

classifiable under item number 2832.30.1000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). The above HTSUS subheading is provided for convenience and customs purposes. The written description remains dispositive.

Determination

As a result of the determinations by the Department and the Commission that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on sodium thiosulfate from the United Kingdom, Germany, and the PRC. The Department will instruct the U.S. Customs Service to continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of this order will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of these orders not later than February 2005.

Dated: March 1, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00-5509 Filed 3-6-00; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Applications 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; 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 filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of

Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 00-002. Applicant: The Regents of the University of Michigan, 417 Space Research, Ann Arbor, MI 48109-2143. Instrument: Analytical Electron Microscope, Model JEM-2010F. Manufacturer: JEOL Ltd., Japan. Intended Use: The instrument is intended to be used for investigations of microstructure and microchemistry of metals, ceramics, semi-conductors, polymers and biomaterials to relate the micro-and chemical properties of materials and compare with macroscopic properties. In addition, the instrument will be used for educational purposes in the courses MSE 562 Electron Microscopy I, MSE 220 Introduction to Materials and Manufacturing, and MSE 250 Principles of Engineering Materials. Application accepted by Commissioner of Customs: January 31, 2000.

Docket Number: 00-003. Applicant: University of North Dakota, Physics Department, Cornell Street, Witmer Hall, Room 213, Grand Forks, ND 58202-7129. Instrument: Scanning Tunneling Microscope, Model STM 25. Manufacturer: Omicron Associates, Germany. Intended Use: The instrument is intended to be used for investigating the structural, electronic and superconducting properties of advanced materials of technological interest (both conducting and insulating materials). During these studies the instrument will be used to image individual atoms on the surface of materials and characterize important structural features. In addition, the instrument will be used for educational purposes in the courses: PHYS428: Modern Physics Laboratory, PHYS437: Introductory Solid State, PHYS499: Senior Honors, PHYS536: Solid State Physics II and PHYS590: Research. In these courses students will have the opportunity to do state-of-the-art experiments in a wide range of research fields. Application accepted by Commissioner of Customs: February 10, 2000.

Docket Number: 00-004. Applicant: Michigan Technological University, Department of Civil and Environmental Engineering, 1400 Townsend Drive, Houghton, MI 49931. Instrument: Automatic Thin Section Machine. Manufacturer: Dansk Beton Teknik A/S, Denmark. Intended Use: The instrument is intended to be used to prepare thin sections of portland cement concrete and clinker, asphalt concrete, aggregate or other materials by precisely grinding the material to a desired thickness with little to no damage. The prepared specimens are then examined in an optical petrographic microscope and/or

scanning electron microscope. The analysis of thin sections allows for the optical properties of the material to be assessed thus determining the crystallography and mineralogy. The objectives of these investigations will primarily focus on the evaluation of these civil engineering materials for the purpose of characterization, identifying deterioration mechanisms and improving performance. Application accepted by Commissioner of Customs: February 18, 2000.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 00-5514 Filed 3-6-00; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D.022800E]

North Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of committee meeting.

SUMMARY: The North Pacific Fishery Management Council's (NPFMC) Halibut Charter Individual Fishing Quota (IFQ) Committee will meet in Anchorage, AK.

DATES: The meeting will be held on March 22-23, 2000.

ADDRESSES: The meeting will be held at the Clarion Suites, 325 W. 8th Avenue, Anchorage, AK.

Council address: North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

FOR FURTHER INFORMATION CONTACT: Jane DiCosimo, NPFMC, 907-271-2809.

SUPPLEMENTARY INFORMATION: The meeting will begin at 1:00 p.m. on Wednesday, March 22, and continue through Thursday, March 23. This will be the first meeting of the newly-appointed committee. The committee's charge is to begin development of preliminary elements and options for a potential IFQ program for Alaskan halibut charter fisheries. The committee will report its progress to the NPFMC in April.

Although non-emergency issues not contained in this agenda may come before this committee for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject

of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the committee's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Helen Allen, 907-271-2809, at least 5 working days prior to the meeting date.

Dated: February 29, 2000.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 00-5519 Filed 3-6-00; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. 00302058-0058-01]

Notice of Conference on State Sovereign Immunity and Intellectual Property Rights

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice of meeting.

SUMMARY: The U.S. Patent and Trademark Office (USPTO) is announcing that it will hold a one-day conference on issues related to recent Supreme Court decisions concerning the sovereign immunity of States and Federal intellectual property rights. The conference will bring together a number of constitutional law and intellectual property scholars as well as individuals who can offer the perspective of state governments on these issues.

DATES: The conference will be held on Friday, March 31, 2000, beginning at 9:30 a.m. Requests to participate in the conference must be made no later than March 27, 2000. Written comments may be submitted by no later than April 14, 2000.

