

This notice provides the public with 60 days in which to comment on the following information collection activity:

*Title:* 30 CFR 822—Special Permanent Program Performance Standards—Operations in Alluvial Valley Floors.

*OMB Control Number:* 1029–0049.

*Summary:* Sections 510(b)(5) and 515(b)(10)(F) of the Surface Coal Mining and Reclamation Act of 1977 (the Act) protect alluvial valley floors from the adverse effects of surface coal mining operations west of the 100th meridian. Part 822 requires the permittee to install, maintain, and operate a monitoring system in order to provide specific protection for alluvial valley floors. This information is necessary to determine whether the unique hydrologic conditions of alluvial valley floors are protected according to the Act.

*Bureau Form Number:* None.

*Frequency of Collection:* Annually.

*Description of Respondents:* 21 coal mining operators who operate on alluvial valley floors and 4 State regulatory authorities.

*Total Annual Responses:* 25.

*Total Annual Burden Hours:* 2,750.

*Total Annual Non-wage Costs:* \$0.

Dated: June 4, 2013.

**Andrew F. DeVito,**

*Chief, Division of Regulatory Support.*

[FR Doc. 2013–13784 Filed 6–10–13; 8:45 am]

**BILLING CODE 4310–05–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–881]

### Certain Windshield Wiper Devices and Components Thereof; Notice of 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 May 9, 2013, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Federal-Mogul Corporation of Southfield, Michigan and Federal-Mogul S.A. of Belgium. Letters supplementing the Complaint were filed on May 21, 2013 and May 30, 2013. 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 windshield wiper devices and components thereof by reason of infringement of U.S. Patent

No. 8,347,449 (“the ‘449 patent”). The 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 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 June 4, 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 windshield wiper devices and components thereof by reason of infringement of one or more of claims 1–14 of the ‘449 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 complainants are:  
Federal-Mogul Corporation,  
26555 Northwestern Highway,  
Southfield, MI 48033.  
Federal-Mogul S.A.,  
Avenue Champion 1,  
6790 Aubange,  
Belgium.

(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:

Trico Corporation,  
3255 West Hamlin Road,  
Rochester Hills, MI 48309.  
Trico Products,  
1995 Billy Mitchell Boulevard,  
Brownsville, TX 78521.  
Trico Components,  
SA de CV,  
Ave Michigan #200,  
Matamoros, Tamaulipas,  
Mexico.

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

(3) 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.

Issued: June 5, 2013.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2013-13745 Filed 6-10-13; 8:45 am]

BILLING CODE 7020-02-P

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-501]

### Certain Encapsulated Integrated Circuit Devices and Products Containing Same; Commission Determination To Request Briefing and Set a Schedule for Filing Written Submissions on the Issues of Economic Prong of the Domestic Industry Requirement, and Remedy, the Public Interest, and Bonding

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to request briefing on the economic prong of the domestic industry requirement, and on remedy, bonding and the public interest in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-3115. 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:** The Commission instituted this investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, on December 19, 2003, based on a complaint filed by Amkor Technology Inc. ("Amkor"). See 68 FR 70836 (Dec. 19, 2003). Amkor alleged a violation of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), by respondents Carsem (M) Sdn Bhd; Carsem Semiconductor

Sdn Bhd; and Carsem, Inc. (collectively, "Carsem," or respondents) in the importation, sale for importation, and sale within the United States after importation of certain encapsulated integrated circuit devices and products containing same in connection with claims 1-4, 7, 17, 18 and 20-23 of U.S. Patent No. 6,433,277 ("the '277 patent"); claims 1-4, 7 and 8 of U.S. Patent No. 6,630,728 ("the '728 patent"); and claims 1, 2, 13 and 14 of U.S. Patent No. 6,455,356 ("the '356 patent").

