

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1133
(Rescission)]

Certain Unmanned Aerial Vehicles and Components Thereof; Commission Determination To Institute a Rescission Proceeding and Rescind Permanently a Limited Exclusion Order and Cease and Desist Orders; Termination of Rescission Proceeding

AGENCY: U.S. International Trade
Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (the "Commission") has determined to institute a rescission proceeding and rescind the remedial orders issued in the underlying investigation. This rescission proceeding is hereby terminated.

FOR FURTHER INFORMATION CONTACT: Carl P. Bretscher, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2382. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket system ("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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on October 2, 2018, based on a complaint filed by Autel Robotics USA, Inc. ("Autel") of Bothell, Washington. 83 FR 49575-76 (Oct. 2, 2018). The complaint accuses respondents of violating 19 U.S.C. 1337 of the Tariff Act of 1930, as amended ("Section 337") by importing into the United States, selling for importation, or selling in the United States after importation certain unmanned aerial vehicles ("UAVs") and components thereof that infringe one or more of the asserted claims of U.S. Patent Nos. 9,260,184 ("the '184 patent"); 7,979,174 ("the '174 patent"); and 10,044,013 ("the '013 patent"). *Id.* The complaint also alleges the existence of a domestic industry. *Id.* The notice of investigation named the following respondents: SZ DJI Technology Co. Ltd. of Shenzhen,

China; DJI Europe B.V. of Barendrecht, Netherlands; DJI Technology Inc. of Burbank, California; iFlight Technology Co., Ltd. ("iFlight") of Hong Kong; DJI Baiwang Technology Co. Ltd. of Shenzhen, China; DJI Research LLC of Palo Alto, California; DJI Service LLC ("DJI Service") of Cerritos, California; and DJI Creative Studio LLC of Burbank, California (collectively, "DJI"). *Id.* The Office of Unfair Import Investigations is not a party to this investigation. *Id.*

On March 2, 2020, the presiding Chief Administrative Law Judge ("CALJ") issued a combined Initial Determination on Violation of Section 337 ("ID") and Recommended Determination ("RD") on Remedy and Bonding, finding a violation of Section 337 by way of infringement of the '184 patent but no violation with respect to the '174 patent or '013 patent.

On May 29, 2020, while the parties' petitions for review were still pending before the Commission, respondents' counsel filed a letter with the Commission attaching four recent Final Written Decisions by the Patent Trial and Appeal Board ("PTAB") of the U.S. Patent and Trademark Office, finding the challenged claims of the '184, '174, and '013 patents, including the claims asserted in this investigation, to be unpatentable. *See, e.g., SZ DJI Technology Co. v. Autel Robotics USA LLC*, Case IPR2019-00343, Final Written Decision Finding All Challenged Claims Unpatentable (PTAB May 21, 2020), *on appeal sub. nom., Autel Robotics USA LLC v. SZ DJI Technology Co.*, Appeal No. 20-1987 (Fed. Cir.) ("Appeal No. 20-1987").

On June 8, 2020, the Commission issued a notice stating that it had determined to partially review certain findings relating to the '184 patent, including the impact, if any, of the PTAB's Final Written Decision finding the '184 patent claims unpatentable. Comm'n Notice at 2-3 (June 9, 2020). The Commission determined not to review the ID's findings that there is no violation with respect to the '174 patent or '013 patent. *Id.*

On August 20, 2020, the Commission affirmed that DJI violated Section 337 by way of infringing claims 1 and 2 of the '184 patent. Comm'n Notice at 3 (Aug. 20, 2020) ("Comm'n Notice"); Comm'n Op. at 8-21 (Aug. 20, 2020) ("Comm'n Op."). Having found a violation of Section 337, the Commission determined that the appropriate remedy is: (a) A limited exclusion order prohibiting the importation of UAVs and components thereof that are covered by claims 1 or 2 of the '184 patent; (b) cease and desist orders against respondents iFlight and DJI

Service; and (c) set a bond in the amount of 11.5 percent of the entered value of the excluded products imported during the period of Presidential review (19 U.S.C. 1337(j)). *See* Comm'n Notice at 3; Comm'n Op. at 26-34. The Commission determined that the public interest factors enumerated in Section 337(d)(1) and (f)(1) do not preclude issuance of the limited exclusion order or cease and desist orders. *Id.* The Commission, however, determined to suspend enforcement of the limited exclusion order, cease and desist orders, and bond provision pending final resolution of the PTAB's Final Written Decision regarding the '184 patent. *See* Comm'n Notice at 4; Comm'n Op. at 35-38.

On October 16, 2020, Autel filed a notice of appeal of the Commission's final determination, including its determination to suspend enforcement of its remedial orders. *See Robotics USA, LLC v. ITC*, Appeal No. 21-1082 ("Appeal No. 21-1082"). On November 25, 2020, DJI filed a notice of a cross-appeal of the Commission's final determination. *See SZ DJI Technology Co. Ltd. v. ITC*, Appeal No. 21-1363 ("Appeal No. 21-1363"). On December 16, 2020, the Federal Circuit consolidated the appeals, designating Appeal No. 21-1082 as the lead case.

On August 16, 2021, Autel and DJI filed a joint motion to voluntarily dismiss their appeal and cross-appeal. *See Autel Robotics USA LLC v. Int'l Trade Comm'n LLC*, Appeal Nos. 2021-1082, -1363, Joint Stipulation to Dismiss Appeals (Aug. 16, 2021). The Federal Circuit granted the motion and dismissed the appeals the following day. *See Autel Robotics USA LLC v. Int'l Trade Comm'n*, Appeal Nos. 21-1082, -1363, Order (Fed. Cir. Aug. 17, 2021).

On August 16, 2021, Autel and DJI filed a Joint Petition to Rescind the Limited Exclusion Order and Cease and Desist Orders ("Joint Petition") that the Commission issued in this investigation, pursuant to 19 U.S.C. 1337(k) and Commission Rule 210.76(a) (19 CFR 210.76(a)). The parties filed both confidential and public versions of the settlement agreements.

Upon consideration of the parties' joint petition, the Commission has determined that the petition complies with Commission rules, *see* 19 CFR 210.76(a)(3), and that there are no extraordinary reasons to deny rescission of the remedial orders. Accordingly, the Commission has determined to institute a rescission proceeding and to permanently rescind the LEO and the CDOs. This rescission proceeding is hereby terminated.

The Commission voted to approve these determinations on September 10, 2021.

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: September 10, 2021.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2021-19977 Filed 9-15-21; 8:45 am]

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DEPARTMENT OF JUSTICE

[OMB Number 1122-0006]

Agency Information Collection Activities; Proposed eCollection Requested; Extension of a Currently Approved Collection

AGENCY: Office on Violence Against Women, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Office on Violence Against Women (OVW), Department of Justice, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until October 18, 2021.

FOR FURTHER INFORMATION CONTACT: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) evaluate the accuracy of the agency's estimate of the burden of the

proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension of currently approved collection.

(2) *Title of the Form/Collection:* Semiannual Progress Report for the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: 1122-0006. U.S. Department of Justice, Office on Violence Against Women.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The affected public includes 200 grantees from the Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program (ICJR Program) (also known as Grants to Encourage Arrest Policies and Enforcement of Protection Orders) which encourages state, local, and tribal governments and state, local, and tribal courts to treat domestic violence, dating violence, sexual assault, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system. Eligible applicants are states and territories, units of local government, Indian tribal governments, coalitions, victim service providers and state, local, tribal, and territorial courts.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that it will take the approximately 200 respondents (ICJR Program grantees) approximately one hour to complete a semi-annual progress report. The semi-annual progress report is divided into sections that pertain to the different types of activities in which grantees may engage. An ICJR Program grantee will only be required to complete the sections of the form that pertain to its own specific

activities (victim services, law enforcement, training, etc.).

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total annual hour burden to complete the data collection forms is 400 hours, that is 200 grantees completing a form twice a year with an estimated completion time for the form being one hour.

If additional information is required contact: Melody Braswell, Deputy Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E, 405B, Washington, DC 20530.

Dated: September 13, 2021.

Melody Braswell,

Department Clearance Officer, PRA, U.S. Department of Justice.

[FR Doc. 2021-20029 Filed 9-15-21; 8:45 am]

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DEPARTMENT OF JUSTICE

[OMB Number 1105-0008]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Currently Approved Collection; Claim for Damage, Injury, or Death

AGENCY: Civil Division, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Civil Division, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 30 days until October 18, 2021.

FOR FURTHER INFORMATION CONTACT: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points: