

and 19 U.S.C. 1337(a)(1)(B)(ii). Whether this question has been decided by *Kinik v. International Trade Commission*, 362 F.3d 1359, 1361–63 (Fed. Cir. 2004).

3. The language and legislative history of 19 U.S.C. 1337(a)(1)(B)(ii) and the language and legislative history of former section 337a (former 19 U.S.C. 1337a). The statements in *Amgen v. ITC*, 902 F.2d 1532 (Fed. Cir. 1990), as to “covered” and that former section 337a was reenacted as section 337(a)(1)(B)(ii) without a change in scope. Any special rule of statutory interpretation that should be applied given that former section 337a was enacted in response to *In re Amtorg Trading Corp.*, 75 F.2d 826 (CCPA 1935). The processes and patents in *In re Amtorg Trading Corp.* and in *In re Northern Pigment Co.*, 71 F.2d 447 (CCPA 1934), and the underlying Commission proceedings. The processes and patents in all Commission and related court proceedings involving process patents and section 337 before and after the enactment of former section 337a.

4. The Supreme Court’s recent decision in *Microsoft Corp. v. AT&T Corp.*, 550 U.S. (2007).

5. How the above cases may best be read in conjunction with each other.

The Commission has also determined to grant the investigative attorney’s motion for leave to file its petition for review out of time and to deny Tate & Lyle’s motion for oral argument on review as moot.

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 section 210.43–45 of the Commission’s Rules of Practice and Procedure (19 CFR 210.43–45).

By order of the Commission.

Issued: September 24, 2007.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E7–19168 Filed 9–27–07; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–564]

In the Matter of Certain Voltage Regulators, Components Thereof and Products Containing Same; Notice of Commission Final Determination of Violation of Section 337; Termination of Investigation; Issuance of Limited Exclusion Order

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined that there is a violation of 19 U.S.C. 1337 by Advanced Analogic Technologies, Inc. (“AATI”) of Sunnyvale, California in the above-captioned investigation, and has issued a limited exclusion order directed against products of respondent AATI. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Eric Frahm, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–3107. Copies of non-confidential documents filed in connection with this investigation are or will be 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., Washington, DC 20436, telephone (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>. 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: This investigation was instituted on March 22, 2006, based on a complaint filed by Linear Technology Corporation (“Linear”) of Milpitas, California. The complaint, as supplemented, alleged 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 voltage regulators, components thereof and products containing the same, by reason of infringement of various claims of United States Patent No. 6,411,531 (“the ‘531 patent’”) and United States Patent No. 6,580,258 (“the ‘258 patent’”). The complaint named AATI as the sole respondent.

On May 22, 2007, the ALJ issued his final ID finding no violation of section 337. Specifically, he found that none of AATI’s accused products directly infringe the asserted claims of the ‘258 patent, and that one accused product directly infringed claims 4 and 26 of the ‘531 patent. He found that no indirect infringement had occurred in connection with any of the asserted claims of either patent. As to validity, the ALJ determined that claim 35 of the ‘258 patent and claims 4, 9, and 26 of the ‘531 patent are invalid due to

anticipation, rejecting other arguments of invalidity, unenforceability, and estoppel. The ALJ also determined that a domestic industry exists with regard to the ‘258 patent; but that there was no domestic industry with regard to the ‘531 patent, because of a failure to meet the technical prong of the domestic industry requirement. On May 30, 2007, the ALJ issued his Recommended Determination (“RD”) on remedy and bonding. Linear, AATI, and the Commission investigative attorney (“IA”) filed petitions for review of the ALJ’s ID.

On July 6, 2007, the Commission determined to extend the deadline for determining whether to review the subject final ID by fifteen (15) days, *i.e.*, to July 24, 2007. On July 24, 2007, the Commission determined to review the final ID in part. Specifically, the Commission made the following determinations. With respect to the ‘258 patent, the Commission determined (1) to review the ID concerning the issues of claim construction, infringement, and validity; and (2) not to review the remainder of the ID as to the ‘258 patent. With respect to the ‘531 patent, the Commission determined (1) to review the ID concerning the issue of whether asserted claim 9 of the ‘531 patent is invalid for anticipation by the Kase reference, and upon review to take no position as to that issue, and (2) not to review the remainder of the ID as to the ‘531 patent.

The Commission requested written submissions from the parties relating to the issues on review, and submissions on the appropriate remedy, whether the statutory public interest factors preclude issuance of that remedy, and the amount of bond to be imposed during the Presidential review period.

