

species that are unlikely to be struck by USCG vessels (harassment takes).

(3) If NMFS is unable to make a negligible impact determination for one or more of the applicant's marine mammal species (see 50 CFR 216.103(c)), should NMFS consider an authorization for the harassment or non-serious injury of these species under section 101(a)(5)(D) of the MMPA by USCG activities.

Information Solicited

NMFS requests interested persons to submit comments, information, and suggestions concerning the request and the structure and content of the regulations (if appropriate) to allow the taking (see **ADDRESSES**). NMFS will consider this information in developing an environmental assessment under the National Environmental Policy Act, and, if appropriate, propose regulations to authorize the taking. If NMFS proposes regulations to allow this take, interested parties will be given time and opportunity to comment.

Dated: October 10, 1996.

Patricia Montanio,

*Acting Director, Office of Protected Resources,
National Marine Fisheries Service.*

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National Telecommunications and Information Administration

Performance Review Board; Membership

Below is a listing of individuals who are eligible to serve on the Performance Review Board in accordance with the National Telecommunications and Information Administration Senior Executive Service (SES) Performance Appraisal System:

Kathryn C. Brown
Dennis R. Connors
William D. Gamble
Bernadette McGuire-Rivera
Richard D. Parlow
Neal B. Seitz
William F. Utlaut
Barbara S. Wellbery
Ronald P. Hack
Anthony J. Calza,

*Acting Executive Secretary, National
Telecommunications and Information
Administration, Performance Review Board.*

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BILLING CODE 3510-BS-M

Patent and Trademark Office

Request for Comments on the Chairman's Text of the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions, To Be Held in Geneva From December 2 to 20, 1996

AGENCY: Patent and Trademark Office,
Commerce.

ACTION: Notice and request for public
comments.

SUMMARY: As the Administration prepares for the Diplomatic Conference on Certain Copyright and Neighboring Rights Questions, to be held in Geneva from December 2 to 20, 1996, we invite interested parties to submit written comments on the Chairman's text and to attend a public briefing to discuss the Chairman's text of the Diplomatic Conference. During the briefing, Jukka Lieder, Chairman of the Committee of Experts, will discuss the text and will be available to answer questions.

DATES: The briefing will be held on
November 12, 1996, from 1 p.m. to 5
p.m.

Written comments on the Chairman's
text are due on or before November 22,
1996.

ADDRESSES: The briefing will be held in
Marriott's Crystal Forum, a part of the
Crystal City Marriott Hotel located in
The Underground, 1999 Jefferson Davis
Highway, Arlington, Virginia.

A transcript of the meeting will be
made available for public inspection in
room 902 of Crystal Park Two, 2121
Crystal Drive, Arlington, Virginia. The
transcript will also be made available
through the Patent and Trademark
Office's home page, which is located at
www.uspto.gov.

Written comments should be
submitted to the Commissioner of
Patents and Trademarks, Box 4, Patent
and Trademark Office, Washington, D.C.
20231, marked to the attention of Ms.
Carmen Guzman Lowrey, Associate
Commissioner for Governmental and
International Affairs. Written comments
may also be submitted electronically by
sending them to Mr. Keith
Kupferschmid at diploconf@uspto.gov.

All written comments received will be
made available for public inspection in
room 902 of Crystal Park Two, 2121
Crystal Drive, Arlington, Virginia.

FOR FURTHER INFORMATION CONTACT: Mr.
Keith M. Kupferschmid by telephone at
(703) 305-9300, by facsimile at (703)
305-8885, by electronic mail at
diploconf@uspto.gov or by mail marked
to his attention and addressed to the
Commissioner of Patents and
Trademarks, Box 4, Patent and

Trademark Office, Washington, D.C.
20231. It is not necessary for interested
parties to contact the PTO to request to
attend the briefing.

SUPPLEMENTARY INFORMATION: The
United States is committed to making
progress in the World Intellectual
Property Organization (WIPO) toward
improving international protection for
works protected by copyright and
neighboring rights. We want to build
upon the international intellectual
property norms that were set in the
Agreement on Trade-Related Aspects of
Intellectual Property (TRIPs). This is
essential, especially in view of the need
to deal with the intellectual property
issues associated with the Global
Information Infrastructure (GII). To
accomplish this goal, the members of
WIPO, with the leadership of the United
States, are working to establish three
new international agreements,
commonly referred to as—

- A Protocol to the Berne Convention
for the Protection of Literary and
Artistic Works, which would modernize
the Berne Convention to take into
account new forms of expression and
new uses of copyrighted works that
have evolved due to technological
developments since the Berne
Convention's most recent revision in
1971.

- A New Instrument for the
Protection of Performers and Producers
of Phonograms, which would improve
international standards of protection for
sound recordings, and protect the rights
of certain performers in respect of their
live performances.

- A Treaty for the Sui Generis
Protection of Databases, which would
ensure adequate incentives to invest in
creating databases, through a new type
of protection that would safeguard
databases against destruction of their
commercial value.

These agreements would provide the
levels of protection for both copyright
and neighboring rights that are critical
to the development of the commercial
potential of the GII.

Much progress has been made in the
negotiations in WIPO through the
submission of treaty proposals by the
United States and other countries. Based
on these submissions and the views
expressed in meetings of the Committee
of Experts, the Chairman of the
Committee of Experts has prepared
three draft treaties which address digital
and conventional copyright issues.
These proposed treaties will be taken up
at a Diplomatic Conference on Certain
Copyright and Neighboring Rights
Issues to be convened December 2-20,
in Geneva at WIPO headquarters.