

This administrative review is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 6, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-32224 Filed 12-10-99; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

Practitioner Records Maintenance and Disclosure Before the Patent and Trademark Office

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce (DOC), 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 and proposed 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 February 11, 2000.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5027, 14th and Constitution Avenue, NW, Washington, D.C. 20230 or via the Internet (LEngelme@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the attention of Nora Cordova, Patent and Trademark

Office, Box OED, Washington, D.C. 20231, by telephone at (703) 306-4097.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Commissioner of Patents and Trademarks, under the direction of the Department of Commerce, has the authority to establish regulations for the conduct of proceedings in the Patent and Trademark Office (PTO) under 35 USC 6(a) and to prescribe regulations governing the conduct of agents, attorneys or other persons representing applicants and other parties before the PTO (35 USC 31).

Disciplinary Rule 37 CFR 10.112(c)(3) of the PTO Code of Professional Responsibility requires that an attorney or agent maintain complete records of all funds, securities and other properties of clients coming into his or her possession, and to render appropriate accounts to the client regarding the funds, securities and other properties. These record keeping requirements are necessary to maintain the integrity of client property. Similar record keeping is required by each State Bar of its attorneys.

The PTO Code of Professional Responsibility (37 CFR 10.20 to 10.112) requires that an attorney or agent will report knowledge of certain violations of the Code to the PTO, in accordance with 37 CFR 10.23(c)(16) and 10.24. This collection requirement is necessary to investigate and possibly prosecute violations of the PTO Code. Under 35 USC 32, the Commissioner may, after notice and opportunity for a hearing, suspend, exclude or disqualify any practitioner from further practice before the PTO based on noncompliance with the regulations established under § 31 of this title.

The information collected (reports of alleged violations of the PTO Code of Professional Responsibility) is used by the Director of Enrollment and Discipline (OED) to conduct investigations and prosecute violations as appropriate (37 CFR 10.131(a)&(b)). If this information is not collected, the Director of OED would have no knowledge of alleged violations and would be unable to enforce this provision of the PTO Code.

II. Method of collection

By mail, facsimile, or hand carry when an individual is required to participate in the information collection.

III. Data

OMB Number: 0651-0017.

Form Numbers: N/A.

Type of Review: Renewal without change.

Affected Public: Individuals or households; business or other for-profit; Federal Government.

Estimated Number of Respondents: 230 responses for record keeping maintenance and 100 responses for violation reporting per year.

Estimated Time Per Response: It is estimated to take 9 hours for record keeping maintenance and 5 hours for violation reporting.

Estimated Total Annual Respondent Burden Hours: 2570 hours per year.

Estimated Total Annual Respondent Cost Burden: \$0 (no capital start-up or maintenance expenditures are required). Using the professional hourly rate of \$175.00 for associate attorneys in private firms and the hourly rate of \$25.00 for a para-professional/clerical worker, the PTO estimates \$139,250 per year for salary costs associated with respondents.

Item	Estimated time for response (hours)	Estimated annual burden hours	Estimated annual responses
Record Keeping Maintenance	9	2070	230
Violation Reporting	5	500	100
Totals		2570	330

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 will 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: December 7, 1999.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99-32160 Filed 12-10-99; 8:45 am]

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