

International Trade Commission on August 5, 2010, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Invacare Corporation of Elyria, Ohio. 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 adjustable-height beds and components thereof by reason of infringement of certain claims of U.S. Patent No. 6,983,495 (“the ‘495 patent”); U.S. Patent No. 6,997,082 (“the ‘082 patent”); U.S. Patent No. 7,302,716 (“the ‘716 patent”); and U.S. Patent No. 7,441,289 (“the ‘289 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 a cease and desist order.

**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 at 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:** Jeffrey T. Hsu, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2579.

**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 (2010).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on September 1, 2010, 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 adjustable-height beds and components thereof that infringe one or more of claims 1–8, 12–14, 26, and 27 of the ‘495 patent; claims 1, 2, 5, 10–12, 14, and 18–23 of the ‘082 patent; claims 1–3, 5, 6, 8, 10, 11, 13, 14, and 18 of the ‘716 patent; and claims 8 and 9 of the ‘289 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties and other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact on this issue; (3) 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:

Invacare Corporation, One Invacare Way, Elyria, OH 44035.

(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:

Medical Depot, Inc., d/b/a Drive Medical Design and Manufacturing, 99 Seaview Boulevard, Port Washington, NY 11050.  
Shanghai Shunlong Physical Therapy Equipment Co., Ltd., No. 259 Jiugan Road, Songjiang District, Shanghai, China 201601.

(c) The Commission investigative attorney, party to this investigation, is Jeffrey T. Hsu, Esq., Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Honorable Paul J. Luckern, 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(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: September 2, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010–22402 Filed 9–8–10; 8:45 am]

**BILLING CODE 7020–02–P**

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## INTERNATIONAL TRADE COMMISSION

**[Investigations Nos. 701–TA–474 (Final) and 731–TA–1176 (Final)]**

### Drill Pipe and Drill Collars From China

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

**ACTION:** Scheduling of the final phase of countervailing duty and antidumping investigations.

**SUMMARY:** The Commission hereby gives notice of the scheduling of the final phase of countervailing duty investigation No. 701–TA–474 (Final) under section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act) and the final phase of antidumping investigation No. 731–TA–1176 (Final) under section 735(b) of the Act (19 U.S.C. 1673d(b)) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of subsidized and less-than-fair-value imports from China of drill pipe and drill collars, primarily provided for in subheadings 7304.22, 7304.23, and 8431.43 of the Harmonized Tariff Schedule of the United States.<sup>1</sup>

<sup>1</sup> For purposes of these investigations, the Department of Commerce has defined the subject

For further information concerning the conduct of this phase of the investigations, hearing procedures, 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 and C (19 CFR part 207).

**DATES:** *Effective Date:* August 18, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Nathanael Comly (202-205-3174) or Douglas Corkran (202-205-3057), 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 these investigations may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:**

Background. The final phase of these investigations is being scheduled as a result of affirmative preliminary determinations by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in China of drill pipe and drill collars, and that such products are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigations were requested in a petition filed effective December 31, 2009, by VAM Drilling USA Inc., Houston, TX; Rotary Drilling Tools, Beasley, TX; Texas Steel Conversions, Inc., Houston, TX; TMK IPSCO, Downers Grove, IL; and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC, Pittsburgh, PA.

merchandise as steel drill pipe, and steel drill collars, whether or not conforming to American Petroleum Institute ("API") or non-API specifications, whether finished or unfinished (including green tubes suitable for drill pipe), without regard to the specific chemistry of the steel (*i.e.*, carbon, stainless steel, or other alloy steel), and without regard to length or outer diameter. Commerce's scope does not include tool joints not attached to the drill pipe, nor does it include unfinished tubes for casing or tubing covered by any other antidumping or countervailing duty order.

Participation in the investigations and public service list. Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

*Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.* Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

*Staff report.* The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on December 8, 2010, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

*Hearing.* The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on January 5, 2011, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before December 21, 2010. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on December 27, 2010, at the U.S. International Trade

Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

*Written submissions.* Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is December 15, 2010. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is January 12, 2011; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before January 11, 2011. On January 31, 2011, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before February 2, 2011, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless

the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (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.

**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.

Issued: September 2, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-22401 Filed 9-8-10; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Robotics Technology Consortium, Inc.

