

International Trade Commission, on March 11, 2015, *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 audio processing hardware and software and products containing same by reason of infringement of one or more of claims 1–28 of the '898 patent; claims 1–16 of the '923 patent; claims 1–12 and 25–37 of the '607 patent; claims 1–25, 38–40, and 42–47 of the '345 patent; and claims 1–14 of the '637 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, which shall be limited to the statutory public interest factors, 19 U.S.C. 1337(d)(1), (f)(1), (g)(1);

(3) Notwithstanding any Commission Rules that would otherwise apply, the presiding Administrative Law Judge shall hold an early evidentiary hearing, find facts, and issue an early decision, as to whether the complainant has standing to assert each of the asserted patents. Any such decision shall be in the form of an initial determination (ID). Petitions for review of such an ID shall be due five calendar days after service of the ID; any replies shall be due three business days after service of a petition. The ID will become the Commission's final determination 30 days after the date of service of the ID unless the Commission determines to review the ID. Any such review will be conducted in accordance with Commission Rules 210.43, 210.44, and 210.45, 19 CFR 210.43, 210.44, and 210.45. The Commission expects the issuance of an early ID relating to the standing issues within 100 days of institution, except that the presiding ALJ may grant a limited extension of the ID for good cause shown. The issuance of an early ID finding complainant does not have standing to assert the asserted patents shall stay the investigation unless the Commission orders otherwise; any other decision shall not stay the investigation or delay the issuance of a final ID

covering the other issues of the investigation.

(4) 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:  
Andrea Electronics Corp., 65 Orville Drive, Suite One, Bohemia, NY 11716.  
(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:  
Acer Inc., 8F, 88, Sec. 1, Xintai 5th Rd. Xixhi, New Taipei City 221, Taiwan  
Acer America Corp., 333 West San Carlos Street, Suite 1500, San Jose, CA 95110  
ASUSTeK Computer Inc., No. 15, Li-Te Rd., Beitou District, Taipei 112, Taiwan  
ASUS Computer International, 800 Corporate Way, Fremont, CA 94539  
Dell Inc., One Dell Way, Round Rock, TX 78682  
Hewlett Packard Co., 3000 Hanover Street, Palo Alto, CA 94304–1185  
Lenovo Group Ltd., Shangdi Information Industry Base, No 6 Chuang Ye Road, Haidan District, 100085 Beijing, China  
Lenovo Holding Co., Inc., 1009 Think Place, Morrisville, NC 27650  
Lenovo (United States) Inc., 1009 Think Place, Morrisville, NC 27650  
Toshiba Corp., 1–1, Shibaura 1-chome, Toshiba Building, Minato-Ku, Tokyo 105–8001, Japan  
Toshiba America, Inc., 1251 Avenue of the Americas, Suite 4110, New York, NY 10020  
Toshiba America Information Systems, Inc., 9740 Irvine Boulevard, Irvine, CA 92618  
Realtek Semiconductor Corp., No. 2, Innovation Road II, Hsinchu Science Park, Hsinchu 300, Taiwan

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

(5) 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(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: March 12, 2015.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2015–06081 Filed 3–17–15; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–916]

### Certain Non-Volatile Memory Chips and Products Containing the Same; Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on a Settlement Agreement

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 30) granting a joint motion to terminate the above-captioned investigation based on a settlement agreement.

#### 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 all 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 the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on June 4, 2014, based on a complaint filed by Spansion LLC ("Spansion"). 79 FR 32312-13 (June 4, 2014). The 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 non-volatile memory chips and products containing the same by reason of infringement of four U.S. patents. The notice of investigation named as respondents Macronix International Co., Ltd.; Macronix Asia Limited; Macronix (Hong Kong) Co., Ltd.; Macronix America, Inc. (collectively, "Macronix"); Acer Inc.; Acer America Corp.; ADT-Corp.; Amazon.com, Inc.; ASRock Inc.; ASRock America, Inc.; ASUSTeK Computer Inc.; Asus Computer International; Belkin International, Inc.; D-Link Corporation; D-Link Systems, Inc.; Leap Motion, Inc.; Lowe's Companies, Inc.; Lowe's Home Centers, LLC (f/k/a Lowe's Home Centers, Inc.); Microsoft Corp.; Nintendo Co., Ltd.; Nintendo of America, Inc.; Sercomm Corporation; Vonage Holdings Corp.; Vonage America Inc.; and Vonage Marketing LLC.

On January 29, 2015, Spansion and all respondents filed an unopposed motion to terminate the investigation based on a settlement agreement between Spansion and Macronix. On the same day, Spansion and Macronix filed a joint motion to limit service of their settlement agreement pursuant to Commission Rule 210.21(b)(1). On February 9, 2015, Commission investigative attorney Monisha Deka ("IA") filed a response in support of both motions.

On February 18, 2015, the ALJ issued the subject ID granting both motions and terminating the investigation. The ALJ noted the parties' assertion that the settlement agreement between Spansion and Macronix fully resolves the investigation with respect to all respondents and that there are no other agreements between the parties concerning the subject matter of this investigation. The ALJ further found no evidence that termination based on the

settlement agreement would impose any undue burdens on public health and welfare, competitive conditions in the U.S. economy, the production of like or directly competitive articles in the United States, or U.S. consumers. To the contrary, the ALJ found that termination is in the public interest because it would avoid needless litigation and conserve public resources.

The ALJ found that Spansion and Macronix filed a confidential and public version of the settlement agreement in compliance with Commission Rule 210.21(b). The ALJ additionally found that because the settlement agreement at issue is confidential between Spansion and Macronix, there was good cause to limit service of that agreement to Spansion, the Macronix respondents, and the IA. No petitions for review of the ID were filed.

The Commission has determined not to review the 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: March 12, 2015.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2015-06170 Filed 3-17-15; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-910]

### Certain Television Sets, Television Receivers, Television Tuners, and Components Thereof, Capabilities and Components Thereof; Request for Statements on the Public Interest

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the presiding administrative law judge has issued a Final Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond in the above-captioned investigation. The Commission is soliciting comments from the public on public interest issues raised by the recommended relief, specifically that if the Commission were to find a violation of section 337, 19 U.S.C. 1337, that the Commission issue limited exclusion orders and cease and desist orders directed to the

respondents. The ALJ rejected the respondents' arguments that the public interest stands in the way of relief for the complainants. This notice is soliciting public interest comments from the public only. Parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4).

### FOR FURTHER INFORMATION CONTACT:

Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2532. 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 <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:** Section 337 of the Tariff Act of 1930 provides that if the Commission finds a violation it shall exclude the articles concerned from the United States:

unless, after considering the effect of such exclusion upon the public health and welfare, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, and United States consumers, it finds that such articles should not be excluded from entry.

19 U.S.C. 1337(d)(1). A similar provision applies to cease and desist orders. 19 U.S.C. 1337(f)(1).

The Commission is interested in further development of the record on the public interest in these investigations. Accordingly, members of the public are invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the administrative law judge's Recommended Determination on Remedy and Bond issued in this investigation on February 27, 2015. Comments should address whether issuance of a limited exclusion order and/or cease and desist orders in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like