

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on July 19, 2017, under section 337 of the Tariff Act of 1930, as amended, on behalf of Wirtgen America, Inc. of Antioch, Tennessee. Supplements were filed on August 11, 2017. 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 road milling machines and components thereof by reason of infringement of one or more of U.S. Patent No. 9,644,340 (“the ‘340 patent”); U.S. Patent No. 9,624,628 (“the ‘628 patent”); U.S. Patent No. 9,656,530 (“the ‘530 patent”); U.S. Patent No. 7,530,641 (“the ‘641 patent”); and U.S. Patent No. 7,828,309 (“the ‘309 patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute.

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

**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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**SUPPLEMENTARY INFORMATION:**

*Authority:* The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2017).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on August 18, 2017, *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 road milling machines and components thereof by reason of infringement of one or more of claims 1-5, 7-12, and 14-17 of the ‘340 patent; claims 1, 2, 5, 6, 9-22, and 27-29 of the ‘628 patent; claims 1-7, 13-24, and 26 of the ‘530 patent; claims 1, 2, 4, 6-8, 11, 12, and 15-17 of the ‘641 patent; and claims 1-3, 5-24, and 26-36 of the ‘309 patent; 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: Wirtgen America, Inc., 6030 Dana Way, Antioch, TN 37013-3116.

(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:

Caterpillar Bitelli SpA, Via IV Novembre, 2, 40061 Minerbio BO, Italy  
 Caterpillar Prodotti Stradali S.r.L., Via IV Novembre, 2, 40061 Minerbio BO, Italy  
 Caterpillar Americas CV, 76 Route de Frontenex Boite Postale 6000, 1211 Geneva, Switzerland  
 Caterpillar Paving Products, Inc., 9401 85th Avenue North, Minneapolis, MN 55445  
 Caterpillar Inc., 100 NE Adams Street, Peoria, IL 61629

(c) The 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 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(e) 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 the respondent.

By order of the Commission.

Issued: August 21, 2017.

**William R. Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2017-18024 Filed 8-24-17; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1036]

### Certain Magnetic Tape Cartridges and Components Thereof; Notice of Commission Decision Not To Review an Initial Determination Granting Complainant’s Unopposed Motion To Amend the Complaint and Notice of Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge’s (“ALJ”) initial determination (“ID”) (Order No. 16) granting complainant’s unopposed motion for leave to amend the complaint and notice of investigation to reflect a corporate reorganization of complainant Sony Storage Media and Devices Corporation.

**FOR FURTHER INFORMATION CONTACT:** Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2301. 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 <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on January 24, 2017, based on a complaint filed by Sony Corporation of Tokyo, Japan; Sony Storage Media and Devices Corporation of Tagajo, Japan ("SSMD"); Sony DADC US Inc. of Terre Haute, Indiana; and Sony Latin America Inc. of Miami, Florida (collectively, "Sony"), alleging a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"). 82 FR 8209-10 (Jan 24, 2017). The complaint, as supplemented, alleges violations of section 337 by reason of infringement of certain claims of U.S. Patent Nos. 6,345,779; 6,896,959; 7,016,137; and 7,115,331 (collectively, "the patents-in-suit"). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337. The notice of investigation names as respondents Fujifilm Holdings Corporation and Fujifilm Corporation both of Tokyo, Japan; Fujifilm Holdings America Corporation of Valhalla, New York; and Fujifilm Recording Media U.S.A., Inc. of Bedford, Massachusetts (collectively, "Fujifilm"). *Id.* at 8210. The Office of Unfair Import Investigations is also named as a party. *Id.*

On July 28, 2017, Sony filed a motion for leave to amend the complaint and notice of investigation to reflect a corporate reorganization of SSMD. Specifically, Sony seeks to replace the entity SSMD with two distinct entities: "Sony Storage Media Solutions" and "Sony Storage Media Manufacturing Corporation." Sony submits that the reorganization did not affect the ownership of the patents-in-suit. Sony stated that its motion is unopposed by Fujifilm or OUII.

On August 4, 2017, the ALJ issued the subject ID, granting Sony's motion pursuant to Commission rule

210.14(b)(1). The ID finds that Sony has shown good cause to amend the complaint and notice of investigation to reflect the corporate reorganization of SSMD. The ID further finds no evidence that these amendments would harm the public interest or prejudice any party to this investigation.

No petitions for review were filed and the Commission has determined not to review the subject 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 Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: August 22, 2017.

**William R. Bishop,**

*Supervisory Hearings and Information Officer.*

[FR Doc. 2017-18044 Filed 8-24-17; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Antitrust Division

#### **United States v. DIRECTV Group Holdings, LLC, et al.; Public Comment and Response on Proposed Final Judgment**

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)-(h), the United States hereby publishes below the comment received on the proposed Final Judgment in *United States v. DIRECTV Group Holdings, LLC, et al.*, Case No. 2:16-cv-08150-MWF-E (C.D. Cal.), together with the Response of the United States to Public Comment.

Copies of the comment and the United States' Response are available for inspection at the Department of Justice Antitrust Division, 450 Fifth Street NW., Suite 1010, Washington, DC 20530 (telephone: 202-514-2481), on the Department of Justice's Web site at <https://www.justice.gov/atr/case/us-v-directv-group-holdings-llc-and-att-inc>, and at the Office of the Clerk of the United States District Court for the Central District of California (Western Division), 312 N. Spring Street, Los Angeles, CA 90012. Copies of any of these materials may also be obtained upon request and payment of a copying fee.

**Patricia A. Brink,**

*Director of Civil Enforcement.*

FREDERICK S. YOUNG (DC Bar No. 421285)

[frederick.young@usdoj.gov](mailto:frederick.young@usdoj.gov)

U.S. DEPARTMENT OF JUSTICE  
ANTITRUST DIVISION  
450 5th Street NW.  
Washington, DC 20530  
Telephone: 202-307-2869  
Facsimile: 202-514-6381  
Counsel for Plaintiff,  
UNITED STATES OF AMERICA

#### **United States District Court for the Central District of California Western Division**

*United States of America, Plaintiff, v. DIRECTV Group Holdings, LLC, et al., Defendants.*

Case No. 2:16-cv-08150-MWF-E  
Plaintiff United States' Response to Public Comment on the Proposed Final Judgment  
Judge: Hon. Michael W. Fitzgerald

Pursuant to the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h) ("APPA" or "Tunney Act"), the United States hereby files the single public comment received concerning the proposed Final Judgment in this case and the United States' response to the comment. After careful consideration of the submitted comment, the United States continues to believe that the proposed Final Judgment provides an effective and appropriate remedy for the antitrust violations alleged in the Complaint. The United States will move the Court for entry of the proposed Final Judgment after the public comment and this Response have been published in the **Federal Register** pursuant to 15 U.S.C. § 16(d).

#### **I. PROCEDURAL HISTORY**

On November 2, 2016, the United States filed a civil antitrust Complaint alleging that DIRECTV acted as the ringleader of a series of unlawful information exchanges between DIRECTV and three of its competitors—Cox Communications, Inc., Charter Communications, Inc. and AT&T (prior to its acquisition of DIRECTV)—during the companies' parallel negotiations to carry SportsNet LA, which holds the exclusive rights to telecast almost all live Dodgers games in the Los Angeles area. The Complaint alleges that DIRECTV unlawfully exchanged competitively sensitive information with Cox, Charter and AT&T during the companies' negotiations for the right to telecast SportsNet LA (the "Dodgers Channel"). In 2015, Defendant AT&T acquired DIRECTV, and AT&T was included as a defendant in this action as DIRECTV's successor in interest.

The United States and Defendants subsequently reached a settlement and, on March 23, 2017, the United States filed a Stipulation and Order and proposed Final Judgment (ECF Nos. 31