

**DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[WO-310-06-1310-EPAI]

**Implementation of the Split Estate Section 1835 of the Energy Policy Act of 2005; Listening Sessions****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Notice of public listening sessions.

**SUMMARY:** Listening sessions will be held by the Bureau of Land Management to solicit suggestions from the public on how best to implement the split estate provisions of the Energy Policy Act of 2005. Section 1835 of the Energy Policy Act directs the Secretary of the Interior to review current policies and practices for managing oil and gas resources in split estate situations, that is, how the BLM provides for oil and gas development and environmental protection where the surface estate is privately owned and the mineral estate is owned and administered by the Federal Government. The Act directs that this review be conducted in consultation with affected private surface owners, oil and gas industry, and other interested parties.

*Dates and Locations:* Listening Sessions will be scheduled during late March 2006 in Colorado, Montana, New Mexico, Wyoming, and Washington, DC. The BLM will announce exact times and locations through the local media, e-mail, and on the Split Estate Web site at: <http://www.blm.gov/bmp> at least 15 days prior to the listening sessions.

**FOR FURTHER INFORMATION CONTACT:** Jim Perry, Senior Natural Resource Specialist for the BLM Fluid Minerals Program at (202) 452-5063, or visit the Split Estate Web site at <http://www.blm.gov/bmp>.

**SUPPLEMENTARY INFORMATION:** The listening sessions will begin with an overview of the split estate provisions of the Energy Policy Act and current split estate practices, policies, regulations, and laws that guide management of the Federal mineral estate. Participants who request to speak will be provided a set amount of time to provide recommendations for managing oil and gas resources in split estate situations.

Dated: February 7, 2006.

**Thomas P. Lonnie,**  
Assistant Director, Minerals, Realty and Resource Protection.

[FR Doc. E6-2092 Filed 2-14-06; 8:45 am]

BILLING CODE 4310-84-P

**DEPARTMENT OF THE INTERIOR****National Indian Gaming Commission****Fee Rates****AGENCY:** National Indian Gaming Commission, Interior.**ACTION:** Notice.

**SUMMARY:** Notice is hereby given, pursuant to 25 CFR 514.1(a)(3), that the National Indian Gaming Commission has adopted preliminary annual fee rates of 0.00% for tier 1 and 0.053% (.00053) for tier 2 for calendar year 2006. These rates shall apply to all assessable gross revenues from each gaming operation under the jurisdiction of the Commission. If a tribe has a certificate of self-regulation under 25 CFR part 518, the preliminary fee rate on class II revenues for calendar year 2006 shall be one-half of the annual fee rate, which is 0.0265% (.000265).

**FOR FURTHER INFORMATION CONTACT:** Bobby Gordon, National Indian Gaming Commission, 1441 L Street, NW., Suite 9100, Washington, DC 20005; telephone 202/632-7003; fax 202/632-7066 (these are not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act established the National Indian Gaming Commission which is charged with, among other things, regulating gaming on Indian lands.

The regulations of the Commission (25 CFR part 514), as amended, provide for a system of fee assessment and payment that is self-administered by gaming operations. Pursuant to those regulations, the Commission is required to adopt and communicate assessment rates; the gaming operations are required to apply those rates to their revenues, compute the fees to be paid, report the revenues, and remit the fees to the Commission on a quarterly basis.

The regulations of the Commission and the preliminary rate being adopted today are effective for calendar year 2006. Therefore, all gaming operations within the jurisdiction of the Commission are required to self-administer the provisions of these regulations and report and pay any fees that are due to the Commission by March 31, 2006.

**Irene Schrader,**  
Director of Administration, National Indian Gaming Commission.

[FR Doc. 06-1403 Filed 2-14-06; 8:45 am]

