Avenue, NW., Washington, DC 20230; telephone: (202) 482–4162 or (202) 482–4406, respectively.

**SUPPLEMENTARY INFORMATION:**

## Background

On August 8, 2005, the Department published in the **Federal Register** the preliminary results of the administrative review of the antidumping duty order on canned pineapple fruit from Thailand. *See Canned Pineapple Fruit From Thailand: Preliminary Results of Antidumping Duty Administrative Review*, 70 FR 45651 (August 8, 2005) (*Preliminary Results*). No interested parties filed case briefs in response to the Department's invitation to comment on the *Preliminary Results*.

## Scope of the Order

The product covered by the order is canned pineapple fruit, defined as pineapple processed and/or prepared into various product forms, including rings, pieces, chunks, tidbits, and crushed pineapple, that is packed and cooked in metal cans with either pineapple juice or sugar syrup added. Imports of canned pineapple fruit are currently classifiable under subheadings 2008.20.0010 and 2008.20.0090 of the Harmonized Tariff Schedule of the United States (HTSUS). HTSUS 2008.20.0010 covers canned pineapple fruit packed in a sugar–based syrup; HTSUS 2008.20.0090 covers canned pineapple fruit packed without added sugar (*i.e.*, juice–packed). The HTSUS subheadings are provided for convenience and customs purposes. The written description of the merchandise covered by this order is dispositive.

## Partial Final Rescission of Review

As stated in the preliminary results of this review, the Department confirmed that Prachuab Fruit Canning Co., Ltd. (PRAFT) made no shipments of subject merchandise during the POR. Therefore, consistent with the Department's preliminary results of this review, and in accordance with 19 CFR § 351.213(d)(3), we are rescinding the instant review with respect to PRAFT.

## Analysis of Comments Received

As noted above, we received no comments on the preliminary results of review. In these final results, we have made no changes to the weighted–average dumping margins calculated for TPC and Vita in the preliminary results of this administrative review.

## Final Results of Review

We determine that the following weighted–average percentage margins exist for the period July 1, 2003, through June 30, 2004:

| Manufacturer/Exporter | Margin (percent) |
|---|---|
| Vita Food Factory (1989) Ltd. | 9.12 |
| Thai Pineapple Canning Industry Corp., Ltd. | 51.16 |

## Assessment

The Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR § 351.212(b)(1), we calculated importer–specific assessment rates for Vita's subject merchandise. Since Vita did not report the entered value for its sales, we calculated per–unit assessment rates for its merchandise by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total quantity of those sales. To determine whether the per–unit duty assessment rates were *de minimis* (*i.e.*, less than 0.50 percent *ad valorem*), in accordance with the requirement set forth in 19 CFR § 351.106(c)(2), we calculated importer–specific *ad valorem* ratios based on export prices. Where the importer–specific assessment rate is above *de minimis*, we will instruct CBP to assess the importer–specific rate uniformly on all entries made during the POR. For TPC, the respondent receiving a dumping margin based upon adverse facts available (AFA), we will instruct CBP to liquidate entries according to the AFA *ad valorem* rate. The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of these final results of review.

## Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of canned pineapple fruit from Thailand entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for Vita and TPC will be the rates shown above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company–specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less–than-fair–value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be the ''all others'' rate, which is 24.64 percent. These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

## Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR § 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

## Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR § 351.305. Timely written notification of the return/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 violation that is subject to sanction.

We are issuing and publishing these results and notice in accordance with sections 751(a)(1) and 771(i)(1) of the Tariff Act of 1930, as amended.

Dated: October 17, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E5–5863 Filed 10–21–05; 8:45 am]

**Billing Code: 3510–DS–S**

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## DEPARTMENT OF COMMERCE

**[Docket No. 2005–P–071]**

## Patent and Trademark Office

## Grant of Interim Extension of the Term of U.S. Patent No. 4,650,787; Vapreotide Acetate

**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 one-year interim extension of the term of U.S. Patent No. 4,650,787.

