Completed Contract Actions
44. Frenchman-Cambridge ID, P–SMBP, Nebraska: Consideration of a request to amend the repayment contract to change the irrigation season start date from May 1 to April 15.
45. Contract executed August 9, 2011.
51. Kensington Partners, Green Mountain Reservoir, Colorado–Big Thompson Project, Colorado: Consideration of an amendment to the existing contract to reduce the amount of water service by 225 acre-feet of municipal/domestic water and assign the water to the Upper Eagle Regional Water Authority. Contract executed September 2, 2011.
Modified Contract Action
46. Tom Green County Water Control and Improvement District No. 1, San Angelo Project, Texas: Consideration to amend Contract No. 14–06–500–369 to change the irrigation season definition to year-round usage and recognize agreements between the City of San Angelo and the District for putting treated wastewater to beneficial use in accordance with the State of Texas requirements for wastewater re-use.

Dated: October 18, 2011.
Roseann Gonzales,
Director, Policy and Administration

[FR Doc. 2011–30645 Filed 11–28–11; 8:45 am]
BILLING CODE 4310–MN–P

INTERNATIONAL TRADE COMMISSION

[DN 2859]

Certain Dynamic Random Access Memory Devices, and Products Containing Same; Receipt of Comment; Solicitation of Comments Relating to the Public Interest


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled In Re Certain Dynamic Random Access Memory Devices, and Products Containing Same, DN 2859; the Commission is soliciting comments on any public interest issues raised by the complaint.


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 has received a complaint filed on behalf of Nanya Technology Corporation on November 21, 2011. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 dynamic random access memory devices, and products containing same. The complaint names Elpida Memory Inc. of Japan; Elpida Memory (USA) Inc. of Sunnyvale, CA; and Kingston Technology Co., Inc. of Fountain Valley, CA, as respondents.

The complainant, proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five pages in length, on any public interest issues raised by the complaint. Comments should address whether issuance of an exclusion order and/or a cease and desist order in this investigation would negatively affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:
(i) Explain how the articles potentially subject to the orders are used in the United States;
(ii) Identify any public health, safety, or welfare concerns in the United States relating to the potential orders;
(iii) Indicate the extent to which like or directly competitive articles are produced in the United States or are otherwise available in the United States, with respect to the articles potentially subject to the orders; and
(iv) Indicate whether Complainant, Complainant’s licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to an exclusion order and a cease and desist order within a commercially reasonable time.

Written submissions must be filed no later than by close of business, five business days after the date of publication of this notice in the Federal Register. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Submissions should refer to the Docket number (“Docket No. 2859”) in a prominent place on the cover page and/or the first page. 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). Persons with questions regarding electronic filing should contact the Secretary (202) 205–2000.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50(a)(4) of the Commission’s Rules of Practice and Procedure (19 CFR 201.10, 210.50(a)(4)).

By order of the Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined that no violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) has been shown in the above-captioned investigation and that the investigation is terminated.

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.


On July 1, 2011, the ALJ issued a final ID in this investigation finding that Apple violated section 337. Specifically, the ALJ found that Apple computers utilizing an image compression format called DXT infringe claim 11 of the ‘978 patent and claims 4 and 16 of the ‘146 patent. The ALJ recommended that the Commission issue a limited exclusion order and a cease and desist order. The ALJ found no violation with respect to the other asserted claims, which are claim 13 of the ‘146 patent, claims 14 and 16 of the ‘978 patent, claims 7, 12, 15, and 23 of the ‘417 patent, and claims 1 and 6 of the ‘087 patent. On September 2, 2011, the Commission determined to review the ID in its entirety.

On September 15, 2011, non-parties Advanced Micro Devices, Inc. (“AMD”) and its subsidiaries ATI Technologies ULC and ATI International SRL filed a motion to intervene and terminate the investigation based on a claim that AMD owns the patents at issue and declines to assert them in this investigation. On September 19, 2011, respondent Apple filed its own motion to terminate based on AMD’s patent ownership claims. Subsequently, the Commission determined to extend the target date for completion of the investigation until November 21, 2011.

Having examined the record of this investigation, including the ALJ’s final ID and the submissions of the parties and non-parties, the Commission has determined to reverse the ALJ’s finding of a violation of section 337 and find no violation. Additionally, the Commission has determined to deny AMD’s motion to file public interest comments out of time, to grant AMD’s motion to file a reply in connection with its motion to intervene and terminate, to deny AMD’s motion to intervene and terminate, and to deny Apple’s motion to terminate.

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: November 21, 2011.

James R. Holbein, Secretary to the Commission.

For further information contact: James R. Holbein, Secretary to the Commission.

Issued: November 21, 2011.

FOR FURTHER INFORMATION CONTACT: James R. Holbein, Secretary to the Commission.