

*Instrument:* Electron Microscope.  
*Manufacturer:* JEOL Ltd., Japan.  
*Intended Use:* This instrument will be used for the study of nanoscale magnetic and ferroelectric materials. Specifically, it will be used to study the magnetic domain or ferroelectric domain behavior of the such materials. The resolution of the instrument is such that it can correlate domain behavior directly with microstructure.  
*Justification for Duty-Free Entry:* No instruments of same general category are manufactured in the United States.  
*Application accepted by Commissioner of Customs:* October 19, 2009.

*Docket Number:* 09–062. *Applicant:* Department of Homeland Security, Science & Technology Directorate, Office of National Labs, National Bio-defense analysis and Countermeasures Center, 8300 Research Plaza, Fort Detrick, Frederick, MD 21702.  
*Instrument:* Electron Microscope.  
*Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to study biological agents and specimens at the cellular and genomic level. *Justification for Duty-Free Entry:* No instruments of same general category are manufactured in the United States. *Application accepted by Commissioner of Customs:* October 21, 2009.

Dated: November 3, 2009.

**Christopher Cassel,**

Director, IA Subsidies Enforcement Office.

[FR Doc. E9–27070 Filed 11–9–09; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before November 30, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. at the U.S. Department of Commerce in Room 3720.

*Docket Number:* 09–059. *Applicant:* Fermi Research Alliance LLC–Fermi National Accelerator Laboratory, Kirk Road & Wilson Street, P.O. Box 500, Batavia, IL 60510. *Instrument:* Wavelength Shifting Fiber.  
*Manufacturer:* Kuraray Co., Ltd.; Japan.  
*Intended Use:* This instrument will be used to observe the transmutation of muon neutrinos to electron neutrinos as they travel from their production point through the earth to a 20 kiloton detector. The instrument allows the light generated by neutrino interactions in the experiment's 18 kilotons of liquid scintillator to be captured, wavelength shifted and transmitted to photo-detectors. The fibers must be .7mm in diameter and 32 meters in length. Further, the light generated in the fiber must not suffer unacceptable attenuation in traveling down 16–20 m of the WLS fiber. As such, a pertinent characteristic of this instrument is that it have an attenuation length of >20m.  
*Justification for Duty-Free Entry:* There are instruments of the same general category being manufactured within the United States, but they could not be utilized for the purposes described above. *Application accepted by Commissioner of Customs:* October 9, 2009.

*Docket Number:* 09–063. *Applicant:* Argonne National Laboratory, 9700 S. Cass Ave., Lemont, IL 60439.  
*Instrument:* CEOS Spherical Aberration Corrector. *Manufacturer:* CEOS Corrected Electron Optical Systems, GmbH; Germany. *Intended Use:* This instrument will be installed on a transmission electron microscope and used for the study of nanoscale magnetic and ferroelectric materials. The aberration corrector greatly enhances the spatial resolution with which the experiments described above can be carried out. All experiments will be carried out in Lorentz mode, and will include imaging and electron diffraction combined with certain in-situ techniques. A pertinent characteristic of this instrument is that it must be capable of compensating completing the spherical aberration of the low field objective lens on the 2100F TEM to which it will be attached. The spherical aberration coefficient of this lens is 200 mm. In addition the CEOS aberration corrector can compensate this value of spherical aberration while only increasing the chromatic aberration by approximately 20%. *Justification for Duty-Free Entry:* There are no instruments of the same general category being manufactured within the United States. *Application accepted by*

*Commissioner of Customs:* October 21, 2009.

Dated: November 3, 2009.

**Christopher Cassel,**

Acting Director, IA Subsidies Enforcement Office.

[FR Doc. E9–27067 Filed 11–9–09; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 47–2009]

#### Foreign-Trade Zone 121—Albany, NY; Application for Expansion and Reorganization Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Capital District Regional Planning Commission, grantee of FTZ 121, requesting authority to expand the zone and reorganize under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 01/12/09; correction 74 FR 3987, 01/22/09). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new “usage-driven” FTZ sites for operators/users located within a grantee’s “service area” in the context of the Board’s standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on November 3, 2009.

The grantee’s proposed service area under the ASF would be Albany, Columbia, Greene, Fulton, Montgomery, Rensselaer, Saratoga, Schenectady, Warren and Washington counties, New York. If approved, the grantee would be able to serve sites throughout the service area based on companies’ needs for FTZ designation. The proposed service area is adjacent to or within the Albany Customs and Border Protection port of entry.

