

The effective date of continuation of these orders will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of these orders not later than 30 days prior to the fifth anniversary of the effective date of continuation. These five-year (sunset) reviews and this notice are in accordance with sections 751(c) and 777(i)(1) of the Act and 19 CFR 351.218(f)(4).

Dated: October 6, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-25776 Filed 10-12-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-806]

#### **Silicon Metal From the People's Republic of China; Extension of Time Limit for the Final Results of the 2008-2009 Administrative Review of the Antidumping Duty Order**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**DATES:** *Effective Date:* October 13, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Demitri Kalogeropoulos, or Keith Huffman, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-2623 and (202) 482-4987, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 29, 2009, the Department of Commerce ("Department") initiated the administrative review ("AR") of the antidumping duty order on silicon metal from the People's Republic of China ("PRC") for the period June 1, 2008, through May 31, 2009. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Deferral of Administrative Review*, 74 FR 37690 (July 29, 2009). On July 15, 2010, the Department published its preliminary results. See *Silicon Metal From the People's Republic of China: Preliminary Results and Preliminary Rescission, in Part, of Antidumping Duty Administrative Review*, 75 FR 41143 (July 15, 2010).

The final results of this AR are currently due no later than November 12, 2010.

**Extension of Time Limit for Final Results**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the final results in an AR within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time period to a maximum of 180 days.

We determine that it is not practicable to complete the final results of this review within the original time limit because the Department requires additional time to analyze significant issues raised in the case briefs and rebuttal briefs. These issues include the calculation of surrogate financial ratios, the valuation of silica fume and coal, and questions regarding comparisons between U.S. prices and normal value. Therefore, given the complexity of issues in this case, we are extending the time limit for completion of the final results by 60 days.

An extension of 60 days from the current deadline of November 12, 2010, would result in a new deadline of January 11, 2011.

This notice is published pursuant to sections 751(a) and 777(i) of the Act.

Dated: October 5, 2010.

**Susan H. Kuhbach,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2010-25772 Filed 10-12-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-838]

#### **Carbazole Violet Pigment 23 From India: Final Results of Antidumping Duty Changed-Circumstances Review**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (the Department) has determined, pursuant to section 751(b) of the Tariff Act of 1930, as amended (the Act), that Meghmani Pigments is the successor-in-interest to Alpanil Industries.

**DATES:** *Effective Date:* October 13, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Jerrold Freeman or Richard Rimlinger, AD/CVD Operations, Office 5, Import

Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; (202) 482-0180 or (202) 482-4477, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 30, 2010, and in accordance with section 751(b) of the Act, 19 CFR 351.216, and 19 CFR 351.221(c)(3), we preliminarily found that Meghmani Pigments is the successor-in-interest to Alpanil Industries. See *Carbazole Violet Pigment 23 From India: Preliminary Results of Antidumping Duty Changed-Circumstances Review*, 75 FR 52930 (August 30, 2010). Although we gave interested parties an opportunity to comment on the preliminary results, we received no comments.

**Scope of the Order**

The merchandise subject to the order is carbazole violet pigment 23 identified as Color Index No. 51319 and Chemical Abstract No. 6358-30-1, with the chemical name of diindolo [3,2-b:3',2'-m]<sup>1</sup> triphenodioxazine, 8,18-dichloro-5, 15-diethyl-5, 15-dihydro-, and molecular formula of C<sub>34</sub>H<sub>22</sub>Cl<sub>2</sub>N<sub>4</sub>O<sub>2</sub>. The subject merchandise includes the crude pigment in any form (e.g., dry powder, paste, wet cake) and finished pigment in the form of presscake and dry color. Pigment dispersions in any form (e.g., pigment dispersed in oleoresins, flammable solvents, water) are not included within the scope of the order. The merchandise subject to the order is classifiable under subheading 3204.17.90.40 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

**Final Results of Changed-Circumstances Review**

For the reasons stated in the preliminary results, we continue to find that Meghmani Pigments is the successor-in-interest to Alpanil Industries and, as a result, should be accorded the same antidumping duty treatment as Alpanil Industries. Accordingly, effective on the date of publication of these final results in the **Federal Register**, we will instruct U.S. Customs and Border Protection to collect cash deposits for estimated

