38. Accordingly, the Commission finds no violation of section 337 as to the asserted claims of the ’151 patent, namely independent claims 1 and 16, and asserted claims dependent upon them. The Commission has determined not to review the final ID’s determination that claim 16 of the ’151 patent is invalid for indefiniteness. Final ID at 29–31; see IA Pet. 6–12; InterDigital Pet. 24–29; see also Rembrandt Data Techs., LP v. AOL, LLC, 641 F.3d 1331, 1339–40 (Fed. Cir. 2011). Accordingly, there can be no violation of section 337 as to claim 16 and its asserted dependent claims.

The Commission has determined to review the final ID’s construction of “and to” in claim 16 of the ’151 patent, Final ID at 31–34; see InterDigital Pet. at 29–33, and on review finds that the term is to be afforded its plain and ordinary meaning. In view of the Commission’s claim construction, the final ID’s finding of noninfringement of asserted claims 16–21 and 23–24 based upon the final ID’s construction, Final ID at 58–60, is reversed. The Commission has also determined to review the final ID’s infringement analysis of “and if so” for claim 1, Final ID at 58–60; see InterDigital Pet. at 38–43, and on review takes no position whether the accused products practice the determining steps in sequence as required for asserted claims 1–6 and 8–9.

3. Domestic Industry, FRAND, and Other Issues

Except as recited above concerning the Commission’s finding that the domestic industry products do not practice the asserted patent claims, the Commission reviews and takes no position on the remaining domestic industry issues raised in the parties’ petitions. Similarly, the Commission reviews and takes no position on the FRAND issues raised by the respondents concerning their affirmative defenses. The Commission finds that it is in the interest of the efficient use of administrative, judicial, and private resources for the domestic industry and FRAND issues to be decided, if at all, subsequent to final disposition of the pending appeal in InterDigital Communications LLC v. ITC, No. 2014–1176 (Fed. Cir.), which involves many of the same parties and issues with regard to related patents.

The Commission does not review any other issues raised in the parties’ petitions except as otherwise recited above. The reasoning in support of the Commission’s decision will be set forth in fuller detail in a forthcoming opinion.


By order of the Commission.

Issued: August 14, 2014.

Lisa R. Barton,
Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–505 and 731–TA–1231, 1232, 1235, and 1237 (Final)]

Grain-Oriented Electrical Steel (“GOES”) From China, Czech Republic, Korea, and Russia

Supplemental schedule for the subject investigations.


ACTION: Notice.

DATES: Effective Date: August 13, 2014.


SUPPLEMENTARY INFORMATION: Effective May 9, 2013, the Commission established a schedule for the conduct of the final phase of the subject investigations (79 FR 32310, June 4, 2014). The Department of Commerce extended the date for its final determinations in the investigations concerning China, Czech Republic, Korea, and Russia to no later than 135 days after the publication of the preliminary determinations (79 FR 26936, May 12, 2014 (China); 79 FR 26717, May 9, 2014 (Czech Republic); 79 FR 26939, May 12, 2014 (Korea); and 79 FR 26941, May 12, 2014 (Russia)). The Commission, therefore, is supplementing its schedule to conform with Commerce’s postponed schedule.

The Commission’s supplemental schedule for the investigations is as follows: the deadline for filing party comments on Commerce’s final determinations is October 2, 2014; the staff report in the final phase of these investigations will be placed in the nonpublic record on October 14, 2014, and a public version will be issued thereafter.

Supplemental party comments may address only Commerce’s final determinations regarding imports from China, Czech Republic, Korea, and Russia. These supplemental final comments may not contain new factual information and may not exceed five (5) pages in length.

For further information concerning these investigations see the Commission’s notice cited above and the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Authority: These investigations are 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: August 14, 2014.

Lisa R. Barton,
Secretary to the Commission.

[FR Doc. 2014–19716 Filed 8–19–14; 8:45 am]
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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Glenn R. Unger, D.D.S.; Declaratory Order

On March 7, 2014, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Glenn R. Unger, D.D.S., of Clifton Park, New York. The Show Cause Order proposed the revocation of the Certificate of Registration issued to Dr. Unger on three separate grounds.

First, the Show Cause Order alleged that Dr. Unger’s New York State dental license expired on June 30, 2010, and that he is “currently without authority to practice dentistry or handle controlled substances in the State of New York, the State in which [he is] registered with the DEA.” GX 1, at 1–2. The Order thus alleged that Dr. Unger’s registration is subject to revocation under 21 U.S.C. 824(a)(3). Id. at 2.