

reading room, 1724 F Street NW., Washington, DC. Appointments may be made from 9:30 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday, by calling (202) 395-6186.

Notice of Public Hearing

A hearing will be held by the GSP Subcommittee of the TPSC on October 3, 2007, for product petitions accepted for the 2007 GSP Annual Review (i.e., for product petitions other than those requesting CNL waivers) beginning at 9:30 a.m. at the Office of the U.S. Trade Representative, Rooms 1 and 2, 1724 F St., NW., Washington, DC 20508. A second hearing will be held by the GSP Subcommittee of the TPSC on October 5, 2007 for country practice petitions in the 2007 GSP Annual Review. The hearings will be open to the public and a transcript of the hearings will be made available for public inspection or can be purchased from the reporting company. No electronic media coverage will be allowed.

All interested parties wishing to make an oral presentation at the hearing must submit, following the above "Requirements for Submissions", the name, address, telephone number, and facsimile number and email address, if available, of the witness(es) representing their organization to Marideth Sandler, Executive Director of the GSP Program by 5 p.m., September 21, 2007. Requests to present oral testimony in connection with the public hearing must be accompanied by a written brief or statement, in English, and also must be received by 5 p.m., September 21, 2007. Oral testimony before the GSP Subcommittee will be limited to five-minute presentations that summarize or supplement information contained in briefs or statements submitted for the record. Post-hearing briefs or statements will be accepted if they conform with the regulations cited above and are submitted, in English, by 5 p.m., October 19, 2007. Parties not wishing to appear at the public hearing may submit pre-hearing briefs or statements, in English, by 5 p.m., September 21, 2007, and post-hearing written briefs or statements, in English, by 5 p.m., October 19, 2007.

In accordance with sections 503(d)(1)(A) of the 1974 Act and the authority delegated by the President, pursuant to section 332(g) of the Tariff Act of 1930, the U.S. Trade Representative has requested that the USITC provide its advice on the probable economic effect on U.S. industries producing like or directly competitive articles and on consumers of the elimination of U.S. import duties for all GSP beneficiary countries or,

where applicable, the probable economic effect on U.S. industries producing like or directly competitive articles and on consumers of the removal from eligibility for duty-free status under GSP for such article from the specified countries, with respect to the articles that are specified in the "List of Petitions Accepted in the 2007 GSP Annual Review." Comments by interested persons on the USITC Report prepared as part of the product review other than those requesting CNL waivers should be submitted by 5 p.m., 10 days after the date of USITC publication of its report.

Marideth Sandler,

Executive Director, Generalized System of Preferences (GSP) Program, Office of the U.S. Trade Representative.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Special 301 Out-of-Cycle Review of Brazil, the Czech Republic, and Pakistan: Request for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Request for written submissions from the public.

SUMMARY: Section 182 of the Trade Act of 1974 (Trade Act) (19 U.S.C. 2242), requires the United States Trade Representative (USTR) to identify countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to U.S. persons who rely on intellectual property protection. (Section 182 is commonly referred to as the "Special 301" provisions of the Trade Act.) In addition, the USTR is required to determine which of these countries should be identified as Priority Foreign Countries. Acts, policies or practices that are the basis of a country's identification as a Priority Foreign Country are normally the subject of an investigation under the section 301 provisions of the Trade Act.

On April 27, 2007, USTR announced the results of the 2007 Special 301 Review and stated that Out-of-Cycle Reviews of Brazil, the Czech Republic, and Pakistan would be conducted this year. Pursuant to these Out-of-Cycle Reviews, USTR requests written submissions from the public concerning acts, policies, and practices regarding the adequacy and effectiveness of intellectual property protection and

enforcement in Brazil, the Czech Republic, and Pakistan.

DATES: Submissions must be received on or before 10 a.m. on Monday, October 15, 2007.

ADDRESSES: All comments should be addressed to *Jennifer Choe Groves*, Director for Intellectual Property and Innovation and Chair of the Special 301 Committee, Office of the United States Trade Representative, and sent (i) Electronically, to FR0606@ustr.eop.gov (please note, "FR0606" consists of the numbers "zero-six-zero-six") with "Brazil, Czech Republic, Pakistan Out-of-Cycle Review" in the subject line, or (ii) by fax, to (202) 395-9458, with a confirmation copy sent electronically to the E-mail address above.

FOR FURTHER INFORMATION CONTACT: *Jennifer Choe Groves*, Director for Intellectual Property and Innovation and Chair of the Special 301 Committee, Office of the United States Trade Representative at (202) 395-4510.

SUPPLEMENTARY INFORMATION: Pursuant to section 182 of the Trade Act, USTR must identify those countries that deny adequate and effective protection for intellectual property rights or deny fair and equitable market access to U.S. persons who rely on intellectual property protection. Those countries that have the most onerous or egregious acts, policies, or practices and whose greatest adverse impact (actual or potential) on relevant U.S. products are to be identified as Priority Foreign Countries. Acts, policies or practices that are the basis of a country's designation as a Priority Foreign Country are normally the subject of an investigation under the section 301 provisions of the Trade Act.

USTR may not identify a country as a Priority Foreign Country if it is entering into good faith negotiations, or making significant progress in bilateral or multilateral negotiations, to provide adequate and effective protection of intellectual property rights.

On April 27, 2007, USTR announced the results of the 2007 Special 301 Review and stated that Out-of-Cycle Review of Brazil, the Czech Republic, and Pakistan would be conducted this year. Pursuant to these Out-of-Cycle Reviews, USTR requests written submissions from the public concerning acts, policies, and practices regarding the adequacy and effectiveness of intellectual property protection and enforcement in Brazil, the Czech Republic, and Pakistan.

Requirements for comments: Comments should include a description of experiences with respect to Brazil,

the Czech Republic, or Pakistan in the field of intellectual property rights and the effect of the acts, policies, and practices of Brazil, the Czech Republic, or Pakistan on U.S. industry. Comments should be as detailed as possible and should provide all necessary information for assessing the effect of any acts, policies, and practices of Brazil, the Czech Republic, or Pakistan. Any comments that include quantitative loss claims should be accompanied by the methodology used in calculating such estimated losses.

Comments must be in English. No submissions will be accepted via postal service mail. Documents should be submitted as either WordPerfect, MS Word, .pdf, or text (.TXT) files. Supporting documentation submitted as spreadsheets are acceptable as Quattro Pro or Excel files. All comments and supporting documentation by USTR will be made available to the public through electronic or other means. A submitter requesting that information contained in a comment be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. A non-confidential version of the comment must also be provided. For any document containing business confidential information, the file name of the business confidential version should begin with the characters "BC-", and the file name of the public version should begin with the character "P-". The "P-" or "BC-" should be followed by the name of the submitter. Submissions should not include separate cover letters; information that might appear in a cover letter should be included in the submission itself. To the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

DATES:

Submissions must be received on or before 10 a.m. on Monday, October 15, 2007.

All comments should be addressed to Jennifer Choe Groves, Director for Intellectual Property and Innovation and Chair of the Special 301 Committee, Office of the United States Trade Representative, and sent (i) Electronically, to FR0606@ustr.eop.gov (please note, "FR0606" consists of the numbers "zero-six-zero-six," with "Brazil, Czech Republic, Pakistan Out-of-Cycle Review" in the subject line, or (ii) by fax, to (202) 395-9458, with a confirmation copy sent electronically to the e-mail address above.

Public inspection of submissions: (1) Within one business day of receipt, non-

confidential submissions will be placed in a public file open for inspection at the USTR reading room, Office of the United States Trade Representative, Annex Building, 1724 F Street, NW., Room 1, Washington, DC. An appointment to review the file must be scheduled at least 48 hours in advance and may be made by calling Jacqueline Caldwell at (202) 395-6186. The USTR reading room is open to the public from 10 a.m. to noon and from 1 p.m. to 4 p.m., Monday through Friday.

Christopher S. Wilson,

Acting Assistant USTR for Intellectual Property and Innovation.

[FR Doc. 07-4335 Filed 9-5-07; 8:45 am]

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**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

[Docket No. WTO/DS-27]

**WTO Dispute Settlement Proceeding
Regarding European Communities—
Regime for the Importation, Sale and
Distribution of Bananas: Recourse by
the United States to Article 21.5 of the
DSU**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative ("USTR") is providing notice that at the request of the United States, the Dispute Settlement Body ("DSB") of the World Trade Organization ("WTO"), has established a dispute settlement panel under the Marrakesh Agreement establishing the WTO to examine whether the European Communities ("EC") has implemented the recommendations and rulings of the DSB in a dispute regarding the EC's import regime for bananas. The request may be found at <http://www.wto.org> contained in a document designated at WT/DS27/83 (see also the similar request by Ecuador in the document WT/DS27/80). The DSB adopted the findings of the panel and Appellate Body in this proceeding on September 25, 1997. The DSB ruled that the EC's import regime for bananas was inconsistent with the EC's obligations under the *General Agreement on Tariffs and Trade 1994* (GATT 1994) and the *General Agreement on Trade in Services* ("GATS"). An arbitrator appointed under Article 21.3 of the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU") awarded the EC a "reasonable period of time" in which to come into

compliance until January 1, 1999. Nearly a decade after the DSB made its original recommendations and rulings, the United States considers that the EC has failed to bring its import regime for bananas into compliance with its WTO obligation. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute, comments should be submitted on or before September 21, 2007 to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) electronically, to FR0718@ustr.eop.gov, with "EC Bananas (DS27)" in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above, in accordance with the requirements for submissions set out below.

FOR FURTHER INFORMATION CONTACT:

María L. Pagán, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395-7305.

SUPPLEMENTARY INFORMATION: USTR is providing notice that the United States has requested the establishment of a WTO dispute settlement compliance panel pursuant to the DSU. The Article 21.5 panel, which will hold its meetings in Geneva, Switzerland, is expected to issue a report on its findings and recommendations by February 29, 2008.

Prior WTO Proceedings

On September 25, 1997, the DSB adopted its recommendations and rulings in a dispute brought by the United States, Ecuador, Guatemala, Honduras, and Mexico challenging the EC's then existing import regime for bananas. The DSB ruled that the EC's import regime for bananas was inconsistent with the EC's obligations under the *General Agreement on Tariffs and Trade 1994* (GATT 1994) and the *General Agreement on Trade in Services* (GATS). An arbitrator appointed under Article 21.3 of the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU) awarded the EC a "reasonable period of time" in which to come into compliance until January 1, 1999. At the end of the reasonable period of time, the EC implemented a first set of changes to the import regime for bananas that were found to perpetuate a discriminatory tariff-rate quota ("TRQ") system and license-based system in breach of the GATT 1994 and the GATS. In November