<sup>1</sup> The bracketed section of the product description, [3,2-b:3',2'-m], is not business-proprietary information. In this case, the brackets are simply part of the chemical nomenclature.

antidumping duties of 58.90 percent, the weighted-average percentage dumping margin we found for Alpanil Industries in the most recently completed review. *See Carbazole Violet Pigment 23 From India: Final Results of Antidumping Duty Administrative Review*, 75 FR 38076 (July 1, 2010).

#### Notification

This notice serves as a reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is published in accordance with sections 751(b)(1) and 777(i) of the Act and 19 CFR 351.216 and 19 CFR 351.221.

Dated: October 6, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-25777 Filed 10-12-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-908]

#### First Antidumping Duty Administrative Review of Sodium Hexametaphosphate From the People's Republic of China: Extension of Time Limit for the Final Results

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce

**DATES:** *Effective Date:* October 13, 2010.

**FOR FURTHER INFORMATION CONTACT:** Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0413.

#### Background

On April 15, 2010 the Department of Commerce ("Department") published the *Preliminary Results* of the first administrative review of sodium hexametaphosphate from the People's Republic of China ("PRC"), covering the period September 14, 2007 through February 28, 2009. *See First Administrative Review of Sodium Hexametaphosphate From the People's*

*Republic of China: Notice of Preliminary Results of the Antidumping Duty Administrative Review*, 75 FR 19613 (April 15, 2010) ("*Preliminary Results*"). On August 10, 2010 the Department extended the final results of review to October 5, 2010. *See First Antidumping Duty Administrative Review of Sodium Hexametaphosphate From the People's Republic of China: Extension of Time Limit for the Final Results*, 75 FR 48309 (August 10, 2010).

#### Extension of Time Limit for the Preliminary Results

As noted in the August 10 extension notice, section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the final results of an administrative review within 120 days after the date on which the *Preliminary Results* have been published. If it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend this deadline to a maximum of 180 days.

The Department determines that completion of the final results of this review by the current deadline is not practicable. The Department requires more time to analyze a significant amount of information pertaining to the respondent's corporate structure and ownership, sales practices and manufacturing methods. Therefore, given the number and complexity of issues in this case, and in accordance with section 751(a)(3)(A) of the Act, we are extending the time period for issuing the final results of review until October 12, 2010.

This notice is published pursuant to sections 751(1)(3)(A) and 777(i)(1) of the Act and 19 CFR 351.213(h)(2).

Dated: October 5, 2010.

**Susan H. Kuhbach,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2010-25770 Filed 10-12-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-P-2010-0079]

#### Grant of Interim Extension of the Term of U.S. Patent No. 5,407,914; SURFAXIN® (Lucinactant)

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

**ACTION:** Notice of Interim Patent Term Extension.

**SUMMARY:** The United States Patent and Trademark Office has issued an order granting interim extension under 35 U.S.C. 156(d)(5) for a second one-year interim extension of the term of U.S. Patent No. 5,407,914.

#### FOR FURTHER INFORMATION CONTACT:

Mary C. Till by telephone at (571) 272-7755; by mail marked to her 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 her attention at (571) 273-7755, or by e-mail to [Mary.Till@uspto.gov](mailto:Mary.Till@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 one year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On September 22, 2010, Discovery Laboratories Inc., on behalf of patent owner Scripps Research Institute, timely filed an application under 35 U.S.C. 156(d)(5) for an additional interim extension of the term of U.S. Patent No. 5,407,914. The patent claims the human drug product, SURFAXIN® (lucinactant) and a method of using SURFAXIN® (lucinactant). The application indicates that a New Drug Application, NDA No. 21-746, for the human drug product SURFAXIN® (lucinactant) 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 one 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 17, 2010, interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate.

An interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 5,407,914 is granted for a period of one additional year from the extended expiration date of the patent, *i.e.*, until November 17, 2011.