

Dated: June 17, 2008.

Emily H. Menashes

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E8-14275 Filed 6-23-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF THE INTERIOR

U.S. Fish and Wildlife Service

RIN 0648-X144

Marine Mammals and Endangered Species; National Marine Fisheries Service File No. 10074; U.S. Fish and Wildlife Service File No. PRT-165304

AGENCIES: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; U.S. Fish and Wildlife Service, Interior.

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Michael Etnier, Ph.D., Box 353100, University of Washington, Seattle, WA 98227 has been issued a permit to import marine mammal specimens for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521;

Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206)526-6150; fax (206)526-6426; and U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203 (1-800-358-2104).

FOR FURTHER INFORMATION CONTACT: Kate Swails or Amy Sloan, (301)713-2289.

SUPPLEMENTARY INFORMATION: On January 25, 2008, notice was published in the *Federal Register* (73 FR 4540) that a request for a scientific research permit to take marine mammals had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of

1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The permit authorizes Dr. Etnier to possess and import/export marine mammal and endangered and threatened species parts (hard and soft) from the orders of Cetacea, Pinnipedia, and Carnivora (sea otter, *Enhydra lutris*). Specimens (teeth, bone, and whiskers) will be obtained from museums and private collections or collected from carcasses of beach stranded animals or federally sponsored subsistence harvests. No animals will be taken or killed for the purposes of this research. The objectives are to combine osteometric, chemical, and genetic analyses to test hypotheses regarding the stability of ecological adaptations among marine mammals in the eastern north Pacific Ocean throughout the Late Holocene.

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

Issuance of this permit, as required by the ESA, was based on a finding that such permit: (1) was applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: June 18, 2008.

P. Michael Payne,

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

Dated: June 18, 2008.

Timothy J. Van Norman,

Chief, Branch of Permits Division of Management Authority, U.S. Fish and Wildlife Service.

[FR Doc. E8-14260 Filed 6-23-08; 8:45 am]

BILLING CODES 3510-22-S, 4310-55-S

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Patent Prosecution Highway (PPH) Program (Formerly Patent Prosecution Highway (PPH) Pilot Program)

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on the continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before August 25, 2008.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail:* Susan.Fawcett@uspto.gov.

Include "0651-0058 comment" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Robert A. Clarke, Director, Office of Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-7735; or by e-mail at Robert.Clarke@uspto.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Patent Prosecution Highway (PPH) pilot program was originally established between the United States Patent and Trademark Office (USPTO) and the Japan Patent Office (JPO) on July 3, 2006. The PPH program allows applicants whose claims are determined to be patentable in the office of first filing to have the corresponding application that is filed in the office of second filing be advanced out of turn for examination. At the same time, the PPH program allows the office of second filing to exploit the search and examination results of the office of first filing, which increases examination efficiency and improves patent quality. The USPTO and the JPO agreed at the November 2007 Trilateral Conference to fully implement the PPH program on a permanent basis starting on January 4, 2008.

The USPTO entered into a PPH pilot program with the United Kingdom Intellectual Property Office (UKIPO) on September 4, 2007. Additional PPH pilot programs have also recently been established between the USPTO and the

Canadian Intellectual Property Office (CIPO), the Korean Intellectual Property Office (KIPO), and the Intellectual Property Office of Australia (IPAU).

In addition to the PPH program, the USPTO and the JPO also participate in a work-sharing pilot project called the "New Route." Under the New Route framework, a filing in one member office of this arrangement would be deemed a filing in all member offices. The first office and applicant would be given a 30-month processing time frame in which to make available a first office action and any necessary translations to the second office(s), and the second office(s) would exploit the search and examination results in conducting their own examination. The New Route proposal permits the search and examination results of the first office to be transmitted to the second office(s) according to an internationally coordinated time frame. By allowing the second office to exploit the search and examination results of the first office, the primary benefits of the New Route program would be to reduce overall office workload, minimize duplication of search efforts, and increase examination quality. Because the New Route, as envisioned, would require changes in law in the USPTO and the JPO, the USPTO and the JPO agreed to commence a pilot project to test the New Route concept based on filing

scenarios currently available under existing law in both offices. The New Route pilot project began on January 28, 2008, and will end when the number of requests reaches 50 or at the expiration of one year, whichever occurs first.

