

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 February 21, 2012, 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 electronic devices for capturing and transmitting images and components thereof by reason of infringement of one or more of claims 5 and 7 of the '161 patent; claims 1 and 7–11 of the '084 patent; claims 1–6, 9–13, 16, 17, 19, and 20 of the '605 patent; claims 11, 12, and 15–18 of the '391 patent; and claims 15 and 23–27 of the '218 patent; and whether an industry in the United States exists as required by subsections (a)(2) and (3) 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:  
Eastman Kodak Company, 343 State Street Rochester, NY 14650.

(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., 1 Infinite Loop, Cupertino, CA 95014;  
High Tech Computer Corp. a/k/a HTC Corp., 23 Xinghua Road, Taoyuan 330, Taiwan;  
HTC America, Inc., 13920 SE Eastgate Way, Suite 400, Bellevue, WA 98005;  
Exedea, Inc., 5950 Corporate Drive, Houston, TX 77036;

(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 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.

By order of the Commission.

Issued: February 22, 2012.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2012–4497 Filed 2–24–12; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–529]

### Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2011 Review of Additions and Competitive Need Limitation Waivers Institution of Investigation and Scheduling of Hearing

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice of institution of investigation and scheduling of public hearing.

**SUMMARY:** Following receipt of a request on February 14, 2012, from the United States Trade Representative (USTR), the U.S. International Trade Commission

(Commission) instituted investigation No. 332–529, *Advice Concerning Possible Modifications to the U.S. Generalized System of Preferences, 2011 Review of Additions and Competitive Need Limitation Waivers*, for the purpose of providing advice as to the probable economic effect of the addition of certain products to the list of items eligible for duty-free treatment under the U.S. GSP program and providing advice on whether any industry in the United States is likely to be adversely affected by a waiver of the competitive need limitations under the program for certain countries and articles.

#### DATES:

*March 12, 2012:* Deadline for filing a request to appear at the public hearing.

*March 15, 2012:* Deadline for filing pre-hearing briefs and statements.

*March 30, 2012:* Public hearing.

*April 4, 2012:* Deadline for filing post-hearing briefs and statements.

*April 4, 2012:* Deadline for filing all other written submissions.

*May 14, 2012:* Transmittal of Commission report to the USTR.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW., Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. 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:

Information specific to this investigation may be obtained from Vincent Honnold, Project Leader, Office of Industries (202–205–3314 or [vincent.honnold@usitc.gov](mailto:vincent.honnold@usitc.gov)), Michael McConnell, Deputy Project Leader, Office of Industries (202–205–3443 or [michael.mcconnell@usitc.gov](mailto:michael.mcconnell@usitc.gov)), or Cynthia B. Foreso, Technical Advisor, Office of Industries (202–205–3348 or [cynthia.foreso@usitc.gov](mailto:cynthia.foreso@usitc.gov)). For information on the legal aspects of these investigations, contact William Gearhart of the Commission's Office of the General Counsel (202–205–3091 or [william.gearhart@usitc.gov](mailto:william.gearhart@usitc.gov)). The media should contact Margaret O'Laughlin, Office of External Relations (202–205–1819 or [margaret.olaughlin@usitc.gov](mailto:margaret.olaughlin@usitc.gov)). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202–205–1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). 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.

**Background:** The USTR has requested three types of advice. First, in accordance with sections 503(a)(1)(A), 503(e), and 131(a) of the Trade Act of 1974, and pursuant to the authority of the President delegated to the USTR by sections 4(c) and 8(c) and (d) of Executive Order 11846 of March 31, 1975, as amended, and pursuant to section 332(g) of the Tariff Act of 1930, the USTR has requested, and the Commission will provide, advice as to the probable economic effect on U.S. industries producing like or directly competitive articles, on U.S. imports, and on U.S. consumers of the elimination of U.S. import duties on the following article for all beneficiary developing countries under the GSP program: Sacks and bags (including cones) for the conveyance or packing of goods, of polymers of ethylene, provided for in HTS subheading 3923.21.00.

