the sale for importation, and the sale within the United States after importation of certain wireless mesh networking products and related components thereof by reason of infringement of certain claims of U.S. Patents Nos. 6,914,893 (''the '893 patent''); 7,103,511 (''the '511 patent''); 8,964,708 (''the '708 patent''); and 9,439,126 (''the '126 patent''). *See id.* The notice of investigation names the following respondents: Emerson Electric Co. of St. Louis, Missouri; Emerson Process Management LLLP of Bloomington, Minnesota; Emerson Process Management Asia Pacific Private Limited of Singapore; Emerson Process Management Manufacturing (M) Sdn. Bhd. of Nilai, Malaysia; Fisher-Rosemount Systems, Inc. of Round Rock, Texas; Rosemount Inc. of Shakopee, Minnesota; Analog Devices, Inc. of Norwood, Massachusetts; Linear Technology LLC of Milpitas, California; Dust Networks, Inc. of Union City, California; Tadiran Batteries Inc. of Lake Success, New York; and Tadiran Batteries Ltd. of Kiryat Ekron, Israel. *See id.* The Office of Unfair Import Investigations is not a party to this investigation. *See id.*

During the course of the investigation, respondents Dust Networks, Inc., Tadiran Batteries Inc., and Tadiran Batteries Ltd. were terminated from the investigation. The remaining respondents are Emerson Electric Co.; Emerson Process Management LLLP; Emerson Process Management Asia Pacific Private Limited; Emerson Process Management Manufacturing (M) Sdn. Bhd.; Fisher-Rosemount Systems, Inc.; Rosemount Inc.; Analog Devices, Inc.; and Linear Technology LLC (collectively ''Respondents''). The asserted claims of the '126 patent and '511 patent were also terminated from the investigation. The '893 and '708 patents remain asserted in this investigation.

On January 10, 2020, the ALJ issued the final ID in this investigation. The ID found no violation of section 337. The ID's finding included subsidiary findings that SIPCO failed to show infringement of any asserted claim of the '893 or '708 patents and that all of the remaining asserted claims of the '708 patent were invalid. The ID also found that SIPCO failed to satisfy the domestic industry requirement for either of the '708 or '893 patents. The ID also included the ALJ's recommended determination on remedy bonding. In the event the Commission were to find a violation of section 337, the ALJ recommended issuance of a limited exclusion order, a cease and desist order, and a bond of either 0.1% or 0.05%, depending on the basis for the violation finding.

On January 27, 2020, SIPCO and Respondents submitted petitions seeking review of the ID. On February 4, 2020, SIPCO and Respondents submitted responses to the others' petitions.

Having examined the record of this investigation, including the ID, the petitions for review, and the responses thereto, the Commission has determined to review the ID with respect to (1) the construction of ''remote wireless device'' in the '708 patent; (2) infringement and validity of the '708 patent; (3) infringement and validity of the '893 patent; and (4) whether SIPCO satisfies the domestic industry requirement of section 337 for the '708 or the '893 patent. The Commission has determined not to review the remainder of the ID.

On review, the Commission has determined to affirm the ID's finding of no violation of section 337 with regard to the '708 patent and the '893 patent. In addition, the Commission has determined to vacate certain portions of the final ID. The Commission opinion is issued concurrently herewith.

The investigation is hereby terminated.

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 210).

By order of the Commission.

Issued: April 21, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–08831 Filed 4–24–20; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Institute of Electrical and Electronics Engineers

Notice is hereby given that, on April 1, 2020, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), the Institute of Electrical and Electronics Engineers (''IEEE'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, 31 new standards have been initiated and 10 existing standards are being revised. More detail regarding these changes can be found at: *https://standards.ieee.org/about/sasb/sba/jan2020.html.*

On February 8, 2015, the IEEE Board of Directors approved an update of the IEEE patent policy for standards development, which became effective on 15 March 2015. The updated policy is available at *http://standards.ieee.org/develop/policies/bylaws/approved-changes.pdf* and, from the effective date, will be available at *http://standards.ieee.org/develop/policies/bylaws/sect6-7.html.*

On September 17, 2004, IEEE filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 3, 2004 (69 FR 64105).

The last notification was filed with the Department on February 6, 2020. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on February 27, 2020 (85 FR 11396).

Suzanne Morris,

Chief, Premerger and Division Statistics Unit, Antitrust Division.

[FR Doc. 2020–08834 Filed 4–24–20; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Malathy Sundaram, M.D.; Decision and Order

On November 20, 2019, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, DEA or Government), issued an Order to Show Cause (hereinafter, OSC) to Malathy Sundaram, M.D. (hereinafter, Registrant) of Dover, New Hampshire. OSC, at 1. The OSC proposed the revocation of Registrant's Certificate of Registration No. BS8504703. *Id.* It alleged that Registrant is without ''authority to handle controlled substances in New Hampshire, the state in which . . . [Registrant is] registered with the DEA.'' *Id.* (citing 21 U.S.C. 823(f) and 824(a)(3)).

Specifically, the OSC alleged that, ''[a]ccording to records of the New Hampshire Medical Board, the current status of . . . [Registrant's] medical license is listed as 'suspended' because on September 6, 2019, . . .

[Registrant's] state medical license (License No. 13607) expired and has not been renewed.'' OSC, at 1–2. The OSC concluded that ''DEA must revoke . . . [Registrant's registration] based upon . . . [her] current lack of authority to handle controlled substances in the State of New Hampshire.'' *Id.* at 2.

The OSC notified Registrant of the right to request a hearing on the allegations or to submit a written statement, while waiving the right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. OSC, at 3 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration dated January 21, 2020, a Diversion Investigator (hereinafter, DI) assigned to the Manchester (New Hampshire) District office, New England Division, stated that she, a second DI, and a DEA Special Agent located Registrant at her place of employment on December 6, 2019. Request for Final Agency Action dated January 28, 2020 (hereinafter, RFAA), Exhibit (hereinafter, EX) 8 (DI's Declaration), at 2–3. The DI stated that the three showed their credentials and presented Registrant with the original OSC. *Id.* DI stated that she explained to Registrant that ''she had 30 days to respond'' to the OSC and then ''asked her to sign a DEA–12 receipt form showing that she had received'' the OSC. *Id.* at 3. The DI reported that Registrant ''complied with the request and signed the receipt.'' *Id.; see* RFAA EX 4 (DEA–12 receipt dated December 6, 2019).

The Government forwarded its RFAA, along with the evidentiary record, to this office on January 30, 2020. In its RFAA, the Government represented that ''neither the DEA . . . [Office of Administrative Law Judges] nor the . . . [Manchester District Office] had received any written correspondence, telephone, or any other communication from Registrant in response'' to the OSC since the ''passage of more than 30-days since [Registrant's] receipt'' of the OSC. RFAA, at 4–5. The Government requested that Registrant's registration be revoked, based on her lack of ''authority to handle controlled substances in New Hampshire.'' *Id.* at 6.

Based on the DI's Declaration, the Government's written representations, and my review of the record, I find that the Government accomplished service of the OSC on Registrant on December 6, 2019. I also find that more than thirty days have now passed since the Government accomplished service of the OSC. Further, based on the Government's written representations and my review of the record, I find that neither Registrant, nor anyone purporting to represent Registrant, requested a hearing, submitted a written statement while waiving Registrant's right to a hearing, or submitted a corrective action plan. Accordingly, I find that Registrant has waived the right to a hearing and the right to submit a written statement and corrective action plan. 21 CFR 1301.43(d) and 21 U.S.C. 824(c)(2)(C). I, therefore, issue this Decision and Order based on the record submitted by the Government, which constitutes the entire record before me. 21 CFR 1301.43(e).

Findings of Fact

Registrant's DEA Registration

Registrant is the holder of DEA Certificate of Registration No. BS8504703 at the registered address of 835 Central Ave., Dover, New Hampshire 03820. RFAA, EX 1 (Facsimile of DEA Certificate of Registration Number BS8504703), at 1; RFAA EX 2 (Certification of Registration History), at 1. Pursuant to this registration, Registrant is authorized to dispense controlled substances in schedules II through V as a practitioner. RFAA EX 2, at 1. Registrant's registration expires on February 28, 2021, and is ''in an active pending status.'' *Id.*

The Status of Registrant's State License

The Government submitted substantial evidence that Registrant's New Hampshire medical license was suspended on September 6, 2019. No evidence in the record refutes this evidence. Further, the records of the New Hampshire Medical Board, of which I take official notice, show the current status of Registrant's medical license to be suspended, effective September 6, 2019, due to a ''non-disciplinary remedial action.'' [1] New Hampshire Online Licensing, *https://nhlicenses.nh.gov* (last visited April 14, 2020). Accordingly, I find that Registrant currently is not licensed to engage in the practice of medicine in New Hampshire, the State in which she is registered with the DEA.

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under section 823 of the CSA ''upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.'' With respect to a practitioner, the DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner's registration. *See, e.g., James L. Hooper, M.D.,* 76 FR 71,371 (2011), *pet. for rev. denied,* 481 Fed. Appx. 826 (4th Cir. 2012); *Frederick Marsh Blanton, M.D.,* 43 FR 27,616, 27,617 (1978).

This rule derives from the text of two provisions of the CSA. First, Congress defined the term ''practitioner'' to mean ''a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . ., to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.'' 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner's registration, Congress directed that ''[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner's registration is the appropriate sanction whenever she is no longer authorized to dispense controlled substances under the laws of the state in which she practices. *See, e.g., James L. Hooper,* 76 FR at 71,371–72; *Sheran Arden Yeates, M.D.,* 71 FR 39,130, 39,131 (2006); *Dominick A.*

[1] Under the Administrative Procedure Act, an agency ''may take official notice of facts at any stage in a proceeding—even in the final decision.'' United States Department of Justice, Attorney General's Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Pursuant to 5 U.S.C. 556(e), ''[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.'' Accordingly, Registrant may dispute my finding by filing a properly supported motion for reconsideration of finding of fact within fifteen calendar days of the date of this Order. Any such motion shall be filed with the Office of the Administrator and a copy shall be served on the Government. In the event Registrant files a motion, the Government shall have fifteen calendar days to file a response. Any such motion and response may be filed and served by email (*dea.addo.attorneys@dea.usdoj.gov*) or by mail to Office of the Administrator, Attn: ADDO, Drug Enforcement Administration, 8701 Morrissette Drive, Springfield, VA 22152.

Ricci, M.D., 58 FR 51,104, 51,105 (1993); *Bobby Watts, M.D.,* 53 FR 11,919, 11,920 (1988); *Frederick Marsh Blanton,* 43 FR at 27,617.

According to New Hampshire law, ''All prescribers and dispensers authorized to prescribe or dispense schedule II–IV controlled substances within the state shall be required to register'' with the Controlled Drug Prescription Health and Safety Program. N.H. Rev. Stat. § 318–B:33(II) (Current through Chapter 7 of the 2020 Reg. Sess.); *see also* N.H. Rev. Stat. § 318–B:31(IX) (Current through Chapter 7 of the 2020 Reg. Sess.) (defining ''program''). ''Prescriber'' means a ''practitioner or other authorized person who prescribes a schedule II, III, and/or IV controlled substance.'' N.H. Rev. Stat. § 318–B:31(VIII) (Current through Chapter 7 of the 2020 Reg. Sess.). In turn, a ''practitioner'' is a ''physician . . . or other person licensed or otherwise permitted to prescribe . . . a controlled substance in the course of licensed professional practice.'' *Id.* at § 318–B:31(VI); *see also* N.H. Code Admin. R. Med. 501.02(k) and (l) (Current with amendments received through March 1 2020) (providing deadlines by which ''licensees'' must register with the Controlled Drug Prescription Health and Safety Program). Thus, under New Hampshire law, only a licensed professional, such as a physician, may be authorized to prescribe a controlled substance in schedules II–IV.

Here, the undisputed evidence in the record is that Registrant is not currently licensed to practice medicine in New Hampshire. As such, she is not qualified to register as a prescriber or dispenser of schedule II–IV controlled substances in New Hampshire. Thus, because Registrant lacks authority to practice medicine in New Hampshire and, therefore, is not authorized to handle schedule II–IV controlled substances in New Hampshire, Registrant is not eligible to maintain a DEA registration. Accordingly, I will order that Registrant's DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BS8504703 issued to Malathy Sundaram, M.D. This Order is effective May 27, 2020.