FTZ 121 was approved by the Board on July 18, 1985 (Board Order 307, 50 FR 30986, July 31, 1985) and expanded on September 25, 1997 (Board Order 922, 62 FR 51830, October 3, 1997). The applicant is requesting to include its current sites as “magnet sites”: Site 1, Northeastern Industrial Park, expanding the site from 20 acres to 514 acres; Site 2, Rotterdam Industrial Park, expanding the site from 7 acres to 225 acres; and

Site 3, Port of Albany, expanding the site from 35 acres to 277 acres. The applicant has requested that Site 4, Crossroads Industrial Park be removed from FTZ 121. The applicant is also requesting approval of the following additional "magnet sites": Site 5, 281 acres, Saratoga Technology + Energy Park, 10 Hermes Road, Malta, NY 12020; Site 6, 1192 acres, Luther Forest Technology Campus, 40 Rocket Test Station Road, Malta, NY 12020; Site 7, 133 acres, Florida Business Park Extension, State Highway 5S, Amsterdam, NY 12010. The applicant proposes that Site 6 be subject to a seven-year "sunset" time limit, instead of the standard five-year "sunset" time limit that would otherwise apply to magnet sites under the ASF.

In accordance with the Board's regulations, Maureen Hinman of the FTZ staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is January 11, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to January 25, 2010).

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Maureen Hinman at [maureen.hinman@trade.gov](mailto:maureen.hinman@trade.gov) or (202) 482-0627.

Dated: November 3, 2009.

**Elizabeth Whiteman,**

*Acting Executive Secretary.*

[FR Doc. E9-27094 Filed 11-9-09; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-P-2009-0048]

#### Grant of Interim Extension of the Term of U.S. Patent No. 4,971,802; MIFAMURTIDE

**AGENCY:** United States Patent and Trademark Office.

**ACTION:** Notice of interim patent term extension.

**SUMMARY:** The United States Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a third one-year interim extension of the term of U.S. Patent No. 4,971,802.

**FOR FURTHER INFORMATION CONTACT:** Raul Tamayo by telephone at (571) 272-7728; by mail marked to his attention and addressed to the Commissioner for Patents, Mail Stop Hatch-Waxman PTE, P.O. Box 1450, Alexandria, VA 22313-1450; by fax marked to his attention at (571) 273-7728, or by e-mail to [Raul.Tamayo@uspto.gov](mailto:Raul.Tamayo@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to five years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review, and that the patent may be extended for interim periods of up to a year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On September 30, 2009, IDM Pharma, agent/licensee of patent owner Novartis, timely filed an application under 35 U.S.C. 156(d)(5) for a third interim extension of the term of U.S. Patent No. 4,971,802. Claims of the patent cover muramyl tripeptide phosphatidyl ethanolamine, which is labeled as the active ingredient in the human drug product Mifamurtide. The application indicates, and the Food and Drug Administration has confirmed, that a New Drug Application for the human drug product Mifamurtide has been filed and is currently undergoing regulatory review before the Food and Drug Administration for permission to market or use the product commercially.

Review of the application indicates that, except for permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for an additional year as required by 35 U.S.C. 156(d)(5)(B).

Because it is apparent that the regulatory review period will continue beyond the extended expiration date of the patent (November 20, 2009), interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate.

A third interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 4,971,802 is granted for a period of one year from the extended expiration date of the patent, *i.e.*, until November 20, 2010.

Dated: October 30, 2009.

**David J. Kappos,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. E9-26998 Filed 11-9-09; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

[Docket No. 0910271381-91382-01]

#### Impact of Implementation of the Chemical Weapons Convention on Commercial Activities Involving "Schedule 1" Chemicals Through Calendar Year 2009

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Notice of inquiry.

**SUMMARY:** The Bureau of Industry and Security (BIS) is seeking public comments on the impact that implementation of the Chemical Weapons Convention, through the Chemical Weapons Convention Implementation Act and the Chemical Weapons Convention Regulations, has had on commercial activities involving "Schedule 1" chemicals during calendar year 2009. The purpose of this notice of inquiry is to collect information to assist BIS in its preparation of the annual certification to the Congress, which is required under Condition 9 of Senate Resolution 75, April 24, 1997, in which the Senate gave its advice and consent to the ratification of the Chemical Weapons Convention.

**DATES:** Comments must be received by December 10, 2009.

**ADDRESSES:** You may submit comments by any of the following methods:

- *E-mail:* [wfisher@bis.doc.gov](mailto:wfisher@bis.doc.gov). Include the phrase "Schedule 1 Notice of Inquiry" in the subject line;
- *Fax:* (202) 482-3355 (Attn: Willard Fisher);
- *Mail or Hand Delivery/Courier:* Willard Fisher, U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division,