

granting complainant's consent motion to amend the complaint and notice of investigation.

**FOR FURTHER INFORMATION CONTACT:**

Michelle Walters, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5468. 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) 205-2000. 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>. 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 December 7, 2006, based on a complaint filed by ATEN International Co., Ltd. of Taipei, Taiwan, and ATEN Technology, Inc. of Irvine, California (collectively, "ATEN"). 71 FR 70983. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain switches and products containing the same by reason of infringement of various claims of United States Patent No. 7,035,112. The complaint named six respondents: Belkin Corp. of Compton, California; Belkin Logistics, Inc. of Compton, California; Emine Technology Co., Ltd. of Taipei, Taiwan; JustCom Tech, Inc. of San Jose, California; RATOC Systems, Inc. of Osaka, Japan; and RATOC Systems International, Inc. of Santa Clara, California.

On February 9, 2007, ATEN moved to amend the complaint and notice of investigation in order to reflect corporate name changes of two respondents. Specifically, ATEN sought to change Belkin Corp. and Belkin Logistics, Inc. to Belkin International, Inc. and Belkin, Inc., respectively. Respondents consented to ATEN's motion.

On February 20, 2007, the ALJ issued an ID (Order No. 4) granting ATEN's motion to amend the complaint and notice of investigation. No petitions for review were filed.

Having examined the record of this investigation, the Commission has determined not to review the ALJ's ID.

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 section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

By order of the Commission.

Issued: March 15, 2007.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E7-5044 Filed 3-19-07; 8:45 am]

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## DEPARTMENT OF JUSTICE

### [AAG/A Order No. 008-2007]

#### **Privacy Act of 1974; Removal of a System of Records Notice**

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Department of Justice (DOJ), United States Marshals Service (USMS) is removing the published notice of a Privacy Act system of records: "Justice/USM-003, United States Marshals Service Prisoner Transportation System," last published in the **Federal Register** on September 6, 1991, at 56 FR 44101.

The notice of USM-003 is obsolete, as the records for USM-003 were incorporated into "Justice/USM-005, U.S. Marshals Service Prisoner Processing and Population Management/Prisoner Tracking System (PPM/PTS)" when USM-005 was first published as a new Privacy Act system of records on February 3, 1992, at 57 FR 4059. USM-005 has been subsequently updated.

Therefore, the notice of "Justice/USM-003, United States Marshals Service Prisoner Transportation System" is removed from the Department's listing of Privacy Act systems of records notices, effective on the date of publication of this notice in the **Federal Register**.

Dated: March 8, 2007.

**Lee J. Lofthus,**

*Assistant Attorney General for Administration.*

[FR Doc. E7-4960 Filed 3-19-07; 8:45 am]

**BILLING CODE 4410-04-P**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **Notice Pursuant to the National Cooperative Research and Production Act of 1993—Network Centric Operations Industry Consortium, Inc.**

Notice is hereby given that, on February 16, 2007, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Network Centric Operations Industry Consortium, Inc. has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Tubitak Uekae, Gebze, Turkey; Conference ConCepts, Inc., San Diego, CA; S.C. Siveco Romania S.A., Bucharest, Romania; Barco, Kuurne, Belgium; Terrestar Networks, Inc., Reston, VA; Twisted Pair Solutions, Inc., Seattle, WA; Object Management Group, Needham, MA; and Iona Technologies, Waltham, MA have been added as parties to this venture.

Also, Ericsson Inc., Plano, TX; Honeywell Defense and Space Electronic Systems, Columbia, MD; Smiths Aerospace, London, United Kingdom; Engenio Information Technologies, Inc., Milpitas, CA; and Systematic Software Engineering A/S, Aarhus, Denmark have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Network Centric Operations Industry Consortium, Inc. intends to file additional written notifications disclosing all changes in membership.

On November 19, 2004, Network Centric Operations Industry Consortium, Inc. filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on February 2, 2005 (70 FR 5486).

