, routers and other devices used in LANs, and cameras by reason of infringement of certain claims of U.S. Patent No. 7,457,250 (“the ‘250 patent”). The amended complaint further alleges that an industry in the United States exists 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 amended complaint and supplement, except for any confidential information contained therein, are 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 amended complaint, the U.S. International Trade Commission, on December 1, 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 communication equipment, components thereof, and products containing the same, including power over ethernet telephones, switches, wireless access points, routers and other devices used in LANs and cameras that infringe one or more of claims 1, 2, 12, 13, 15, 19, 20, 22–26, 29–32, 38, 45, 46, 48, 50, 52, 53, 55, 56, 58–62, 65–68, 74, 81, 82, 84, 86, and 88 of the '250 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue;

(3) 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:

ChriMar Systems, Inc., d/b/a CMS Technologies, 36528 Grand River Avenue, Suite A-1, Farmington Hills, MI 48335.

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

Cisco Systems, Inc., 170 West Tasman Drive, San Jose, CA 95134.

Cisco Consumer Products LLC, 120 Theory Drive, Irvine, CA 92617.

Cisco Systems International B.V., Haarlerbergpark, Haarlerbergweg 13-19, 1101 CH, Amsterdam, Netherlands.

Cisco-Linksys LLC, 121 Theory Drive, Irvine, CA 92617.

Hewlett-Packard Co., 3000 Hanover Street, Palo Alto, CA 94304.

3Com Corporation, 350 Campus Drive, Marlborough, MA 01752.

Avaya Inc., 211 Mt. Airy Road, Basking Ridge, NJ 07920.

Extreme Networks, Inc., 3585 Monroe Street, Santa Clara, CA 95051.

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

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

Responses to the amended 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 amended complaint and the notice of investigation. Extensions of time for submitting responses to the amended 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 amended complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the amended 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 amended 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.

By order of the Commission.

Issued: December 1, 2011.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-31346 Filed 12-6-11; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 731-TA-540 and 541 (Third Review)]**

### Certain Welded Stainless Steel Pipe From Korea and Taiwan

#### Determination

On the basis of the record<sup>1</sup> developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty orders on certain welded stainless steel pipe from Korea and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

#### Background

The Commission instituted these reviews on July 1, 2011 (76 FR 38688) and determined on October 4, 2011, that it would conduct expedited reviews (76 FR 64106, October 17, 2011).

The Commission transmitted its determination in these reviews to the Secretary of Commerce on December 1, 2011. The views of the Commission are contained in USITC Publication 4280 (December 2011), entitled *Certain Welded Stainless Steel Pipe from Korea and Taiwan*, Investigation Nos. 731-TA-540 and 541 (Third Review).

By order of the Commission.

Issued: December 1, 2011.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-31345 Filed 12-6-11; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of a Bankruptcy Settlement Agreement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

Notice is hereby given that a proposed Bankruptcy Settlement Agreement between the debtors and the Environmental Protection Agency (hereinafter "Bankruptcy Settlement Agreement") in *In re M.D. Moody & Sons, Inc., et al.*, Chap. 11, Jointly Administered under Case No. 3:09-bk-6247, was lodged on or about November 30, 2011 (Docket No. 974), with the United States Bankruptcy Court for the Middle District of Florida, Jacksonville Division. The proposed Bankruptcy Settlement Agreement would resolve the United States' claims under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") of 1980, 42 U.S.C. 9607, as amended, against the debtors related to unpaid response costs incurred by the Environmental Protection Agency in connection with the release of hazardous substances at the BCX Superfund Site ("Site") in Jacksonville, Florida. EPA alleged that the debtors are liable as persons who, by contract, agreement, or otherwise, arranged for the disposal of hazardous substances at the Site. Under the proposed Bankruptcy Settlement Agreement, the debtors will pay the sum of \$5,629.05 in full in cash within 30 days of Bankruptcy Court approval of the Bankruptcy Settlement Agreement. Pursuant to the Bankruptcy Settlement Agreement, the Debtors will receive a covenant not to sue from the United States on behalf of EPA for the Site and will receive protection from contribution actions or claims as provided by Section 113(f)(2) of CERCLA, 42 U.S.C. 9613(f)(2) for the matters addressed in the Bankruptcy Settlement Agreement.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Bankruptcy Settlement Agreement. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, and either emailed to [pubcommentees.enrd@usdoj.gov](mailto:pubcommentees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 P.O. Box 7611, Washington, DC 20530, and should refer to *In re M.D. Moody & Sons, Inc., et al.*, Chap. 11, Jointly

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).