

claim these cultural items should submit a written request with information in support of the claim to the Walsh Gallery at the address in this notice by June 17, 2022.

**FOR FURTHER INFORMATION CONTACT:**

Laura Hapke, Collections Manager, Walsh Gallery, University Libraries, Seton Hall University, 400 South Orange Avenue, South Orange, NJ 07079, telephone (973) 275-2165, email [laura.hapke@shu.edu](mailto:laura.hapke@shu.edu).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Walsh Gallery, Seton Hall University, South Orange, NJ, that meet the definition of unassociated funerary objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

**History and Description of the Cultural Items**

Sometime in the 1950s, 70 cultural items were removed from Aakawaxung Munahanung (Island Protected from the Wind), an archeological site in Richmond County, NY. Staff at the Walsh Gallery believe the items were initially collected by an amateur archeologist. They were either collected by Brian Templeton or transferred to his care sometime before June of 1961. Seton Hall University purchased the unassociated funerary objects from Brian Templeton in 1961. In 2015, care of the University's archeological collection was transferred to the Walsh Gallery. The 70 unassociated funerary objects are one brass buckle, one triangular point, one side notched point, one corner notched point, one lobate point, one blank for a triangular notched point, three leaf shaped points, one shell, two jasper knives, one end scraper, one pebble chopper, one pebble hammerstone, one inner core of whelk, and 54 pottery fragments.

**Determinations Made by the Walsh Gallery, Seton Hall University**

Officials of the Walsh Gallery, Seton Hall University have determined that:

- Pursuant to 25 U.S.C. 3001(3)(B), the 70 cultural items described above are reasonably believed to have been

placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Delaware Nation, Oklahoma; Delaware Tribe of Indians; and the Stockbridge Munsee Community, Wisconsin (hereafter referred to as "The Tribes").

**Additional Requestors and Disposition**

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Laura Hapke, Walsh Gallery, University Libraries, Seton Hall University, 400 South Orange Avenue, South Orange, NJ 07079, telephone (973) 275-2165, email [laura.hapke@shu.edu](mailto:laura.hapke@shu.edu), by June 17, 2022. After that date, if no additional claimants have come forward, transfer of control of the unassociated funerary objects to The Tribes may proceed.

The Walsh Gallery, Seton Hall University is responsible for notifying The Tribes that this notice has been published.

Dated: May 10, 2022.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

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**BILLING CODE 4312-52-P**

**DEPARTMENT OF THE INTERIOR**

**National Park Service**

**[NPS-WASO-NAGPRA-NPS0033920; PPWOCRADNO-PCU00RP14.R50000]**

**Notice of Inventory Completion: Indiana State Museum and Historic Site Corporation, State of Indiana, Indianapolis, IN**

**ACTION:** Notice.

**SUMMARY:** The Indiana State Museum and Historic Sites Corporation (ISMHS) has completed an inventory of human remains, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is a cultural affiliation between the human remains and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian

organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to ISMHS. If no additional requestors come forward, transfer of control of the human remains to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

**DATES:** Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to ISMHS at the address in this notice by June 17, 2022.

**FOR FURTHER INFORMATION CONTACT:**

Michele Greenan, Indiana State Museum and Historic Sites Corporation, 650 West Washington Street, Indianapolis, IN 46214, telephone (317) 473-0836, email [mgreenan@indianamuseum.org](mailto:mgreenan@indianamuseum.org).

**SUPPLEMENTARY INFORMATION:** Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the Indiana State Museum and Historic Sites Corporation, Indianapolis, IN. The human remains were removed from Harrison County, Floyd County, and Spencer County, IN.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

**Consultation**

A detailed assessment of the human remains was made by ISMHS professional staff in consultation with representatives of the Absentee-Shawnee Tribe of Indians of Oklahoma; Delaware Nation, Oklahoma; Delaware Tribe of Indians; Eastern Shawnee Tribe of Oklahoma; Miami Tribe of Oklahoma; Peoria Tribe of Indians of Oklahoma; and the Shawnee Tribe (hereafter referred to as "The Consulted Tribes").

**History and Description of the Remains**

In February of 1992, following a report of looting, human remains representing, at a minimum, one individual were collected by staff of the Indiana Department of Historic Preservation and Archaeology (DHPA) from an area identified as being part of

the Overflow Pond Site (12Hr12), in Harrison County, IN (DHPA accidental discovery #920001). In 2018, these human remains were re-discovered during an intensive inventory of collections housed at DHPA. The labels on the bag indicating site #12Hr12 and “east hole” likely reference a looter’s pit. No other documentation for these human remains has been located. Following this re-discovery, DHPA research staff completed an inventory and transferred the human remains to ISMHS in May 2018. The human remains, consisting of only one bone (a prox. left 5th metatarsal), render age, sex, or possible pathology impossible. No known individual was identified. No associated funerary objects are present.

More recent work at 12Hr12 has identified it as an occupation site whose primary occupations occurred during the late Middle Archaic and Late Archaic periods (roughly 5000–1000 B.C.). The presence of extensive shell midden deposits and artifact assemblages, which include diagnostic point types and engraved bone pin fragments, point toward heavy use of the site during this time. Based on the archeological information from 12Hr12, the human remains of this individual belong within those Archaic occupations.