On November 18, 2004, the ALJ issued a final initial determination ("Final ID") finding no violation of section 337. After reviewing the Final ID in its entirety, the Commission on March 31, 2005, modified the ALJ's claim construction and remanded the investigation to the ALJ with instructions "to conduct further proceedings and make any new findings or changes to his original findings that are necessitated by the Commission's new claim construction." Commission Order ¶ 8 (March 31, 2005). On November 9, 2005, the ALJ issued a remand initial determination ("Remand ID"). The Remand ID made certain findings as to the remanded issues. Specifically, with respect to the issue of infringement, the Remand ID found that (1) claims 1-4, 7, 17, 18 and 20-23 of the '277 patent are infringed by some or all of Carsem's accused imported "Micro Leadframe Packages" ("MLPs") products; (2) claims 1, 2 and 7 of the '728 patent are infringed by some or all of Carsem's accused imported MLP products; and (3) claims 1, 2, 13 and 14 of the '356 patent are not infringed by any of Carsem's accused imported MLP products. Furthermore, with respect to the issue of validity, the Remand ID found that claims 1, 7, 17, 18 and 20 of the '277 patent are invalid under 35 U.S.C. 102(b) as anticipated by certain prior art references, but claims 2-4 and 21-23 of the '277 patent are not; (2) claims 1-4, 7 and 8 of the '728 patent are invalid under 35 U.S.C. 102(b) as anticipated by certain prior art references; (3) claims 1, 2, 13 and 14 of the '356 patent are not invalid under 35 U.S.C. 102(b) as anticipated by certain prior art references; (4) claim 1 of the '277 patent is invalid under 35 U.S.C. 103(a) as obvious in view of a combination of certain prior art references; (5) claims 2-4, 7, 17, 18 and 20-23 of the '277 patent are not invalid under 35 U.S.C. 103(a); (6) claims 3, 4 and 8 of the '728 patent are invalid under 35 U.S.C. 103(a) as obvious in view of a combination of certain prior art references; (7) claims 1, 2 and 7 of the '728 patent are not invalid under 35

U.S.C. 103(a); and (8) claims 1, 2, 13 and 14 of the '356 patent are not invalid under 35 U.S.C. 103(a). Finally, with respect to the issue of the technical prong of the domestic industry requirement, the Remand ID found that Amkor satisfied the technical prong for both the '277 patent and the '728 patent, but did not meet the technical prong for the '356 patent.

Completion of this investigation was delayed because of difficulty in obtaining from third-party ASAT Inc. certain documents relating to ASAT's invention ("ASAT invention") that Carsem asserted were critical for its affirmative invalidity defenses. The Commission's efforts to enforce a February 11, 2004, subpoena *duces tecum* and *ad testificandum* directed to ASAT resulted in a July 1, 2008, order and opinion of the U.S. District Court for the District of Columbia granting the Commission's second enforcement petition. On July 1, 2009, after ASAT had complied with the subpoena, the Commission issued a notice and order remanding this investigation to the ALJ so that the ASAT documents could be considered. On October 30, 2009, the ALJ issued a supplemental ID ("First Supplemental ID"), finding that the ASAT invention was not prior art.

On February 18, 2010, the Commission reversed the ALJ's finding that ASAT invention is not prior art to Amkor's asserted patents, and remanded the investigation to the ALJ to make necessary findings with respect to the issue of validity of the asserted patents in light of the Commission's determination that the ASAT invention is prior art. On March 22, 2010, the ALJ issued a Supplemental ID ("Second Supplemental ID") in which he found that the '277 and '728 patents were invalid in view of ASAT prior art. On July 20, 2010, the Commission determined not to review the ALJ's Remand ID and Second Supplemental ID. As a result, the Commission determined that there is no violation of section 337 in this investigation. Amkor appealed the Commission's decision to the Court of Appeals for the Federal Circuit.

On August 22, 2012, the Federal Circuit ruled on Amkor's appeal reversing the Commission's determination that the '277 Patent is invalid under 35 U.S.C. 102(g)(2), declining to affirm the Commission's invalidity determination on the alternative grounds raised by Carsem, and remanding for further proceedings consistent with its opinion. *Amkor Technology Inc. v. Int'l Trade Comm'n*, 692 F.3d 1250 (Fed. Cir. 2012) ("*Amkor Technology*"). On October 5, 2012,