Act resulted from the percentage of its total assets that at one time consisted of investment securities, and not from the nature of its business. As such, because Applicant did not change the nature of its business, Applicant states that neither the disposition of its investment securities, nor its resulting cessation of investment company status, nor the filing of the Application, required the authorization of a majority of Applicant's outstanding voting securities under Section 13(a)(4) of the Act.

9. Applicant states that it is not currently a party to any litigation or administrative proceeding and has timely complied with its obligations to file annual and other reports with the Commission.

10. Applicant represents that its common stock has continuously been traded since its initial public offering. Specifically, the company's common stock is traded on Nasdaq under the symbol DXR. As of May 19, 2025, the company's authorized securities consisted of 10,000,000 shares of common stock.

11. Further, Applicant represents that it is, and will remain, subject to the reporting requirements of Section 13(a) of the Securities Exchange Act of 1934, as amended (the ''Exchange Act. Following deregistration as an investment company under the Act, Applicant will continue to file periodic and current reports with the Commission under the Exchange Act, including reports on Forms 10–K, 10–Q and 8–K, as an operating company.

Applicant's Legal Analysis

1. Section 8(f) of the Act provides that whenever the Commission, upon application or its own motion, finds that a registered investment company has ceased to be an investment company, the Commission shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

2. Section 3(a)(1)(A) of the Act defines an ''investment company'' as any issuer that ''is or holds itself out as being engaged primarily, or proposes to engage primarily, in the business of investing, reinvesting, or trading in securities.'' Section 3(a)(1)(C) of the Act defines an ''investment company'' as any issuer that ''is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis.'' [1]

3. Section 3(b)(1) of the Act provides that ''[n]otwithstanding paragraph (1)(C) of subsection (a), none of the following persons is an investment company within the meaning of this title: (1) any issuer primarily engaged, directly or through a wholly owned subsidiary or subsidiaries, in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities.'' Rule 3a–1 under the Act states that ''[n]otwithstanding section 3(a)(1)(C) of the Act, an issuer will be deemed not to be an investment company under the Act, provided, that: (a) no more than 45 percent of the value (as defined in section 2(a)(41) of the Act) of such issuer's total assets (exclusive of Government securities and cash items) consists of, and no more than 45 percent of such issuer's net income after taxes (for the last four fiscal quarters combined) is derived from, securities other than: (1) Government securities; (2) securities issued by employees' securities companies; (3) securities issued by majority-owned subsidiaries of the issuer (other than subsidiaries relying on the exclusion from the definition of investment company in section 3(b)(3) or (c)(1) of the Act) which are not investment companies; and (4) securities issued by companies: (i) which are controlled primarily by such issuer; (ii) through which such issuer engages in a business other than that of investing, reinvesting, owning, holding or trading in securities; and (iii) which are not investment companies; (b) the issuer is not an investment company as defined in section 3(a)(1)(A) or 3(a)(1)(B) of the Act and is not a special situation investment company; and (c) the percentages described in paragraph (a) of this section are determined on an unconsolidated basis, except that the issuer shall consolidate its financial statements with the financial statements of any wholly-owned subsidiaries.''

4. Applicant states that it is no longer an investment company as defined in section 3(a)(1)(A) or section 3(a)(1)(C). As noted above, Applicant states that, as of December 31, 2025, as well as through the date of the filing of its Second Amended Application, it did not hold any investment securities (exclusive of Government securities and cash items). Applicant asserts that it is primarily engaged in the business of owning, operating, and managing its business as a radiopharmaceutical company and medical device manufacturer. Applicant argues that its historical development, its public representations, the activities of its directors and officers, the nature of its present assets and the sources of its present income support this assertion. Applicant states that it is thus qualified for an order of the Commission pursuant to section 8(f) of the Act.

[1] Section 3(a)(2) of the Act defines ''investment securities'' as ''all securities except (A) Government securities, (B) securities issued by employees' securities companies, and (C) securities issued by majority-owned subsidiaries of the owner which (i) are not investment companies, and (ii) are not relying on the exception from the definition of investment company in paragraph (1) or (7) of subsection (c).''

For the Commission, by the Division of Investment Management, under delegated authority.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18387 Filed 9–8–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106276; File No. SR–NYSETEX–2026–33]

Self-Regulatory Organizations; NYSE Texas, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Connectivity Fee Schedule

September 3, 2026.

Pursuant to Section 19(b)(1) [1] of the Securities Exchange Act of 1934 (''Act'') [2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on September 2, 2026, the NYSE Texas, Inc. (''NYSE Texas'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to make a non-substantive change to the lists in Colocation Notes 4 and 5. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

NYSE Texas, Inc. (''NYSE Texas'' or the ''Exchange'') proposes to amend the Connectivity Fee Schedule (''Fee Schedule'') regarding colocation services and fees to make a non-substantive change to the lists in Colocation Notes 4 and 5.

Colocation Note 4 includes a table of ''Included Data Products'' that lists the market data feeds that Users [4] can connect to at no additional cost when they purchase a service that includes access to the LCN or IP network.[5] The list currently includes three ''NMS Feeds,'' two of which are referred to as ''CTA'' and ''CQ.''

Similarly, Colocation Note 5 lists the market data feeds available over the NMS network. As in Colocation Note 4, the list in Colocation Note 5 currently includes three ''NMS Feeds,'' two of which are referred to as ''CTA'' and ''CQ.''

