

permit. A permit is requested for a five-year period.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: January 16, 2009.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E9-1729 Filed 1-27-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XM92

#### New England Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; public meeting.

**SUMMARY:** The New England Fishery Management Council's (Council) Interspecies Committee will meet to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

**DATES:** The meeting will be held on Wednesday, February 18, 2009 at 9:30 a.m.

**ADDRESSES:**

*Meeting address:* The meeting will be held at the Holiday Inn, 31 Hampshire Street, Mansfield, MA 02048; Telephone: (508)339-2200; Fax:(508) 339-1040.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978)465-0492.

**SUPPLEMENTARY INFORMATION:** The items of discussion in the committee's agenda are as follows:

(1) The Committee will discuss management plan integration - How to possibly combine species managed

under current fishery management plans (FMPs) into broader units under fewer FMPs.

(2) They will also discuss a process for changing specifications for multiple species caught in fisheries managed under annual catch limits (ACLs) in different FMPs.

(3) There will also be a discussion of options to address the yellowtail flounder incidental catch by scallop vessels as it affects the scallop access areas in New England.

(4) The Committee will also finalize Council comments on priorities for 2009 observer coverage under the Standardized Bycatch Reporting Methodology.

(5) Other business.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: January 23, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-1780 Filed 1-27-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No.: PTO-P-2008-0063]

#### Request for Comments and Notice of Roundtable on Deferred Examination for Patent Applications

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice; Request for comments.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) frequently receives suggestions that the USPTO adopt a deferral of examination

procedure. The USPTO is conducting a roundtable to obtain public input from diverse sources to determine whether the support expressed for deferral of examination is isolated or whether there is general support in the patent community and/or the public sector generally for the adoption of some type of deferral of examination. The roundtable is open to the public. Members of the public who wish to participate in the roundtable must do so by request, as the number of participants in the roundtable is limited to ensure that all who are speaking will have a meaningful chance to do so. Members of the public who wish solely to observe need not submit a request. Any member of the public may submit written comments on issues raised at the roundtable or on any issue pertaining to deferral of examination.

**DATES:** The roundtable will be held on Thursday, February 12, 2009, beginning at 9 a.m. and ending at 12:30 p.m.

The deadline for receipt of requests to participate in the roundtable is 5 p.m. on Thursday, February 5, 2009.

The deadline for receipt of written comments is February 26, 2009.

**ADDRESSES:** The roundtable will be held in at the USPTO, in the Madison Auditorium on the concourse level of the Madison Building, which is located at 600 Dulany Street, Alexandria, Virginia.

Requests to participate at the roundtable are required and must be submitted by electronic mail message through the Internet to [robert.bahr@uspto.gov](mailto:robert.bahr@uspto.gov). Requests to participate at the roundtable should indicate the following information: (1) the name of the person desiring to participate and his or her contact information (telephone number and electronic mail address); and (2) the organization(s) he or she represents.

Written comments should be sent by electronic mail message over the Internet addressed to [AC6comments@uspto.gov](mailto:AC6comments@uspto.gov). Comments may also be submitted by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, marked to the attention of Robert W. Bahr. Although comments may be submitted by mail, the USPTO prefers to receive comments via the Internet.

The written comments and list of the roundtable participants and their associations will be available for public inspection at the Office of the Commissioner for Patents, located in Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia, and will be available via the USPTO Internet Web

site (address: <http://www.uspto.gov>). Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:**

Robert W. Bahr, Senior Patent Counsel, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at (571) 272-8800, or by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, marked to the attention of Robert W. Bahr.

**SUPPLEMENTARY INFORMATION:** Currently, many intellectual property (IP) offices that substantively examine patent applications do not perform a substantive examination on every patent application that is filed in the respective office. Specifically, a patent application is not given a substantive examination in many IP offices unless and until an applicant submits an express request for examination, and the failure to file any such request for examination within a specified time period results in abandonment or withdrawal of the application. This practice is commonly referred to as “deferred examination.”

In the United States, the mere filing of a patent application and payment of the applicable fees is effectively a request for examination of the application. The USPTO frequently receives suggestions that the USPTO adopt a deferral of examination procedure. The USPTO has in place an optional deferred examination procedure that was adopted as part of the rule making to implement eighteen-month publication of patent applications. See *Changes to Implement Eighteen-Month Publication of Patent Applications*, 65 FR 57023, 57033, 57056 (Sept. 20, 2000), 1239 *Off. Gaz. Pat. Office* 63, 71-72, 92 (Oct. 10, 2000) (final rule). This deferral of examination procedure permits deferral of examination for up to three years from the earliest filing date for which a benefit is claimed under title 35, United States Code. See 37 CFR 1.103(d). The deferral of examination procedure set forth in 37 CFR 1.103(d), however, has been used in fewer than two hundred applications since its inception on November 29, 2000 (the effective date of eighteen-month publication and 37 CFR 1.103(d)).

The USPTO is conducting a roundtable to determine whether the support expressed for deferral of examination is isolated or whether there is general support in the patent

community and/or the public sector generally for the adoption of some type of deferral of examination. The number of participants in the roundtable is limited to ensure that all who are speaking will have a meaningful chance to do so. The USPTO plans to invite a number of participants from patent user, practitioner, industry, and independent inventor organizations, academia, industry, and government. The USPTO also plans to have a few “at-large” participants based upon requests received in response to this notice to ensure that the USPTO is receiving a balanced array of views on deferral of examination.

The roundtable is open to the public, but participation in the roundtable is by request, as the number of participants in the roundtable is limited. While members of the public who wish to participate in the roundtable must do so by request, members of the public who wish solely to observe need not submit a request. Any member of the public, however, may submit written comments on issues raised at the roundtable or on any pertaining to deferral of examination, for consideration by the USPTO. Persons submitting written comments should note that the USPTO does not plan to provide a “comment and response” analysis of such comments as this notice is not a notice of proposed rule making.

The USPTO plans to make the roundtable available via Web cast. Web cast information will be available on the USPTO’s Internet Web site before the roundtable. The written comments and list of the roundtable participants and their associations will be posted on the USPTO’s Internet Web site.

Dated: January 22, 2009.

**John J. Doll,**

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

[FR Doc. E9-1740 Filed 1-27-09; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Meeting of the Defense Department Advisory Committee on Women in the Services (DACOWITS)

**AGENCY:** Department of Defense.

**ACTION:** Notice.

**SUMMARY:** Pursuant to Section 10(a), Public Law 92-463, as amended, notice is hereby given of a forthcoming meeting of the Defense Department

Advisory Committee on Women in the Services (DACOWITS). The purpose of the meeting is to receive briefings and information on the 2009 topics. The meeting is open to the public, subject to availability of space.

**DATES:** February 18-19, 2009, 8:30 a.m.-5 p.m.

**ADDRESSES:** Double Tree Hotel Crystal City National Airport, 300 Army Navy Drive, Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:**

MSgt Robert Bowling, USAF, DACOWITS, 4000 Defense Pentagon, Room 2C548A, Washington, DC 20301-4000. [Robert.bowling@osd.mil](mailto:Robert.bowling@osd.mil). Telephone (703) 697-2122. Fax (703) 614-6233.

**SUPPLEMENTARY INFORMATION:**

**Meeting Agenda**

*Wednesday, February 18, 2009 8:30 a.m.-5 p.m.*

- Rand Report on Assessing the Assignment Policy for Army Women and Delivery of Services to Reserve Component Families.
- National Guard Support for Families of Wounded Warriors.
- Public Forum.

*Thursday, February 19, 2009 8:30 a.m.-5 p.m.*

- Additional Briefings on Women’s Roles during Deployment and Support to Families of the Wounded.
- Review of Topics for 2009, Installation Visits, and Focus Group Discussions.

Interested persons may submit a written statement for consideration by the Defense Department Advisory Committee on Women in the Services. Individuals submitting a written statement must submit their statement to the Point of Contact at the address detailed above not later than 5 p.m., Monday, February 16, 2009. If a written statement is not received by Monday, February 16, 2009 prior to the meeting, which is the subject of this notice, then it may not be provided to or considered by the Defense Department Advisory Committee on Women in the Services until its next open meeting. The Designated Federal Officer will review all timely submissions with the Defense Department Advisory Committee on Women in the Services Chairperson and ensure they are provided to the members of the Defense Department Advisory Committee on Women in the Services. If members of the public are interested in making an oral statement, a written statement must be submitted as above. After reviewing the written comments, the Chairperson and the Designated Federal Officer will