Second, in accordance with sections 503(a)(1)(B), 503(e), and 131(a) of the Trade Act of 1974, and pursuant to the authority of the President delegated to the USTR by sections 4(c) and 8(c) and (d) of Executive Order 11846 of March 31, 1975, as amended, and pursuant to section 332(g) of the Tariff Act of 1930, the USTR has requested, and the Commission will provide, advice as to the probable economic effect on U.S. industries producing like or directly competitive articles, on U.S. imports, and on U.S. consumers of the elimination of U.S. import duties on the following HTS subheadings and articles for least-developed beneficiary developing countries under the GSP program: HTS subheadings 5201.00.18 (Cotton, not carded or combed, having a staple length under 28.575 mm (1 $\frac{1}{8}$  inches), n/harsh or rough, nesoi), 5201.00.22 (Cotton, not carded or combed, staple length of 28.575 mm or more but under 34.925 mm, described in gen. note 15), 5201.00.24 (Cotton, carded or combed, harsh or rough, staple length 29.36875 mm or more but n/o 34.925 mm, white in color, quota described in chapter 52 add US note 6), 5201.00.28 (Cotton, not carded or combed, harsh or rough, staple length of 29.36875 mm or more but under 34.925 mm & white in color, nesoi), 5201.00.34 (Cotton, not carded or combed, staple length of 28.575 mm or more but under 34.925 mm, other, quota described in chapter 52 add'l US note 7), 5201.00.38 (Cotton, not carded or combed, staple length of 28.575 mm or more but under 34.925 mm, nesoi), 5202.91.00 (Cotton

garnetted stock), 5202.99.30 (Cotton card strips made from cotton waste having staple length under 30.1625 mm & lap, sliver & roving waste, nesoi), 5203.00.05 (Cotton fibers, carded or combed, of cotton fiber processed but not spun, described in gen. note 15), 5203.00.10 (Cotton fibers, carded or combed, of cotton fiber processed but not spun, quota described in chapter 52 add'l US note 10), 5203.00.30 (Cotton fibers, carded or combed, of cotton fiber processed, but not spun, nesoi), and 5203.00.50 (Cotton carded or combed, excluding fibers of cotton processed but not spun).

Third, under authority delegated by the President, pursuant to section 332(g) of the Tariff Act of 1930, and in accordance with section 503(d)(1)(A) of the Trade Act of 1974, the USTR has requested, and the Commission will provide, advice on whether any industry in the United States is likely to be adversely affected by a waiver of the competitive need limitations specified in section 503(c)(2)(A) of the Trade Act of 1974 for the following HTS subheadings and countries: 1602.50.20 (Prepared or preserved beef in airtight containers, other than corned beef, not containing cereals or vegetables) from Argentina; 2840.19.00 (Disodium tetraborate (refined borax) except anhydrous) from Turkey; 2921.19.60 (Other acyclic monoamines and their derivatives) from Philippines; 2922.41.00 (Lysine and its esters and salts thereof) from Brazil; 3307.41.00 (“Agarbatti” and other odoriferous preparations which operate by burning, to perfume or deodorize rooms or used during religious rites) from India; 4015.19.10 (Seamless gloves of vulcanized rubber other than hard rubber, other than surgical or medical gloves) from Thailand; 7606.12.30 (Aluminum alloy, plates/sheets/strip, w/thick. o/0.2mm, rectangular (inc. sq), not clad) from Indonesia; 8415.90.80 (Parts for air conditioning machines, nesi) from Thailand; and 8708.30.50 (Pts. & access. of mtr. vehicles of 8701, nesoi, and 8702–8705, brakes and servo-brakes & pts thereof) from India. As requested, the Commission will also provide advice with respect to whether like or directly competitive products were being produced in the United States on January 1, 1995, and will provide advice as to the probable economic effect on total U.S. imports, as well as on consumers, of the requested waivers. For purposes of the competitive need limit in section 503(c)(2)(A)(i)(I) of the Trade Act of 1974, the Commission will use, as

requested, the dollar value limit of \$150,000,000.

To the extent possible, the Commission will provide its probable economic effect advice and statistics and other relevant information or advice separately and individually for each U.S. Harmonized Tariff Schedule subheading subject to this request. As requested, the Commission will provide its advice by May 14, 2012.

The USTR indicated that the portions of the Commission’s report and working papers that contain the Commission’s advice and assessment will be classified on the basis that they concern matters relating to the national security. In addition, the USTR said that he considers the Commission’s report to be an inter-agency memorandum that will contain pre-decisional advice and be subject to the deliberative process privilege.

**Public Hearing:** A public hearing in connection with this investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on March 30, 2012. Requests to appear at the public hearing should be filed with the Secretary, no later than 5:15 p.m., March 12, 2012, in accordance with the requirements in the “Submissions” section below. All pre-hearing briefs and statements should be filed not later than 5:15 p.m., March 15, 2012; and all post-hearing briefs and statements should be filed not later than 5:15 p.m., April 4, 2012. In the event that, as of the close of business on March 12, 2012, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or nonparticipant may call the Secretary to the Commission (202–205–2000) after March 12, 2012, for information concerning whether the hearing will be held.