Having examined the record of this investigation, including the ALJ’s final ID, the Commission has determined to reverse-in-part the subject ID such that: (i) The ALJ’s construction of the terms in claims 2, 3, 34, and 35 of the ‘258 patent are modified; (ii) the ALJ’s conclusions on infringement of the ‘258 patent are reversed-in-part by reversing the ALJ’s finding of no literal infringement with respect to the sleep mode claims (asserted claims 2, 3, and 34) only as to representative product AAT1143, and affirming the ALJ’s finding of no infringement with respect to the reverse current claim (asserted claim 35); and (iii) the ALJ’s findings of validity of claims 2, 3, and 34 and of invalidity of claim 35 of the ‘258 patent are affirmed. The Commission determined not to reach the issue of indirect infringement. The Commission has determined that the appropriate

form of relief is a limited exclusion order prohibiting the unlicensed entry of voltage regulators that infringe one or more of claims 2, 3, and 34 of the '258 patent and that are manufactured by or on behalf of AATI, its affiliated companies, parents, subsidiaries, licensees, contractors, or other related business entities, or successors or assigns.

The Commission further determined that the public interest factors enumerated in section 337(d)(1) (19 U.S.C. 1337(d)(1)) do not preclude issuance of the limited exclusion order. Finally, the Commission determined that the amount of bond to permit temporary importation during the Presidential review period (19 U.S.C. 1337(j)) shall be in the amount of one hundred (100) percent of the entered value of the articles that are subject to the order. The Commission's order was delivered to the President and the United States Trade Representative on the day of its issuance.

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 section 210.45 of the Commission's Rules of Practice and Procedure (19 CFR 210.45).

By order of the Commission.

Issued: September 24, 2007.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E7-19123 Filed 9-27-07; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[USITC SE-07-019]

Government in the Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: October 5, 2007 at 11 a.m.

PLACE: Room 101, 500 E Street, SW., Washington, DC 20436. Telephone: (202) 205-2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meetings: none.
2. Minutes.
3. Ratification List.
4. Inv. Nos. 731-TA-1124 and 1125 (Preliminary) (Electrolytic Manganese Dioxide from Australia and China)—briefing and vote. (The Commission is currently scheduled to transmit its determinations to the Secretary of Commerce on or before October 9, 2007;

Commissioners' opinions are currently scheduled to be transmitted to the Secretary of Commerce on or before October 16, 2007.)

5. Outstanding action jackets: None.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: September 25, 2007.

William R. Bishop,

Hearings and Meetings Coordinator.

[FR Doc. E7-19186 Filed 9-27-07; 8:45 am]

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DEPARTMENT OF LABOR

Employee Benefits Security Administration

Advisory Council on Employee Welfare and Pension Benefit Plans Working Group on Financial Literacy, Working Group on Participant Benefit Statements, and Working Group on Fiduciary Responsibilities Updates and Revenue Sharing; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the Working Groups assigned by the Advisory Council on Employee Welfare and Pension Benefit Plans to study the issues of (1) financial literacy, (2) participant benefit statements, and (3) fiduciary responsibilities updates and revenue sharing will hold public teleconference meetings on October 16, 2007.

The sessions will take place in Room C5515A, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. The purpose of the open meetings is for each Working Group to discuss its report/recommendations for the Secretary of Labor. The meetings will run from 10 a.m. to approximately 4 p.m., starting with the Working Group on Financial Literacy, followed by the Working Group on Participant Benefit Statements, followed by the Working Group on Fiduciary Responsibilities Updates and Revenue Sharing.

Organizations or members of the public wishing to submit a written statement pertaining to the topic may do so by submitting 25 copies on or before October 9, 2007 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue, NW., Washington, DC 20210. Statements also may be submitted electronically to good.larry@dol.gov.

Statements received on or before October 9, 2007 will be included in the record of the meeting. Individuals or representatives of organizations wishing to address one or more of the Working Groups should forward their requests to the Executive Secretary or telephone (202) 693-8668. Oral presentations will be limited to 10 minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities who need special accommodations should contact Larry Good by October 9 at the address indicated.

Signed at Washington, DC this 24th day of September, 2007.

Bradford P. Campbell,

Assistant Secretary, Employee Benefits Security Administration.

[FR Doc. E7-19190 Filed 9-27-07; 8:45 am]

BILLING CODE 4510-29-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-61,927]

C-Tech Industries, A Subsidiary of Alfred Karcher GMBH and Co. KG Calumet, MI; Notice of Negative Determination Regarding Application for Reconsideration

By application dated September 5, 2007, a worker requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of C-Tech Industries, A Subsidiary of Alfred Karcher GMBH & Co. KG, Calumet, Michigan (subject firm) to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA). The negative determination applicable to workers of the subject firm was issued on August 14, 2007. The Department's Notice of determination was published in the **Federal Register** on August 30, 2007 (72 FR 50126). Workers at the subject firm produce automatic parts cleaners (parts washers).

The petition, dated August 1, 2007, stated that the subject firm shifted production to a foreign country and that the subject firm will close in November 2007. The petition attachments stated that production of pressure washers at the C-Tech Industries, Camas, Washington plant shifted to an affiliated facility in Monterrey, Mexico, and that "C-Tech industries in Camas, Washington takes over all production of parts washers."

The investigation revealed that neither sales nor production of parts