

defined in the current USGS Energy and Minerals Science Strategy (<http://pubs.usgs.gov/of/2012/1072/of2012-1072.pdf>). These are: (1) Understand fundamental Earth processes forming mineral resources, (2) understand the environmental behavior of mineral resources and their waste products, (3) provide inventories and assessments of mineral resources, (4) understand the effects of mineral development on natural resources, and (5) understand the availability and reliability of mineral resource supplies. Furthermore, annual research priorities are provided as guidance for applicants to consider when submitting proposals. Annual research priorities are determined by USGS MRP management. Since its initiation in 2004, the MRERP has awarded more than \$2.8 million to 48 different research projects across the country.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and implementing regulations (43 CFR Part 2), and under regulations at 30 CFR 250.197, "Data and information to be made available to the public or for limited inspection." Responses are voluntary. No questions of a "sensitive" nature are asked. We intend to release the project abstracts and primary investigators for awarded/funded projects only.

*Frequency:* Annually.

*Estimated Annual Number and Description of Respondents:*

Approximately 35 research scientists from universities, State agencies, Tribal governments or organizations, and industry or other private sector organizations.

*Estimated Total Number of Annual Responses:* 40.

*Estimated Annual Burden Hours:* 1580.

*Estimated Annual Reporting and Recordkeeping "Hour" Burden:* We expect to receive approximately 35 applications, each taking the applicant approximately 40 hours to complete. This includes the time for project conception and development, proposal writing and reviewing, and submitting proposal narrative through Grants.gov (totaling 1,400 burden hours). We anticipate awarding an average of 5 grants per year. The award recipients must submit a final technical report. We estimate that it will take approximately 36 hours to complete and submit each report (totaling 180 hours).

*Estimated Reporting and Recordkeeping "Non-Hour Cost" Burden:* There are no "non-hour cost" burdens associated with this collection of information.

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

*Comments:* To comply with the public consultation process, on April 27, 2012 we published a **Federal Register** notice (77 FR 25193) announcing our intent to submit this information collection to OMB for approval. In that notice we solicited public comments for 60 days, ending on June 26, 2012. We did not receive any public comments in response to the notice.

We again invite comments concerning this information collection on: (1) Whether or not the collection of information is necessary, including whether or not the information will have practical utility; (2) the accuracy of our estimate of the burden for this collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents.

Please note that the comments submitted in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask OMB in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Dated: July 16, 2012.

**Ione Taylor,**

*Associate Director, Energy and Minerals, and Environmental Health.*

[FR Doc. 2012-18264 Filed 7-25-12; 8:45 am]

**BILLING CODE 4311-AM-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-1202-03 (Preliminary)]

### Xanthan Gum From Austria and China

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from Austria and China of xanthan gum, provided for in subheading 3913.90.20 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).<sup>2</sup>

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce (Commerce) of affirmative preliminary determinations in the investigations under section 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in the investigations under section 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 June 5, 2012, a petition was filed with the Commission and Commerce by CP Kelco U.S., Atlanta, GA, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Deanna Tanner Okun did not participate in these investigations.

imports of xanthan gum from Austria and China. Accordingly, effective June 5, 2012, the Commission instituted antidumping duty investigation Nos. 731-TA-1202-03 (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 July 12, 2012 (77 FR 34997). The conference was held in Washington, DC, on June 26, 2012, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on July 20, 2012. The views of the Commission are contained in USITC Publication 4342 (July 2012), entitled *Xanthan Gum from Austria and China: Investigation Nos. 731-TA-1202-03 (Preliminary)*.

Issued: July 23, 2012.

By order of the Commission.

**Lisa R. Barton,**

*Acting Secretary to the Commission.*

[FR Doc. 2012-18271 Filed 7-25-12; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-703]

### **Certain Mobile Telephones and Wireless Communication Devices Featuring Digital Cameras, and Components Thereof; Determination To Review the Initial Remand Determination in Part and on Review To Affirm a Determination of No Violation of Section 337; Termination of the Investigation**

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to affirm, on modified grounds, the remand initial determination ("remand ID") issued by the presiding administrative law judge ("ALJ") on May 21, 2012, finding no violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), as amended, ("section 337") in the above-captioned investigation. The investigation is thus terminated with a finding of no violation of section 337.

