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**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on April 25, 2017, based on a complaint, as supplemented, filed by Ivoclar Vivadent AG of Schaan, Liechtenstein; Ivoclar Vivadent, Inc. of Amherst, New York; and Ardent, Inc. of Amherst, New York (collectively "Ivoclar"). 82 FR 19081 (Apr. 25, 2017). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain dental ceramics, products thereof, and methods of making the same by reason of the infringement of certain claims of four United States patents: U.S. Patent No. 7,452,836 ("the '836 patent"); U.S. Patent No. 6,517,623 ("the '623 patent"); U.S. Patent No. 6,802,894 ("the '894 patent"); and U.S. Patent No. 6,455,451 ("the '451 patent"). The notice of investigation named as respondents GC Corporation of Tokyo, Japan; and GC America, Inc. of Alsip, Illinois (collectively, "GC"). The Office of Unfair Import Investigations was also named as a party.

Earlier in proceedings, the investigation was terminated as to certain asserted patent claims, including all of the asserted claims of the '623 patent and the '451 patent, based upon withdrawal of the complaint. Order No. 18 (Nov. 21, 2017), *not reviewed*, Notice (Dec. 6, 2017); Order No. 24 (Dec. 19, 2017), *not reviewed*, Notice (Jan. 18, 2017); Order No. 51 (Feb. 22, 2018), *not reviewed*, Notice (Mar. 23, 2018); Order No. 56 (Mar. 28, 2018), *not reviewed*, Notice (Apr. 27, 2018).

On July 23, 2018, the ALJ issued the final initial determination ("ID"). Remaining within the scope of the investigation, as to infringement, domestic industry, or both, were claims 1, 2, 4, 5, 7, 9, 10, 13, 15-19, and 21 of the '836 patent; and claims 1, 2, 4, 16-21, 34, 36 and 38 of the '894 patent. The ID finds, *inter alia*, that Ivoclar failed to demonstrate infringement of the above-referenced claims of the '836 patent. The ID finds, *inter alia*, that claims 36 and 38 ("the '894 flexure strength claims") are invalid as indefinite under 35 U.S.C. 112 ¶ 2. The ID further finds that Ivoclar failed to demonstrate infringement and failed to meet the technical prong of the domestic industry requirement as to the remaining claims of the '894 patent (claims 1, 2, 4, 5, 7,

9, 10, 13, 15-19, and 21) ("the '894 annealing claims"). The ID finds that some, but not all, of the '894 annealing claims are invalid in view of certain prior art.

After the issuance of the ID, the Commission solicited comments from the public concerning remedy and the public interest. On September 13, 2018, Representative Brian Higgins (R-N.Y.) filed comments in support of his constituent Ivoclar, whose headquarters is in Western New York. Letter from Rep. Brian Higgins to Chairman David S. Johanson at 1 (Sept. 13, 2018). In addition, Ivoclar, GC, and the Commission investigative attorney filed petitions for review and replies to the other parties' petitions.

On September 21, 2018, the Commission issued its notice of review. By that notice, the Commission determined not to review the ID with respect to the '836 patent and the '894 flexure strength claims, thereby terminating the investigation as to those patent claims. The Commission determined to review the ID's findings as to the '894 annealing claims and solicited further briefing from the parties on certain issues concerning those patent claims. The Commission also solicited briefing from the parties, interested government agencies, and members of the public on remedy, the public interest, and bonding. No non-parties filed such briefing. On October 5, 2018, the parties filed opening briefs in response to the Commission notice of review, and on October 12, 2018, the parties filed reply briefs.

