

DEPARTMENT OF JUSTICE**Antitrust Division****Notice Pursuant to the National Cooperative Research and Production Act of 1993—DVD Copy Control Association**

Notice is hereby given that, on March 6, 2009, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), DVD Copy Control Association ("DVD CCA") 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, Fluendo S.A., Barcelona, SPAIN; Kenmec Mechanical Engineering Co., Ltd., Taipei, TAIWAN; Swank Motion Pictures, Inc., St. Louis, MO; and Tamul Multimedia Co., Ltd., AnYang-City, REPUBLIC OF KOREA have been added as parties to this venture.

Also, AMLogic, Inc., San Jose, CA; Changzhou XingQui Electric Co., Ltd., Changzhou Jiangsu, PEOPLE'S REPUBLIC OF CHINA; Chunglam Digital Co., Ltd., Gyunggi-do, REPUBLIC OF KOREA; Columbia Digital Media, Inc., Kanagawa, JAPAN; Dailystar Technology Limited, Hong Kong, HONG KONG-CHINA; Digeo Interactive, LLCI, Palo Alto, CA; Express Luck Industrial, Ltd., Shatin, HONG KONG-CHINA; Guangdong Cosmic Digital Technology Co., Ltd., Guangdong, PEOPLE'S REPUBLIC OF CHINA; Hamg Shing Technology Corp., Chu Pei City, TAIWAN; Honest Technology Co., Ltd., Daejeon, REPUBLIC OF KOREA; Intech Electronics (HK) Co., Ltd., Hong Kong, HONG KONG-CHINA; Le Hong Po Company Limited, Hong Kong, HONG KONG-CHINA; Microservice Tecnologia Digital S/A, Sao Paulo, BRAZIL; and Yung Fu Electrical Appliances Corp., Tianan City, TAIWAN have withdrawn as parties to this venture.

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

On April 11, 2001, DVD CCA filed its original notification pursuant to Section 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 August 3, 2001 (66 FR 40727).

The last notification was filed with the Department on December 5, 2008. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on January 21, 2009 (74 FR 3640).

Patricia A. Brink,
Deputy Director of Operations, Antitrust Division.

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DEPARTMENT OF LABOR**Employee Benefits Security Administration****Proposed Extension of Information Collection Comment Request; Prohibited Transaction Class Exemption 2002-12, Cross-Trades of Securities by Index and Model-Driven Funds**

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to ensure that respondents can provide the requested data in the desired format, that the reporting burden (time and financial resources) on the public is minimized, that the public can understand the Department's collection instruments, and that the Department can properly assess the impact of its information collection requirements on respondents. Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments on a proposed extension of the information collection provisions of Prohibited Transaction Class Exemption 2002-12, Cross-Trades of Securities by Index and Model-Driven Funds. A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office shown in the **ADDRESSES** section on or before June 19, 2009.

ADDRESSES: Direct all written comments to G. Christopher Cosby, Office of Policy and Research, Employee Benefits

Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5718, Washington, DC 20210, (202) 693-8410, FAX (202) 219-4745 (These are not toll-free numbers.). Comments may also be submitted electronically to the following Internet e-mail address: ebbsa.opr@dol.gov.

SUPPLEMENTARY INFORMATION:**I. Background**

PTE 2002-12 exempts certain transactions that would be prohibited under the Employee Retirement Income Security Act of 1974 (the Act or ERISA) and the Federal Employees' Retirement System Act (FERSA), and provides relief from certain sanctions of the Internal Revenue Code of 1986 (the Code). The exemption permits cross-trades of securities among Index and Model-Driven Funds (Funds) managed by managers (Managers), and among such Funds and certain large accounts (Large Accounts) that engage such Managers to carry out a specific portfolio restructuring program or to otherwise act as a "trading adviser" for such a program. By removing existing barriers to these types of transactions, the exemption increases the incidences of cross-trading, thereby lowering the transaction costs to plans in a number of ways from what they would be otherwise.

In order for the Department to grant an exemption for a transaction or class of transactions that would otherwise be prohibited under ERISA, the statute requires the Department to make a finding that the exemption is administratively feasible, in the interest of the plan and its participants and beneficiaries, and protective of the rights of the participants and beneficiaries. To ensure that Managers have complied with the requirements of the exemption, the Department has included in the exemption certain recordkeeping and disclosure obligations that are designed to safeguard plan assets by periodically providing information to plan fiduciaries, who generally must be independent, about the cross-trading program. Initially, where plans are not invested in Funds, Managers must furnish information to plan fiduciaries about the cross-trading program, provide a statement that the Manager will have a potentially conflicting division of loyalties, and obtain written authorization from a plan fiduciary for a plan to participate in a cross-trading program. For plans that are currently invested in Funds, the Manager must provide annual notices to update the