Uttam Dhillon,

Acting Administrator.

[FR Doc. 2020–08885 Filed 4–24–20; 8:45 am]

BILLING CODE 4410–09–P

NATIONAL COUNCIL ON DISABILITY

National Council on Disability; Meeting

TIME AND DATES: The Members of the National Council on Disability (NCD) will meet via conference call Monday, May 18, 2020, 10:00 a.m.–12:00 p.m., EDT. Interested parties may join the meeting in listen-only capacity. Call-In Number: 888–204–4368; Passcode: 5084239, Host Name: Neil Romano.

MATTERS TO BE CONSIDERED: The Council conduct a business meeting, to include approving the revised budget for fiscal year 2020.

AGENDA: The times provided below are approximations for when each agenda item is anticipated to be discussed (all times Eastern Daylight Time):

Monday, May 18, 2020

10:00 a.m.–10:10 a.m.—Welcome and Call to Order, Chairman Neil Romano
- Roll Call: Council Members
- Roll Call: Staff
- Call for Vote on Acceptance of Agenda
- Call for Vote of January 2020 Council Meeting Minutes

10:10 a.m.–11:10 a.m.—Executive Reports
- Chairman's Report, Neil Romano, Chairman
- Executive Report, Lisa Grubb, Executive Director and CEO
- Financial Report, Keith Woods, Financial Management Analyst
- Call for Vote on Fiscal Year 2020 revised budget, Wendy S. Harbour, Council Member
- Governance Report, Billy Altom, Council Member
- Legislative Affairs Report, Anne Sommer, Director of Legislative Affairs and Outreach
- Policy Report, Joan Durocher, Director of Policy and General Counsel

11:10 a.m.–11:40 a.m.—Public Comment

11:40 a.m.–12:00 p.m.—Unfinished and New Business

12:00 p.m.—Call for Motion to Adjourn

CONTACT PERSON FOR MORE INFORMATION: Anne Sommers, NCD, 1331 F Street NW, Suite 850, Washington, DC 20004; 202–272–2004 (V), 202–272–2022 (Fax).

Accommodations: A CART streamtext link has been arranged for this meeting. The web link to access CART on Monday, May 18, 2020 is: *http://www.streamtext.net/player?event=NCD-TELECONFERENCE.*

Dated: April 21, 2020.

Sharon M. Lisa Grubb,

Executive Director and CEO.

[FR Doc. 2020–08807 Filed 4–24–20; 8:45 am]

BILLING CODE 8421–02–P

NATIONAL SCIENCE FOUNDATION

Request for Information—Interagency Arctic Research Policy Committee, Chaired by the National Science Foundation; Extension of Public Comment Period

AGENCY: National Science Foundation.

ACTION: Request for information; extension of public comment period.

SUMMARY: On April 3, 2020, the National Science Foundation, on behalf of the Interagency Arctic Research Policy Committee (IARPC), announced a request for information regarding development of the next 5-year Arctic Research Plan: 2022–2026, originally open for a 90-day public comment period. In response to the challenges of providing input on the next 5-year Arctic Research Plan: 2022–2026 during the current global pandemic, IARPC is extending the public comment period for an additional 30 days.

DATES: Written comments must be submitted no later than August 2, 2020.

ADDRESSES: Email comments to *IARPCPlan@nsf.gov.* Send written submissions to Roberto Delgado, Office of Polar Programs, National Science Foundation, 2415 Eisenhower Avenue, Alexandria, VA 22314.

FOR FURTHER INFORMATION: Contact Meredith LaValley at 940–733–5675.

SUPPLEMENTARY INFORMATION: On April 3, 2020, IARPC, chaired by the National Science Foundation, announced the start of a public comment period on the content and organization of the next 5-year Arctic Research Plan: 2022–2026 (85 FR 19031). In response to the challenges of providing input during the current global pandemic, IARPC is extending the public comment period by an additional 30 days. Comments must be received or postmarked by no later than August 2, 2020. Please see the original **Federal Register** notice for further information (85 FR 19031).

Dated: April 22, 2020.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2020–08857 Filed 4–24–20; 8:45 am]

BILLING CODE 7555–01–P