

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: Chrysler Group LLC, 1000 Chrysler Dr., Auburn Hills, MI 48321.

(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:

Xingyue Group Co., Ltd., Gushan Industry Zone, Yongkang, Zhejiang Province, China 321307.

Shanghai Xingyue Power Machinery Co. Ltd., No. 1751, Zhouzhu Road, Nanhui District, Shanghai City, Shanghai, China 201321.

Shanghai Xingyue USA, Inc., 719 Nogales Street, City of Industry, CA 91748.

Zhejiang Xingyue Vehicle Co. Ltd., Gushan, Yongkang, Zhejiang Province, China 321307.

Shanghai Tandem Industrial Co., Ltd., 53 Building, 3297 Hong Mei Road, Shanghai, China 201103.

Boat N RV Supercenter, 2475 Westel Road, Rockwood, TN 37854.

Vehicles Online, Inc., 537 W. Cama Street, Charlotte, NC 28217.

(c) The Commission investigative attorney, party to this investigation, is Anne Goalwin, 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)–(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.

Issued: June 11, 2010.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-14597 Filed 6-16-10; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-721]

### In the Matter of: Certain Portable Electronic Devices and Related Software; Notice of Investigation

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

**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on May 12, 2010, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of HTC Corp. of Taiwan. A supplemental letter was filed on June 3, 2010. 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 portable electronic devices and related software by reason of infringement of certain claims of U.S. Patent Nos. 6,999,800; 5,541,988; 6,058,183; 6,320,957; and 7,716,505. 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:

Thomas S. Fusco, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2571.

**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 (2010).

**Scope of Investigation:** Having considered the complaint, the U.S. International Trade Commission, on June 10, 2010, 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 portable electronic devices or related software that infringe one or more of claims 1–4, 6, 10, 11, 14, and 15 of U.S. Patent No. 6,999,800; claims 1 and 10 of U.S. Patent No. 5,541,988; claims 20, 21, and 30 of U.S. Patent No. 6,058,183; claims 1, 2, 8, 9, 39, and 42–44 of U.S. Patent No. 6,320,957; and claims 1–3 of U.S. Patent No. 7,716,505, 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: HTC Corp., 23 Xinghua Rd. Taoyuan City, Taoyuan County 330, Taiwan.

(b) The respondent is the following entities alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Apple Inc., 1 Infinite Loop, Cupertino, CA 95014.

(c) The Commission investigative attorney, party to this investigation, is Thomas S. Fusco, 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 respondent 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)–(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 the 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: June 11, 2010.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. 2010-14596 Filed 6-16-10; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Notice of Affirmative Decisions on Petitions for Modification Granted in Whole or in Part

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of Affirmative Decisions on Petitions for Modification Granted in Whole or in Part.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) enforces mine operator compliance with mandatory safety and health standards that protect miners and improve safety and health

conditions in U.S. mines. This **Federal Register** Notice (FR Notice) notifies the public that it has investigated and issued a final decision on certain mine operator petitions to modify a safety standard.

**ADDRESSES:** Copies of the final decisions are posted on MSHA's Web Site at <http://www.msha.gov/indexes/petition.htm>. The public may inspect the petitions and final decisions during normal business hours in MSHA's Office of Standards, Regulations and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209. All visitors must first stop at the receptionist desk on the 21st Floor to sign-in.

#### FOR FURTHER INFORMATION CONTACT:

Roslyn B. Fontaine, Acting Deputy Director, Office of Standards, Regulations and Variances at 202-693-9475 (Voice), [fontaine.roslyn@dol.gov](mailto:fontaine.roslyn@dol.gov) (E-mail), or 202-693-9441 (Telefax), or Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers].

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Under section 101 of the Federal Mine Safety and Health Act of 1977, a mine operator may petition and the Secretary of Labor (Secretary) may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) An alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) that the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.

##### II. Granted Petitions for Modification

On the basis of the findings of MSHA's investigation, and as designee of the Secretary, MSHA has granted or partially granted the following petitions for modification:

- **Docket Number:** M-2008-001-M.  
**FR Notice:** 73 FR 47981 (August 15, 2008).

**Petitioner:** EP Minerals, LLC, 2630 Graham Blvd., Vale Oregon 97918.

**Mine:** Clark Mill, MSHA I.D. No. 26-00677, located in Storey County,

Nevada; Colado Plant, MSHA I.D. No. 26-00680, located in Pershing County, Nevada; and Celatom Mill, MSHA I.D. No. 35-03236, located in Malheur County, Oregon.

**Regulation Affected:** 30 CFR 56.20001 (Intoxicating beverages and narcotics).

- **Docket Number:** M-2009-045-C.  
**FR Notice:** 74 FR 67924 (December 21, 2009).

**Petitioner:** Newtown Energy, Inc., P.O. Box 189, Comfort, West Virginia 25049.

**Mine:** Eagle Mine, MSHA I.D. No. 46-08759 and Coalburg No. 2 Mine, MSHA I.D. No. 46-09231, located in Kanawha County, West Virginia; and Coalburg No. 1 Mine, MSHA I.D. No. 46-08993, located in Boone County, West Virginia.

**Regulation Affected:** 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

- **Docket Number:** M-2009-046-C.

**FR Notice:** 74 FR 67924 (December 21, 2009).

**Petitioner:** FKZ Coal Inc., P.O. Box 62, Locust Gap, Pennsylvania 17840.

**Mine:** No. 1 Slope Mine, MSHA I.D. No. 36-08637, located in Northumberland County, Pennsylvania.

**Regulation Affected:** 30 CFR 75.1400 (Hoisting equipment; general).

- **Docket Number:** M-2009-047-C.

**FR Notice:** 74 FR 67924 (December 21, 2009).

**Petitioner:** Nufac Mining Company, Inc., P.O. Box 1085, Beckley, West Virginia.

**Mine:** Buckeye Mine, MSHA I.D. No. 46-08769, located in McDowell County, West Virginia.

**Regulation Affected:** 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

- **Docket Number:** M-2009-048-C.

**FR Notice:** 74 FR 67924 (December 21, 2009).

**Petitioner:** Pay Car Mining, Inc., P.O. Box 1085, Beckley, West Virginia 25801.

**Mine:** No. 58 Mine, MSHA I.D. No. 46-08884, located in McDowell County, West Virginia.

**Regulation Affected:** 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

- **Docket Number:** M-2009-051-C.

**FR Notice:** 75 FR 3257 (January 20, 2010).

**Petitioner:** Rockhouse Creek Development, LLC, 210 Larry Joe Harless Drive, P.O. Box 1389, Gilbert, West Virginia 25621.

**Mine:** No. 3A Mine, MSHA I.D. No. 46-09279, located in Mingo County, West Virginia.

**Regulation Affected:** 30 CFR 75.1101-1(b) (Deluge-type water spray systems).

- **Docket Number:** M-2009-059-C.

**FR Notice:** 75 FR 3254 (January 20, 2010).

**Petitioner:** McClane Canyon Mining, LLC, P.O. Box 98, Loma, Colorado 81524.