

Inc. of West Conshohocken, Pennsylvania. A letter supplementing the complaint was filed on August 18, 2009. The complaint alleges violations 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 MLC flash memory devices and products containing same by reason of infringement of certain claims of U.S. Patent Nos. 5,394,362; 5,764,571; 5,872,735; 6,104,640; and 6,118,692. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue an exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained 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 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>.

FOR FURTHER INFORMATION CONTACT: Stephen R. Smith, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2746.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2009).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on August 21, 2009, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation,

or the sale within the United States after importation of certain MLC flash memory devices or products containing same that infringe one or more of claim 1 of U.S. Patent No. 5,394,362; claims 1–47 of U.S. Patent No. 5,764,571; claims 29–42 of U.S. Patent No. 5,872,735; claims 1, 2, 5–8, 11–14, 17–21, 24–27, 29, 31–33, 35, 37, and 38 of U.S. Patent No. 6,104,640; and claims 43 and 64 of U.S. Patent No. 6,118,692; and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—BTG International Inc., Five Tower Bridge, Suite 800, 300 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428–2998.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Samsung Electronics Co., Ltd., 250, 2-ga, Taepyeong-ro Jang-gu, Seoul 100–742, South Korea.

Samsung Electronics America, Inc., 105 Challenger Road, Ridgefield Park, New Jersey 07660.

Samsung Semiconductor, Inc., 3655 North First Street, San Jose, California 95134.

Samsung Telecommunications America, LLC, 1301 East Lookout Drive, Richardson, Texas 75082.

Apple, Inc., 1 Infinite Loop, Cupertino, California 95014.

ASUSTek Computer, Inc., 150 Li-Te Rd., Peitou, Taipei 112, Taiwan.

ASUS Computer International, 800 Corporate Way, Fremont, California 94539.

Dell, Inc., 1 Dell Way, Round Rock, Texas 78682–2222.

Lenovo Group Limited, 23rd Floor, Lincoln House, Taikoo Place, 979 King's Road, Quany Bay, Hong Kong.

Lenovo (United States) Inc., 1009 Think Place, Morrisville, North Carolina 27560.

PNY Technologies, Inc., 299 Webro Rd., Parsippany, New Jersey 07054–0218.

Research In Motion, Ltd., 295 Phillip Street, Waterloo, Ontario, Canada N2L 3W8.

Research in Motion Corporation, 122 West John Carpenter Parkway, Suite 430, Irving, Texas 75039.

Sony Corporation, 1–7–1, Konan, Minato-ku, Tokyo 108–0075, Japan.
Sony Electronics, Inc., 16530 Via

Esprillo, San Diego, California 92127.

Transcend Information, Inc., No. 70, Xing Zhong Rd., NeiHu Dist., Taipei, Taiwan.

(c) The Commission investigative attorney, party to this investigation, is Stephen R. Smith, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against a respondent.

Issued: August 24, 2009.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

William R. Bishop,

Acting Secretary to the Commission.

[FR Doc. E9–20692 Filed 8–26–09; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that, on August 21, 2009, a proposed Consent Decree in *United*

States v. Vertellus Agriculture & Nutrition Specialties LLC, Civil Action No. 1:09-cv-1030-SEB-TAB (S.D. Ind.) was lodged with the United States District Court for the Southern District of Indiana. The Consent Decree addresses alleged violations of the Clean Air Act, 42 U.S.C. 7401-7671q, and its implementing regulations at a specialty chemical manufacturing facility in Indianapolis, Indiana that is owned and operated by Vertellus Agriculture & Nutrition Specialties LLC ("Vertellus"). The United States alleges that Vertellus has failed to comply with certain requirements governing the control of hazardous air pollutant emissions under Clean Air Act Section 112, 42 U.S.C. 7412, and the implementing regulations at: (i) 40 CFR Part 63, Subpart H (National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks); (ii) EPA Reference Method 21 at 40 CFR Part 60, Appendix A; and (iii) 40 CFR Part 63, Subpart GGG (National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production). The United States also alleges a violation of Clean Air Act Section 502(a), 42 U.S.C. 7661a(a), for failure to comply with a requirement of Vertellus' permit issued under Title V of the Act.

The proposed Consent Decree would resolve the claims alleged in the United States' Complaint in exchange for the Defendant's commitment to implement appropriate injunctive relief, pay \$450,000 civil penalty, and perform a \$705,000 Supplemental Environmental Project. Among other things, the injunctive relief provisions of the Decree would require Vertellus to implement an enhanced leak detection and repair program and a program to operate and maintain an incinerator in a manner consistent with good air pollution control practices for minimizing emissions.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and mailed either electronically to pubcomment-ees.enrd@usdoj.gov or in hard copy to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611. Comments should refer to *United States v. Vertellus Agriculture & Nutrition Specialties LLC*, Civil Action No. 1:09-cv-1030-SEB-TAB (S.D. Ind.) and D.J. Ref. No. 90-5-2-1-09022.

The Consent Decree may be examined at: (1) The offices of the United States Attorney, 10 West Market Street, Suite

2100, Indianapolis, Indiana; and (2) the offices of the U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, 14th Floor, Chicago, Illinois. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$15.75 (63 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury.

Maureen M. Katz,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E9-20602 Filed 8-26-09; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Clean Water Act

Notice is hereby given that on August 24, 2009, a proposed Consent Decree in *United States v. Ameripride Services, Inc.*, Civil Action No. 3:09-cv-1333 (WWE), was lodged with the United States District Court for the District of Connecticut.

In this action, the United States seeks, *inter alia*, civil penalties and injunctive relief from Ameripride for alleged violations under the Clean Water Act, 33 U.S.C. §§ 1319(b) and (d), at its Hartford, Connecticut laundry facility. The complaint in this matter alleges that Ameripride violated Federal pretreatment standards and State permit limitations in relation to discharges from the facility which contained excess pH, oil/grease and metals. The Consent Decree requires Ameripride, among other things, to pay a civil penalty of \$525,000 and submit periodic reports relating to its future compliance with the Act.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov

mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Ameripride Services, Inc.*, D.J. Ref. 90-5-1-1-09559.

The Consent Decree may be examined at the Office of the United States Attorney, District of Connecticut, Connecticut Financial Center, 157 Church Street, Floor 23, New Haven, Connecticut 06510. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, to http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$7.50 (25 cents per page reproduction costs of Consent Decree and Appendices) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the stated address.

Maureen Katz,

Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E9-20715 Filed 8-26-09; 8:45 am]

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DEPARTMENT OF AGRICULTURE

DEPARTMENT OF JUSTICE

Antitrust Division

Agriculture and Antitrust Enforcement Issues in Our 21st Century Economy

AGENCIES: U.S. Department of Agriculture and U.S. Department of Justice, Antitrust Division.

ACTION: Notice of public hearings and opportunity for comment.

SUMMARY: The Antitrust Division of the U.S. Department of Justice (DOJ) and the United States Department of Agriculture (USDA) strongly believe that a competitive agriculture sector is vitally important to producers and consumers alike. To this end, the DOJ and USDA, with the participation of State Attorneys General, intend to hold a series of public workshops to explore competition issues affecting the agricultural sector in the 21st Century and the appropriate role for antitrust