

section 337, based on a complaint filed by Amphenol Corp. of Wallingford, Connecticut (“Amphenol,” or “Complainant”). 86 FR 7104–05 (Jan. 26, 2021). The complaint alleged a violation of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of electrical connectors and cages, components thereof, and products containing the same by reason of infringement of certain claims of the ’117 patent; U.S. Patent No. 8,371,875 (“the ’875 patent”); U.S. Patent No. 8,864,521 (“the ’521 Patent”); the ’255 patent; and the ’767 patent. The complaint also alleged the existence of a domestic industry. The notice of investigation named as respondents: Luxshare Precision Industry Co., Ltd. and Dongguan Luxshare Precision Industry Co. Ltd., both of Dongguan City, China; Luxshare Precision Limited (HK) of Fotan, Hong Kong; and Luxshare-ICT Inc. of Milpitas, California (collectively, “Luxshare,” or “Respondents”). *Id.* at 7104. The Commission’s Office of Unfair Import Investigations was not named as a party in this investigation. *Id.*

Subsequently, the administrative law judge (“ALJ”) granted Complainant’s motion for partial termination of the investigation by withdrawal of the ’875 and the ’521 patents, and claims 2, 14, 17–19, and 25–27 of the ’117 patent; claims 1–3, 5–8, and 18 of the ’255 patent; and claims 2–3, 7, 14, 20–22, 30, and 32 of the ’767 patent. *See* Order No. 29 (Oct. 13, 2021), *unreviewed by* Comm’n Notice (Nov. 3, 2021). The ALJ also granted in part and denied in part Complainant’s motion for summary determination that it has satisfied the importation requirement. *See* Order No. 34 (Oct. 28, 2021), *unreviewed by* Comm’n Notice (Nov. 29, 2021). The ALJ also granted in part Luxshare’s motion for summary determination that the importation requirement has not been met for certain products. *See* Order No. 35 (Oct. 28, 2021). On November 29, 2021, the Commission determined to review that determination and it is currently under review. Comm’n Notice (Nov. 29, 2021).

On March 11, 2022, the ALJ issued the final initial determination (“ID”). On March 25, 2022, Complainant petitioned for review of the final ID. On April 4, 2022, Respondents filed a response.

On June 21, 2022, the Commission determined to review the ID in part. 87 FR 38180 (June 17, 2022). Specifically, the Commission determined to review the ID’s findings regarding: (1)

impacted by the determination on importation; (2) the Redesigned Products; (3) infringement for claim 9 of the ’117 patent; (4) the claim construction of the term “contact tail adapted for attachment to the printed circuit board that is perpendicular to the . . . printed circuit board” of the ’767 patent; (5) infringement for claims 1, 4–6, 9–13, 15–17, 19, and 23 of the ’767 patent; (6) the technical prong of the domestic industry requirement for the ’767 patent; (7) obviousness for the ’767 patent; and (8) the economic prong of the domestic industry requirement. The Commission determined not to review any other findings, including the ID’s findings that Luxshare does not infringe the asserted claims of the ’255 patent. The Commission asked for briefing on remedy, bonding, and the public interest, as well as one question related to importation. The parties filed their opening submissions on July 6, 2022, and their reply submissions on July 13, 2022.

Having reviewed the record of the investigation, including the ID and the parties’ submissions, the Commission has found a violation of section 337 with respect to asserted claims 1, 9, 24, and 29 of the ’117 patent. The Commission (1) finds that at least one product from each of the accused product groups, with the exception of the QSFP 2x1 Press-fit products, has been imported; (2) affirms the ID’s finding of infringement of claim 9 of the ’117 patent with modified reasoning; (3) for the ’767 patent, affirms the ID’s construction of “contact tail adapted for attachment to the [PCB] that is perpendicular to the . . . [PCB]” with modified reasoning; (4) affirms the ID’s determination on infringement for claim 1 of the ’767 patent with modified reasoning; (5) affirms the ID’s determination on infringement/non-infringement for claims 4–6, 9–13, 15–17, 19, and 23 of the ’767 patent; (6) affirms the ID’s findings with respect to the technical prong of the domestic industry requirement for the ’767 patent; (7) affirms the ID’s obviousness findings for the ’767 patent; (8) takes no position on the economic prong of the domestic industry requirement under subsection 337(a)(3)(A) (plant and equipment) for all patents; (9) takes no position on the economic prong of the domestic industry requirement for the ’767 patent; and (10) affirms the ID’s findings on the economic prong of the domestic industry requirement under subsection 337(a)(3)(B) (employment of labor or capital) for the ’255 and ’117 patents.