This information collection previously included two forms, Request for Participation in the New Route Pilot Program Between the JPO and the USPTO (PTO/SB/10) and Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program Between the (1) JPO or (2) UKIPO and the USPTO (PTO/SB/20), which may be used by applicants to request participation in the programs and to ensure that they meet the program requirements. Since the PPH program with the JPO has been fully implemented, Form PTO/SB/20 has been revised as Form PTO/SB/20JP for use with the JPO and a separate Form PTO/SB/20UK has been created for the ongoing pilot program with the UKIPO. Similar forms have been created for the PPH pilot programs with the CIPO, the KIPO, and the IPAU. These additional PPH pilot program forms are being added to this collection.

II. Method of Collection

Requests to participate in the New Route pilot program must be submitted by fax to the Office of the Commissioner for Patents (571-273-0125) to ensure that the request is processed in a timely

manner. Requests to participate in the PPH programs must be submitted online using EFS-Web, the USPTO's web-based electronic filing system.

III. Data

OMB Number: 0651-0058.

Form Number(s): PTO/SB/10, PTO/SB/20AU, PTO/SB/20CA, PTO/SB/20JP, PTO/SB/20KR, PTO/SB/20UK.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households; businesses or other for-profits; and not-for-profit institutions.

Estimated Number of Respondents: 1,250 responses per year.

Estimated Time per Response: The USPTO estimates that it will take the public approximately 1.5 to 2 hours to gather the necessary information, prepare the form, and submit a completed request to participate in the New Route or PPH program.

Estimated Total Annual Respondent Burden Hours: 2,475 hours per year.

Estimated Total Annual Respondent Cost Burden: \$767,250 per year. The USPTO expects that the information in this collection will be prepared by attorneys. Using the professional rate of \$310 per hour for associate attorneys in private firms, the USPTO estimates that the total annual respondent cost burden for this collection will be approximately \$767,250 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Request for Participation in the New Route Pilot Program Between the JPO and the USPTO (PTO/SB/10)	1.5	50	75
Request for Participation in the Patent Prosecution Highway (PPH) Program Between the JPO and the USPTO (PTO/SB/20JP)	2	500	1,000
Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program Between the UKIPO and the USPTO (PTO/SB/20UK)	2	250	500
Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program Between the CIPO and the USPTO (PTO/SB/20CA)	2	100	200
Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program Between the KIPO and the USPTO (PTO/SB/20KR)	2	250	500
Request for Participation in the Patent Prosecution Highway (PPH) Pilot Program Between the IPAU and the USPTO (PTO/SB/20AU)	2	100	200
Totals	1,250	2,475

Estimated Total Annual Non-hour Respondent Cost Burden: \$162,590 per year. There are no capital start-up, maintenance, or postage costs associated with this collection. However, this collection does have annual (non-hour) costs in the form of filing fees and recordkeeping costs.

The filing fee for requests to participate in the New Route or PPH programs is \$130 under 37 CFR 1.17(h). Using the \$130 fee, the USPTO estimates that the total filing fees for

this collection would be \$162,500 per year.

There are also recordkeeping costs associated with submitting the PPH forms in this collection online through EFS-Web. When submitting forms through EFS-Web, the USPTO recommends that customers print and retain a copy of the acknowledgment receipt as evidence of the successful submission. The USPTO estimates that it will take 5 seconds (0.001 hours) to print a copy of the acknowledgment

receipt and that approximately 1,200 submissions in this collection will be filed online, for a total of approximately 1 hour per year. The USPTO expects that these receipts will be printed by paraprofessionals at an estimated rate of \$90 per hour, for a total recordkeeping cost of \$90 per year.

The total (non-hour) respondent cost burden for this collection in the form of filing fees and recordkeeping costs is estimated to be \$162,590 per year.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: June 17, 2008.

Susan K. Fawcett,

Records Officer, USPTO, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division.

[FR Doc. E8-14193 Filed 6-23-08; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Representative and Address Provisions

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on the continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before August 25, 2008.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail:* Susan.Fawcett@uspto.gov. Include "0651-0035 comment" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Robert A. Clarke, Director, Office of Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-7735; or by e-mail to Robert.Clarke@uspto.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Under 35 U.S.C. 2 and 37 CFR 1.31-1.36, a patent applicant or assignee of record may grant power of attorney to a person who is registered to practice before the United States Patent and Trademark Office (USPTO) to act for them in a patent or application. A power of attorney may also be revoked, and a registered practitioner may also withdraw as attorney or agent of record under 37 CFR 1.36. The rules of practice (37 CFR 1.33) also provide for the applicant, assignee, or practitioner of record to supply a correspondence address and daytime telephone number for receiving notices, official letters, and other communications from the USPTO. Maintaining a correct and updated correspondence address is necessary so that official correspondence from the USPTO related to a patent or application will be properly received by the applicant, assignee, or practitioner.

The USPTO's Customer Number practice permits applicants, assignees, and practitioners of record to change the correspondence address or representatives of record for a number of patents or applications with one change request instead of filing separate requests for each patent or application. Customers may request a Customer Number from the USPTO and associate this Customer Number with a correspondence address or a list of registered practitioners. Any changes to the address or practitioner information associated with a Customer Number will be applied to all patents and applications associated with that Customer Number.

The Customer Number practice is optional, in that changes of correspondence address or power of attorney may be filed separately for each patent or application without using a Customer Number. However, a Customer Number associated with the correspondence address for a patent application is required in order to access private information about the application using the Patent Application Information Retrieval (PAIR) system, which is available through the USPTO

Web site. The PAIR system allows authorized individuals secure online access to application status information, but only for patent applications that are linked to a Customer Number. Customer Numbers may be associated with U.S. patent applications as well as international Patent Cooperation Treaty (PCT) applications. The use of a Customer Number is also required in order to grant power of attorney to more than ten practitioners or to establish a separate "fee address" for maintenance fee purposes that is different from the correspondence address for a patent or application.

In addition to the forms offered by the USPTO to assist customers with providing the information in this collection, customers may also format requests using a Customer Number Upload Spreadsheet to designate or change the correspondence address or fee address for a list of patents or applications by associating them with a Customer Number. The Customer Number Upload Spreadsheet must be submitted to the USPTO on a computer-readable diskette or compact disc (CD), accompanied by a signed cover letter requesting entry of the address changes for the listed patents and applications. The spreadsheet and cover letter must be mailed to the USPTO and cannot be filed electronically. Customers may download a Microsoft Excel template with instructions from the USPTO Web site to assist them in preparing the spreadsheet in the proper format. The Customer Number Upload Spreadsheet may not be used to change the power of attorney for patents or applications.

This information collection includes the information necessary to submit a request to grant or revoke power of attorney for a patent application and for a registered practitioner to withdraw as attorney or agent of record for a patent application. This collection also includes the information necessary to request a Customer Number and associate a correspondence address or list of practitioners with this Customer Number, to change the correspondence address or practitioners associated with a Customer Number, and to designate or change the correspondence address or fee address for one or more patents or applications by using a Customer Number.

The USPTO is revising a form in this collection, Request for Withdrawal as Attorney or Agent and Change of Correspondence Address (PTO/SB/83), to allow the practitioner requesting withdrawal to certify that proper notice has been given to the client and that all papers and property to which the client is entitled have been delivered. The