

ที่ พณ ๐๓๐๙.๐๙/ว ๒๗๕



ถึง สภาอุตสาหกรรมแห่งประเทศไทย

กรมการค้าต่างประเทศขอแจ้งกรณีคณะกรรมการการค้าระหว่างประเทศสหรัฐอเมริกา (U.S. International Trade Commission: USITC) ได้ออกประกาศ Federal Register Vol. 88 No. 236 ลงวันที่ ๑๑ ธันวาคม ๒๕๖๖ เรื่อง ประกาศแจ้งกำหนดการสำหรับการพิจารณาความเสียหายขั้นที่สุด (Scheduling of the Final Phase of Antidumping Duty Investigations) กรณีการตอบโต้การทุ่มตลาดกับสินค้าชั้นเหล็กวางของอเนกประสงค์ (Bottless Steel Shelving Units Prepackaged for Sale) จากประเทศไทย โดย USITC กำหนดเปิดรับฟังความคิดเห็น (Hearing) ในวันที่ ๑๑ เมษายน ๒๕๖๗ หากผู้ประสงค์ที่จะเข้าร่วมการรับฟังความคิดเห็นดังกล่าว จะต้องยื่นคำขอเป็นลายลักษณ์อักษรต่อ USITC ภายในวันที่ ๔ เมษายน ๒๕๖๗ โดยผู้ที่มีส่วนได้เสียจะต้องยื่นสำนวนก่อนการเปิดรับฟังความคิดเห็น (Prehearing Briefs) ภายในวันที่ ๒ เมษายน ๒๕๖๗ และสามารถยื่นสำนวนแก้ต่างภายหลังการเปิดรับฟังความเห็น (Posthearing Briefs) ภายในวันที่ ๑๘ เมษายน ๒๕๖๗ โดยสามารถศึกษาข้อมูลเพิ่มเติมได้ที่เว็บไซต์ <https://thaitr.dft.go.th> หรือ สามารถดาวน์โหลดประกาศดังกล่าวได้ตาม QR Code ที่แนบ



กรมการค้าต่างประเทศ
กองปกป้องและตอบโต้ทางการค้า
โทร ๐๒-๕๔๗-๔๗๓๙
โทรสาร ๐๒-๕๔๗-๔๗๔๑

and claims 2, 6 and 12 of the '526 patent based on Centripetal's partial withdrawal of the complaint. Order No. 27 (Jan. 27, 2023), *unreviewed by* Comm'n Notice (Feb. 24, 2023); Order No. 39 (Feb. 27, 2023), *unreviewed by* Comm'n Notice (Mar. 29, 2023).

Accordingly, at the time of the evidentiary hearing, claims 22 and 43 of the '370 patent, claims 11 and 20 of the '917 patent, and claims 1, 3, 11, 13, and 16 of the '526 patent remained at issue.

On September 26, 2022, the ALJ conducted a *Markman* hearing. On February 22, 2023, the ALJ issued a claim construction order. Order No. 37 (Feb. 22, 2023). The ALJ held an evidentiary hearing on March 1–3 and 6–7, 2023.

On August 8, 2023, the ALJ issued the Final ID finding no violation of section 337 with respect to any asserted patent. Specifically, the Final ID finds that: (1) with respect to the '370 patent, claims 22 and 43 are not infringed and are invalid for being directed to unpatentable subject matter under 35 U.S.C. 101, and the technical prong of the domestic industry requirement is not satisfied; (2) with respect to the '917 patent claims 11 and 20 are infringed and the technical prong of the domestic industry requirement is satisfied, but the asserted claims are invalid as obvious under 35 U.S.C. 103; and (3) with respect to the '526 patent, claims 1, 3, 11, 13, and 16 of the '526 patent are not infringed and are invalid as anticipated under 35 U.S.C. 102, but the technical prong of the domestic industry requirement is satisfied. Finally, the Final ID finds that Centripetal has satisfied the economic prong of the domestic industry requirement under Section 337(a)(3)(A) and (B) with respect to each of the asserted patents.

The ALJ recommended that, if the Commission were to find a violation of section 337, the Commission should issue a limited exclusion order and cease and desist order with respect to Keysight. The ALJ also recommended that, should a violation be found, the bond rate be set at a 100 percent of entered value of the products imported during the period of Presidential review.

On August 14, 2023, the Commission requested comments from the public and interested government agencies regarding any public interest issues raised by the ALJ's recommended determination on remedy and bonding. 88 FR 55067–68 (Aug. 14, 2023). The Commission received no comments from the public or government agencies. On September 7, 2023, Centripetal and Keysight provided comments on the public interest pursuant to Commission Rule 210.50(a)(4). 19 CFR 210.50(a)(4).

