

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/delist.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-16165 or;

*Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number 1-16165. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Nancy M. Morris,**  
*Secretary.*

[FR Doc. E6-392 Filed 1-13-06; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application of Sony Corporation To Withdraw its American Depositary Shares, Each Presenting One Share of Common Stock, No Par Value, From Listing and Registration on the Chicago Stock Exchange, Inc. File No. 1-06439

January 9, 2006.

On December 21, 2005, Sony Corporation, a company incorporated in Japan ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule

12d2-2(d) thereunder,<sup>2</sup> to withdraw its American Depositary Shares, each representing one share of common stock, no par value ("Security"), from listing and registration on the Chicago Stock Exchange, Inc. ("CHX").

The Board of Directors ("Board") of the Issuer approved a resolution on October 26, 2005 to withdraw the Security from CHX. The Issuer stated that the primary factor considered by the Board was that most of the trading volume in the Security occurs on the New York Stock Exchange ("NYSE"), with very little trading volume occurring on CHX. The Issuer stated that the Security will continue to trade on NYSE. The Issuer believes that delisting the Security from CHX will cause no substantial inconvenience to the Issuer's shareholders and investors.

The Issuer stated in its application that it has complied with the rules of CHX by complying with all applicable laws in effect in Japan, the jurisdiction in which the Issuer is incorporated and by providing CHX with the required documents governing the withdrawal of securities from listing and registration on CHX.

The Issuer's application relates solely to the withdrawal of the Security from listing on CHX and shall not affect its continued listing on NYSE or its obligation to be registered under section 12(b) of the Act.<sup>3</sup>

Any interested person may, on or before February 2, 2006, comment on the facts bearing upon whether the application has been made in accordance with the rules of CHX, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

*Electronic Comments*

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-06439 or;

*Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number 1-06439. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site

(<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

**Nancy M. Morris,**  
*Secretary.*

[FR Doc. E6-391 Filed 1-13-06; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-53060; File No. 10-137]

### Acknowledgement of Receipt of Notice of Registration as a National Securities Exchange Pursuant to Section 6(g) of the Securities Exchange Act of 1934 by the Board of Trade of the City of Chicago, Inc.

January 5, 2006.

Section 6(g) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> provides that an exchange may register as a national securities exchange for the sole purpose of trading security futures products by filing a written notice with the Securities and Exchange Commission ("Commission") if such exchange is a board of trade, as that term is defined by the Commodity Exchange Act,<sup>2</sup> that is designated as a contract market by the Commodity Futures Trading Commission or registered as a derivative transaction execution facility under Section 5a of the Commodity Exchange Act.<sup>3</sup> Rule 6a-4 under the Act<sup>4</sup> requires that such an exchange submit written notice of registration to the Commission on Form 1-N.<sup>5</sup> An exchange's registration

<sup>4</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78f(g).

<sup>2</sup> U.S.C. 1a(2).

<sup>3</sup> 7 U.S.C. 7a.

<sup>4</sup> 17 CFR 240.6a-4.

<sup>5</sup> Upon receipt of a Form 1-N, the Division of Market Regulation examines the notice to determine whether all necessary information has been supplied and whether all other required documents have been furnished in proper form. Rule

<sup>5</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78f(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78f(b).

as a national securities exchange becomes effective contemporaneously with the submission of the written notice on Form 1-N.<sup>6</sup>

On December 19, 2005, the Board of Trade of the City of Chicago, Inc. ("CBOT") filed a Form 1-N with the Commission. Pursuant to Section 6(g)(3) of the Act,<sup>7</sup> the Commission hereby acknowledges receipt of the Form 1-N submitted by CBOT. Copies of the Form 1-N, including all exhibits, are available in the Commission's Public Reference Room, File No. 10-137.

For questions regarding this Release, please contact Nathan Saunders, Special Counsel, at (202) 551-5515 or Molly M. Kim, Attorney, at (202) 551-5644; Division of Market Regulation, Securities and Exchange Commission, Station Place, 100 F Street, NE., Washington, DC 20549-6628.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>8</sup>

**Nancy M. Morris,**  
Secretary.

[FR Doc. E6-366 Filed 1-13-06; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-53085; File No. SR-Amex-2005-064]

### Self-Regulatory Organizations; American Stock Exchange LLC; Order Approving Proposed Rule Change and Amendment Nos. 1 and 2 Thereto Relating to Telemarketing

January 9, 2006.

