

*Estimated average time burden per respondent:* 15 hours.

*Estimated total annual reporting burden:* 1,050 hours.

Comments are invited on: (1) The practical utility of the information being gathered; (2) the accuracy of the burden hour estimate; (3) ways to enhance the quality, utility, and clarity of the information being collected; and (4) ways to minimize the burden to respondents, including use of automated information collection techniques or other forms of information technology. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: October 29, 2009.

**Cartina A. Miller,**  
Information Collection Clearance Officer,  
National Park Service.  
[FR Doc. E9-26470 Filed 11-3-09; 8:45 am]  
BILLING CODE 4312-52-P

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### National Mall and Memorial Parks; Notice of Intent To Revise the Scope of an Environmental Impact Statement and Plan for the National Mall

**AGENCY:** Department of the Interior, National Park Service.

**ACTION:** Notice of Intent to revise the scope of the National Mall Plan Environmental Impact Statement and to prepare a separate Environmental Assessment (EA) for Pennsylvania Avenue National Historic Site.

**SUMMARY:** In accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, the National Park Service (NPS) has been preparing a National Mall Plan Environmental Impact Statement (National Mall Plan) to develop a long-range vision for the use and management of the National Mall and for Pennsylvania Avenue National Historic Site. The scope of the National Mall Plan will be revised so that planning for Pennsylvania Avenue National Historic Site will continue in a separate planning document and process, an action supported by stakeholders and other federal agencies.

Comments received to date during the National Mall Plan public scoping and involvement periods that pertain to the Pennsylvania Avenue National Historic Site will be incorporated into planning and environmental analysis for Pennsylvania Avenue National Historic Site.

The NPS announced the start of initial planning for the National Mall Plan on January 16, 2007 (72 FR 1763). Following public meetings the NPS determined the plan would be an Environmental Impact Statement. The decision was announced in the **Federal Register** on September 6, 2007 (72 FR 51253).

**DATES:** Information related to public involvement opportunities for both the National Mall Plan and for the EA for Pennsylvania Avenue National Historic Site will be provided at the project Web site: <http://www.nps.gov/nationalmallplan>.

**SUPPLEMENTARY INFORMATION:** The planning effort will include compliance with Section 106 of the National Historic Preservation Act and other laws and regulations. The EA for Pennsylvania Avenue National Historic Site, an area that has also been referred to as Pennsylvania Avenue National Historical Park, will address sidewalks and parks along Pennsylvania Avenue NW., from 1st Street to 15th Street and will include a number of commemorative statues as well as memorial parks such as the U.S. Navy Memorial, Pershing Park, Freedom Plaza, Indiana Plaza, the Mellon Fountain and John Marshall Park.

A map of the revised study areas for the National Mall Plan and for the EA for Pennsylvania Avenue National Historic Site is available at the project Web site: <http://www.nps.gov/nationalmallplan>.

The comments already received by the NPS related to Pennsylvania Avenue National Historic Site are being considered in this process along with the information provided by cooperating agencies and others. The primary issues in the EA for Pennsylvania Avenue National Historic Site that have been raised relate to commercial uses, future commemorative locations, maintenance and care of memorial parks and the sidewalks, and circulation. Additional issues may be defined or added and their resource impacts analyzed throughout the planning process.

**FOR FURTHER INFORMATION CONTACT:** Project Executive Susan Spain, at National Mall & Memorial Parks, 900 Ohio Drive, SW., Washington, DC 20004, by telephone at (202) 245-4692, or by e-mail at [susan\\_spain@nps.gov](mailto:susan_spain@nps.gov).

Dated: October 22, 2009.

