

electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 965") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, [https://www.usitc.gov/secretary/fed\\_reg\\_notices/rules/handbook\\_on\\_electronic\\_filing.pdf](https://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf)). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,<sup>[1]</sup> solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of 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: September 26, 2016.

**Katherine Hiner,**

*Acting Supervisory Attorney.*

[FR Doc. 2016-23571 Filed 9-28-16; 8:45 am]

**BILLING CODE 7020-02-P**

<sup>[1]</sup> All contract personnel will sign appropriate nondisclosure agreements.

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-833]

### Certain Digital Models, Digital Data, and Treatment Plans for Use in Making Incremental Dental Positioning Adjustment Appliances, the Appliances Made Therefrom, and Methods of Making the Same Rescission of Cease and Desist Orders; Termination of an Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to rescind the cease and desist orders issued in this investigation and to terminate the investigation with a finding of no violation of Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("Section 337").

**FOR FURTHER INFORMATION CONTACT:** Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2532. 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 (<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's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** This investigation was instituted on April 5, 2012, based upon a complaint filed on behalf of Align Technology, Inc., of San Jose, California ("Align"), on March 1, 2012, as corrected on March 22, 2012. 77 FR 20648 (April 5, 2012). The complaint alleged violations of Section 337 in the sale for importation, importation, or sale within the United States after importation of certain digital models, digital data, and treatment plans for use in making incremental dental positioning adjustment appliances, the appliances made therefrom, and methods of making the

same by reason of infringement of certain claims of U.S. Patent No. 6,217,325 ("the '325 patent"); U.S. Patent No. 6,471,511 ("the '511 patent"); U.S. Patent No. 6,626,666 ("the '666 patent"); U.S. Patent No. 6,705,863 ("the '863 patent"); U.S. Patent No. 6,722,880 ("the '880 patent"); U.S. Patent No. 7,134,874 ("the '874 patent"); and U.S. Patent No. 8,070,487 (the '487 patent"). The notice of institution named as respondents ClearCorrect Pakistan (Private), Ltd. of Lahore, Pakistan ("CCPK") and ClearCorrect Operating, LLC of Houston, Texas ("CCUS") (collectively, "the Respondents"). A Commission investigative attorney ("IA") participated in the investigation.

On May 6, 2013, the presiding administrative law judge ("ALJ") issued his final initial determination ("ID"), finding a violation of Section 337 with respect to the '325 patent, the '880 patent, the '487 patent, the '511 patent, the '863 patent, and the '874 patent. He found no violation as to the '666 patent. The ALJ recommended the issuance of cease and desist orders directed to the Respondents.

After receiving briefing from the parties and the public, on April 3, 2014, the Commission issued notice of its determination to affirm-in-part, modify-in-part, and reverse-in-part the final ID and to find a violation of Section 337. 79 FR 19640-41 (Apr. 9, 2014). The Commission found a violation of Section 337 with respect to (i) claims 1 and 4-8 of the '863 patent; (ii) claims 1, 3, 7, and 9 of the '666 patent; (iii) claims 1, 3, and 5 of the '487 patent; (iv) claims 21, 30, 31 and 32 of the '325 patent; and (v) claim 1 of the '880 patent. On the same day, the Commission issued an opinion, with a dissenting opinion from Commissioner Johanson, and also issued cease and desist orders directed to CCUS and CCPK. The Commission terminated the investigation.

On May 2, 2014, the Respondents filed a motion to stay the cease and desist orders pending appeal. On May 14, 2014, Complainant Align and the IA filed responses in opposition. On June 2, 2014, the Commission issued a notice and order granting the motion.

ClearCorrect and Align each took appeals of the Commission's determination to the U.S. Court of Appeals for the Federal Circuit. In ClearCorrect's appeal, the Federal Circuit reversed the Commission's decision that the electronic transmission of the digital models could constitute an imported "article" within the meaning of 19 U.S.C. 1337, and remanded the case to the Commission. *ClearCorrect Operating, LLC v. ITC*, 810 F.3d 1283 (Fed. Cir. 2015), *reh'g en banc denied*,

819 F.3d 1334 (2016). No petition for *certiorari* was filed with the Supreme Court.

In Align's appeal, the Federal Circuit vacated and remanded the case to the Commission "for further proceedings in light of" the *ClearCorrect* decision. *Align Tech., Inc. v. ITC*, 622 F. App'x 910 (Fed. Cir. 2015).

