

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 products identified in paragraph (2) by reason of infringement of one or more of claims 1, 2, 8–12, 17, 19, 24, 29, 33–36, 38, 43–45, 47, 52, 53, 58–60, 66, 67, 72, 77, 79, and 80 of the '929 patent; claims 1–8, 12, 15–18, 22, 25–27, 31, 34–36, 40, 43–50, and 54 of the '537 patent; and claims 1–3, 6–8, 12–17, 20–22, 26–31, 34–36, and 40–42 of the '581 patent; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "smart phones, mobile devices, tablets, notebooks, laptops, desktops, computers, and associated data transmission components and software thereof";

(3) 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 or 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 set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1);

(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 complainants are:

Data Scape Limited, Office 115, 4–5  
Burton Hall Road, Sandyford, Dublin  
18, Ireland  
C-Scape Consulting Corp., 371 Merrick  
Road, Suite 406, Rockville Centre, NY  
11570

(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:  
Apple Inc., One Apple Park Way,  
Cupertino, CA 95014

Amazon.com, Inc., 410 Terry Avenue  
North, Seattle, WA 98109  
Amazon Digital Services, LLC, 410  
Terry Avenue North, Seattle, WA  
98109

Verizon Communications Inc., 1095  
Avenue of the Americas, New York,  
NY 10036

Cellco Partnership d/b/a/Verizon  
Wireless, 1 Verizon Way, Basking  
Ridge, NJ 07920

(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: April 2, 2019.

**Lisa Barton,**

*Secretary to the Commission.*

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**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

[OMB Number 1110-0043]

### **Agency Information Collection Activities; Proposed eCollection eComments Requested; Reinstatement, Without Change, of a Previously Approved Collection for Which Approval Has Expired: The National Instant Criminal Background Check System (NICS) Voluntary Appeal File (VAF) Brochure and the Online Application Process**

**AGENCY:** Criminal Justice Information Services Division, Federal Bureau of Investigation, Department of Justice.

**ACTION:** 60-Day notice.

**SUMMARY:** The Department of Justice (DOJ), Federal Bureau of Investigation (FBI), Criminal Justice Information Services (CJIS) Division, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies.

**DATES:** The Department of Justice encourages public comment and will accept input until June 4, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact the Federal Bureau of Investigation, Criminal Justice Information Services Division, National Instant Criminal Background Check System Section, Module A-3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, or email [NICS@fbi.gov](mailto:NICS@fbi.gov) Attention: OMB PRA 1110-0043. Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted via email to [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** This process is conducted in accordance with 5 CFR 1320.10. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

### Overview of This Information Collection

(1) *Type of Information Collection:* Reinstatement, without change, of a previously approved collection for which approval has expired.

(2) *Title of the Form/Collection:* The National Instant Criminal Background Check System (NICS) Voluntary Appeal File (VAF) Brochure and the online application process.

(3) *Agency form number:* 1110-0043.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

*Primary:* Potential firearm purchasers. If a potential purchaser is delayed or denied a firearm and successfully appeals the decision, the NICS Section cannot retain a record of the overturned appeal or the supporting documentation. If the record is not able to be updated or the fingerprints are non-identical to a disqualifying record used in the evaluation, the purchaser continues to be delayed or denied, and if that individual appeals the decision, the documentation/information (e.g., fingerprint cards, court records, pardons, etc.) must be resubmitted for every subsequent purchase. The VAF was established per 28 CFR, Part 25.10(g), for this reason. By this process, applicants can voluntarily request the NICS Section maintain information about themselves in the VAF to prevent future extended delays or denials of a firearm transfer.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated the time it takes to read, complete, and upload documents is 30 minutes. Travel time to the fingerprinting facility and post office

is not factored in the time estimate. The NICS Section estimates 4,000 respondents yearly.

(6) *An estimate of the total public burden (in hours) associated with the collection:* With 4,000 applicants responding, the formula for applicant burden hours would be as follows: (4,000 respondents  $\times$  .5 hours) = 2,000 hours.

*If additional information is required contact:* Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, Suite 3E.405B, Washington, DC 20530.

Dated: April 2, 2019.

**Melody Braswell,**

*Department Clearance Officer, PRA, U.S. Department of Justice.*

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**BILLING CODE 4410-02-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Notice of Availability, Request for Comments

**AGENCY:** Employee Benefits Security Administration, Department of Labor.

**ACTION:** Notice of availability, request for comments.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995, provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Employee Benefits Security Administration (EBSA) is soliciting comments on the proposed renewal of the information collection requests (ICRs) contained in the documents described below. A copy of the ICRs may be obtained by contacting the office listed in the **ADDRESSES** section of this notice. ICRs also are available at [reginfo.gov](http://www.reginfo.gov) (<http://www.reginfo.gov/public/do/PRAMain>).

**DATES:** Written comments must be submitted to the office shown in the Addresses section on or before June 4, 2019.

**ADDRESSES:** G. Christopher Cosby, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, Room N-5718, Washington, DC 20210, [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov), (202) 693-8410, FAX (202) 219-4745 (these are not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** This notice requests public comment on the Department's request for the Office of Management and Budget's (OMB) approval of the ICRs contained in Prohibited Transaction Exemptions (PTEs) 1975-1, 1984-24, and 1986-128. The PTEs provide exemptions from the prohibited transaction provisions of the Employee Retirement Income Security Act of 1974 (ERISA), and the Internal Revenue Code of 1986 (Code) for specified types of transactions.<sup>1</sup> The Department is proposing to renew the requirements of the ICRs contained in PTEs 75-1, 84-24, and 86-128 in place prior to 2016.

The Department notes that an agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICRs and the current burden estimates follows:

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* Prohibited Transaction Exemption 1975-1, Exemptions from Prohibitions Respecting Certain Classes of Transactions Involving Employee Benefit Plans and Certain Broker-Dealers, Reporting Dealers, and Banks.

*OMB Number:* 1210-0092.

*Affected Public:* Businesses or other for-profits, Not-for-profit institutions.

*Respondents:* 6,116.

*Responses:* 6,116.

*Estimated Total Burden Hours:* 1,019.

*Estimated Total Burden Cost*

*(Operating and Maintenance):* \$0.

*Description:* PTE 1975-1 provides exemptions for transactions between employee benefit plans and individual retirement accounts (IRAs) and broker-dealers, reporting dealers and banks, relating to securities purchases and sales, provided specified conditions are met. The exempted transactions include an employee benefit plan or IRA's purchase of securities from broker-dealers' inventories of stocks, from underwriting syndicates in which a fiduciary is a member, from banks, from

<sup>1</sup> They were amended as part of the Department's 2016 final rule defining who is a "fiduciary" under ERISA and the Code, which was published in the **Federal Register** on April 8, 2016. The final rule and PTE amendments were vacated by the Fifth Circuit Court of Appeal's decision in *Chamber of Commerce v. Department of Labor*, 885 F.3d 360 (5th Cir. 2018).