The names ''CTA'' and ''CQ'' do not actually refer to the data feeds themselves, but rather, to the names of the NMS Plans pursuant to which the data feeds are currently disseminated—*i.e.,* the CTA Plan [6] and the CQ Plan.[7] The actual names of the data feeds are ''CTS'' and ''CQS.'' [8]

Beginning April 1, 2027,[9] the CTS and CQS data feeds will be produced and disseminated pursuant to a different NMS Plan, the ''CT Plan.'' There will be no changes to the actual data feeds disseminated, and they will retain their current names of CTS and CQS.

In light of this upcoming transition, the Exchange proposes to amend the list of Included Data Products in Colocation Note 4 and the list of feeds available over the NMS network in Colocation Note 5 to refer to these data feeds by their actual names, CTS and CQS.

This is a non-substantive change. Only the names of the data feeds on the lists in Colocation Notes 4 and 5 would change. There would be no change to the data feeds themselves, nor would there be any change to their inclusion as Included Data Products or feeds available over the NMS network.

2. Statutory Basis

The Exchange believes that its proposal is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act.[10] Specifically, the proposal is consistent with Section 6(b)(5) of the Act [11] because it would promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of, a free and open market and a national market system, and, in general, protect investors and the public interest.

The Exchange believes the proposed rule change would protect investors and the public interest and perfect the mechanism of a free and open market and a national market system by adding transparency and specificity to the rule. In light of the upcoming transition to the CT Plan, the Exchange believes that market participants may be confused if the lists in Colocation Notes 4 and 5 continue to refer to the CTS and CQS data feeds as ''CTA'' and ''CQ,'' potentially prompting questions about whether the data feeds themselves will be changing. The Exchange believes investors and the public interest would be protected by revising the list in advance of such transition to refer to these data feeds by their correct names, CTS and CQS.

As noted above, this is a non-substantive change. Only the names of the data feeds on the lists in Colocation Notes 4 and 5 would change. There would be no change to the data feeds themselves, nor would there be any change to their inclusion as Included Data Products or feeds available over the NMS network.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposal will not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of Section 6(b)(8) of the Act.[12] Rather than impacting competition, the proposed changes are non-substantive and would enhance the specificity and transparency of the rule.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act [13] and subparagraph (f)(6) of Rule 19b–4 thereunder.[14]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 87408 (October 28, 2019), 84 FR 58778 at n.6 (November 1, 2019) (SR–NYSECHX–2019–12). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., and NYSE National, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein.

[5] *See* 84 FR 58778, *supra* note 3.

[6] *See* CTA Plan Composite as of September 23, 2025, available at *https://www.ctaplan.com/plans.*

[7] *See* CQ Plan Composite as of September 23, 2025, available at *https://www.ctaplan.com/plans.*

[8] *See* Technical Documents at *https://www.ctaplan.com/tech-specs.*

[9] *See* CT Plan announcement of April 1, 2027 transition date at *https://consolidatedtape.com.*

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

[12] 15 U.S.C. 78f(b)(8).

[13] 15 U.S.C. 78s(b)(3)(A)(iii).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*https://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include file number SR–NYSETEX–2026–33 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to file number SR–NYSETEX–2026–33. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*https://www.sec.gov/rules/sro.shtml*). Copies of the filing will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR–NYSETEX–2026–33 and should be submitted on or before September 30, 2026.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18295 Filed 9–8–26; 8:45 am]

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[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106269; File No. SR–FINRA–2026–019]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing of a Proposed Rule Change To Amend FINRA Rule 4522 (Periodic Security Counts, Verifications and Comparisons) To Simplify Position Statement and Reconciliation Requirements for Certain Alternative Investments

September 3, 2026.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 25, 2026, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been' prepared by FINRA. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

FINRA is proposing to amend FINRA Rule 4522 (Periodic Security Counts, Verifications and Comparisons) to simply position statement and reconciliation requirements for certain alternative investments. Specifically, the proposed rule change would amend Rule 4522 to except uncertificated investments in unregistered investment funds from the requirements of paragraph (b)(1) of the rule, as further set forth in the proposed rule change.

The text of the proposed rule change is available on FINRA's website at *http://www.finra.org* and at the principal office of FINRA.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FINRA included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. FINRA has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Security Count and Verification Challenges Faced by Firms Offering Alternative Investments

Members that offer various types of alternative investments to their customers have sought relief from some of the longstanding count and verification requirements under SEA Rule 17a–13[3] (Quarterly security counts to be made by certain exchange members, brokers, and dealers) and, related to these, a number of requirements under FINRA Rule 4522 (Periodic Security Counts, Verifications and Comparisons) that supplement requirements under the SEC rule.

Broadly, SEA Rule 17a–13 sets forth detailed requirements for broker-dealers that maintain custody of securities, on a quarterly basis, to among other things conduct physical examinations and counts of the securities they hold, verify the securities, and compare the results of their counts and verifications. The SEC rule requires the broker-dealer in part to record on its books and records all unresolved differences in a security count difference account no later than seven business days after the date of each required quarterly security examination, count and verification. FINRA Rule 4522 works in tandem with the provisions of SEA Rule 17a–13 by setting forth requirements on carrying or clearing firms to receive position statements no less than once per month, to reconcile all such securities, to report differences to the contra organization, and to promptly resolve such differences.

Many alternative investments currently do not fit readily within the framework of the specific count and verification requirements as set forth in SEA Rule 17a–13 and FINRA Rule 4522. For example, members have pointed out that because in some instances customers' ownership interests in certain alternative investments are represented in terms of the balance of the investor's capital account, rather than in number of shares or other units, issuers of these investments are not able to provide current quarterly position information. As a result, it is difficult for members to comply with the express terms of SEA Rule 17a–13, as well as

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 17 CFR 240.17a–13 (hereinafter ''SEA Rule 17a–13'').