Having reviewed the record of the investigation, including the final ID, the parties' petitions for review and responses thereto, and the parties' briefing to the Commission, the Commission has determined to affirm, with modified reasoning, the ID's conclusion that Ivoclar failed to demonstrate infringement of the '894 annealing claims. The Commission has also determined to affirm, with modified reasoning, the ID's finding that claims 1, 2, and 34 of the '894 patent are anticipated by U.S. Patent No. 4,189,325 (Barrett) (RX-27). The Commission has determined to take no position as to whether International Patent Application WO 00/34196 ("WO196") (RX-563) invalidates any of the '894 annealing claims or whether the technical prong of the domestic industry requirement was met for the '894 patent. The Commission has determined to affirm the ID's remaining findings concerning the '894 annealing claims. Accordingly, the Commission terminates the investigation with respect to the '894 annealing claims,

and thereby the investigation in its entirety, with a finding of no violation of section 337. The reasons for the Commission's determinations are set forth more fully in the Commission's accompanying opinion.

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).

Issued: December 18, 2018.

By order of the Commission.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2018-27815 Filed 12-21-18; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

[OMB Number 1121-0352]

### **Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection National Standards to Prevent, Detect, and Respond to Prison Rape (28 CFR part 115)**

**AGENCY:** Bureau of Justice Assistance, Department of Justice.

**ACTION:** 60-Day notice.

**SUMMARY:** The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for 60 days until February 25, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments on the estimated burden to facilities covered by the standards to comply with the regulation's reporting requirements, suggestions, or need additional information, please contact Emily Niedzwiecki, Policy Advisor, Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC 20531 (phone: 202-305-9317).

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether, and if so how, the quality, utility, and clarity of the information to be collected can be enhanced; and/or
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* National Standards to Prevent, Detect, and Respond to Prison Rape (28 CFR part 115).

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* There is no form number associated with this information collection. The applicable component within the Department of Justice is the Bureau of Justice Assistance, in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* On June 20, 2012, the Department of Justice published a Final Rule to adopt national standards to prevent, detect, and respond to sexual abuse in confinement settings pursuant to the Prison Rape Elimination Act of 2003 (PREA) 42 U.S.C. 15601 *et seq.* These national standards, which went into effect on August 20, 2012, require covered facilities to retain certain specified information relating to sexual abuse prevention planning, responsive planning, education and training, investigations and to collect and retain certain specified information relating to allegations of sexual abuse within the facility. Covered facilities include: Federal, state, and local jails, prisons, lockups, community correction facilities, and juvenile facilities, whether administered by such government or by a private organization on behalf of such government. As the agency responsible for PREA

implementation on behalf of the U.S. Department of Justice, the Bureau of Justice Assistance within the Office of Justice Programs is submitting this request to extend a currently approved collection.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The recordkeeping and reporting requirements established by the PREA standards are based on incidents of sexual abuse. An estimated 13,119 covered facilities nationwide are required to comply with the PREA standards. If all covered facilities were to fully comply with all of the PREA standards, the new burden hours associated with the staff time that would be required to collect and maintain the information and records required by the standards would be approximately 1.16 million in the first year of full compliance, or about 89 hours per facility.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden hours associated with this collection is 1.16 million in the first year of full compliance, or about 89 hours per facility.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: December 19, 2018.

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

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**BILLING CODE 4410-18-P**

#### DEPARTMENT OF JUSTICE

[OMB Number 1121-0259]

#### Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection: Public Safety Officer Medal of Valor (Public Law 107-12)

**AGENCY:** Bureau of Justice Assistance, Department of Justice.

**ACTION:** 60-day notice.

**SUMMARY:** The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, will be submitting the following information collection request to the Office of

Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for 60 days until February 25, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments on the estimated burden to facilities covered by the standards to comply with the regulation's reporting requirements, suggestions, or need additional information, please contact Gregory Joy, Program Analyst, Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC 20531.

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether, and if so how, the quality, utility, and clarity of the information to be collected can be enhanced; and/or
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* Public Safety Officer Medal of Valor (Public Law 107-12).

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The application process is managed through the internet, using the Office of Justice Programs' (OJP) MOV online application system at: <https://www.bja.gov/programs/medalofvalor/index.html>

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The information that is being