

information concerning the Commission may also be obtained by accessing its Internet server (<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: The Commission instituted this investigation on July 7, 2011, based on a complaint filed by X2Y Attenuators, LLC of Erie, Pennsylvania ("X2Y"). 76 FR 39,895 (July 7, 2011). The respondents are Intel Corporation and Intel America, Inc., both of Santa Clara, California; Componentes Intel de Costa Rica S.A. of Heredia, Costa Rica; Intel Technology Sdn Bhd of Penang, Malaysia; and Intel Products (Chengdu) Ltd. of Chengdu, China (collectively, "Intel"), as well as two of Intel's customers who import computers containing accused Intel microprocessors, Apple Inc. of Cupertino, California ("Apple"); and Hewlett-Packard Company of Palo Alto, California ("HP").

Originally, X2Y asserted numerous claims from five patents. X2Y later received leave to amend the notice of investigation to add a sixth patent, Order No. 13 (Oct. 14, 2011), *not reviewed*, Nov. 14, 2011, but X2Y later moved to terminate the investigation as to three of the six patents and as to certain claims of the remaining three, Order No. 35 (June 13, 2012), *not reviewed*, June 29, 2012; Order No. 59 (Sept. 7, 2012), *not reviewed*, Oct. 4, 2012. What remains are claims 23 and 30 of U.S. Patent No. 7,609,500 ("the '500 patent"); claims 29, 31, 33, and 36 of U.S. Patent No. 7,916,444 ("the '444 patent"); and claims 20, 28-31 of U.S. Patent No. 8,023,241 ("the '241 patent").

On December 14, 2012, the presiding ALJ issued the ID. The ALJ found no violation of section 337. Based substantially on adoption of certain of respondents' claim constructions, the ALJ found that none of the patent claims were infringed and that most were invalid as indefinite under 35 U.S.C. 112(b). The ALJ rejected the respondents' other section 112 challenges, as well as their equitable defenses based upon equitable estoppel, unclean hands, and laches. The ALJ found in the alternative that if X2Y's claim constructions were adopted, all of the asserted claims would be invalid under 35 U.S.C. 102 or 103 in view of the prior art.

On December 31, 2012, X2Y filed a petition for review that challenged

certain claim constructions, as well as the ALJ's findings of noninfringement and invalidity. That same day, the respondents filed a contingent petition for review arguing additional bases for no violation. On January 9, 2013, the private parties opposed each other's petitions. In addition, the Commission investigative attorney filed a narrow opposition, which recommended against Commission review of the domestic industry issues raised by the private parties.

Having examined the record of this investigation, including the ALJ's final ID, the petition for review, and the responses thereto, the Commission has determined to review the final ID in part.

With respect to the issues raised in X2Y's petition for review, the Commission has determined to review the ALJ's determination that the term "portion" in the '444 and '241 patents is indefinite under 35 U.S.C. 112(b). The Commission finds that the term is not insolubly ambiguous and affords the term its ordinary meaning. The Commission has also determined to review and reverse the ALJ's determination that all of the asserted patent claims have a "capacitance" requirement not part of the adopted claim constructions. The Commission has determined not to review the ALJ's constructions of the terms "electrode" (all asserted patents) and "perimeter edge" (the '241 patent). The Commission has determined not to review the ALJ's finding of noninfringement based upon these constructions. Regarding the ALJ's alternative invalidity findings under 35 U.S.C. 102 and 103 based upon claim constructions rejected by the ALJ and the Commission, the Commission reviews and vacates those determinations.

In view of the foregoing, the Commission, like the ALJ, therefore does not reach the written description and anticipation arguments raised by the respondents in their contingent petition, both of which rely on claim constructions inconsistent with the Commission's findings.

X2Y petitioned for review of the ALJ's determination that X2Y did not demonstrate the existence of a domestic industry under 19 U.S.C. 1337(a)(3)(C) through its licensing activities. The respondents petitioned for review of the ALJ's determination that X2Y did demonstrate the existence of a domestic industry under section 337(a)(3)(C) through the engineering, research and development activities and investments of X2Y's licensee. The Commission has determined to vacate the ALJ's

determinations under section 337(a)(3)(C) without reaching the merits. The ALJ's findings under this subsection are nondispositive in view of the Commission's adopted claim constructions. Moreover, it appears that the issues would be nondispositive even under X2Y's proposed claim constructions, in view of the ALJ's findings under section 337(a)(3)(A) and (a)(3)(B).