In addition, the Commission finds that the public interest factors do not

preclude issuance of the requested relief. *See* 19 U.S.C. 1337(d)(1), (f)(1). The Commission therefore has determined that the appropriate remedy in this investigation is: (1) an LEO prohibiting the unlicensed entry of certain electrical connectors and cages, components thereof, and products containing the same that infringe one or more of claims 1, 9, 24, and 29 of the ’117 patent; and (2) CDOs against each of the named Luxshare respondents. The Commission has also determined that the bond during the period of Presidential review shall be in the amount of one hundred percent (100%) of the entered value of the infringing products that are subject to the LEO and CDOs. *See* 19 U.S.C. 1337(j).

The Commission’s reasoning in support of its determinations is set forth more fully in its opinion that is issued concurrently herewith. The Commission’s opinion and orders were delivered to the President and to the United States Trade Representative on the day of their issuance. The investigation is hereby terminated.

The Commission vote for this determination took place on September 8, 2022.

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: September 8, 2022.

**Katherine Hiner,**

*Acting Secretary to the Commission.*

[FR Doc. 2022–19811 Filed 9–13–22; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–557 and 731–TA–1312 (Review)]

### Stainless Steel Sheet and Strip From China; Scheduling of Expedited Five-Year Reviews

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

**ACTION:** Notice.

**SUMMARY:** The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 (“the Act”) to determine whether revocation of the countervailing and antidumping duty orders on stainless steel sheet and strip from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

**DATES:** June 6, 2022.

**FOR FURTHER INFORMATION CONTACT:**

Stamen Borisson (202–205–3125), 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 (<https://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

*Background.*—On June 6, 2022, the Commission determined that the domestic interested party group response to its notice of institution (87 FR 11478, March 1, 2022) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.<sup>1</sup> Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)).

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Please note the Secretary's Office will accept only electronic filings at this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>). No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

*Staff report.*—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on September 14, 2022. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

*Written submissions.*—As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,<sup>2</sup> and any party other than an interested party to the reviews may file written comments with the Secretary on what determinations the Commission should reach in the reviews. Comments are due on or before September 21, 2022 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by September 21, 2022. However, should the Department of Commerce ("Commerce") extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at [https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf), elaborates upon the Commission's procedures with respect to filings.

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

*Determination.*—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

*Authority:* These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

<sup>2</sup> The Commission has found the joint response to its notice of institution filed on behalf of Cleveland-Cliffs Inc., North American Stainless, and Outokumpu Stainless USA LLC, three U.S. producers of stainless steel sheet and strip, to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

Issued: September 8, 2022.

**Katherine Hiner,**

*Acting Secretary to the Commission.*

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**DEPARTMENT OF JUSTICE**

**Notice of Lodging of Proposed Consent Decree Under the Clean Water Act**

On September 7, 2022, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of New Hampshire, in a lawsuit entitled *United States v. State of New Hampshire and New Hampshire Fish and Game Department*, Civil Action No. 1:18-cv-00996–PB.

The United States filed this lawsuit under sections 301(a), 309(b), and 504 of the Clean Water Act ("CWA"), 33 U.S.C. 1311(a), 1319(b), 1364, against the State of New Hampshire and the New Hampshire Fish and Game Department ("NHFG"), in connection with discharges of pollutants from the Powder Mill State Fish Hatchery, in New Durham, New Hampshire (the "Hatchery"). The Hatchery is owned by the State and operated by NHFG. The Complaint asserts two claims for injunctive relief. The first claim alleges that the State and NHFG violated a National Pollutant Discharge Elimination System permit (Permit No. NH0000710; the "Permit"), issued by EPA under section 402 of the CWA, 33 U.S.C. 1342, by exceeding its narrative and numeric discharge limits for total phosphorus and pH, in violation of CWA section 309(b), 33 U.S.C. 1319(b). The second claim alleges that such discharges have caused or contributed to contamination, eutrophication, and the growth of toxic cyanobacteria in the Merrymeeting River and its impoundments, known as Marsh, Jones, and Downing Ponds, which poses an imminent and substantial endangerment to human health and welfare, in violation of CWA section 504, 33 U.S.C. 1364.

Under the proposed consent decree, NHFG must implement measures designed to bring the Hatchery into compliance with the CWA and the Permit by the end of 2025. These measures include constructing and operating new wastewater treatment systems and upgrading other aspects of the Hatchery's facilities and operations, and implementing best management practices related to flow, pH, and phosphorus, such as adding a neutralizing agent, reconfiguring facility

<sup>1</sup> A record of the Commissioners' votes is available from the Office of the Secretary and at the Commission's website.