ADDRESSES: The conference will be held at the Department of Commerce, Fourteenth Street and Constitution Avenue, N.W., Washington, DC 20230. Conference attendees should enter the Commerce Department Building at its main entrance on 14th Street. Directions to the conference location within the building will be available in the main lobby off 14th Street.

Requests to attend in the conference should be made to Justin Hughes by electronic mail to justin.hughes@uspto.gov, by facsimile transmission marked to his attention at (703) 305-8885, or by mail marked to his attention and addressed to the Office of Legislative and International Affairs, U.S. Patent and Trademark Office, Box 4, Department of Commerce, Washington, DC 20231. Conference attendees will be accepted as their requests are received. Should space considerations cause a need to limit attendees, requests will be honored on a first-come, first-serve basis according to the time and date of each request.

Arrangements for conference panelists will be made separately from conference attendees. Conference attendees will be provided with audience-style seating to watch and listen to panel discussions. Attendees may be given the opportunity to participate in question and answer periods attendant to certain conference panel sessions and may provide written comments to the address listed above.

FOR FURTHER INFORMATION CONTACT:

Justin Hughes, by telephone at (703) 305-9300, by electronic mail to justin.hughes@uspto.gov, by facsimile transmission marked to his attention at (703) 305-8885, or by mail marked to his attention and addressed to the Office of Legislative and International Affairs, U.S. Patent and Trademark Office, Box 4, Department of Commerce, Washington, DC 20231.

SUPPLEMENTARY INFORMATION: In 1999, the U.S. Supreme Court issued a series of opinions addressing the right of States to assert sovereign immunity under the Eleventh Amendment of the U.S. Constitution. Two of these cases directly concerned Federal intellectual property statutes. In *Florida Prepaid Postsecondary Education Expense Board v. College Savings Bank*, 119 S. Ct. 2199 (1999), a 5-4 majority of the Court held that States could assert Eleventh Amendment sovereign immunity to shield themselves from suits under the Patent Act. In *Florida Prepaid*, a private bank alleged that a Florida state agency was infringing the bank's patent on a savings method tailored for college tuition expenses. The state agency claimed sovereign immunity from suit under the Eleventh Amendment. While recognizing that Congress has the power to abrogate Eleventh Amendment sovereign immunity under section 5 of the Fourteenth Amendment, the Court reasoned that Congress' passage of the Patent and Plant Variety Protection Remedy Clarification Act in 1992 did not validly abrogate state sovereign

immunity because Congress had failed to tailor its legislative abrogation of Eleventh Amendment immunity to remedy or prevent the conduct at issue.

In a companion case, *College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board*, 119 S. Ct. 2219 (1999), the Court considered whether states can be sued under § 43(a) of the Lanham Act (15 U.S.C. 1125(a)) where the Trademark Remedy Clarification Act (TRCA) had (1) Amended § 43(a) by defining "any person" to include state and state instrumentalities, and (2) Expressly abrogated state sovereign immunity for § 43(a) suits. In *College Savings*, a Florida state agency had raised an Eleventh Amendment sovereign immunity defense against a § 43(a) claim that the state agency had made misstatements about its tuition savings plan in brochures and annual reports. Applying an analysis similar to *Florida Prepaid*, the same 5-4 majority of the Court held that TRCA had not validly abrogated the state sovereign immunity under the Eleventh Amendment. The Court also concluded that Florida had not voluntarily waived its sovereign immunity through its activities in interstate commerce which gave rise to the lawsuit. Although the *College Savings* case did not directly address infringement of a federally registered trademark, the holding of the case is widely viewed as ensuring that states may properly raise Eleventh Amendment sovereign immunity in trademark infringement actions brought against them under the Lanham Act.

The *Florida Prepaid* and *College Savings* cases (the *Florida Prepaid* decisions) followed the Supreme Court's ruling in *Seminole Tribe v. Florida*, 517 U.S. 44 (1996), which established that Congress may authorize suits against states in Federal court only pursuant to its authority under section 5 of the Fourteenth Amendment and not pursuant to any Article I power. The *Florida Prepaid* decisions are viewed as further clarifying and restricting the conditions under which states can be made amenable to suit in Federal court, i.e., either through their own waiver of sovereign immunity or through Congressional abrogation of that immunity.

One lower court of appeals has concluded that the *Florida Prepaid* analysis applies equally to copyright suits. In *Chavez v. Arte Publico Press*, a copyright owner sued the University of Houston Press for copyright and trademark violations. After a Fifth Circuit panel initially concluded that the University of Houston had impliedly waived its sovereign immunity, *Chavez*