

Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: October 12, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023-22891 Filed 10-16-23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1265 (Enforcement Proceeding)]

Certain Fitness Devices, Streaming Components Thereof, and Systems Containing Same; Notice of Institution of an Enforcement Proceeding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has instituted an enforcement proceeding relating to the remedial orders issued on March 8, 2023, in the above-referenced investigation.

FOR FURTHER INFORMATION CONTACT:

Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.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 the original investigation on May 19, 2021, based on a complaint filed on behalf of DISH DBS Corporation of Englewood, Colorado; DISH Technologies L.L.C., of Englewood, Colorado; and Sling TV L.L.C., of Englewood, Colorado (collectively, "DISH"). 86 FR 27106-07 (May 19, 2021). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain fitness devices, streaming

components thereof, and systems containing same by reason of infringement of certain claims of U.S. Patent Nos. 9,407,564 ("the '564 patent"); 10,951,680 ("the '680 patent"); 10,469,554 ("the '554 patent"); 10,469,555 ("the '555 patent"); and 10,757,156 ("the '156 patent"). *Id.* at 27106. The notice of investigation named, among others, ICON Health & Fitness, Inc.; FreeMotion Fitness, Inc.; and NordicTrack, Inc., all of Logan, Utah (collectively, "iFIT Respondents") as respondents. *Id.* The Commission's Office of Unfair Import Investigations ("OUII") also was named as a party in this investigation. *Id.*

Prior to the issuance of the final initial determination ("ID") in the original investigation, the notice of investigation was amended to change the name of ICON Health & Fitness, Inc. to iFIT Inc. Order No. 14 (Nov. 4, 2021), *unreviewed by Comm'n Notice* (Dec. 6, 2021), 86 FR 70532 (Dec. 10, 2021). The investigation was also terminated in part as to all asserted claims of the '680 patent and certain claims of the other asserted patents. Order No. 15 (Nov. 19, 2021), *unreviewed by Comm'n Notice* (Dec. 20, 2021); Order No. 21 (Mar. 3, 2022), *unreviewed by Comm'n Notice* (Mar. 23, 2022).

On September 9, 2022, the Chief Administrative Law Judge ("CALJ") issued the final ID in the original investigation, which finds that the iFIT Respondents, among others, violated section 337. On November 18, 2022, the Commission determined to review the final ID in part. *See Comm'n Notice* (Nov. 18, 2022), 87 FR 72510, 72510-12 (Nov. 25, 2022).

On March 8, 2023, the Commission affirmed with certain modifications the final ID's findings that there was a violation of section 337 by the iFIT Respondents as to claims 16, 17, and 20 of the '554 patent; claims 10, 11, 14, and 15 of the '555 patent; and claims 1 and 4 of the '156 patent, and reversed the final ID's finding of a violation as to the '564 patent. *See Comm'n Notice* (Mar. 8, 2023); *Comm'n Op.* (Mar. 23, 2023) (Public Version). The Commission determined that the appropriate form of relief was a limited exclusion order ("LEO") and cease and desist orders ("CDOs") against the iFIT Respondents, among others. *Comm'n Notice* (Mar. 8, 2023), 88 FR 15736-38 (Mar. 14, 2023). On May 5, 2023, the Commission modified the remedial orders. *Comm'n Notice* (May 5, 2023), 88 FR 30158-160 (May 10, 2023).

On September 11, 2023, DISH filed a complaint requesting that the Commission institute an enforcement proceeding under Commission Rule

210.75, 19 CFR 210.75, to investigate alleged violations of the LEO and CDOs by the iFIT Respondents as to claims 16, 17, and 20 of the '554 patent and claims 10, 11, 14, and 15 of the '555 patent.

Having examined the enforcement complaint and the supporting documents, the Commission has determined to institute an enforcement proceeding, pursuant to Commission Rule 210.75(a), 19 CFR 210.75(a), to determine whether a violation of the LEO and CDOs issued on March 8, 2023, in the original investigation has occurred and to determine what, if any, enforcement measures are appropriate. The named respondents are the iFIT Respondents. OUII is also named as a party.

The Commission vote for this determination took place on October 11, 2023.

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.

Dated: October 11, 2023.

Lisa Barton,

Secretary to the Commission.

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INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint *Certain Mobile Phones, Components Thereof, and Products Containing Same, DN 3698*; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at <https://edis.usitc.gov>.

For help accessing EDIS, please email EDIS3Help@usitc.gov.

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at <https://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 has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Telefonaktiebolaget LM Ericsson on October 11, 2023. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mobile phones, components thereof, and products containing same. The complaint names as respondents: Motorola Mobility LLC of Chicago, IL; Lenovo (United States) Inc. of Morrisville, NC; Lenovo Group Limited of Hong Kong; and Motorola (Wuhan) Mobility Technologies Communication Co., LTD. of China. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, and members of the public are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant,

its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3698") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures¹). Please note the Secretary's Office will accept only electronic filings during 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. Persons with questions regarding filing should contact the Secretary at EDIS3Help@usitc.gov.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be

¹ Handbook for Electronic Filing Procedures: https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.

directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,² solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.³

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: October 12, 2023.

Lisa Barton,

Secretary to the Commission.

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DEPARTMENT OF JUSTICE

[OMB Number 1140-0080]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Notification of Change of Mailing or Premise Address

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice (DOJ), will be submitting the following information collection request to the Office of

² All contract personnel will sign appropriate nondisclosure agreements.

³ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.