**Margaret O'Dell,**  
Regional Director, National Capital Region.  
[FR Doc. E9-26467 Filed 11-3-09; 8:45 am]  
BILLING CODE 4312-39-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R9-IA-2009-N176] [96300-1671-0000  
FY09R4]

#### Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Fifteenth Regular Meeting; Provisional Agenda; Announcement of Public Meeting

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** The United States, as a Party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), will attend the fifteenth regular meeting of the Conference of the Parties to CITES (CoP15) in Doha, Qatar, March 13-25, 2010. Currently, the United States is developing its negotiating positions on proposed resolutions, decisions, and amendments to the CITES Appendices (species proposals), as well as other agenda items that have been submitted by other Party countries and the CITES Secretariat for consideration at CoP15. With this notice we announce the provisional agenda for CoP15, solicit your comments on the items on the provisional agenda, and announce a public meeting to discuss the items on the provisional agenda.

**DATES:** The public meeting will be held on December 2, 2009, at 1:30 p.m. In developing the U.S. negotiating positions on proposed resolutions, decisions, and species proposals, and other agenda items submitted by other Party countries and the CITES Secretariat for consideration at CoP15, we will consider written information and comments you submit if we receive them by January 4, 2010.

#### ADDRESSES:

##### Public Meeting

The public meeting will be held in the Sidney Yates Auditorium at the Department of the Interior at 18th and C Streets, NW, Washington, DC. Directions to the building can be obtained by contacting the Division of Management Authority (see **FOR FURTHER INFORMATION CONTACT**). For more information about the meeting, see

“Announcement of Public Meeting”  
under **SUPPLEMENTARY INFORMATION**.

*Comment Submission*

Comments pertaining to proposed resolutions, decisions, and/or agenda items should be sent to the Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203, or via e-mail at: [cop15@fws.gov](mailto:cop15@fws.gov). Comments pertaining to species proposals should be sent to the Division of Scientific Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 110, Arlington, VA 22203, or via e-mail at: [scientificauthority@fws.gov](mailto:scientificauthority@fws.gov). Comments and materials received will be available for public inspection, by appointment, from 8 a.m. to 4 p.m., Monday through Friday, at either the Division of Management Authority or the Division of Scientific Authority.

**FOR FURTHER INFORMATION CONTACT:** For information pertaining to resolutions, decisions, and agenda items contact: Robert R. Gabel, Chief, Division of Management Authority (phone, 703-358-2095; e-mail, [cop15@fws.gov](mailto:cop15@fws.gov)). For information pertaining to species proposals contact: Dr. Rosemarie Gnam, Chief, Division of Scientific Authority (phone, 703-358-1708; e-mail, [scientificauthority@fws.gov](mailto:scientificauthority@fws.gov)).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Convention on International Trade in Endangered Species of Wild Fauna and Flora, hereinafter referred to as CITES or the Convention, is an international treaty designed to control and regulate international trade in certain animal and plant species that are now or potentially may become threatened with extinction. These species are listed in Appendices to CITES, which are available on the CITES Secretariat's website at <http://www.cites.org/eng/app/appendices.shtml>. Currently, 175 countries, including the United States, are Parties to CITES. The Convention calls for biennial meetings of the Conference of the Parties to review its implementation, make provisions enabling the CITES Secretariat in Switzerland to carry out its functions, consider amendments to the lists of species in Appendices I and II, consider reports presented by the Secretariat, and make recommendations for the improved effectiveness of CITES. Any country that is a Party to CITES may propose amendments to Appendices I and II, and draft resolutions, decisions,

and agenda items for consideration by all the Parties.

This is our third in a series of **Federal Register** notices that, together with an announced public meeting, provide you with an opportunity to participate in the development of the U.S. negotiating positions for CoP15. We published our first CoP15-related **Federal Register** notice on September 29, 2008 (73 FR 56605), in which we requested information and recommendations on species proposals and proposed resolutions, decisions, and agenda items for the United States to consider submitting for consideration at CoP15. We published our second such **Federal Register** notice on July 13, 2009 (74 FR 33460), in which we requested information and recommendations on species proposals, proposed resolutions, proposed decisions, and other agenda items that the United States was considering submitting for consideration at CoP15. You may obtain information on the above **Federal Register** notices from the following sources: for information on proposed resolutions, decisions, and agenda items, contact the Division of Management Authority at the address provided in **ADDRESSES**; for information on species proposals, contact the Division of Scientific Authority at the address provided in **ADDRESSES**. Our regulations governing this public process are found in 50 CFR 23.85-23.87.

In response to our first **Federal Register** notice, we received comments from WWF and TRAFFIC on transferring polar bear (*Ursus maritimus*) and narwhal (*Monodon monoceros*) from CITES Appendix II to Appendix I, and including walrus (*Odobenus rosmarus*) in Appendix II. Based on the purpose of the notice and the phrasing of the comments, we interpreted them as recommendations for the United States to consider proposals for these species and stated as much in our second **Federal Register** notice. We subsequently received a letter from WWF and TRAFFIC stating that we had misrepresented their comments. In their letter, dated August 12, 2009, WWF and TRAFFIC clarified that they have taken no position on these three species.

CoP15 is scheduled to be held in Doha, Qatar, March 13-25, 2010. On October 14, 2009, the United States submitted to the CITES Secretariat, for consideration at CoP15, its species proposals, proposed resolutions, proposed decisions, and other agenda items. These documents are available on our website at <http://www.fws.gov/>

[international/DMA\\_DSA/CITES/CITES\\_CoP15.html](http://www.fws.gov/international/DMA_DSA/CITES/CITES_CoP15.html).

**Announcement of Provisional Agenda for CoP15**

The provisional agenda for CoP15 is currently available on the CITES Secretariat's website at <http://www.cites.org/eng/cop/index.shtml>. The working documents associated with the items on the provisional agenda, such as proposed resolutions, proposed decisions, and discussion documents, are also available on the Secretariat's website. To view the working document associated with a particular agenda item, access the provisional agenda at the above website, locate the particular agenda item, and click on the document link for that agenda item in the column entitled "Document." Finally, the species proposals that will be considered at CoP15 are available on the Secretariat's website. Proposals for amendment of Appendices I and II can be accessed at the web address given above. We look forward to receiving your comments on the items on the provisional agenda.

**Announcement of Public Meeting**

We will hold a public meeting to discuss with you the items on the provisional agenda for CoP15. The public meeting will be held on the date specified in **DATES** at the address specified in **ADDRESSES**. You can obtain directions to the building by contacting the Division of Management Authority (see **FOR FURTHER INFORMATION CONTACT**). Please note that the Sidney Yates Auditorium is accessible to the handicapped and all persons planning to attend the meeting will be required to present photo identification when entering the building. Persons who plan to attend the meeting and who require interpretation for the hearing impaired must notify the Division of Management Authority by November 18, 2009.

**Future Actions**

Through an additional notice and website posting in advance of CoP15, we will inform you about tentative U.S. negotiating positions on proposed resolutions, proposed decisions, species proposals, and other agenda items that were submitted by other Party countries and the CITES Secretariat for consideration at CoP15.

**Author**

The primary author of this notice is Laura Noguchi, Division of Management Authority; under the authority of the

U.S. Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

**Daniel M. Ashe,**

*Acting Director, U.S. Fish and Wildlife Service*  
[FR Doc. E9-26619 Filed 11-3-09; 8:45 am]

BILLING CODE 4310-55-S

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-630]

### Certain Semiconductor Chips With Minimized Chip Package Size and Products Containing Same (III); Notice of Commission Determination To Review in Part a Final Initial Determination Finding No Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest and Bonding

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review in part the final initial determination (“ID”) issued by the presiding administrative law judge (“ALJ”) on August 28, 2009, finding no violation of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, in this investigation.

