

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-747 (Third Review)]

### Fresh Tomatoes From Mexico; Revised Schedule for the Subject Review

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

**ACTION:** Notice.

**DATES:** *Effective Date:* January 23, 2013.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Haines (202-205-3200), 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 this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** On December 3, 2012, the Commission established a schedule for the institution of a five-year review concerning the suspended antidumping duty investigation on fresh tomatoes from Mexico (77 FR 71629, December 3, 2012). On December 4, 2012, the Department of Commerce extended the deadline for domestic interested parties to file a notice of intent to participate in the sunset review from December 18, 2012 to January 17, 2013. The deadline for the substantive responses was extended from January 2, 2013, to February 1, 2013. In light of the Department of Commerce's decision to extend by 30 days the deadlines for interested parties to file notice of intent to participate and substantive responses to its notice of institution in its review of fresh tomatoes from Mexico, as well as Mexican Respondents' December 5, 2012, request that the Commission extend its deadline for interested parties to respond to the Commission's Notice of Institution by 30 days, the Commission determined, on December 12, 2012, to extend the deadline for interested party responses to its Notice of Institution by 30 days from January 2, 2013 to February 1, 2013. Subsequently, on January 7, 2013, Commerce further extended the deadline for domestic interested parties

to file a notice of intent to participate in the sunset review, and the deadline for substantive responses to March 1, 2013. In light of the Department of Commerce's January 7, 2013, decision to extend by the deadlines for interested parties to file notice of intent to participate and substantive responses to its notice of institution in its review of fresh tomatoes from Mexico, as well as Mexican Respondents' January 11, 2013, request that the Commission extend its deadline for interested parties to respond to the Commission's Notice of Institution, the Commission has extended the deadline for interested party responses to its Notice of Institution to March 15, 2013, and comments on the adequacy of responses may be filed with the Commission by April 30, 2013.

For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207), as most recently amended at 74 FR 2847 (January 16, 2009).

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: January 25, 2013.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013-02060 Filed 1-30-13; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-867]

### Certain Cases for Portable Electronic Devices; 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 December 26, 2012, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Speculative Product Design, LLC of Mountain View, California. 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 cases for portable electronic devices by reason of infringement of U.S. Patent No. 8,204,561 ("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 complainant requests 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 Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**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 (2012).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on January 24, 2013, *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 cases for portable electronic devices by reason of infringement of one or more of claims 1-16 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 this notice of investigation shall be served:

(a) The complainant is: Speculative Product Design, LLC, 303 Bryant Street, Mountain View, CA 94041.

(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:

En Jinn Industrial Co. Ltd., No. 5 Wu Chan 3rd Rd., Wu Ku Industrial Zone, New Taipei City, Taiwan.  
Shengda Huanqiu Shijie, North Kao Ku Digital Building, 1st Floor, Futian District, Shenzhen Huaqianq, C051, Shenzhen, China.

Global Digital Star Industry, Ltd., 22F, Hong Ling Building, Hong Ling South Road, Futian District, Shenzhen City 518112, China.

JWIN Electronics Corp., dba iLuv, 2 Harbor Park Drive, Port Washington, NY 11050.

Project Horizon, Inc., dba InMotion Entertainment, 4801 Executive Park Court, Suite 100, Jacksonville, FL 32216.

Superior Communications, Inc., dba PureGear, 5027 Irwindale Avenue, Suite 900, Irwindale, CA 91706.

Jie Sheng Technology, No. 2, Lane 92, Chen Nan 1 St., Tainan City 710, Taiwan.

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

(3) This investigation is consolidated with Investigation No. 337-TA-861, currently pending before the Honorable Thomas B. Pender, Administrative Law Judge, U.S. International Trade Commission; and

(4) For the consolidated investigation so instituted, the Honorable Charles E. Bullock, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge, who may adjust the target date and procedural schedule of the consolidated investigation as necessary to avoid prejudice to the rights of the parties.

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(d)-(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.

Issued: January 25, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013-02066 Filed 1-30-13; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-864]

### Certain Mobile Handset Devices and Related Touch Keyboard 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 December 20, 2012, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Nuance Communications, Inc. of Burlington, Massachusetts. An amended complaint was filed on January 11, 2013 on behalf of Nuance Communications, Inc.; Swype, Inc.; Tegic Communications, Inc.; and ZI Corporation, all of Burlington, Massachusetts. A supplement to the amended complaint was filed on January 16, 2013. The amended 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 mobile handset devices and related touch keyboard software by reason of infringement of certain claims of U.S. Patent No. 7,750,891 ("the '891 patent"); U.S. Patent No. 7,453,439 ("the '439 patent"); U.S. Patent No. 7,098,896 ("the '896 patent"); U.S. Patent No. 7,075,520 ("the '520 patent"); and U.S. Patent No. 6,286,064 ("the '064 patent"). The amended 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 amended 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 Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**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 (2012).

*Scope of Investigation:* Having considered the amended complaint, the U.S. International Trade Commission, on January 24, 2013, 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 mobile handset devices and related touch keyboard software that infringe one or more of claims 36, 47, 50-52, and 55-57 of the '891 patent; claims 1-7 and 12-55 of the '439 patent; claims 1-3, 5-12, 17, and 19-51 of the '896 patent; claims 1, 8, 9, 12-16, and 19-21 of the '520 patent; and claims 1-4, 22-24, and 26 of the '064 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