**FOR FURTHER INFORMATION CONTACT:** Karin Ferriter by telephone at (571) 272–7744; by mail marked to her attention and addressed to Mail Stop Patent Ext., Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313–1450; by fax marked to her attention at (571) 273–7744, or by e-mail to *Karin.Ferriter@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 April 7, 2005, H3 Pharma, Inc., an agent of the Administrators of the Tulane Educational Fund of New Orleans, Louisiana, the patent owner, timely filed an application under 35 U.S.C. 156(d)(5) for an interim extension of the term of U.S. Patent No. 4,650,787. The patent claims the active ingredient vapreotide acetate in the human drug product Sanvar®, and a method of use of said product. The application indicates that a New Drug Application for Sanvar® (vapreotide acetate) 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 one year as required by 35 U.S.C. 156(d)(5)(B). Since the regulatory review period extended beyond the expiration date of the patent April 25, 2005, 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. 4,650,787 is granted for a period of one year from the expiration date of the patent, i.e., until April 25, 2006.

Dated: October 17, 2005.

**Jon W. Dudas,**

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

[FR Doc. 05–21191 Filed 10–21–05; 8:45 am]

**BILLING CODE 3510–16–P**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Commodity Futures Trading Commission

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** 70 FR 194.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING:** 11 a.m., Wednesday, October 26, 2005.

**CHANGES IN THE MEETING:** The Rule Enforcement Review has been moved to Friday, October 28, 2005, at 11:45 a.m.

**CONTACT PERSON FOR MORE INFORMATION:** Jean A. Webb, (202) 418–5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 05–21319 Filed 10–20–05; 2:24 pm]

**BILLING CODE 6351–01–M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

### TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Fiscal Year 2006 Diagnosis Related Group (DRG) Updates

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice of DRG revised rates.

**SUMMARY:** This notice describes the changes made to the TRICARE DRG-based payment system in order to conform to changes made to the Medicare Prospective Payment System (PPS). It also provides the updated fixed loss cost outlier threshold, cost-to-charge ratios and the Internet address for accessing the updated adjusted standardized amount and DRG relative weights to be used for FY 2006 under the TRICARE DRG-based payment system.

**EFFECTIVE DATES:** The rates, weights and Medicare PPS changes which affect the TRICARE DRG-based payment system contained in this notice are effective for admissions occurring on or after October 1, 2005.

**ADDRESSES:** TRICARE Management Activity (TMA), Medical Benefits and Reimbursement Systems, 16401 East Centretech Parkway, Aurora, CO 80011–9066.

**FOR FURTHER INFORMATION CONTACT:** Marty Maxey, Medical Benefits and Reimbursement Systems, TMA, telephone (303) 676–3627. Questions regarding payment of specific claims under the TRICARE DRG-based payment system should be addressed to the appropriate contractor.

**SUPPLEMENTARY INFORMATION:** The final rule published on September 1, 1987 (52 FR 32992) set forth the basic procedures used under the CHAMPUS DRG-based payment system. This was subsequently amended by final rules published August 31, 1988 (53 FR 33461), October 21, 1988 (53 FR 41331), December 16, 1988 (53 FR 50515), May 30, 1990 (55 FR 21863), October 22, 1990 (55 FR 42560), and September 10, 1998 (63 FR 48439). An explicit tenet of these final rules, and one based on the statute authorizing the use of DRGs by TRICARE, is that the TRICARE DRG-based payment system is modeled on the Medicare PPS, and that, whenever practicable, the TRICARE system will follow the same rules that apply to the Medicare PPS. The Centers for Medicare and Medicaid Services (CMS) publishes these changes annually in the **Federal Register** and discusses in detail the impact of the changes. In addition, this notice updates the rates and weights in accordance with our previous final rules. The actual changes we are making, along with a description of their relationship to the Medicare PPS, are detailed below.

### I. Medicare PPS Changes Which Affect the TRICARE DRG-Based Payment System

Following is a discussion of the changes CMS has made to the Medicare PPS that affect the TRICARE DRG-based payment system.

*A. DRG Classifications*

Under both the Medicare PPS and the TRICARE DRG-based payment system, cases are classified into the appropriate DRG by a Grouper program. The Grouper classifies each case into a DRG on the basis of the diagnosis and procedure codes and demographic information (that is, sex, age, and discharge status). The Grouper used for the TRICARE DRG-based payment system is the same as the current Medicare Grouper with two modifications. The TRICARE system has replaced Medicare DRG 435 with two age-based DRGs (900 and 901), and has implemented thirty-four (34) neonatal DRGs in place of Medicare DRGs 385 through 390. For admissions occurring on or after October 1, 2001, DRG 435 has been replaced by DRG 523. The TRICARE system has replaced DRG 523 with the two age-based DRGs (900 and 901). For admissions occurring on or after October 1, 1995, the CHAMPUS grouper hierarchy logic was changed so the age split (age <29 days) and assignments to MDC 15 occur before