**FOR FURTHER INFORMATION CONTACT:** Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3042. 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 (<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 January 14, 2008, based on a complaint filed by Tessera, Inc. of San Jose, California (“Tessera”) on December 21, 2007, and supplemented on December 28, 2007. 73

FR 2276 (Jan. 14, 2008). 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 semiconductor chips with minimized chip package size or products containing same by reason of infringement of various claims of United States Patent Nos. 5,663,106 (“the ‘106 patent’”); 5,679,977 (“the ‘977 patent’”); 6,133,627 (“the ‘627 patent’”); and 6,458,681 (“the ‘681 patent’”). The complaint names eighteen respondents. Several respondents were terminated from the investigation based on settlement agreements and consent orders. Two respondents defaulted. The following respondents remain in the investigation: Acer Inc. of Taipei, Taiwan; Acer America Corp. of San Jose, CA; Centon Electronics, Inc. of Aliso Viejo, CA; Elpida Memory, Inc. of Tokyo, Japan and Elpida Memory (USA), Inc. of Sunnyvale, CA (collectively, “Elpida”); Kingston Technology Co., Inc. of Fountain Valley, CA; Nanya Technology Corporation of Taoyuan, Taiwan; Nanya Technology Corp. USA; Powerchip Semiconductor Corporation of Hsinchu, Taiwan; ProMOS Technologies, Inc. of Hsinchu, Taiwan; Ramaxel Technology Ltd. of Hong Kong, China; and SMART Modular Technologies, Inc. of Fremont, CA. The ‘681 patent was terminated from the investigation prior to the hearing.

On August 28, 2009, the ALJ issued his final ID, finding no violation of Section 337 by Respondents with respect to any of the asserted claims of the asserted patents. Specifically, the ALJ found that the accused products do not infringe the asserted claims of the ‘106 patent. The ALJ also found that none of the cited references anticipate the asserted claims and that none of the cited references render the asserted claims obvious. The ALJ further found that the asserted claims of the ‘106 patent satisfy the requirement of 35 U.S.C. 112, first, second and fourth paragraphs. Likewise, the ALJ found that the accused products do not infringe the asserted claims of the ‘977 and ‘627 patents and that none of the cited references anticipate the asserted claims of the patents. The ALJ further found that the asserted claims of the ‘977 and ‘627 patents satisfy the definiteness requirement of 35 U.S.C. 112, second paragraph, and that Respondents waived their argument with respect to obviousness. The ALJ also found that all chips Respondents purchased from Tessera licensees were

authorized to be sold by Tessera and, thus, Tessera’s rights in those chips became subject to exhaustion, but that Respondents, except Elpida, did not purchase all their chips from Tessera licensees.

On September 17, 2009, Tessera and the Commission investigative attorney filed petitions for review of the ID. That same day, Respondents filed contingent petitions for review of the ID. On October 1, 2009, the parties filed responses to the various petitions and contingent petitions for review.

Having examined the record of this investigation, including the ALJ’s final ID, the petitions for review, and the responses thereto, the Commission has determined to review the final ID in part. Specifically, the Commission has determined to review (1) the finding that the claim term “top layer” recited in claim 1 of the ‘106 patent means “an outer layer of the chip assembly upon which the terminals are fixed,” the requirement that “the ‘top layer’ is a single layer,” and the effect of the findings on the infringement analysis, invalidity analysis and domestic industry analysis; (2) the finding that the claim term “thereon” recited in claim 1 of the ‘106 patent requires “disposing the terminals on the top surface of the top layer,” and its effect on the infringement analysis, invalidity analysis and domestic industry analysis; (3) the finding that the Direct Loading testing methodology employed by Tessera’s expert to prove infringement is unreliable; and (4) the finding that the 1989 Motorola OMPAC 68-pin chip package fails to anticipate claims 17 and 18 of the ‘977 patent. The Commission has determined not to review the remaining issues raised by the petitions for review.

The parties are requested to brief their positions on the issues under review with reference to the applicable law and the evidentiary record. In connection with its review, the Commission is particularly interested in responses to the following questions:

1. Would the accused products infringe the asserted claims of the ‘106 patent if construction of the claim term “top layer” does not encompass only a single layer? Please cite record evidence and/or relevant legal precedent to support your position.

2. Did the patentees of the ‘106 patent expressly disclaim the embodiment described in Figure 7 of United States Patent No. 5,148, 265 (“the ‘265 patent’”)? How would that affect the infringement analysis of the asserted claims of the ‘106 patent? See ‘106 Patent Prosecution History (JX-167) June 24, 1996, Office Action and

