

	Period to be reviewed
Industrial Phosphoric Acid: C-508-605 Rotem Amfert Negev Ltd, Haifa Chemicals Ltd .....	01/01/94-12/31/94
Malaysia: Extruded Rubber Thread: C-557-806 Heveafil Sdn. Bhd., Filmax Sdn. Bhd., Rubberflex Snd. Bhd., Filati Lastex Elastofibre Sdn., Rubfil Sdn. Bhd .....	01/01/94-12/31/94
Mexico: Certain Cut-to-Length Carbon Steel Plate: C-201-810 Altos Hornos de Mexico, S.A. de C.V .....	01/01/94-12/31/94
Sweden: Certain Cut-to-Length Carbon Steel Plate: C-401-804 SSAB Svenskt Stal AB .....	01/01/94-12/31/94
Thailand: Certain Circular Welded Carbon Steel Pipes and Tubes: C-549-501 Saha Thai Steel Pipe Co., Ltd .....	01/01/94-12/31/94

<sup>1</sup> The period of review shown in the August 16, 1995 (60 FR 42500) initiation notice covering sebacic acid from the PRC should have read as stated above.

<sup>2</sup> The Department has determined that it is not practicable to conduct company-specific reviews of the order on Live Swine from Canada because a large number of exporters and producers requested the review. Therefore, pursuant to section 777A(e)(2)(B) of the Tariff Act of 1930, as amended, the Department will conduct a country-wide review on the basis of aggregate data. We note the investigation and all prior reviews of this order have been conducted on an aggregate basis and that the companies requesting review, except for Pryme Pork Ltd., and the Government of Canada requested a review on a country-wide basis.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 353.34(b) and 355.34(b).

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)), and 19 CFR 353.22(c)(1) and 355.22(c)(1).

Dated: September 13, 1995.

**Joseph A. Spetrini,**

*Deputy Assistant Secretary for Compliance.*

[FR Doc. 95-23112 Filed 9-14-95; 8:45 am]

BILLING CODE 3510-DS-M

**National Oceanic and Atmospheric Administration**

**Notice of Intent To Adjust the Boundary of the South Slough National Estuarine Research Reserve**

**AGENCY:** Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Public notice.

**SUMMARY:** Notice is hereby given that the Division of State Lands, of the State of Oregon, intends to make minor adjustments to the boundary of the South Slough National Estuarine Research (SSNERR) in Coos Bay, Oregon. The need for the boundary adjustments stems from the July, 1991

discovery that a landowner adjacent to the SSNERR had encroached on approximately three and one half acres owned by the Reserve. The landowner has agreed to transfer to SSNERR property adjacent to the Reserve. In exchange, the SSNERR will grant to the landowner the encroached-upon land. In addition, The Division of State Lands is also granting tidelands to the SSNERR to ensure that there is no net loss of property within the SSNERR, either in terms of market or ecological value of lands. These actions were designed to resolve the encroachment issue in a manner that will protect the natural integrity of the Reserve, while enabling the landowner to retain access to, and use of, the roads, structures, and utilities he developed on Reserve property.

The delineation of the property that will be removed from the boundary of the SSNERR and granted to the encroaching land owner is identified as follows:

- Beginning at a 3/4" iron pipe which marks the center 1/4 corner of Section 13, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon:
- Thence South 69°53'22" East for a distance of 85.23 feet;
- Thence South 02°25'33" East for a distance of 498.92 feet;
- Thence South 88°03'51" East for a distance of 299.89 feet;
- Thence North 24°46'16" East for a distance of 351.55 feet;
- Thence West for a distance of 360.17 feet;
- Thence North for a distance of 218.7 feet to the North line of the Southeast 1/4 of said Section 13;

Thence West along said North line for a distance of 188.0 feet back to the point of beginning. Said parcel containing 3.3 acres more or less.

The delineation of the tidelands proposed to be added to the SSNERR by the Division of State Lands is as follows: All submerged lands in the South Slough arm of Coos Bay, Township 26 South, Range 14, West 14, Willamette Meridian, more particularly described as follows:

Beginning at a point which is the intersection of Township 26 South, Range 14 West, Sections 14, 15, and 23; thence East 1,283 feet to a point; thence North 2°, 36' East, 1279.60 feet to the Southwest one-sixteen point on Section 14; thence East 1,313.36 feet to a meander corner of the mean high tide line of the South Slough arms of Coos Bay; thence South 73°34'48" West 1,808.62 feet to the True Point of Beginning.

Thence South 73°34'48" West, 250 feet more or less, thence North 16°25'12" West, 696.96 feet more or less, thence North 73°34'48" East 250 feet more or less; thence South 16°25'12" East; 696.96 feet more or less to the True Point of Beginning, containing 4.0 acres more or less.

The delineation of the property added by the landowner who encroached into SSNERR in the upland portion of the SSNERR is as follows:

- Beginning at 3/4" iron pipe which marks the center 1/4 corner of Section 13, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon:
- Thence East along the North line of the Southeast 1/4 of said Section 13 for a distance of 649.09 feet to the True Point of Beginning;
- Thence continuing East along said North line for a distance of 60.66 feet;

Thence South for a distance of 218.7 feet;  
Thence West for a distance of 161.58;  
Thence North 24°46'16" East for a distance of  
240.86 feet back to the True Point of  
Beginning.

Any person wishing to comment on the proposed boundary change may forward written statements to the Oregon Division of State Lands, South Slough National Estuarine Research, P.O. Box 5417, Charleston, OR. 97420. Comments must be received by the Division of State Lands no later than close of business (30) thirty days from the date of this notice.

**FOR FURTHER INFORMATION CONTACT:**  
Nina Garfield, NOAA/NOS/OCRM/SRD,  
1305 East-West Highway, SSMC4 12th  
Floor, Silver Spring, MD. 20910; Phone:  
(301) 713-3141, ext. 171.

Dated: September 8, 1995.

**David L. Evans,**

*Acting Deputy Assistant Administrator for  
Ocean Services and Coastal Zone  
Management.*

(Federal Domestic Assistance Catalog  
Number 11.420 (Coastal Zone Management)  
Estuarine Sanctuaries)

[FR Doc. 95-22999 Filed 9-14-95; 8:45 am]

BILLING CODE 3510-08-M

## Patent and Trademark Office

[Docket No. 950829221-5221-01]

RIN 0651-XX03

### Request for Comments Concerning the Right of Priority (35 U.S.C. 119) and Electronic Exchange of Priority Documents

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

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

**SUMMARY:** The Patent and Trademark Office (PTO) requests written public comment on various aspects of existing statutory and regulatory requirements for obtaining the right of priority of an earlier filed foreign application. The PTO also requests written public comment on issues associated with the electronic exchange of priority documents between the PTO, the European Patent Office (EPO), and the Japanese Patent Office (JPO).

**DATES:** Written comments on the topics presented in the supplementary section of this notice, or any related topics, will be accepted by the PTO until November 13, 1995.

**ADDRESSES:** Those interested in presenting written comments on the topics presented in the supplementary information, or any related topics, may mail their comments to the Assistant

Commissioner for Patents, Washington, D.C. 20231, marked to the attention of Box DAC. In addition, comments may also be sent by facsimile transmission to (703) 308-6916, with a confirmation copy mailed to the above address, or by electronic mail messages over the Internet to priority@uspto.gov.

**FOR FURTHER INFORMATION CONTACT:**  
Jeffrey V. Nase by telephone at (703) 305-9285, or by mail marked to the attention of Box DAC, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

#### SUPPLEMENTARY INFORMATION:

##### I. Issues for Public Comment

The PTO is inviting written public comments on the administration and relevance of the existing statutory and regulatory requirements for obtaining the right of priority of an earlier filed foreign application and/or issues associated with the electronic exchange of priority documents between the Trilateral Offices (PTO, EPO, and JPO). Questions included at the end of this section are intended to illustrate the types of issues upon which the PTO is particularly interested in obtaining public comment. This notice has been determined to be not significant for the purposes of Executive Order 12866.

##### A. The Requirement for a Certified Copy of the Foreign Application Unless Deemed Necessary

Currently, the Trilateral Offices are reconsidering the need that a certified copy of the foreign application be submitted in all cases. 35 U.S.C. 119 requires that a certified copy of a foreign application be submitted in all cases in order to obtain the right of priority. Specifically, 35 U.S.C. 119(b) requires that the applicant file a claim for the right of priority and a certified copy of the original foreign application before the grant of the patent, or at any time during the pendency of the application as required by the Commissioner, but not earlier than six months after the filing of the application in this country. The Commissioner may currently require a translation of the papers filed if not in the English language.

37 CFR 1.55, which implements 35 U.S.C. 119(b), requires that the claim for priority and the certified copy of the foreign application must be filed in all cases before the grant of the patent in order to be entitled to the right of priority, and requires a claim for priority or certified copy of the foreign application filed after payment of the issue fee to be accompanied by a petition (and fee under 37 CFR 1.17(i)) requesting entry. However, the certified

copy of the foreign application may be required earlier during the pendency of the application in the case of an interference, when necessary to overcome the date of a reference relied upon by the examiner, or when specifically required by the examiner. If the certified copy of the foreign application is not in the English language, a translation will not be required except in the case of an interference, when necessary to overcome the date of a reference relied upon by the examiner, or when specifically required by the examiner.

Consequently, by statute and regulation, the certified copy of the foreign application must be filed in all cases during the pendency of the application even though it may be unnecessary to the examination of the application. Unless a substantive review of the certified copy of the foreign application, or a translation of such, is necessary to the examination of the application, e.g., during an interference or when necessary to overcome an intervening reference, the claim to priority and the certified copy of the foreign application are merely reviewed to determine whether the certified copy of the foreign application corresponds in number, date, and country to the application identified in the oath or declaration and that there are no obvious formal defects. There is generally no examination of the certified copy of the foreign application to determine whether the applicant is entitled to the benefit of the foreign filing date on the basis of the disclosure of the document. Thus, an unnecessary burden is placed upon applicants to obtain certified copies of the priority documents from the appropriate office and then submit them to the PTO in instances in which the PTO does not substantively examine such documents, especially in view of the fact that such documents do not qualify as prior art in the United States. Further, an unnecessary burden is placed upon the PTO in the processing of such documents.

This right of priority originated in a multilateral treaty of 1883, i.e., the Paris Convention for the Protection of Industrial Property (Paris Convention), to which the United States adhered in 1887. The Paris Convention, however, merely requires that a person who wishes to take advantage of a previous filing make a declaration indicating the date of such filing and the country in which it was filed. The Paris Convention permits, but does not require, the countries of the Union to require a certified copy of the foreign application of the application as