

is a reportable transaction for A under paragraph (b)(7) of this section because A has the right to payment for another person's use of the tax planning method that is the subject of the patent. The transaction is a reportable transaction for C under paragraph (b)(7) of this section, because C paid a fee to A for the legal right to use a tax planning method that C knew or had reason to know was the subject of a patent. A has participated in the transaction in the year in which A's tax return reflects a tax benefit in relation to obtaining the patent or reflects income from C's payment to A for the legal right to use the tax planning method that is the subject of the patent. C has participated in the transaction in the year in which C's tax return reflects the deduction for any amount paid to A for the legal right to use the tax planning method that is the subject of the patent. C also participates in the transaction for any years for which any other tax benefit from the transaction is reflected on C's tax return.

Example 5. (i) A, an individual, is the employee of B, a corporation. A creates a tax planning method and applies for a U.S. patent but B pays the fee required under title 35 of the United States Code for A's patent application. Pursuant to A's employment contract with B, B holds all substantial rights to the patent. B's tax return reflects a deduction for the amount paid in relation to obtaining the patent.

(ii) A and B are patent holders under paragraph (b)(7)(ii)(C)(1) and (3) of this section, respectively. The transaction is not a reportable transaction for A under paragraph (b)(7) of this section because A does not have the right to payment for another person's use of the tax planning method that is the subject of the patent. The transaction is a reportable transaction for B under paragraph (b)(7) of this section because B holds all substantial rights to the patent and has the right to payment for another person's use of the tax planning method that is the subject of the patent. B has participated in the transaction in the year in which B's tax return reflects a tax benefit in relation to obtaining the patent. B also participates in the transaction for any years for which B's tax return reflects income from a payment received from another person for the use of the tax planning method that is the subject of the patent.

Example 6. (i) Assume the facts as in *Example 4*, except that A agrees to license the patent to F, a financial institution. The license agreement between A and F provides that F may offer the tax planning method to its clients and if a client decides to use the tax planning method, F must pay A for each client's use of the tax planning method. F offers the tax planning method to G who uses the tax planning method and knows or has reason to know it is the subject of a patent. F charges G for financial planning services and pays A for G's use of the tax planning method. A's tax return reflects income from the payment received from F. F's tax return reflects income from the payment received from G, and G's tax return reflects a deduction for the fees paid to F.

(ii) F is a patent holder's agent under paragraph (b)(7)(ii)(D) of this section because

F has the permission of the patent holder to offer for sale or exchange, to sell or exchange, or to market a tax planning method that is the subject of a patent. F also is a patent holder's agent under paragraph (b)(7)(ii)(D) of this section because F receives (directly or indirectly) a fee in any amount for a tax planning method that is the subject of a patent for or on behalf of a patent holder. The transaction is a reportable transaction for both A and F under paragraph (b)(7) of this section because A and F each have the right to payment for another person's use of the tax planning method that is the subject of the patent. The transaction is a reportable transaction for G under paragraph (b)(7) of this section because G paid a fee (directly or indirectly) to a patent holder or a patent holder's agent for the legal right to use a tax planning method that G knew or had reason to know was the subject of the patent. A has participated in the transaction in the years in which A's tax return reflects income from the payment received from F for G's use of the tax planning method that is the subject of the patent. F has participated in the transaction in the years in which F's tax return reflects income from the payment received from G for use of the tax planning method that is the subject of the patent. G has participated in the transaction in the years in which G's tax return reflects a deduction for the fees paid to F. G also participates in the transaction for any years for which any other tax benefit from the transaction is reflected on G's tax return.

Example 7. Assume the same facts as in *Example 4*. J uses a tax planning method that is the same as the tax planning method that is the subject of A's patent. J does not pay any fees to any patent holder or patent holder's agent with respect to the tax planning method that is the subject of the patent. A sues J for infringement of the patent and J pays A an amount for damages. A's tax return reflects as income the amounts for damages received from J. The transaction is not a reportable transaction for J under paragraph (b)(7) of this section because J did not pay any fees (as defined in paragraph (b)(7)(ii)(A) of this section) (directly or indirectly) to a patent holder or patent holder's agent for the legal right to use a tax planning method that J knew or had reason to know was the subject of the patent. A has participated in a reportable transaction under paragraph (b)(7) of this section in the year in which A's tax return reflects income from a payment (the amount received as an award for damages in a suit for damages for infringement of the patent) received from another person for the use of the tax planning method that is the subject of a patent.

* * * * *

(h) * * *

(2) *Patented transactions.* Upon the publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**, paragraphs (b)(7), (c)(3)(i)(F), and (c)(3)(ii) *Examples 4* through 7 of this section will apply to transactions entered into on or after September 26, 2007.

PART 301—PROCEDURE AND ADMINISTRATION

Par. 3. The authority citation for part 301 continues to read, in part, as follows:

Authority: 26 U.S.C. 7805 * * *

Par. 4. Section 301.6111-3 is amended by revising paragraphs (b)(2)(ii)(E), (b)(3)(i)(C), and (i)(2) to read as follows:

§ 301.6111-3 Disclosures of reportable transactions.

* * * * *

- (b) * * *
- (2) * * *
- (ii) * * *

(E) *Patented transactions.* A statement relates to a tax aspect of a transaction that causes it to be a patented transaction if the statement is made or provided by the patent holder or by the patent holder's agent, as defined in § 1.6011-4(b)(7)(ii)(C) or (D) of this chapter, and concerns the tax planning method that is the subject of the patent.

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- (3) * * *
- (i) * * *

(C) *Patented transactions.* For patented transactions described in § 1.6011-4(b)(7) of this chapter, the threshold amounts in § 301.6111-3(b)(3)(i)(A) are reduced from \$50,000 to \$250 and from \$250,000 to \$500.

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- (i) * * *

(2) *Patented transactions.* Upon the publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**, paragraphs (b)(2)(ii)(E) and (b)(3)(i)(C) of this section will apply to transactions with respect to which a material advisor makes a tax statement on or after September 26, 2007.

Linda E. Stiff,

Deputy Commissioner for Services and Enforcement.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[REG-116215-07]

RIN-1545-BG60

Public Inspection of Material Relating to Tax-Exempt Organizations; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to notice of proposed rulemaking.

SUMMARY: This document contains corrections to proposed regulations that amend existing regulations issued under sections 6104 and 6110. These regulations clarify rules relating to information that is made available by the IRS for public inspection under section 6104(a) and materials that are made publicly available under section 6110.

FOR FURTHER INFORMATION CONTACT: Mary Ellen Keys, (202) 622-4570 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking (REG-116215-07) that is the subject of these corrections are under sections 6110 and 6104(a) of the Internal Revenue Code.

Need for Correction

As published, this notice of proposed rulemaking (REG-116215-07) contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the notice of proposed rulemaking (REG-116215-07) that was the subject of FR. Doc. E7-15952 is corrected as follows:

1. On page 45394, column 2, in the preamble, under the caption heading “**SUMMARY:**”, line 11 from the bottom of the paragraph, the language “denied or revoked an organization’s tax” is corrected to read “denied or revoked an organization’s tax-”.

2. On page 45394, column 2, in the preamble, under the caption heading “**ADDRESSES:**”, line 2 from the bottom of the column, the language “NW., Washington, DC, or sent” is corrected to read “NW., Washington, DC 20224, or sent”.

3. On page 45394, column 3, in the preamble, under the paragraph heading “Background”, paragraph 2, line 7, the language “tax exempt status from the public” is corrected to read “tax-exempt status from the public”.

4. On page 45395, column 1, in the preamble, line 7 from the bottom of the first paragraph of the column, the language “public. See AOD 2004-02, 2004-29 IRB is corrected to read “See AOD 2004-2, 2004-29 I.R.B.”.

5. On page 45395, column 1, in the preamble, under the paragraph heading “*Explanation of Provisions*”, line 4 from the bottom of paragraph 1, the language “sections 509(a), 4942(j)(3), or 4943(f), is corrected to read “section 509(a), 4942(j)(3), or 4943(f),”.

6. On page 45395, column 2, in the preamble, under the paragraph heading “*Other Changes to the Existing Regulations*”, paragraph 6, line 3, the language “disclose, in response to or anticipation” is corrected to read “in response to or in anticipation”.

7. On page 45395, column 2, in the preamble, under the paragraph heading “*Other Changes to the Existing Regulations*”, paragraph 7, line 5 from the bottom of the column, the language “organizations whose tax exempt status” is corrected to read “organizations whose tax-exempt status”.

§ 301.6104(a)-1 [Corrected]

8. On page 45396, column 2, § 301.6104(a)-1(c)(4), line 4, the language “organization described in sections” is corrected to read “organization described in section”.

9. On page 45396, column 3, § 301.6104(a)-1(c)(2), line 4 from the bottom of the paragraph, the language “Procedure 2007-52, 2007-30 IRB 222, is corrected to read “Procedure 2007-52, 2007-30 I.R.B. 222,”.

10. On page 45396, column 3, § 301.6104(a)-1(e)(3), line 4 from the bottom of the paragraph, the language “Procedure 80-27, 1980-1CB 677, and” is corrected to read “Procedure 80-27, 1980-1 C.B. 677, and”.

La Nita Van Dyke,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E7-18990 Filed 9-25-07; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

Occupational Exposure to Diacetyl and Food Flavorings Containing Diacetyl: Announcement of Stakeholder Meeting

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Announcement of stakeholder meeting.

SUMMARY: The Occupational Safety and Health Administration (OSHA) invites interested parties to participate in or observe an informal stakeholder meeting on Occupational Exposure to Diacetyl and Food Flavorings Containing Diacetyl. This meeting is a continuation of OSHA’s information collection efforts

on Diacetyl and Food Flavorings Containing Diacetyl.

DATES: *Stakeholder meeting:* The stakeholder meeting date is October 17, 2007, from 8:30 a.m.–4:30 p.m.

If more than 50 stakeholders register for the stakeholder meeting on October 17, 2007, a second meeting will be scheduled for October 18, 2007, from 8:30 a.m. to 4:30 p.m. If the second meeting is needed on October 18, it will follow the same format and requirements as the first meeting and will be held at the same location. OSHA’s Contractor, Eastern Research Group (ERG), will communicate with stakeholders by telephone or e-mail if a second meeting is scheduled.

Notice of intention to attend the stakeholder meeting: You must submit a notice of intention to attend (i.e., to participate or observe) the stakeholder meeting by October 10, 2007.

ADDRESSES: *Stakeholder meeting:* The location for the stakeholder meeting is: Crown Plaza Hotel Washington National Airport, 1480 Crystal Drive, Arlington, Virginia 22202.

Notices of intention to attend the stakeholder meeting: OSHA’s contractor, ERG, is coordinating the registration, hotel arrangements, and logistics for the meeting. Seating is limited and pre-registration is required. Please include in your notice of intention to attend (i.e., to participate or observe) your full name, affiliation, address, telephone, and e-mail address. You may submit your notice of intention to attend the stakeholder meeting by October 10, 2007 by any of the following methods:

Electronic: OSHA encourages you to submit your notice of intention to attend to meetings@erg.com (subject line: Diacetyl Meeting).

Facsimile: You may fax your notice of intention to attend to 781-674-2906.

Telephone: You may register by phone by calling Eastern Research Group, Inc. at 781-674-7374.

Regular mail, express delivery, hand delivery, messenger and courier service: Submit your notice of intention to attend to Laurie Stamatatos, Eastern Research Group, Inc., 110 Hartwell Avenue, Lexington, MA 02421-3136.

Instructions: For further information on the stakeholder meeting and submitting notices of intention to attend (i.e., to participate or observe) the stakeholder meeting, see the “Public Participation” heading in the **SUPPLEMENTARY INFORMATION** section of this notice.

This document, non-attributed notes from the stakeholder meeting, as well as news releases and other relevant