In view of the foregoing final decisions of the Federal Circuit, the Commission has determined to rescind the cease and desist orders issued in this investigation. The investigation is terminated with a finding of no violation of section 337.

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: September 23, 2016.

**Katherine Hiner,**

*Acting Supervisory Attorney.*

[FR Doc. 2016-23454 Filed 9-28-16; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

#### Meeting of the Compact Council for the National Crime Prevention and Privacy Compact

**AGENCY:** Federal Bureau of Investigation, Justice.

**ACTION:** Meeting notice.

**SUMMARY:** The purpose of this notice is to announce a meeting of the National Crime Prevention and Privacy Compact Council (Council) created by the National Crime Prevention and Privacy Compact Act of 1998 (Compact). Thus far, the Federal Government and 30 states are parties to the Compact which governs the exchange of criminal history records for licensing, employment, and similar purposes. The Compact also provides a legal framework for the establishment of a cooperative federal-state system to exchange such records.

The United States Attorney General appointed 15 persons from state and federal agencies to serve on the Council. The Council will prescribe system rules and procedures for the effective and proper operation of the Interstate Identification Index system for noncriminal justice purposes.

Matters for discussion are expected to include:

(1) Best Practices for Fingerprint Submissions

- (2) Update on Child Care and Development Block Grant Act  
(3) Proposed Changes to the NFF Qualification Requirements

The meeting will be open to the public on a first-come, first-seated basis. Any member of the public wishing to file a written statement with the Council or wishing to address this session of the Council should notify the Federal Bureau of Investigation (FBI) Compact Officer, Mrs. Chasity S. Anderson at (304) 625-2803, at least 24 hours prior to the start of the session. The notification should contain the individual's name and corporate designation, consumer affiliation, or government designation, along with a short statement describing the topic to be addressed and the time needed for the presentation. Individuals will ordinarily be allowed up to 15 minutes to present a topic.

**DATES AND TIMES:** The Council will meet in open session from 9 a.m. until 5 p.m., on November 2-3, 2016.

**ADDRESSES:** The meeting will take place at the Holiday Inn St. Louis Downtown—Convention Center, 811 North Ninth Street, St. Louis, Missouri, telephone (314) 421-4000.

**FOR FURTHER INFORMATION CONTACT:**

Inquiries may be addressed to Mrs. Chasity S. Anderson, FBI Compact Officer, Module D3, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306, telephone (304) 625-2803, facsimile (304) 625-2868.

Dated: September 22, 2016.

**Chasity S. Anderson,**

*FBI Compact Officer, Criminal Justice Information Services Division, Federal Bureau of Investigation.*

[FR Doc. 2016-23527 Filed 9-28-16; 8:45 am]

**BILLING CODE 4410-02-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Response, Compensation, and Liability Act

On September 21, 2016, a proposed consent decree was lodged with the United States District Court for the District of Utah in the lawsuit entitled *United States v. Atlantic Richfield Company, Inc.*, Civil Action No. 2:16-cv-00982-DBP.

The United States filed this lawsuit against Atlantic Richfield Company ("Atlantic Richfield") pursuant to Section 107 of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9607. The United States' complaint

seeks injunctive relief and the recovery of past and future response costs incurred and to be incurred at the International Smelting and Refining Site (the "Site") in Tooele County, Utah. The proposed consent decree requires Atlantic Richfield to pay \$560,000 in past response costs, pay future oversight costs, and undertake certain operation and maintenance activities at the Site.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Atlantic Richfield Company, Inc.*, D.J. Ref. No. 90-11-3-07569/1. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail in the following manner:

<i>To submit comments:</i>	<i>Send them to:</i>
By email .....	<i>pubcomment-ees.enrd@usdoj.gov.</i>
By mail .....	Assistant Attorney General U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: [https://www.justice.gov/enrd/Consent\\_Decrees](https://www.justice.gov/enrd/Consent_Decrees). We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$9.75 (25 cents per page reproduction cost) payable to the United States Treasury.

**Robert Brook,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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**BILLING CODE 4410-15-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On September 22, 2016, the Department of Justice lodged a proposed consent decree with the United States