The last notification was filed with the Department on December 5, 2006. A notice was published in the **Federal Register** pursuant to Section 6(b) of the

Act on December 29, 2006 (71 FR 78468).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

[FR Doc. 07-1322 Filed 3-19-07; 8:45 am]

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

[Prohibited Transaction Exemption 2007-04; Exemption Application Nos. D-11345, and D-11370]

**Grant of Individual Exemptions Involving; D-11342, Mellon Financial Corporation (Mellon); and D-11370, Amendment to Prohibited Exemption (PTE) 2000-58 and (PTE) 2002-41 Involving Bear Stearns & Co. Inc., Prudential Securities Incorporated, et al. to add Dominion Bond Rating Service Limited and Dominion Bond Rating Service, Inc.**

**AGENCY:** Employee Benefits Security Administration, Labor.

**ACTION:** Grant of Individual Exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code).

A notice was published in the **Federal Register** of the pendency before the Department of a proposal to grant such exemption. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, DC. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicant has represented that it has complied with the requirements of the notification to interested persons. No requests for a hearing were received by the Department. Public comments were received by the Department as described in the granted exemption.

The notice of proposed exemption was issued and the exemption is being

granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

### Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemption is administratively feasible;

(b) The exemption is in the interests of the plan and its participants and beneficiaries; and

(c) The exemption is protective of the rights of the participants and beneficiaries of the plan.

### Mellon Financial Corporation (Mellon), Located in Pittsburgh, PA

[Prohibited Transaction Exemption 2007-04; Exemption Application No. D-11342]

### Exemption

#### *Section I—Exemption for In-Kind Redemption of Assets*

The restrictions in sections 406(a)(1)(A) through (D) and 406(b)(1) and (b)(2) of the Act, and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply, effective November 30, 2005, to certain in-kind redemptions (the Redemption(s)) by the Mellon 401(k) Retirement Savings Plan or by any other employee benefit plan sponsored by Mellon or an affiliate (the Plan(s)), of shares (the Shares) of certain proprietary mutual funds in which the Plans were invested as of November 30, 2005 (the Funds), for which Mellon or an affiliate (collectively, referred to also as Mellon) provides investment advisory and other services, provided that the following conditions are satisfied:

(A) The Plan pays no sales commissions, redemption fees, or other similar fees in connection with the Redemption—other than customary transfer charges paid to parties other than Mellon;

(B) The assets transferred to the Plan pursuant to the Redemption consist entirely of cash and Transferable Securities, as such term is defined in Section II, below. Notwithstanding the foregoing, Transferable Securities that are odd lot securities, fractional shares,

and accruals on such securities may be distributed in cash;

(C) With certain exceptions described below, the Plan receives in any Redemption its pro rata portion of the securities of the Funds equal in value to that of the number of Shares redeemed, as determined in a single valuation (using sources independent of Mellon) performed in the same manner and as of the close of business on the same day, in accordance with the procedures established by the Fund pursuant to Rule 2a-4 under the Investment Company Act of 1940, as amended from time to time (the 1940 Act), and the then-existing procedures established by the board of the Funds that are in compliance with the rules administered by the Securities Exchange Commission (SEC);

(D) Mellon does not receive any direct or indirect compensation or any fees, including any fees payable pursuant to Rule 12b-1 under the 1940 Act, in connection with any Redemption of the Shares;

(E) Prior to a Redemption, Mellon provides in writing to an independent fiduciary (Independent Fiduciary, as such term is defined in Section II, below), a full and detailed written disclosure of information regarding the Redemption;

(F) The Independent Fiduciary provides written authorization in advance of the Redemption to Mellon, such authorization being terminable at any time prior to the date of the Redemption without penalty to the Plan, provided that the termination is effectuated by the close of business following the date of receipt by Mellon of written or electronic notice regarding such termination (unless circumstances beyond the control of Mellon delay termination for no more than one additional business day);

(G) Before approving a Redemption, based on the disclosures provided by the Funds to the Independent Fiduciary and discussions with appropriate operational personnel of the Plan, the Independent Fiduciary determines that the terms of the Redemption are fair to the Plan and comparable to, and no less favorable than, terms obtainable at arm's length between unaffiliated parties, and that the Redemption is in the best interests of the Plan and its participants and beneficiaries;

(H) Mellon makes a "make-whole payment" to ensure that the dollar value of the interests received by the Plan from the collective investment funds is not diminished by transaction costs nor by valuation differences as a result of the Redemption;