On June 14, 2005, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission" or "SEC"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed amendment to Amex Rule 429. On September 23, 2005, the Amex filed Amendment No. 1 to the proposed rule change.<sup>3</sup> On November

202.3(b)(3) of the Commission's Procedural Rules, 17 CFR 202.3(b)(3).

<sup>6</sup> Section 6(g)(2)(B) of the Act, 15 U.S.C. 78f(g)(2)(B).

<sup>7</sup> 15 U.S.C. 78f(g)(3).

<sup>8</sup> 17 CFR 200.30-3(a)(75).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> In Amendment No. 1, the Amex partially amended the text of proposed amended Amex Rule

15, 2005, the Amex filed Amendment No. 2 to the proposed rule change.<sup>4</sup> The proposed rule change, as amended, was published for comment in the **Federal Register** on December 5, 2005.<sup>5</sup> The Commission received no comments on the proposal. This order approves the proposed rule change, as amended.

Amex Rule 429 currently prohibits members, member organizations and associated persons from making outbound calls to the residence of any person for the purposes of soliciting the purchase of securities or related services other than between the hours of 8 a.m. and 9 p.m., without the prior consent of the person. It also requires disclosure to the called person of the caller's identity, firm telephone number and address, and the purpose of the call. Rule 429 currently includes exceptions from its time of day and disclosure requirements for telephone calls to certain categories of existing customers.

The proposed amendment to Amex Rule 429 would require Amex members and member organizations to participate in the national do-not-call registry maintained by the Federal Trade Commission ("FTC") and to follow applicable regulations of the Federal Communications Commission ("FCC"). The amendment would delete current Rule 429 and replace it with new language that incorporates the requirements of FCC regulations applicable to broker-dealers engaged in telemarketing. The amended rule would generally prohibit Amex members, member organizations, and persons associated with a member or member organization from making telemarketing calls to people who have registered with the national do-not-call registry. It also would set forth firm-specific do-not-call restrictions,<sup>6</sup> and would retain time-of-day restrictions and disclosure requirements similar to those contained in current Rule 429.

The Commission finds that the proposed rule change, as amended, is

429 and made conforming and technical changes to the original filing.

<sup>4</sup> In Amendment No. 2, the Amex made additional changes to the text of proposed amended Amex Rule 429 and to the original filing.

<sup>5</sup> See Securities Exchange Act Release No. 52844 (November 28, 2005), 70 FR 72477 (December 5, 2005).

<sup>6</sup> Amex Rule 428, which is not being amended, requires members and member organizations who engage in telephone solicitation to market their products and services to maintain a centralized do-not-call list of persons who do not wish to receive telephone solicitations from such members or their associated persons.

consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to a national securities exchange.<sup>7</sup> In particular, the Commission finds that the proposed rule change is consistent with section 6(b)(5) of the Exchange Act,<sup>8</sup> which requires, among other things, that the rules of an exchange be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and national market system, and in general, to protect investors and the public interest. The Commission believes that the proposed rule change, as amended, is designed to accomplish these ends by requiring Amex members, member organizations and associated persons to observe time-of-day restrictions on telephone solicitations, maintain firm-specific do-not-call lists, and refrain from initiating telephone solicitations to investors and other members of the public who have registered their telephone numbers on the national do-not-call registry. The Commission also believes that the proposed rule change, as amended, establishes adequate procedures to prevent Amex members, member organizations and associated persons from making telephone solicitations to do-not-call registrants, which should have the effect of protecting investors by enabling persons who do not want to receive telephone solicitations from members or member organizations to receive the protections of the national do-not-call registry, while providing appropriate exceptions to the rule's restrictions, which should promote just and equitable principles of trade.

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act,<sup>9</sup> that the proposed rule change (SR-Amex-2005-064), as amended, be and is hereby approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>10</sup>

**Nancy M. Morris,**  
Secretary.

[FR Doc. E6-394 Filed 1-13-06; 8:45 am]

**BILLING CODE 8010-01-P**

<sup>7</sup> In approving this proposed rule change, the Commission has considered whether the proposed rule change will promote efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>8</sup> 15 U.S.C. 78f(b)(5).

<sup>9</sup> 15 U.S.C. 78s(b)(2).

<sup>10</sup> 17 CFR 200.30-3(a)(12).