BILLING CODE 7565-01-M

**INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-562]

**In the Matter of Certain Incremental Dental Positioning Adjustment Appliances and Methods of Producing Same; Notice of Investigation****AGENCY:** U.S. International Trade Commission.**ACTION:** Institution of investigation pursuant to 19 U.S.C. 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on January 11, 2006, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Align Technology, Inc. The complaint alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain incremental dental positioning adjustment appliances by reason of infringement of claims 1-36, 38, 42-49, and 51-58 of U.S. Patent No. 6,685,469; claim 1 of U.S. Patent No. 6,450,807; claims 1-4 of U.S. Patent No. 6,394,801; claims 21, 22, 24-30, 32-36, 38, and 39 of U.S. Patent No. 6,398,548; claims 1, 2, 4-8, 10, and 12-18 of U.S. Patent No. 6,722,880; claims 1-3, 6-8, and 11 of U.S. Patent No. 6,629,840; claims 1, 2, 9, and 10 of U.S. Patent No. 6,699,037; claims 1-18, 20-23, 25, 26, and 29-38 of U.S. Patent No. 6,318,994; claims 1-22 and 28 of U.S. Patent No. 6,729,876; claims 34-56 and 59-65 of U.S. Patent No. 6,602,070; claims 1-6, 9, and 10 of U.S. Patent No. 6,471,511; and claims 1-13, 15, 16, and 18 of U.S. Patent No. 6,227,850; and also by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States. The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and permanent cease and desist orders.

**ADDRESSES:** The complaint, except for any confidential information contained therein, is 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., Room 112, Washington, DC 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained 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 at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jay H. Reiziss, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2579.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2005).

*Scope of Investigation:* Having considered the complaint, the U.S. International Trade Commission, on February 7, 2006, *Ordered That*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) Whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain incremental dental positioning adjustment appliances by reason of infringement of one or more of claims 1-36, 38, 42-49, and 51-58 of U.S. Patent No. 6,685,469; claim 1 of U.S. Patent No. 6,450,807; claims 1-4 of U.S. Patent No. 6,394,801; claims 21, 22, 24-30, 32-36, 38, and 39 of U.S. Patent No. 6,398,548; claims 1, 2, 4-8, 10, and 12-18 of U.S. Patent No. 6,722,880; claims 1-3, 6-8, and 11 of U.S. Patent No. 6,629,840; claims 1, 2, 9, and 10 of U.S. Patent No. 6,699,037; claims 1-18, 20-23, 25, 26, and 29-38 of U.S. Patent No. 6,318,994; claims 1-22 and 28 of U.S. Patent No. 6,729,876; claims 34-56 and 59-65 of U.S. Patent No. 6,602,070; claims 1-6, 9, and 10 of U.S. Patent No. 6,471,511; and claims 1-13, 15, 16, and 18 of U.S. Patent No. 6,227,850, and whether an industry in the United States exists as required by subsection (a)(2) of section 337; or

(b) Whether there is a violation of subsection (a)(1)(A) of section 337 in the importation into the United States of certain incremental dental positioning adjustment appliances or in the sale of such articles by reason of misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Align Technology, Inc., 881 Martin Avenue, Santa Clara, California 95050.

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

OrthoClear, Inc., 580 California St., Suite 1725, San Francisco, CA 94104  
OrthoClear Holdings, Inc., c/o Walkers (BV) Limited, Walkers Chambers, P.O. Box 92, Tortola, British Virgin Islands  
OrthoClear Pakistan Pvt. Ltd., 8-Aitchison Rd., 1-km Thoker, Niaz Baig, Raiwind Rd., Lahore, Pakistan

(c) Jay H. Reiziss, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW., Suite 401, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Robert L. Barton, Jr. is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondents, to find the facts to be as alleged in the complaint and this notice and to enter a final determination containing such findings, and may result in the issuance of a limited exclusion order or cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: February 9, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-2164 Filed 2-14-06; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-549]

### In the Matter of Certain Ink Sticks for Solid Ink Printers; Notice of Request for Written Submissions on Remedy, the Public Interest, and Bonding With Respect to the Respondents Found in Default

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission is requesting briefing on remedy, the public interest, and bonding with respect to two respondents previously found in default.

**FOR FURTHER INFORMATION CONTACT:** Michelle Walters, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 708-5468. 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 at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://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:** The Commission instituted this investigation by notice on September 6, 2005, based on a complaint filed by Xerox Corporation ("Xerox") of Stamford, Connecticut. The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain ink sticks used in solid ink printers by reason of infringement of claim 16 of United States Patent No. 6,739,713, claims 5-10 and 13-14 of United States Patent No. 6,840,613, and claims 1-2 of United States Patent No. 6,840,612. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation