

On June 12, 2009, the Commission issued a limited exclusion order (“the June 12, 2009 exclusion order”) prohibiting the unlicensed entry into the United States of MemsTech silicon microphone packages that infringe claims 1 and 2 of the ‘231 patent and claims 1, 2, 9, 10, 15, 17, 20, 28, and 29 of the ‘089 patent. 74 FR 28724 (June 17, 2009). On October 13, 2009, MemsTech appealed the Commission’s determination to the U.S. Court of Appeals for the Federal Circuit. On June 3, 2011, the Federal Circuit affirmed the Commission’s final determination. *MEMS Technology Berhad v. Int’l Trade Comm’n*, No. 2010–1018, 2011 WL 2214091 (Fed. Cir. June 3, 2011) (unpublished).

On December 16, 2009, the Commission instituted *Certain Silicon Microphone Packages and Products Containing the Same*, Inv. No. 337–TA–695, in response to a different complaint filed by Knowles. 74 FR 68077 (Dec. 22, 2009). The complaint in Inv. No. 337–TA–695 alleged a violation of section 337 based on infringement of claim 1 of the ‘231 patent and claims 1, 2, 7, 16, 17, 18, and 20 of the ‘089 patent. The complaint named Analog Devices Inc. as the respondent. On November 22, 2010, the ALJ issued a final ID finding that all of the asserted patent claims are invalid under 35 U.S.C. 102 and 103, based on prior art not previously considered in the above-captioned investigation. On January 21, 2011, the Commission issued a notice determining not to review a majority of the ALJ’s determinations on patent validity, which resulted in a final determination that claim 1 of the ‘231 patent and claims 1, 2, 7, 16, 17, 18, and 20 of the ‘089 patent are invalid. Knowles appealed the Commission’s final determination to the Federal Circuit (Appeal No. 2011–1260), but Knowles later withdrew its appeal before the appeal was decided.

On August 9, 2011, respondent MemsTech petitioned the Commission in the above-captioned investigation to rescind all directives in the June 12, 2009 exclusion order that are based on claim 1 of the 231 patent and claims 1, 2, 17, and 20 of the ‘089 patent because the Commission determined those claims are invalid in Inv. No. 337–TA–695. On August 22, 2011, complainant Knowles filed an opposition to MemsTech’s petition.

The Commission has determined that its invalidity determinations in Inv. No. 337–TA–695 constitute changed circumstances and justify partial rescission of the June 12, 2009 exclusion order entered in the present investigation. The Commission has

determined to rescind the portions of the June 12, 2009 exclusion order that refer to claim 1 of the ‘231 patent and claims 1, 2, 17, and 20 of the ‘089 patent. All other provisions of the June 12, 2009 exclusion order remain in effect.

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 210.76 of the Commission’s Rules of Practice and Procedure (19 CFR 210.76).

Issued: October 28, 2011.

By order of the Commission.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011–28488 Filed 11–2–11; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigation Nos. 701–TA–482–485 and 731–TA–1191–1194 (Preliminary)]**

### **Circular Welded Carbon-Quality Steel Pipe From India, Oman, United Arab Emirates, and Vietnam; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations**

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

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice of the institution of investigations and commencement of preliminary phase antidumping and countervailing duty investigations Nos. 701–TA–482–485 and 731–TA–1191–1194

(Preliminary) under sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. §§ 1671b(a) and 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports from circular welded carbon-quality steel pipe from India, Oman, United Arab Emirates, and Vietnam, provided for in subheadings 7306.19, 7306.30, and 7306.50 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value and alleged to be subsidized by the Governments of India, Oman, United Arab Emirates, and Vietnam. Unless the Department of Commerce extends the time for initiation pursuant to sections 702(c)(1)(B) or 732(c)(1)(B) of the Act (19 U.S.C. §§ 1671a(c)(1)(B) or 1673a(c)(1)(B)), the Commission must

reach a preliminary determination in antidumping and countervailing duty investigations in 45 days, or in this case by December 12, 2011. The Commission’s views are due at Commerce within five business days thereafter, or by December 19, 2011.

For further information concerning the conduct of these investigations and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

**DATES:** *Effective Date:* October 26, 2011.

#### **FOR FURTHER INFORMATION CONTACT:**

Keysha Martinez (202) 205–2136, Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (<http://www.usitc.gov>). The public record for these investigations may be viewed on the Commission’s electronic docket (EDIS) at <http://www.edis.usitc.gov>.

#### **SUPPLEMENTARY INFORMATION:**

**Background.**—These investigations are being instituted in response to a petition filed on October 26, 2011, by Allied Tube and Conduit, Harvey, IL; JMC Steel Group, Chicago, IL; Wheatland Tube, Sharon, PA; and United States Steel Corporation, Pittsburgh, PA.

**Participation in the investigations and public service list.**—Persons (other than petitioners) wishing to participate in the investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in sections 201.11 and 207.10 of the Commission’s rules, not later than seven days after publication of this notice in the **Federal Register**. Industrial users and (if the merchandise under investigation is sold at the retail level) representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to these investigations upon the expiration of the period for filing entries of appearance.

**Limited disclosure of business proprietary information (BPI) under an**

*administrative protective order (APO) and BPI service list.*—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these investigations available to authorized applicants representing interested parties (as defined in 19 U.S.C. §§ 1677(9)) who are parties to the investigations under the APO issued in the investigations, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

*Conference.*—The Commission's Director of Investigations has scheduled a conference in connection with these investigations for 9:30 a.m. on November 16, 2011, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, DC. Requests to appear at the conference should be filed with the Office of the Secretary ([William.Bishop@usitc.gov](mailto:William.Bishop@usitc.gov) and [Sharon.Bellamy@usitc.gov](mailto:Sharon.Bellamy@usitc.gov)) on or before November 14, 2011. Parties in support of the imposition of countervailing and antidumping duties in these investigations and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

*Written submissions.*—As provided in sections 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before November 21, 2011, a written brief containing information and arguments pertinent to the subject matter of the investigations. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Please be aware that the Commission's rules with respect to electronic filing have been amended. The amendments will take effect on November 7, 2011. See 74 FR 61937 (Oct. 6, 2011). For those materials submitted to the Commission in this proceeding on and after the effective date of these amendments please refer to 74 FR 61937 (Oct. 6, 2011) and the newly revised Commission's Handbook on E-Filing.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

Issued: October 27, 2011.

By order of the Commission.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2011-28486 Filed 11-2-11; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-810]

### Certain Navigation Products, Components Thereof, and Related Software; 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 September 30, 2011, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Furuno Electric Co., Ltd. of Japan and Furuno U.S.A., Inc. of Camas, Washington. 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 navigation products, components thereof, and related software by reason of infringement of certain claims of U.S. Patent No. 6,084,565 ("the '565 patent"); U.S. Patent No. 7,095,367 ("the '367 patent"); U.S. Patent No. 7,089,094 ("the '094 patent"); and U.S. Patent No. 7,161,561 ("the '561 patent"). The

complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request 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 Docket Services Division of the Office of the Secretary, U.S. International Trade Commission, telephone (202) 205-1802.

**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 27, 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 navigation products, components thereof, and related software that infringe one or more of claims 1, 2, 11, and 16 of the '565 patent; claim 1 of the '367 patent; claim 1 of the '094 patent; and claim 8 of the '561 patent, and whether an industry in the United States exists 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