The Commission has determined not to review the remainder of the ID. Accordingly, the Commission has terminated this investigation with a finding of no violation. The Commission's determinations will be set forth more fully in the Commission's forthcoming opinion.

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 sections 210.42-46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-46).

Issued: February 15, 2013.

By order of the Commission.

Lisa R. Barton,

Acting Secretary to the Commission.

[FR Doc. 2013-04070 Filed 2-21-13; 8:45 am]

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DEPARTMENT OF JUSTICE

[Docket No. OLP 153]

Notice of Establishment of the National Commission on Forensic Science and Solicitation of Applications for Commission Membership

AGENCY: Department of Justice.

ACTION: Notice of Establishment and Solicitation of Applications for Membership.

SUMMARY: Pursuant to the Federal Advisory Committee Act, as amended, the Attorney General will be establishing the National Commission on Forensic Science. This notice establishes criteria and procedures for the selection of members.

DATES: Applications must be received on or before March 25, 2013.

ADDRESSES: All applications should be submitted to: Armando Bonilla by email at Armando.Bonilla2@usdoj.gov or by mail at Department of Justice, 950 Pennsylvania Ave NW., Room 4313, Washington, DC 20530.

FOR FURTHER INFORMATION CONTACT:

Armando Bonilla by email at Armando.Bonilla2@usdoj.gov or by mail at Department of Justice, 950 Pennsylvania Ave NW., Room 4313, Washington, DC 20530.

SUPPLEMENTARY INFORMATION:

Background and Authority: Pursuant to the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), the Attorney General will be establishing the National Commission on Forensic Science ("Commission"). The Attorney General has determined that the Commission is necessary and in the public interest.

The Commission will recommend strategies for enhancing quality assurance in forensic science units. The duties of the Commission will include: (a) Recommending priorities for standards development; (b) reviewing and recommending endorsement of guidance identified or developed by subject-matter experts; (c) developing proposed guidance concerning the intersection of forensic science and the courtroom; (d) developing policy recommendations, including a uniform code of professional responsibility and minimum requirements for training, accreditation and/or certification; and (e) identifying and assessing the current and future needs of the forensic sciences to strengthen their disciplines and meet growing demand.

Structure: The Commission will be co-chaired by the Department of Justice and the National Institute of Standards and Technology. Members will be appointed by the Attorney General in consultation with the Director of the National Institute of Standards and Technology and the co-chairs of the Commission. Members will be selected to achieve a diversity of experiences, including Federal, State, and Local forensic science service providers; research scientists and academicians; Federal, State, Local prosecutors, defense attorneys and judges; law enforcement; and other relevant stakeholders. DOJ encourages submissions from diverse applicants with respect to backgrounds, professions, ethnicities, gender, and geography. The Commission shall consist of approximately 30 members. Members will serve without compensation. The Commission will generally meet four times each year at approximately three-month intervals.

Applications: Any qualified person may apply to be considered for appointment to this advisory committee. Each application should include: (1) A resume or curriculum vitae; (2) a statement of interest describing the applicant's relevant experience; (3) a letter of recommendation; and (4) a statement of support from the applicant's employer. Potential candidates may be asked to provide detailed information as necessary regarding financial interests,

employment, and professional affiliations to evaluate possible sources of conflicts of interest.

The application period will remain open through March 25, 2013. The applications must be sent in one complete package, by paper or email, to Armando Bonilla (contact information above). If an application is submitted electronically, please title the subject line of the email, "NCFS Membership 2013." Other sources, in addition to the **Federal Register** notice, may be utilized in the solicitation of applications.

Dated: February 19, 2013.

Elana Tyrangiel,

Acting Assistant Attorney General, Office of Legal Policy.

[FR Doc. 2013-04140 Filed 2-21-13; 8:45 am]

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DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Telemanagement Forum

Notice is hereby given that, on January 22, 2013, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), TeleManagement Forum ("The Forum") 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, the following parties have been added as members to this venture: 4GOSS, Gatineau, CANADA; AAPT Limited, Sydney, AUSTRALIA; ABIS & Associates, Chessington, UNITED KINGDOM; Agama Technologies, Linköping, SWEDEN; ARSAT, Buenos Aires, ARGENTINA; Boliviatel S.A., Cochabamba, BOLIVIA; Caribbean Knowledge & Learning Network (CKLN), St George's, GRENADA; ClickSoftware, Inc., Burlington, MA; CODIX USA, Atlanta, GA; Concordus Applications Inc, Sacramento, CA; Delta Partners, Dubai, UNITED ARAB EMIRATES; Digicel Fiji, Suva, FIJI; George Mason University, Fairfax, VA; i Engineering Group, Accra, GHANA; Incoma, Moscow, RUSSIA; International Software Techniques, Athens, GREECE; Japan Mobile Platform, Tokyo, JAPAN; Latin American Byte, Inc., Wickhams Cay I—Road Town, VIRGIN ISLANDS (BRITISH); LIRIS Lab (Personne

Morale), Villeurbanne Cédex, FRANCE; MEASAT Broadcast Network Systems Sdn Bhd (MBNS—Astro), Bukit Jalil, MALAYSIA; MicroNova AG, Vierkirchen, GERMANY; Mobinil—The Egyptian Company for Mobile Services, Cairo, EGYPT; ms-CNS Communication Network Solutions GmbH, Vienna, AUSTRIA; Network Laboratory, Department of Information and Communication Engineering, The University of Tokyo, Tokyo, JAPAN; New Generation Management Consulting Pty Ltd, Rivonia, SOUTH AFRICA; Onesto Services Oy, Jyväskylä, FINLAND; Orange System Group, St.Petersburg, RUSSIA; Osaka University, Osaka, JAPAN; Pictor Consulting, Danderyd, SWEDEN; Seconda Università di Napoli—Dipartimento di Ingegneria Industriale e dell' Informazione, Aversa (CE), ITALY; Sitronics Telecom Solutions Co. (Pvt.) Ltd, Lahore, PAKISTAN; Speedy Movil Servicios SA De CV, Delegacion Miguel Hidalgo, MEXICO; T2 Yazılım Ltd. Şti., Ankara, TURKEY; Technical University of Sofia—Department of Communications Networks, Sophia, BULGARIA; TECNOCOM, Madrid, SPAIN; Telcocell, Broomfield, CO; Telefonica Moviles SA, Lima, PERU; Terminus Technologies Pvt. Limited, Ras Al Khaimah, UNITED ARAB EMIRATES; The Open University, Milton Keynes, UNITED KINGDOM; The Rural Link, Calgary, CANADA; TMSConsult.net, Kuala Lumpur, MALAYSIA; Ultrapower Software Co., Ltd, Beijing, PEOPLE'S REPUBLIC OF CHINA; Universidad del Cauca, Cauca, COLOMBIA; Università degli Studi di Milano, Crema, ITALY; University of Colorado School of Law, Boulder, CO; VIA FERRATA, Hasselt, BELGIUM; Videotron G.P., Montreal, CANADA; Visa, San Francisco, CA; Vulliëns Group snc, Lausanne, SWITZERLAND.

The following members have changed their names: Nato C3 Agency to NATO Communications and Information Agency, The Hague, NETHERLANDS; OOCorp to ultraBASE, Miami, FL; SMI Telecoms LLC to Quindell Telecoms, London, UNITED KINGDOM; Northrop Grumman Corporation—(Information Systems, Defense Enterprise Solutions) to Northrop Grumman Systems Corporation, acting through its Northrop Grumman Information Systems Sector, Defense Technologies Division, McLean, VA; Net Servicios to Net Servicios—Membership, Chacara Santo Antonio, BRAZIL; China Communication Service Application and Solution Technology Co., Ltd. to China Comservice Software Technology Co., Ltd., Beijing, PEOPLE'S REPUBLIC OF CHINA.