Archeological and historical information shows that the present-day Shawnee and their ancestral groups have a long history in Southern Indiana and the Ohio River Valley. Archeological information evidences a strong relationship between these Shawnee ancestral groups and Mississippian communities known as Fort Ancient, while historical information from the 17th through 19th centuries indicate intense Shawnee settlement along the Ohio River Valley throughout Ohio and Indiana. Based on this information, a relationship of shared group identity can be reasonably traced between the Native American group to which these human remains belonged and the Absentee-Shawnee Tribe of Indians of Oklahoma; Eastern Shawnee Tribe of Oklahoma; and the Shawnee Tribe (hereafter referred to as “The Tribes”).

Sometime prior to March 24, 2012, human remains representing, at minimum, one individual were removed from an area along the Ohio River bordering Harrison and Floyd Counties, IN. On March 24, 2012, Indiana Conservation officers approached a man who was seen kneeling along the shoreline of the Ohio River. He had with him a kneeling pad, a trowel, and a duffle bag. Caesar’s Riverboat Casino, who owned the land where this incident

occurred, told the officers that it had not granted the man permission to dig on the land. Following further discussions, the man consented to a search of his apartment. There, the officers located small bags and boxes containing pieces of stone, bone, and antler, as well as a small wooden box containing a note that indicated human remains might be present among the bones. The case was assigned Incident Report # INV–12–00076. While the localities where the above materials were removed cannot be determined with exactitude, interviews with the suspect revealed that the provenience of the human remains is an area along the Ohio River around the Harrison County/Floyd County border.

On June 18, 2012, Indiana Conservation officers took the human remains to the University of Indianapolis for assessment and to determine ancestry. University of Indianapolis researchers determined that four of the bone fragments were indeed human, and that most likely they were Native American. One of the bone fragments is a distal right humerus and the other three comprise a single proximal right femur. The bones were identified as belonging to an adult, but no determination of sex or possible pathology could be made. No known individual was identified. No associated funerary objects are present. On December 12, 2013, the human remains were transferred to ISMHS.

On December 13, 1999, human remains representing, at minimum, one individual were removed from an area that is most likely part of the Kramer site (12Sp7) in Spencer County, IN. The human remains were collected on-site by staff from the Indiana Department of Historic Preservation and Archaeology (DHPA) and the Division of Forestry (DHPA accidental discovery #200012). In 2017–2018, these human remains were re-discovered during an intensive inventory of collections housed at DHPA. The label on the bag identified their provenience as 12SP7 and that they came from the northeast side of a “grassy mound.” Following their re-discovery, DHPA research staff completed an inventory of these human remains and in May of 2018, transferred them to ISMHS. Three bone fragments are present—a right humerus fragment and two clavicle fragments (right and left sides). Given the fragmentary nature of the human remains, sex and age could not be determined. No known individual was identified. No associated funerary objects are present.

Site 12SP7 is known as Kramer or Kramer Mound, a known shell-midden site—“mound” references shell deposits—that has been subject to heavy

looting in the past. Archeologically, the primary occupation of Kramer Mound spanned the later part of the Middle Archaic period through the Late/Terminal Archaic periods (roughly 5000–1000 B.C.), based on the presence of dense shell-middens combined with artifact types, including bone pins and concentrations of diagnostic points. This timeframe is further corroborated by two calibrated Carbon-14 dates of 4220 B.C. and 3760 B.C. Accordingly, the human remains from 12SP7 most likely belong to these Late-Middle Archaic through Late-Terminal Archaic occupations.

Archeological and historical information shows that the present-day Shawnee and their ancestral groups have a long history in Southern Indiana and the Ohio River Valley.

Archeological information evidences a strong relationship between these Shawnee ancestral groups and Mississippian communities known as Fort Ancient, while historical information from the 17th through 19th centuries indicate intense Shawnee settlement along the Ohio River Valley throughout Ohio and Indiana. Based on this information, a relationship of shared group identity can be reasonably traced between the Native American group to which these human remains belonged and The Tribes.

#### **Determinations Made by the Indiana State Museum and Historic Sites Corporation**

Officials of the Indiana State Museum and Historic Sites Corporation have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of three individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and The Tribes.

#### **Additional Requestors and Disposition**

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Michele Greenan, Indiana State Museum and Historic Sites Corporation, 650 West Washington Street, Indianapolis, IN 46214, telephone (317) 473–0836, email [mgreenan@indianamuseum.org](mailto:mgreenan@indianamuseum.org), by June 17, 2022. After that date, if no additional requestors have come forward, transfer of control of the

human remains to The Tribes may proceed.

The Indiana State Museum and History Sites Corporation is responsible for notifying The Consulted Tribes that this notice has been published.

Dated: May 10, 2022.