**FOR FURTHER INFORMATION CONTACT:** Amanda S. Pitcher, Office of the General

Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2532. 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) 205-2737. 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 February 23, 2010, based upon a complaint filed on behalf of Eastman Kodak Company of Rochester, New York ("Kodak") on January 14, 2010, and supplemented on February 4, 2010. 75 FR 8112. The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain mobile telephones and wireless communication devices featuring digital cameras, and components thereof, that infringe certain claims of U.S. Patent No. 6,292,218 ("the '218 patent"). The notice of investigation named as respondents Apple, Inc. of Cupertino, California ("Apple"); Research in Motion, Ltd. of Ontario, Canada; and Research in Motion Corp. of Irving, Texas (collectively, "RIM"). Claim 15 is the only asserted claim remaining in the investigation.

On January 24, 2011, then-Chief Judge Luckern issued a final Initial Determination ("final ID") finding no violation of section 337. On March 25, 2011, the Commission determined to review the final ID in its entirety. 76 FR 17,965 (March 31, 2011). On June 30, 2011, the Commission issued a notice that determined to affirm in part, reverse in part, and remand in part, the final ID. The Commission remanded the investigation in order for the ALJ to consider (1) infringement under the Commission's construction of the "still processor" limitation; (2) infringement under the Commission's construction of the "motion processor" limitation; (3) whether Kodak waived the argument that the iPhone 3GS and iPhone 4 in their non-flash-photography mode

practice the "initiating capture" limitation under the doctrine of equivalents and if not, whether the iPhone 3GS and iPhone 4 practice this limitation under the doctrine of equivalents; and (4) validity in light of the Commission's claim constructions, including further analysis of the pertinence of the *ex parte* reexaminations of the '218 patent and an explanation of the secondary considerations of nonobviousness. After remand, Chief Judge Luckern retired, and the investigation was reassigned to Judge Pender.

On May 21, 2012, Judge Pender issued the remand ID finding no violation of section 337. In particular, he found claim 15 to be obvious in view of Japanese Patent Application Laid-Open Disclosure No. H5-122574 ("Mori") and U.S. Patent No. 5,493,335 to Parulski ("Parulski '335"). He found the claim to be infringed by the accused RIM products and by the Apple iPhone 3G, but not the iPhone 3GS and iPhone 4. Kodak and the Commission investigative attorney ("IA") petitioned for review of, *inter alia*, the ALJ's finding that claim 15 of the '218 patent is invalid. RIM has petitioned for review of the ALJ's finding of infringement by the accused RIM products, the ALJ's failure to consider certain newly introduced products that RIM contends do not infringe, and the ALJ's finding that claim 15 is not obvious in view of the combination of U.S. Patent No. 4,887,161 (Watanabe), U.S. Patent No. 3,971,065 (Bayer), and Sharp ViewCam. Apple petitioned for review of the ALJ's finding that the iPhone 3G infringes claim 15, and Apple joined in RIM's petition on the invalidity issues. The IA, Apple and RIM filed responses to Kodak's petition. The IA and Kodak filed responses to RIM's and Apple's petitions.

Having reviewed the record of this investigation, including the parties' petitions for review and responses thereto, as well as the parties' submissions to the ALJ, both before and after remand, and the transcripts of the hearing conducted by the ALJ, the Commission has determined to review the ALJ's remand ID in part. The Commission has determined to review the ALJ's finding of infringement of the '218 patent by the accused RIM products and the iPhone 3G, and his finding of invalidity based on the Mori and Parulski '335 combination. The Commission affirms the remaining findings of the ALJ. On review, the Commission has determined to (1) find that the accused RIM products and the Apple iPhone 3G infringe claim 15; and (2) affirm the ALJ's invalidity findings