infringe claim 9. *Id.* With respect to the '704 patent, the Commission determined not to review the ALJ's conclusion that the asserted claims of the '704 patent are invalid for indefiniteness. *Id.* The Commission further determined to review and vacate as moot the ID's remaining findings with respect to the '704 patent. The Commission determined not to review the remainder of the ID. *Id.*

On August 15, 2012, Kaneka and SKC each filed submissions on review. On August 22, 2012, each filed reply submissions.

On review, having examined the final ID, the submissions of the parties, and the relevant portions of the record in this investigation, the Commission has determined to affirm the ID with respect to the issues on review. With respect to the '866 patent, the Commission has determined to affirm the ALJ's determination that Kaneka has failed to satisfy the technical prong of the domestic industry requirement on modified grounds. With respect to the '961 patent, the Commission has determined to affirm the ALJ's finding that the IN70 (50μm) product infringes claim 9 and the other accused products do not. The investigation is terminated.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and under Part 210 of the Commission's Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.

Issued: October 5, 2012.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012–25077 Filed 10–11–12; 8:45 am]

**BILLING CODE 7020–02–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–81,689; TA–W–81,689A]**

### Niles America Wintech, Inc., Warehousing Division, a Valeo Company, Including On-Site Leased Workers from, Adecco Employment Services, Winchester, KY; Niles America Wintech, Inc., Assembly and Testing Division, a Valeo Company, Including On-Site Leased Workers from Adecco Employment Services, Winchester, KY; Notice of Affirmative Determination Regarding Application for Reconsideration

By application dated August 28, 2012 a petitioning worker, requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of Niles America Wintech, Inc., Warehousing Division and Assembly and Testing Division, including on-site leased workers from Adecco Employment Services, Winchester, Kentucky (collectively referred to as the subject firm). The determination was issued on July 31, 2012. The Department's Notice of determination was published in the **Federal Register** on August 16, 2012 (77 FR 49462).

The initial investigation resulted in a negative determination based on the findings that the subject firm did not import services like or directly competitive with the order management, shipping, receiving, and warehousing services supplied by the subject workers.

Further, the subject firm did not shift the supply of order management, shipping, receiving and warehousing services (or like or directly competitive services) to a foreign country or acquire the supply of such services from a foreign country.

The initial investigation also revealed that the subject firm is not a Supplier to or act as a Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a).

In addition, the subject firm did not satisfy the group eligibility requirements under Section 222(e) of the Act, either because Criterion (1) has not been met since the workers' firm has not been publically identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in an affirmative finding of serious injury, market disruption, or material injury, or threat thereof.

Finally, with respect to Section 222(a) and Section 222(b) of the Act, the investigation revealed that Criterion (1) has not been met because a significant number or proportion of the workers in such workers' firm, have not become totally or partially separated, during the relevant time period, nor are they threatened to become totally or partially separated.

In request for reconsideration, the petitioner supplied new information regarding the number of workers who have been separated or have been threatened with separation.

The Department of Labor has carefully reviewed the request for reconsideration and the existing record, and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974, as amended.

**Conclusion**

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the U.S. Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 26th day of September, 2012.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2012–25135 Filed 10–11–12; 8:45 am]

**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA–W) number issued during the period of *September 24, 2012 through September 28, 2012.*

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The sales or production, or both, of such firm have decreased absolutely; and

(3) One of the following must be satisfied:

(A) Imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;

(B) Imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;

(C) Imports of articles directly incorporating one or more component parts produced outside the United

States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;

(D) Imports of articles like or directly competitive with articles which are produced directly using services supplied by such firm, have increased; and

(4) The increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Under Section 222(a)(2)(B) all of the following must be satisfied:

(1) A significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) One of the following must be satisfied:

(A) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

(B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

(3) The shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) A significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

(3) The acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

(1) A significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and

(3) Either—

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

(1) The workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) An affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) An affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) An affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) The petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) The workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

**Affirmative Determinations for Worker Adjustment Assistance**

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(A) (increased imports) of the Trade Act have been met.

| TA–W No. | Subject firm | Location | Impact date |
|---|---|---|---|
| 81,718 | Daimler Buses of North America, Inc., Daimler North America, Noramtec, First Choice Staffing, etc. | Oriskany, NY | June 8, 2011. |
| 81,871 | Fusion Contact Centers, LLC | Santa Maria, CA | August 6, 2011. |
| 81,900 | Gunite Corporation, incl. Bridge Staffing, Express Employment, Personnel Partners, Aerotek. | Elkhart, IN | August 16, 2011. |

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

| TA–W No. | Subject firm | Location | Impact date |
|---|---|---|---|
| 81,889 | MasterBrand Cabinets, Inc., Ameristaff and Prillman. | Martinsville, VA | August 10, 2011. |
| 81,903 | Senco Brands, Inc., Express Employment Professionals. | Cincinnati, OH | December 11, 2011. |
| 81,903A | Adecco, Working On-Site at Senco Brands, Inc. | Cincinnati, OH | August 1, 2011. |
| 81,909 | Supervalu, Inc., Finance Department, incl. on-site leased workers from Matthews Professional. | Pleasant Prairie, WI | August 22, 2011. |
| 81,925 | Oracle America, Inc., RMA Program Management, Randstad Managed Serv, Oracle America, RMA Program. | Redwood Shores, CA | August 27, 2011. |
| 81,933 | Parker Hannifin Corporation, Sporlan Division, PRO Resource Staffing Service. | New Haven, IN | August 30, 2011. |
| 81,943 | Verifications, Inc., Aerotek and Kelly Services. | Aberdeen, SD | September 5, 2011. |
| 81,943A | Verifications, Inc., Aerotek and Kelly Services. | Mitchell, SD | September 5, 2011. |
| 81,957 | Edmund Optics, Inc., Bear Staffing and Manpower. | Pennsburg, PA | September 7, 2011. |

The following certifications have been issued. The requirements of Section 222(c) (downstream producer for a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

| TA–W No. | Subject firm | Location | Impact date |
|---|---|---|---|
| 81,879 | RG Steel Wheeling, LLC, Division of RG Steel, LLC, Wheeling Corrugating Company. | Beech Bottom, WV | August 7, 2011. |

**Negative Determinations for Worker Adjustment Assistance**

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criteria under paragraphs(a)(2)(A) (increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

| TA–W No. | Subject firm | Location | Impact date |
|---|---|---|---|
| 81,846 | Goodman Networks, Inc., Core Network Engineering (Deployment Engineering) Division. | Alpharetta, GA | |
| 81,846A | Goodman Networks, Inc., Core Network Engineering (Deployment Engineering) Division. | Hunt Valley, MD | |
| 81,846B | Goodman Networks, Inc., Core Network Engineering (Deployment Engineering) Division. | Naperville, IL | |
| 81,846C | Goodman Networks, Inc., Core Network Engineering (Deployment Engineering) Division. | St. Louis, MO | |
| 81,846D | Goodman Networks, Inc., Core Network Engineering (Deployment Engineering) Division. | Plano, TX | |
| 81,941 | OptumInsight Government Solutions, OptumInsight, Inc., UnitedHealth Group, On-site at CA Depart of Health. | Sacramento, CA | |

I hereby certify that the aforementioned determinations were issued during the period of *September 24, 2012 through September 28, 2012.* These determinations are available on the Department's Web site *tradeact/taa/taa search form.cfm* under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888–365–6822.

Dated: October 1, 2012.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2012–25137 Filed 10–11–12; 8:45 am]

**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

### Investigations Regarding Eligibility to Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221 (a) of the Trade Act of 1974 (''the Act'') and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221 (a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 22, 2012.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than October 22, 2012.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N–5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC, this 3rd day of October 2012.

**Elliott S. Kushner,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

## APPENDIX

[31 TAA petitions instituted between 9/24/12 and 9/28/12]

| TA–W | Subject firm (petitioners) | Location | Date of institution | Date of petition |
|---|---|---|---|---|
| 81986 | Genzyme, A Sanofi Company, Network Operations Center (NOCC IT Department) (State/One-Stop). | Framingham, MA | 09/24/12 | 09/20/12 |
| 81987 | Cincinnati Bell, RSC/BSC and Order Support Representatives (Union). | Norwood, Lebanon, and Cincinnati, OH. | 09/24/12 | 09/19/12 |
| 81988 | Georgia-Pacific Consumer Products LP (Union) | Green Bay, WI | 09/24/12 | 09/05/12 |
| 81989 | Siemens Energy, Inc. (State/One-Stop) | Fort Madison, IA | 09/24/12 | 09/20/12 |
| 81990 | American Airlines (Union) | Tulsa, OK | 09/24/12 | 09/19/12 |
| 81991 | Delphi Electronics & Safety (Company) | Kokomo, IN | 09/24/12 | 09/20/12 |
| 81992 | Cox Media Group Ohio, Dayton Daily News (Workers) | Dayton, OH | 09/24/12 | 09/20/12 |
| 81993 | Experian (State/One-Stop) | Schaumburg, IL | 09/24/12 | 09/20/12 |
| 81994 | Ahlstrom West Carrollton LLC (Company) | West Carrollton, OH | 09/24/12 | 09/20/12 |
| 81995 | Bank of America—Account Specialists (Workers) | Seattle, WA | 09/24/12 | 09/19/12 |
| 81996 | Novartis Pharmaceutical Corporation (State/One-Stop) | Schaumberg, IL | 09/24/12 | 08/27/12 |
| 81997 | TE Connectivity (Formerly Tyco) (State/One-Stop) | Shakopee, MN | 09/24/12 | 09/21/12 |
| 81998 | APC Workforce Solutions II, LLC (dba ZeroChaos) (State/One-Stop). | Quincy, MA | 09/24/12 | 09/21/12 |
| 81999 | Ferrara Candy Company (formerly Farley's & Sathers) (State/One-Stop). | Round Lake, MN | 09/24/12 | 09/21/12 |
| 82000 | Parker Hannifin Corporation (State/One-Stop) | Beaufort, SC | 09/24/12 | 09/24/12 |
| 82001 | Royal Appliance Manufacturing Company dba TTI Floor Care N. America & Subsi (Company). | Canton, OH | 09/25/12 | 09/25/12 |
| 82002 | E! Entertainment Television Style, G4 Media NBC Universal (State/One-Stop). | Los Angeles, CA | 09/25/12 | 09/24/12 |
| 82003 | RR Donnelley (Workers) | Johnson City, TN | 09/25/12 | 09/24/12 |
| 82004 | TRG Customer Solutions (Workers) | Oil City, PA | 09/25/12 | 09/19/12 |
| 82005 | Boston Scientific (Workers) | Maple Grove, MN | 09/25/12 | 09/25/12 |
| 82006 | Tellabs (State/One-Stop) | Naperville, IL | 09/26/12 | 09/25/12 |
| 82007 | Maysteel LLC (Company) | Creedmoor, NC | 09/26/12 | 09/25/12 |
| 82008 | BRP US, Inc. (State/One-Stop) | Benton, IL | 09/26/12 | 09/25/12 |
| 82009 | ITT Interconnect Solutions (State/One-Stop) | Santa Ana, CA | 09/26/12 | 09/25/12 |
| 82010 | Dell Marketing LP, Americas Transactional Group (State/One-Stop). | Round Rock, TX | 09/27/12 | 09/26/12 |
| 82011 | Winzen Film, Inc. (Workers) | Sulphur Springs, TX | 09/27/12 | 09/18/12 |
| 82012 | Oxford Collections (Workers) | Gaffney, SC | 09/27/12 | 09/26/12 |
| 82013 | Hewlett-Packard Company (State/One-Stop) | Vancouver, WA | 09/27/12 | 08/04/12 |
| 82014 | Advanstar (State/One-Stop) | Duluth, MN | 09/27/12 | 09/26/12 |
| 82015 | PCS Phosphate (Workers) | Aurora, NC | 09/27/12 | 09/26/12 |