On August 23, 2023, Centripetal filed a petition for review challenging the Final ID's findings that: (1) the '370 patent claims are not infringed or invalid for being directed to unpatentable subject matter, and that the technical prong of the domestic industry requirement is not satisfied as to that patent; (2) the '917 patent claims are invalid for obviousness; and (3) the '526 claims are not infringed and invalid for anticipation. On September 1, 2023, Keysight and OUII filed responses opposing the petition 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 and, on review, to affirm the Final ID's finding of no violation. Specifically, the Commission reviews the Final ID's finding that Centripetal waived its argument that the Check Point R77.30 prior art software does not satisfy the limitation "creat[ing] the list of the identification data based on the received at least one list of network addresses and/or domain names" in claims 3 and 13 of the '526 patent. The Final ID finds waiver because Centripetal failed to contest that limitation in its prehearing brief. *Id.* at 203–204. Centripetal, however, showed that it argued in its prehearing brief that the Application and URL Filter do not satisfy the claim language because that functionality is performed after decryption. Pet. at 76. Accordingly, the Commission determines to review the Final ID's finding of waiver, and, on review, finds that Centripetal did not waive its argument.

The Commission, however, determines to affirm under modified reasoning the Final ID's finding that Check Point R77.30 satisfies the limitation "creat[ing] the list of the identification data based on the received at least one list of network addresses and/or domain names." In addition to the reasons found in the Final ID, and as argued by OUII, the Application and URL Filter satisfy the claim language because the filter uses category-based rules based on a subscription service to determine what traffic to decrypt and inspect. See RX–0529.0039–41 (describing a HTTPS inspection policy with rules that use subscription-service categories to inspect traffic); *id.* at .0035 (explaining that HTTPS inspection involves decrypting data, inspecting the clear text, and re-encrypting the data).

The Commission has also determined to review the Final ID's finding that the economic prong of the domestic industry requirement is satisfied. On

review, the Commission has determined to take no position as to whether the economic prong of the domestic industry requirement is satisfied.

The Commission has determined not to review the remainder of the Final ID. Consequently, the Commission finds no violation of section 337 with respect to any asserted patent. This investigation is hereby terminated with a finding of no violation of section 337.

The Commission vote for this determination took place on December 5, 2023.

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: December 5, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–27050 Filed 12–8–23; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–1607–1611 (Final)]

Boltless Steel Shelving Units Prepackaged for Sale From India, Malaysia, Taiwan, Thailand, and Vietnam; Scheduling of the Final Phase of Antidumping Duty Investigations

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping investigation Nos. 731–TA–1607–1611 (Final) pursuant to the Tariff Act of 1930 ("the Act") to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of boltless steel shelving units prepackaged for sale ("boltless steel shelving") from India, Malaysia, Taiwan, Thailand, and Vietnam, provided for in subheading 9403.20.00 of the Harmonized Tariff Schedule of the United States. The Department of Commerce ("Commerce") has preliminarily determined imports of boltless steel shelving from Malaysia, Taiwan, Thailand, and Vietnam to be sold at less-than-fair value. In addition, Commerce has made negative

preliminary determinations of sales at less-than-fair value in the antidumping duty investigation on boltless steel shelving from India.

DATES: November 29, 2023.

FOR FURTHER INFORMATION CONTACT:

Jordan Harriman (202–205–2610), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter 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 (<https://www.usitc.gov>). The public record for these investigations may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Scope.—For purposes of these investigations, Commerce has defined the subject merchandise as “boltless steel shelving units prepackaged for sale, with or without decks (boltless steel shelving). The term “prepackaged for sale” means that, at a minimum, the steel vertical supports (*i.e.*, uprights and posts) and steel horizontal supports (*i.e.*, beams, braces) necessary to assemble a completed shelving unit (with or without decks) are packaged together for ultimate purchase by the end-user. The scope also includes add-on kits. Add-on kits include, but are not limited to, kits that allow the end-user to add an extension shelving unit onto an existing boltless steel shelving unit such that the extension and the original unit will share common frame elements (*e.g.*, two posts). The term “boltless” refers to steel shelving in which the vertical and horizontal supports forming the frame are assembled primarily without the use of nuts and bolts, or screws.”¹

Background.—The final phase of these investigations is being scheduled, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)), as a result of affirmative preliminary determinations by Commerce that imports of boltless steel shelving units prepackaged for sale from Malaysia, Taiwan, Thailand, and Vietnam are

being sold in the United States at less than fair value within the meaning of § 733 of the Act (19 U.S.C. 1673b). The investigations were requested in petitions filed on April 25, 2023, by Edsal Manufacturing Co., Inc., Chicago, Illinois.

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Although Commerce has preliminarily determined that imports of boltless steel shelving units prepackaged for sale from India are not being and are not likely to be sold in the United States at less than fair value, for purposes of efficiency the Commission hereby waives rule 207.21(b)² so that the final phase of the investigations may proceed concurrently in the event that Commerce makes a final affirmative determination with respect to such imports.

Participation in the investigations and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to

§ 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on March 26, 2024, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on Thursday, April 11, 2024. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before Thursday, April 4, 2024. Any requests to appear as a witness via videoconference must be included with your request to appear. Requests to appear via videoconference must include a statement explaining why the witness cannot appear in person; the Chairman, or other person designated to conduct the investigation, may in their discretion for good cause shown, grant such a request. Requests to appear as remote witness due to illness or a positive COVID-19 test result may be submitted by 3pm the business day prior to the hearing. Further information about participation in the hearing will be posted on the Commission's website at <https://www.usitc.gov/calendarpad/calendar.html>.

A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference, if deemed necessary, to be held at 9:30 a.m. on Friday, April 5, 2024. Parties shall file and serve written testimony and presentation slides in connection with their presentation at the hearing by no later than 4:00pm on April 10, 2024. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the

¹ A full description of the subject merchandise covered in the scope of these investigations is contained in the **Federal Register** notices of Commerce's preliminary antidumping duty determinations on boltless steel shelving. See 88 FR 83382, November 29, 2023; 88 FR 83386, November 29, 2023; 88 FR 83389, November 29, 2023; 88 FR 83392, November 29, 2023; and 88 FR 83395, November 29, 2023.

² § 207.21(b) of the Commission's rules provides that, where Commerce has issued a negative preliminary determination, the Commission will publish a Final Phase Notice of Scheduling upon receipt of an affirmative final determination from Commerce.

Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is April 2, 2024. Parties shall also file written testimony in connection with their presentation at the hearing, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is April 18, 2024. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before April 18, 2024. On May 8, 2024, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before May 10, 2024, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures*, available on the Commission's website at https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf, elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to § 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title

VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: December 6, 2023.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2023–27151 Filed 12–8–23; 8:45 am]

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JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

Meeting of the Advisory Committee; Meeting

AGENCY: Joint Board for the Enrollment of Actuaries.

ACTION: Notice of Federal advisory committee meeting.

SUMMARY: The Joint Board for the Enrollment of Actuaries gives notice of a meeting of the Advisory Committee on Actuarial Examinations (a portion of which will be open to the public), which will be held at the Internal Revenue Service, 1111 Constitution Avenue NW, Washington DC, on January 4 and 5, 2024.

DATES: Thursday, January 4, 2024, from 9 a.m. to 5 p.m., and Friday, January 5, 2024, from 8:30 a.m. to 4 p.m.

ADDRESSES: The meeting will be held at the Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Van Osten, Designated Federal Officer, Advisory Committee on Actuarial Examinations, at (202) 317–3648 or elizabeth.j.vanosten@irs.gov.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet at the Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, on Thursday, January 4, 2024, from 9 a.m. to 5 p.m. and Friday, January 5, 2024, from 8:30 a.m. to 4 p.m.

The purpose of the meeting is to discuss topics and questions that may be recommended for inclusion on future Joint Board examinations in actuarial mathematics and methodology referred to in 29 U.S.C. 1242(a)(1)(B) and to review the November 2023 Pension (EA–2F) to make recommendations relative thereto, including the minimum acceptable passing score. Topics for inclusion on the syllabus for the Joint Board's examination program for the May 2024 Basic (EA–1) Examination and the May 2024 Pension (EA–2L) Examination also will be discussed.

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. 1009, that the portions of the meeting dealing with the discussion of questions that may appear on the Joint Board's examinations and the review of the November 2023 EA–2F Examination fall within the exceptions to the open meeting requirement set forth in 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such portions be closed to public participation.

The portion of the meeting dealing with the discussion of the other topics will commence at 1 p.m. on January 4, 2024, and will continue for as long as necessary to complete the discussion, but not beyond 3 p.m. Time permitting, after the close of this discussion by Committee members, interested persons may make statements germane to this subject. Persons wishing to make oral statements should contact the Designated Federal Officer at NHQJBEA@IRS.GOV and include the written text or outline of comments they propose to make orally. Such comments will be limited to 10 minutes in length. Persons who wish to attend the public session should contact the Designated Federal Officer at NHQJBEA@IRS.GOV to obtain access instructions.

Notifications of intent to make an oral statement or to attend the meeting must be sent electronically to the Designated Federal Officer no later than December 29, 2023. In addition, any interested person may file a written statement for consideration by the Joint Board and the Advisory Committee by sending it to NHQJBEA@IRS.GOV.

Dated: December 5, 2023.

Thomas V. Curtin, Jr.,

Executive Director, Joint Board for the Enrollment of Actuaries.

[FR Doc. 2023–27058 Filed 12–8–23; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0100]

Agency Information Collection Activities; Proposed eCollection Comments Requested; Reinstatement of a Previously Approved Collection; Census of Jails 2024–26

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Bureau of Justice Statistics, Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget