

(i) On RB211-535E4 engines, operated to combined Flight Profile A and B, ultrasonically inspect, and if required, relubricate using the following Table 4:

TABLE 4.—RB211-535E4 FLIGHT PROFILE A AND B

Engine location	Initial inspection within (CSN)	Type action	In accordance with MSB	Repeat inspection within (CSN)
(1) On-wing	350 cycles after achieving 65% hard life (To calculate, see MSB Compliance Section 1.C.(4)).	(i) Root Probe, inspect and relubricate, OR (ii) Wave Probe	RB.211-72-C879 Revision 5, 3.A.(1) through 3.A.(7), dated March 8, 2007. RB.211-72-C879 Revision 5, 3.B.(1) through 3.B.(7), dated March 8, 2007.	As current flight profile. See paragraphs (j) and (k) of this AD. As current flight profile. See paragraphs (j) and (k) of this AD.
(2) In Shop	350 cycles after achieving 65% hard life (To calculate, see MSB Compliance Section 1.C.(4)).	Root Probe, inspect and relubricate.	RB.211-72-C879 Revision 5, 3.C.(1) through 3.C.(4), dated March 8, 2007.	As current flight profile. See paragraphs (j) and (k) of this AD.

(j) For RB.211-535E4 engines that are currently flying in Profile A, if the initial inspection is completed before X minus 1,400 cycles then the next inspection may be delayed to X, where X is 65% of the revised life limit.

(k) For RB.211-535E4 engines that are currently flying in Profile B, if the initial

inspection is completed before X minus 850 cycles then the next inspection may be delayed to X, where X is 65% of the revised life limit.

(l) Fan blades that have been operated within RB.211-535E4 Flight Profile A and B will have final life as defined in the Time Limits Manual. See References Section

1.G.(3), of MSB RB.211-72-C879, Revision 5, dated March 8, 2007.

(m) On RB.211-535E4-B engines, ultrasonically inspect, and if required, relubricate using the following Table 5:

TABLE 5.—RB211-535E4-B

Engine location	Initial inspection within (CSN)	Type action	In accordance with MSB	Repeat inspection within (CSN)
(1) On-wing	17,000	(i) Root Probe, inspect and relubricate, OR	RB.211-72-C879 Revision 5, 3.A.(1) through 3.A.(7), dated March 8, 2007.	1,200
		(ii) Wave Probe	RB.211-72-C879 Revision 5, 3.B.(1) through 3.B.(7), dated March 8, 2007.	1,000
(2) In Shop	17,000	Root Probe, inspect and relubricate	RB.211-72-C879 Revision 5, 3.C.(1) through 3.C.(4), dated March 8, 2007.	1,200

Optional Terminating Action

(n) Application of Metco 58 blade root coating using RR SB No. RB.211-72-C946, Revision 2, dated September 26, 2002, constitutes terminating action to the repetitive inspection requirements specified in paragraphs (g), (h), (i), and (k) of this AD.

Alternative Methods of Compliance

(o) The Manager, Engine Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

Previous Credit

(p) Previous credit is allowed for initial and repetitive inspections performed using AD 2003-12-15 (Amendment 39-13200, 68 FR 37735, June 25, 2003), RR MSB No. RB.211-72-C879, Revision 3, dated October 9, 2002, and RR MSB No. RB.211-72-C879, Revision 4, dated April 2, 2004.

Related Information

(q) CAA airworthiness directive AD 002-01-2000, dated October 9, 2002, also addresses the subject of this AD.

Issued in Burlington, Massachusetts, on October 18, 2007.

Francis A. Favara,
Manager, Engine and Propeller Directorate,
Aircraft Certification Service.
[FR Doc. E7-20999 Filed 10-24-07; 8:45 am]
BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

37 CFR Part 2

[Docket No. PTO-T-2007-0035]

RIN 0651-AC17

Changes in the Requirement for a Description of the Mark in Trademark Applications

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice of proposed rulemaking.

SUMMARY: The United States Patent and Trademark Office (“USPTO”) proposes to amend the Rules of Practice in Trademark Cases to require a description of the mark in all applications to register a mark not in standard characters.

DATES: Comments must be received by December 24, 2007 to ensure consideration.

ADDRESSES: The Office prefers that comments be submitted via electronic mail message to *TM Description Requirements@uspto.gov*. Written comments may also be submitted by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, attention Cynthia C. Lynch; or by hand delivery to the Trademark Assistance Center, Concourse Level, James Madison Building-East Wing, 600 Dulany Street, Alexandria, Virginia, attention Cynthia C. Lynch; or by

electronic mail message via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (<http://www.regulations.gov>) for additional instructions on providing comments via the Federal eRulemaking Portal.

The comments will be available for public inspection on the Office's Web site at <http://www.uspto.gov> and will also be available at the Office of the Commissioner for Trademarks, Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia.

FOR FURTHER INFORMATION CONTACT: Cynthia C. Lynch, Office of the Deputy Commissioner for Trademark Examination Policy, by telephone at (571) 272-8742.

SUPPLEMENTARY INFORMATION: The USPTO proposes to amend 37 CFR 2.37 to require trademark applicants to include a description of the mark for all marks not in standard characters and to make conforming amendments to 37 CFR 2.32(a) and 2.52(b)(5). The requirement will facilitate greater accuracy and efficiency in design coding and in pseudo-mark data determinations. Therefore, the revised rules will promote more accurate and complete searchability of marks in the USPTO records.

The current rule regarding descriptions of marks provides that a description "may be included in the application and must be included if required by the trademark examining attorney." 37 CFR 2.37. Because the USPTO has concluded that the description contributes to the accuracy of design coding and pseudo-mark determinations that are made before the application reaches the examining attorney, and ultimately to more complete searches, the USPTO proposes a rule change to facilitate initial design coding and to make available a description of the mark in all files where it is likely to be useful. Thus, any applicant whose mark is not in standard characters would be required to provide a description of the mark as an application requirement.

Trademarks may consist of words, designs, or both. Both the USPTO and the public search USPTO trademark records for purposes of assessing likelihood of confusion with proposed trademarks. Words in trademarks generally can be searched directly. In contrast, designs in trademarks must be classified based on the elements they contain (e.g., stars or trees), so that they can be searched. In its electronic systems, the USPTO applies a coding system based on the Vienna Agreement Establishing an International Classification of the Figurative Elements

of Marks. Codes established under the system are assigned to trademark applications that contain designs at the time they are filed. The design classification system used is unique to the USPTO, and is applied only to marks with design elements.

Design coding of marks in new applications initially occurs before the applications are assigned to examining attorneys. When the mark in an application contains a design element, USPTO employees or contractors in the Pre-Examination section designate and apply the appropriate design codes for the mark. To improve searchability, the USPTO has also created a pseudo-mark field for some marks in the electronic database. The pseudo-mark field shows the literal equivalent of a pictorial representation in a design mark, or spellings that are similar or phonetically equivalent to wording in a word mark. The USPTO has engaged in a variety of efforts to improve the accuracy of its design code and pseudo-mark data, and continues to explore options for further improvement.

The USPTO has determined that requiring the applicant to describe any design elements proves very useful for determining the proper design codes and pseudo-mark data. For example, the applicant's description of its design elements can clarify ambiguous design elements or "double entendres" created by design elements, and will help to ensure that the design coding and pseudo-mark determinations have been comprehensive.

Discussion of Specific Rules

The Office proposes to revise 37 CFR 2.37 and to make conforming amendments to 37 CFR 2.32(a) and 2.52(b)(5). These rules concern descriptions of marks in trademark applications (37 CFR 2.37), the requirements for a complete application (37 CFR 2.32), and the requirements for drawings (37 CFR 2.52). Trademark Rule 2.37 currently provides that a description of the mark may be mandated by the trademark examining attorney. The proposed revisions make the inclusion of a description mandatory for all applications where the mark is not in standard characters. The remainder of § 2.37 would not change, in that a description may be included for standard character mark applications, and must be included if the trademark examining attorney so requires. The conforming amendments make the inclusion of a description a requirement for a complete application and remove discretion from applicants as to whether a description is necessary for non-standard character marks.

Rulemaking Requirements

Executive Order 13132: This rule does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under Executive Order 13132 (Aug. 4, 1999).

Executive Order 12866: This rule has been determined not to be significant for purposes of Executive Order 12866 (Sept. 30, 1993).

Regulatory Flexibility Act: As prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 (or any other law), neither a regulatory flexibility analysis nor a certification under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are required. See 5 U.S.C. 603.

Paperwork Reduction Act: This notice involves information collection requirements which are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The collections of information involved in this notice have been reviewed and previously approved by OMB under OMB control numbers 0651-0009 and 0651-0050. This notice proposes to amend 37 CFR 2.37 to require a description of the mark in all applications to register a mark not in standard characters. The USPTO is not resubmitting information collection packages to OMB for its review and approval because the changes in this proposed rule do not affect the information collection requirements associated with OMB control numbers 0651-0009 and 0651-0050.

The estimated annual reporting burden for OMB control number 0651-0009 Applications for Trademark Registration is 253,801 responses and 74,593 burden hours. The estimated time per response ranges from 15 to 23 minutes, depending on the nature of the information. The time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information is included in the estimate. The collection is approved through September of 2008.

The estimated annual reporting burden for OMB control number 0651-0050 Electronic Response to Office Action and Preliminary Amendment Forms is 117,400 responses and 19,958 burden hours. The estimated time per response is 10 minutes. The time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information is included in the estimate. The collection is approved through April of 2009.

Comments are invited on: (1) Whether the collection of information is necessary for proper performance of the functions of the agency; (2) the accuracy of the agency's estimate of the burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information to respondents.

Interested persons are requested to send comments regarding these information collections, including suggestions for reducing this burden, to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 (Attn: Cynthia C. Lynch), and to the Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10202, 725 17th Street, NW., Washington, DC 20503 (Attn: Desk Officer for the Patent and Trademark Office).

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

List of Subjects in 37 CFR Part 2

Administrative practice and procedure, Trademarks.

For the reasons stated, 37 CFR part 2 is proposed to be amended as follows:

PART 2—RULES OF PRACTICE IN TRADEMARK CASES

1. The authority citation for 37 CFR part 2 continues to read as follows:

Authority: 15 U.S.C. 1123, 35 U.S.C. 2, unless otherwise noted.

2. Revise § 2.37 to read as follows:

§ 2.37 Description of mark.

A description of the mark must be included if the mark is not in standard characters. In an application where the mark is in standard characters, a description may be included and must be included if required by the trademark examining attorney.

3. Add § 2.32(a)(8) to read as follows:

§ 2.32 Requirements for a complete application.

(a) * * *

(8) If the mark is not in standard characters, a description of the mark.

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4. Revise § 2.52(b)(5) to read as follows:

§ 2.52 Types of drawings and format for drawings.

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(b) * * *

(5) *Description of mark.* A description of the mark must be included.

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Dated: October 19, 2007.

Jon W. Dudas,

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

[FR Doc. E7-21075 Filed 10-24-07; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 2

RIN 1090-AA61

Amendment to the Freedom of Information Act Regulations

AGENCY: Office of the Secretary, Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule: Clarifies the time limit that requesters have for filing FOIA appeals; clarifies that requesters must include the required documentation with their appeals or their appeals may be rejected by the FOIA Appeals Officer; clarifies that requesters must file a FOIA request with each separate bureau/office from which they are seeking records; changes the language regarding requests for expedited processing to be consistent with the language used in the FOIA and deletes a paragraph in that section pertaining to "due process rights;" makes the use of multitrack processing mandatory for all bureaus and offices; advises requesters that they may contact the bureau/office's FOIA Requester Service Center and the FOIA Public Liaison concerning the status of their requests; and includes current contact information for DOI's FOIA and Public Affairs/Office of Communications Contacts and its reading rooms (Headquarters).

DATES: We will accept comments from all interested parties until December 24, 2007.

ADDRESSES: You may submit comments, identified by the number 1090-AA61, by any of the following methods:

—*Federal rulemaking portal:* <http://www.regulations.gov> [Follow the instructions for submitting comments]
—*Mail or hand delivery:* OCIO/DOI, 1849 C Street, NW., Room 5312-MIB, Washington, DC 20240

FOR FURTHER INFORMATION CONTACT: Alexandra Mallus by telephone at (202) 208-5342.

SUPPLEMENTARY INFORMATION: The Department of the Interior published a final rule in the **Federal Register** on October 21, 2002, revising its regulations implementing the FOIA, 43 CFR Part 2. In this publication, the language used in § 2.21(d) (6), "How will the bureau respond to my request?" and the language used in § 2.29, "How long do I have to file an appeal?" were inconsistent with each other concerning the timeframe for filing an appeal. This proposed rule clarifies the 2002 final rule by noting that appeals must be received by the FOIA Appeals Officer no later than 30 workdays from the date of the final response. Additionally, this proposed rule clarifies that a requester's failure to include all correspondence between himself/herself and the bureau concerning his/her FOIA request will result in the Department's rejection of the appeal unless the FOIA Appeals Officer determines that good cause exists to accept the defective appeal.

This proposed rule also changes § 2.22, "What happens if a bureau receives a request for records it does not have or did not create?" to eliminate paragraph (a)(1) of § 2.22, which has been construed by some courts to require bureaus that had received a FOIA request to refer the request to another bureau for a search of its records, regardless of whether the bureau that received the request had responsive records. The result of this change is that FOIA requesters must submit their requests in accordance with § 2.10, which requires that the FOIA requester specify which bureau's records are being sought or, at a minimum, specify that the FOIA requester is seeking the records of more than one bureau.

Consistent with EO 13392, this proposed rule adds a new paragraph (c) to § 2.12, "When can I expect the response?" advising requesters that they may contact the bureau/office's FOIA Requester Service Center and the FOIA Public Liaison concerning the status of their requests. Additionally, the language in sections 2.3 and 2.14 regarding expedited processing has been amended to reflect the statutory language. The term "exceptional need" has been replaced with "compelling need," and paragraph (a)(3) in § 2.14 pertaining to "due process rights" has been removed.

This proposed rule also revises the language in § 2.26, "Does the bureau provide multitrack processing of FOIA requests?" to make the use of multitrack