**Melanie O'Brien,**

*Manager, National NAGPRA Program.*

[FR Doc. 2022-10645 Filed 5-17-22; 8:45 am]

**BILLING CODE 4312-52-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1237]

### Certain Cloud-Connected Wood-Pellet Grills and Components Thereof; Notice of a Commission Determination To Issue a Limited Exclusion Order and Cease and Desist Order; Termination of the Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission, having previously found a violation of section 337, has determined to issue a limited exclusion order (“LEO”) directed against infringing cloud-connected wood-pellet grills and components thereof imported by or on behalf of respondent GMG Products LLC (“GMG”) of Lakeside, Oregon and a cease and desist order (“CDO”) directed against GMG. The investigation is terminated.

#### FOR FURTHER INFORMATION CONTACT:

Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-2310. 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](mailto: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, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on January 4, 2021, based on a complaint filed on behalf of Traeger Pellet Grills LLC (“Traeger”) of Salt Lake City, Utah. 86 FR 129-30 (Jan. 4,

2021). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“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 cloud-connected wood-pellet grills and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 10,218,833 (“the ‘833 patent”) and 10,158,720 (“the ‘720 patent”). The Commission’s notice of investigation named GMG as the sole respondent. The Office of Unfair Import Investigations is not participating in the investigation.

The Commission previously found that Traeger has satisfied the economic prong of the domestic industry requirement with respect to the ‘833 and ‘720 patents. *See* Order No. 26 (Aug. 10, 2021), *unreviewed by* Comm’n Notice (Sept. 9, 2021).

On September 3, 2021, the former chief administrative law judge (“CALJ”) issued an initial determination (“ID”) (Order No. 28) granting in part GMG’s motion for summary determination of non-infringement as to the ‘833 patent and terminating that patent from the investigation. *See* Order No. 28 (Sept. 3, 2021). On October 6, 2021, the Commission determined to review Order 28. Comm’n Notice (Oct. 6, 2021). On October 28, 2021, the Commission determined, on review, to affirm with modification the ID’s finding of non-infringement as to the ‘833 patent. *See* Comm’n Notice (Oct. 28, 2021). Accordingly, the ‘833 patent was terminated from the investigation.

On December 6, 2021, the former CALJ issued a final ID finding a violation of section 337 based on infringement (*i.e.*, direct, contributory, and induced) of asserted claims 1 and 2 of the ‘720 patent. The ID further finds that: (1) Traeger has satisfied the technical prong of the domestic industry requirement; (2) GMG is estopped from challenging the validity of the ‘720 patent based on the prior art MAK and Fireboard systems; (3) the prior art MAK and Fireboard systems do not render the asserted claims of the ‘720 patent invalid due to anticipation under 35 U.S.C. 102(a) or obviousness under 35 U.S.C. 103; and (4) the ‘720 patent is not unenforceable due to inequitable conduct. The former CALJ recommended, should the Commission find a violation, the issuance of an LEO directed to GMG’s infringing products and a CDO directed to GMG, and requiring a bond in the amount of 53.1 percent of the entered value for importation of infringing articles during the period of Presidential review.

On December 20, 2021, GMG petitioned for review of certain aspects of the final ID. Specifically, GMG petitioned for review of the ID’s findings regarding claim construction, infringement, the technical prong of the domestic industry requirement, validity, and enforceability with respect to the ‘720 patent. On December 28, 2021, Traeger filed a response in opposition to GMG’s petition for review.

The Commission received no submissions from the public in response to its **Federal Register** notice requesting comments on the public interest should the Commission find a violation of section 337. 86 FR 70860-61 (Dec. 13, 2021). Traeger and GMG did not submit any public interest comments pursuant to Commission Rule 210.50(a)(4) (19 CFR 210.50(a)(4)).

On March 8, 2022, the Commission determined not to review the final ID’s finding of a violation of section 337 with respect to claims 1 and 2 of the ‘720 patent, thus adopting that finding. *See* Comm’n Notice (Mar. 8, 2022); 87 FR 14288-89 (Mar. 14, 2022); *see* 19 CFR 210.42(h)(2). The Commission also requested written submissions from the parties, interested government agencies, and other interested persons on the issues of remedy, the public interest, and bonding. *Id.*

On March 22, 2022, Traeger and GMG each filed a brief on remedy, the public interest, and bonding. On March 29, 2022, the parties filed their reply briefs. The Commission received no other submissions.

Having reviewed the record in this investigation, including the parties’ briefing, the Commission has determined that the appropriate form of relief is an LEO prohibiting the entry of unlicensed cloud-connected wood-pellet grills and components thereof that infringe one or more of claims 1 and 2 of the ‘720 patent, and that are manufactured abroad by or on behalf of, or imported by or on behalf of, GMG or any of its affiliated companies, parents, subsidiaries, agents, or other related business entities, or their successors or assigns (collectively, “the covered articles”). The Commission has also determined to issue a CDO prohibiting GMG from conducting, or aiding and abetting, any of the following activities in the United States: Importing, selling, marketing, advertising, distributing, offering for sale, transferring (except for exportation), and soliciting U.S. agents or distributors for cloud-connected wood-pellet grills and components thereof that infringe one or more of claims 1-2 of the ‘720 patent.

The Commission has further determined that the public interest