**Written Submissions:** In lieu of or in addition to participating in the hearing, interested parties are invited to file written submissions concerning this investigation. All written submissions should be addressed to the Secretary, and should be received not later than 5:15 p.m., April 4, 2012. All written submissions must conform with the provisions of section 201.8 of the Commission’s *Rules of Practice and Procedure* (19 CFR 201.8). Section 201.8 requires that a signed original (or a copy so designated) and fourteen (14) copies of each document be filed. In the event that confidential treatment of a document is requested, at least four (4) additional copies must be filed, in which the confidential information must be deleted (see the following

paragraph for further information regarding confidential business information). The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, [http://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/documents/handbook\\_on\\_electronic\\_filing.pdf](http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf)). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the *Commission's Rules of Practice and Procedure* (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

The Commission may include in the report it sends to the President and the USTR some or all of the confidential business information it receives in this investigation. The USTR has asked that the Commission make available a public version of its report shortly after it sends its report to the President and the USTR, with any classified or confidential business information deleted. The confidential business information received in this investigation and used in the preparation of the report will not be published in the public version of the report in such manner as would reveal the operations of the firm supplying the information.

By order of the Commission.  
Issued: February 22, 2012.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2012-4496 Filed 2-24-12; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-739]

### Certain Ground Fault Circuit Interrupters and Products Containing Same, Investigations: Terminations, Modifications and Rulings

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review the final initial determination issued by the presiding administrative law judge in the above captioned investigation on December 20, 2011, finding no violation of section 337 (19 U.S.C. 1337). The Commission requests briefing from the parties on certain issues under review and from the parties and the public on remedy, the public interest, and bonding, as indicated in this notice.

#### FOR FURTHER INFORMATION CONTACT:

Clark S. Cheney, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-2661. 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:** The Commission instituted this investigation on October 8, 2010, based on a complaint and an amended complaint filed by Leviton Manufacturing Co., of Melville, New York ("Leviton"). 75 FR 62420 (Oct. 8, 2010). The complaint and amended complaint alleged violations of section 337 of the Tariff Act of 1930, as amended (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 ground fault circuit interrupters and products containing the same by reason of infringement of claims 1-7, 9-11, 13-17, 23-26, and 32-36 of U.S. Patent No. 7,463,124 ("the '124 patent"); claims 1-11, 13-28, 30-59, 61-64, and 74-83 of U.S. Patent No. 7,737,809 ("the '809 patent"); and claims 1-4 and 8 of U.S. Patent No. 7,764,151 ("the '151 patent"). The Notice of Investigation named numerous respondents, and during the course of the investigation several of the respondents were found to be in default or were terminated due settlement agreements, consent orders,

or withdrawn allegations. Seven respondents remain in the investigation, consisting of Zhejiang Trimone Electric Science & Technology Co. Ltd., of Zhejiang, China ("Trimone"); Fujian Hongan Electric Co. Ltd., of Fujian, China ("Hongan"); TDE, Inc., of Bellevue, Washington ("TDE"); Shanghai ELE Manufacturing Corp., of Shanghai, China ("ELE"); Orbit Industries, Inc., of Los Angeles, California ("Orbit"); American Electric Depot Inc., of Fresh Meadows, New York ("AED"); and Shanghai Jia AO Electrical Co. of Shanghai, China ("Shanghai Jia").

On December 20, 2011, the presiding administrative law judge ("ALJ") issued his final initial determination ("ID") in this investigation finding that the complainant had not sufficiently shown that a domestic industry exists with respect to the three asserted patents and/or articles protected by those patents. Accordingly, the ALJ found no violation of section 337.

On January 6, 2012, the complainant, the Commission investigative attorney, and a group of respondents consisting of Trimone, Hongan, and TDE filed petitions for review of the ID. Respondents ELE, Orbit, AED, and Shanghai Jia have not filed petitions for review of the ID.

Having examined the record of this investigation, including the ALJ's final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in its entirety.

The parties are requested to brief their positions on only the following issues, with reference to the applicable law and the evidentiary record:

1. Whether the complainant has carried its burden to show the existence of a domestic industry under 19 U.S.C. 1337(a)(3).

2. Whether the ID implicitly applied a different claim construction when analyzing the validity of the '121 and '151 patents than was applied when analyzing infringement of those patents.

3. Whether the ID relied upon unclaimed features of the disclosed inventions when analyzing the validity of the '121 and '151 patents.

4. Whether the ID considered all of respondents' arguments concerning the validity of the '809 patent.

5. Whether the following asserted patent claims (a) have been properly construed, (b) protect articles for which there is an industry in the United States, (c) are infringed by the accused articles, and (d) have not been shown to be invalid: Claim 7 of the '124 patent, claim 4 of the '151 patent, and claims 11 and 43 of the '809 patent.