

notice of scheduling, which will be published in the **Federal Register** as provided in § 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce ("Commerce") of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Background

On December 30, 2022, FNA Group, Inc., Pleasant Prairie, Wisconsin filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized imports of gas powered pressure washers from China and LTFV imports of gas powered pressure washers from China and Vietnam. Accordingly, effective December 30, 2022, the Commission instituted countervailing duty investigation No. 701-TA-684 and antidumping duty investigation Nos. 731-TA-1597-1598 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of January 6, 2023 (88 FR 1093). The Commission conducted its conference on January 20, 2023. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on February 13, 2023. The views of the Commission are contained in USITC Publication 5409 (February 2023), entitled *Gas Powered Pressure Washers from China and*

Vietnam: Investigation Nos. 701-TA-684 and 731-TA-1597-1598 (Preliminary).

By order of the Commission.

Issued: February 14, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023-03437 Filed 2-16-23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1278]

Certain Radio Frequency Transmission Devices and Components Thereof; Notice of Commission Decision To Review in Part and, on Review, To Affirm a Final Initial Determination Finding No Violation of Section 337; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review in part a final initial determination ("FID") of the presiding Chief Administrative Law Judge ("Chief ALJ") finding no violation of section 337 of the Tariff Act of 1930 ("section 337"), as amended, in this investigation. On review, the Commission affirms with modification the FID's finding of no violation of section 337. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT:

Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. 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: On September 2, 2021, the Commission instituted this investigation under section 337 based on a complaint filed by Zebra Technologies Corporation of Lincolnshire, Illinois ("Complainant"). See 86 FR 49344-45 (Sept. 2, 2021). The complaint, as supplemented, alleges a

violation 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 radio frequency transmission devices and components thereof by reason of infringement of claims 1, 3-8, 10, 11, and 13-16 of U.S. Patent No. 6,895,219 ("the '219 patent") and claims 17-19 of U.S. Patent No. 7,683,788 ("the '788 patent") (collectively, the "Asserted Patents"). See *id.* The notice of investigation names OnAsset Intelligence, Inc. of Irving, Texas ("Respondent") as the respondent in the investigation. See *id.* The Office of Unfair Import Investigations is not a party to the investigation. See *id.*

On May 31, 2022, the Commission partially terminated the investigation as to claims 7, 8, and 16 of the '219 patent based on the withdrawal of the allegations in the complaint as to those claims. See Order No. 20 (May 2, 2022), *unreviewed by Comm'n Notice* (May 31, 2022).

On September 16, 2022, the Chief ALJ issued the FID finding no violation of section 337. Specifically, the FID finds that Complainant failed to establish infringement of the Asserted Patents by the Respondent. The FID also finds that claims 17 and 18 (but not claim 19) of the '788 patent are invalid as anticipated by U.S. Patent No. 7,193,504 ("Carrender I") (RX-132). The FID further finds that the domestic industry requirement is satisfied with respect to the '788 patent. The FID does not reach invalidity and the domestic industry requirement as to the '219 patent.

The FID also includes a Recommended Determination ("RD") recommending, should the Commission find a violation of section 337, that the Commission issue: (1) a limited exclusion order against radio frequency transmission devices and components thereof that are imported into the United States, sold for importation, or sold within the United States after importation by or on behalf of the Respondent; and (2) a cease and desist order against the Respondent. The RD further recommends that the Commission set no bond during the period of Presidential review.

On September 30, 2022, Complainant filed a petition for Commission review of the FID. As to the '788 patent, Complainant requests Commission review with respect to the FID's findings concerning: (1) claim construction; (2) non-infringement; (3) invalidity of claims 17 and 18; and (4) contingently, the domestic industry findings as to one of Complainant's domestic industry products. As to the '219 patent, Complainant does not challenge the

FID's findings but requests vacatur of such findings in view of the impending expiration of that patent on January 27, 2023.

On October 11, 2022, Respondent filed a response to Complainant's petition. The parties did not file a statement on the public interest pursuant to Commission Rule 210.50 (19 CFR 210.50). Nor has the Commission received any submission in response to its post-RD **Federal Register** notice. See 87 FR 65249–50 (Oct. 28, 2022).

Having examined the record of this investigation, including the FID and the parties' submissions, the Commission has determined to review the FID in part, and upon review, to affirm the FID's determination of no violation of section 337. Specifically, as explained in the Commission Opinion issued concurrently herewith, the Commission has determined to review and, on review, to vacate the FID's findings as to the '219 patent in view of the expiration of that patent during the pendency of the investigation. As to the '788 patent, the Commission has determined to review and, on review, to: (1) modify and supplement the FID's claim construction findings with respect to the term "common reference frequency"; (2) affirm with modification the FID's non-infringement findings; (3) affirm with modification the FID's findings on the technical prong of the domestic industry requirement; (4) take no position as to the economic prong of the domestic industry requirement; and (5) reverse the FID's invalidity findings over Carrender I. The Commission adopts all findings in the FID that are not inconsistent with the Commission's determination.

The investigation is terminated.

The Commission's vote for this determination took place on February 13, 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.

Issued: February 13, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–03349 Filed 2–16–23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–313–314, 317, and 379 (Fifth Review)]

Brass Sheet and Strip From France, Germany, Italy and Japan; Scheduling of Expedited Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to the Tariff Act of 1930 ("the Act") to determine whether revocation of the antidumping duty orders on brass sheet and strip from France, Germany, Italy and Japan would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.

DATES: December 6, 2022.

FOR FURTHER INFORMATION CONTACT:

(Caitlyn Hendricks-Costello-(202) 205–2058), 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 (<https://www.usitc.gov>). The public record for this proceeding may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—On December 6, 2022, the Commission determined that the domestic interested party group response to its notice of institution (87 FR 53785, September 1, 2022) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.¹ Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)).

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and

Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Staff report.—A staff report containing information concerning the subject matter of the reviews has been placed in the nonpublic record, and will be made available to persons on the Administrative Protective Order service list for these reviews on February 22, 2023. A public version will be issued thereafter, pursuant to § 207.62(d)(4) of the Commission's rules.

Written submissions.—As provided in § 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,² and any party other than an interested party to the reviews may file written comments with the Secretary on what determination the Commission should reach in the reviews. Comments are due on or before March 2, 2023 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by March 2, 2023. If comments contain business proprietary information (BPI), they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission's procedures with respect to filings.

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

Determination.—The Commission has determined these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is

² The Commission has found the responses submitted on behalf of Aurubis Buffalo, Inc., Heyco Metals, Inc., PMX Industries, Inc., and Wieland Holdings, Inc. to be individually adequate. Comments from other interested parties will not be accepted (see 19 CFR 207.62(d)(2)).

¹ A record of the Commissioners' votes and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's website.