

PROPOSED RULES

D.C. 20231, on or before October 15, 1975. No oral hearings will be held. Written comments will be available for examination by interested persons at Crystal Plaza Building 3, Room 11C17a, Arlington, Virginia.

This proposal has been reviewed and determined to have no major inflationary impact.

The proposed amendment of §§ 1.21 and 2.6 would increase a number of the established fees for specified services furnished by the Patent and Trademark Office, and would eliminate established fees for other identified services. One new fee would be established. The purpose of these amendments is to enable the Office to recover the increased material and labor costs incurred in furnishing the identified services, and to eliminate established fees for services which are not currently in demand. However, services for which the established fee has been eliminated will be furnished, if requested, at fees based upon actual cost.

The proposed amendment of §§ 1.25 and 1.165 would bring these rules into conformity with the proposed amendment of § 1.21.

The text of the proposed amendments is as follows:

1. Section 1.21 would be amended by revising paragraphs (e), (j), (k), (l), (m), (q) and (u) to read as follows:

§ 1.21 Patent and miscellaneous fees and charges.

(e) For abstracts of title to each patent or application:	
For the search, one hour or less, and certificate	5.00
Each additional hour or fraction thereof	2.50
For each brief from the digest of assignments, of 200 words or less	2.00
Each additional 100 words or fraction thereof	.20

(j) For making patent drawings, when facilities are available, the cost for making the same,	
Rate per hour	12.00
Minimum charge per sheet	25.00

(k) For correcting patent drawings, the cost of making the correction,	
Rate per hour	12.00
Minimum charge	3.00

(l) [deleted]
(m) [deleted]

(q) List of U.S. Patents:	
All patents in a subclass, per sheet (containing 100 patent numbers or less)	1.00
Patents in a subclass, limited by date or patent number, per sheet (containing 50 patent numbers or less)	1.00

(u) Deposit accounts, service charge for each month	
When the balance at the end of the month is below \$40	2.00

2. Section 1.25 would be amended by revising paragraph (a) thereof to read as follows:

§ 1.25 Deposit accounts.

(a) For the convenience of attorneys, agents, and the general public in ordering services offered by the Office, copies of records, etc., special deposit accounts may be established in the Patent and Trademark Office. A minimum deposit of \$50.00 or more, depending on the activity of the individual account, is required. At the close of each month's business, a statement will be rendered. A remittance must be made promptly upon receipt of the statement to cover the value of items or services charged to the account and thus restore the account to its established normal deposit value. An amount sufficient to cover all services, copies, etc., requested must always be on deposit. A service charge will be assessed for each month that the balance at the end of the month is below \$40.00.

3. Section 1.165 would be amended by revising paragraph (b) therein to read as follows:

§ 1.165 Drawings.

(b) The drawing may be in color and when color is a distinguishing characteristic of the new variety, the drawing must be in color. Two copies of color drawings must be submitted. Color drawings may be made either in permanent water color or oil, or in lieu thereof may be photographs made by color photography or properly colored on sensitized paper. Permanently mounted color photographs are acceptable. The paper in any case must correspond in size, weight and quality to the paper required for other drawings. See § 1.84. Nonpermanently mounted copies will be correctly mounted at applicant's expense, § 1.21(v).

4. Section 2.6 would be amended by revising paragraphs (a), (d) and (e), therein, and adding a new paragraph (f), to read as follows:

§ 2.6 Trademark fees.

(a) For each printed copy of a registration with data entered of record as of date of mailing, relating to renewal, cancellation, publication under section 12 (c), of the 1946 Trademark Act and affidavits of declarations under sections 8 and 15 of such act,	
Omitting title	1.70
Showing title	3.70

(d) For making drawings, when facilities are available, the cost of making the same,	
Rate per hour	12.00
Minimum charge per sheet	10.00

(e) For correcting drawings, the cost of making the correction:	
Rate per hour (including a photoprint of the uncorrected drawing)	12.00
Minimum charge	3.00

(f) For abstracts of title to each registration or application:	
For the search, one hour or less, and certificate	5.00
Each additional hour or fraction thereof	2.50
For each brief from the digest of assignments, of 200 words or less	2.00
Each additional 100 words or fraction thereof	.20

Approved: August 7, 1975.

BETSY ANCKER-JOHNSON,
Assistant Secretary for
Science and Technology.

C. MARSHALL DANN,
Commissioner of Patents
and Trademarks.

[FR Doc.75-22016 Filed 8-20-75;8:45 am]

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 310, 700]

[Docket No. 75N-0008]

AEROSOL DRUG AND COSMETIC
PRODUCTS CONTAINING ZIRCONIUM

Extension of Time for Comments

The Commissioner of Food and Drugs, in the FEDERAL REGISTER of June 5, 1975 (40 FR 24328), issued a proposed rule regarding classification of aerosol drug and cosmetic products containing zirconium as new drugs or adulterated cosmetics, respectively. Comments were to be filed on or before September 3, 1975.

The Commissioner has received a request for extension of the comment period (1) because of delays in obtaining copies of submissions of data, information, and other documents that will not be available for inspection until after August 4, 1975 and (2) to include reports on studies that are due about mid-September 1975.

Good reason therefore appearing, the Commissioner hereby extends the period for filing comments on the subject proposal to close of business October 3, 1975.

Written comments regarding the proposal shall be submitted to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852. Comments shall be filed in quintuplicate, except that individuals may submit single copies.

This action is taken under the Federal Food, Drug, and Cosmetic Act (secs. 505, 601(a), 701(a), 52 Stat. 1052-1055, as amended (21 U.S.C. 355, 361(a), 371 (a))) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: August 14, 1975.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.75-22055 Filed 8-20-75;8:45 am]