Notice is hereby given that, on July 26, 2010, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Robotics Technology Consortium ("RTC") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, 3M Company, St. Paul, MN; AEB, Inc., Windsor, CT; Action Engineering, LLC, Morrison, CO; Alliant Techsystems, Inc., Beltsville, MD; American Android Corp., Princeton, NJ; American GNC Corporation, Simi Valley, CA; Association for Unmanned Vehicle Systems International (AUVSI), Arlington, VA; BEN Technologies Corp., Cambridge, MA; Caterpillar Inc., Peoria, IL; Charles River Analytics, Inc., Cambridge, MA; Coherent Logix, Incorporated, Amstun, TX; Dataspeed Inc., Troy, MI; Delta Tau Data Systems, Inc., Chatsworth, CA; Dragonfly Pictures, Inc., Essington, PA; Edge Robotics Inc., Pittsburgh, PA; Energetics Technology Center, Inc., La Plata, MD; Expertise Applications Inc., San Diego, CA; 101-Integrated Consultants, Inc.,

San Diego, CA; Integration Innovation Inc., Huntsville, AL; Intraduce Transit, LLC, Birmingham, AL; Kraft TeleRobotics, Inc., Overland Park, KS; L-3 Services Inc., Burlington, MA; Lawrence Technological University, Southfield, MI; Michigan State University, East Lansing, MI; Michigan Technological University, Houghton, MI; MIT Lincoln Laboratory, Lexington, MA; Mountain Top Technologies, Inc., Johnstown, PA; Neya Systems, LLC, Seven Fields, PA; NIITEK, Inc., Dulles, VA; Oakland University, Rochester, MI; Oceanering Space Systems, Houston, TX; Omnitech Robotics International LLC, Easton, MD; Pegasus Global Strategic Solutions, Reston, VA; Pelican Mapping, Fairfax, VA; Polygon Company, Walkerton, IN; RoPro Design Inc., Beaver, PA; San Diego State University Research Foundation, San Diego, CA; Sensable Technologies, Woburn, MA; Springfield Electric Supply Company, Inc., Springfield, IL; Square One Systems Design, Inc., Jackson, WY; Stealth Composites, LLC, Salt Lake City, UT; Teledyne Scientific & Imaging, LLC, Durham, NC; The George Washington University, Washington, DC; The University of Texas at Arlington, Arlington, TX; University of Detroit Mercy, Detroit, MI; University of Southern California, Marina del Rey, CA; Van Doren Designs, LLC, Southbury, CT; Virtus Advanced Sensors, Pittsburgh, PA; Wayne State University-College of Engineering, Detroit, MI; William Travis Lontz, Auburn, AL; and Workhorse Technologies, LLC, Pittsburgh, PA, have been added as parties to this venture.

Also, Artisan Robotics, Tucson, AZ; Burnham Consulting Inc., Chesterfield, MO; Esys Integration Corporation, Auburn Hills, MI; JADI, Inc., Troy, MI; Mobile Robots Inc., Amherst, NH; Oceana Sensor Technologies, Inc., Virginia Beach, VA; Old Dominion University, Norfolk, VA; Prioria Robotics, Inc., Gainesville, FL; Rababy & Associates, LLC, Spotsylvania, VA; Robotex Incorporated, Palo Alto, CA; Robot Worx, Marion, OH; RPU Technology, Inc., Needham, MA; Scientific Systems Company, Inc., Woburn, MA; Secure Axxess Solutions, LLC, Nashua, NH; Sense Technologies, LLC, Boerne, TX; Technical Products Inc., Ayer, MA; The Charles Stark Draper Laboratory, Cambridge, MA; The University of Texas at Austin, Austin, TX; and Virginia Tech, Blacksburg, VA, have withdrawn as parties to this venture. In addition, Kuchera Defense Systems has changed its name to API Defense, Inc., Windber, PA, and The

Droid Works, Inc. has changed its name to CyPhy Works, Inc., Framingham, MA.

No other changes have been made in either the membership or planned activity of this group research additional written membership.

On October 15, pursuant to Section the group research project. Membership in project remains open, and RTC intends to file notifications disclosing all changes. In 2009, RTC filed its original notification 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 30, 2009 (74 FR 62599).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—LiMo Foundation

Notice is hereby given that, on July 1, 2010, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), LiMo Foundation ("LiMo") filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, SRS Labs, Santa Ana, CA; Smart Communications, Inc., Makati City, Republic of the Philippines; NTT Data MSE Corporation, Yokohama, Japan; STEricsson AB, Lund, Sweden, have been added as parties to this venture. Specifically, Broadcom Corporation, Irvine, CA; OpenPlug, Sophia Antipolis, France; Packetvideo, San Diego, CA; STEricsson AT Holding AG, Milan, Italy; STEricsson Holding AG, Lund, Sweden, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of this group research project. Membership in this group research project remains open, and LiMo intends to file additional written notifications disclosing all changes in membership.

On March 1, 2007, LiMo filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal**