

**DATES:** Written comments must be submitted on or before April 2, 2001.

**ADDRESSES:** Direct all written comments to Madeleine Clayton, Departmental Forms Clearance Officer, Department of Commerce, Room 6086, 14th & Constitution Avenue, NW, Washington, DC 20230; phone (202) 482-3129 or via the Internet at Mclayton@doc.gov.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to: Katie Stephenson, Room 4211, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, DC 20230; phone (202) 482-2723, fax (202) 482-0949.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The Departments of Commerce and Treasury are required to determine whether nonprofit institutions established for scientific or educational purposes are entitled to duty-free entry under the Florence Agreement of certain scientific instruments they import. Form ITA-338P enables (1) Treasury to determine whether the statutory eligibility requirements for the institution and the instrument are fulfilled, and (2) Commerce to make a comparison and finding as to the scientific equivalency of comparable instruments being manufactured in the United States. Without the collection of the information, Treasury and Commerce would not have the necessary information to carry out the responsibilities of determining eligibility for duty-free entry assigned by law.

**II. Method of Collection**

The Department of Commerce distributes Form ITA-338P to potential applicants upon request. The applicant completes the form and then forwards it to the United States Customs Service. Upon acceptance by Customs as a valid application, the application is transmitted to Commerce for processing.

**III. Data**

*OMB Number:* 0625-0037.

*Form Number:* ITA-338P.

*Type of Review:* Extension-Regular Submission.

*Affected Public:* State or local governments; Federal agencies; nonprofit institutions.

*Estimated Number of Respondents:* 50.

*Estimated Time per Response:* 2 hours.

*Estimated Total Annual Burden Hours:* 100.

*Estimated Total Annual Cost:* \$202,200 (\$2200 for respondents and \$200,000 for federal government).

**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, including through the use of automated collection techniques or other forms of information technology.

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

Dated: January 29, 2001.

**Madeleine Clayton,**

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

[FR Doc. 01-2775 Filed 1-31-01; 8:45 am]

**BILLING CODE 3510-DS-U**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 010901B]

**Incidental Take of Marine Mammals; Taking of Ringed Seals Incidental to On-ice Seismic Activities**

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

**ACTION:** Notice of issuance of a letter of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, notification is hereby given that a letter of authorization to take ringed and bearded seals incidental to on-ice seismic operations in the Beaufort Sea off Alaska was issued on January 22, 2001, to Western Geophysical of Anchorage, AK.

**DATES:** This letter of authorization is effective from January 22, 2001, through May 31, 2001.

**ADDRESSES:** The application and letter is available for review in the following

offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and Western Alaska Field Office, NMFS, 701 C Street, Anchorage, AK 99513.

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hollingshead, NMFS, (301) 713-2055, ext 128 or Brad Smith, Western Alaska Field Office, NMFS, (907) 271-5006.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made by NMFS and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of ringed and bearded seals incidental to on-ice seismic surveys were published on February 2, 1998 (63 FR 5277), and remain in effect until December 31, 2002.

**Summary of Request**

NMFS received a request for a letter of authorization on September 11, 2000, from Western Geophysical. This letter requested a take by harassment of a small number of ringed seals and bearded seals incidental to conducting vibroseis surveys in the Beaufort Sea off Alaska.

Issuance of the letter of authorization is based on findings that the total takings by this activity will have a negligible impact on the ringed seal stocks of the Western Beaufort Sea and that the applicant has met the requirements contained in the

implementing regulations, including monitoring and reporting requirements.

Dated: January 22, 2001.

**Wanda L. Cain,**

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

[FR Doc. 01-2694 Filed 1-31-01; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* United States Patent and Trademark Office (USPTO).

*Title:* Trademark Trial and Appeal Board (TTAB) Actions (formerly Petition to Cancel).

*Form Number(s):* N/A.

*Agency Approval Number:* 0651-0040.

*Type of Request:* Extension of a currently approved collection.

*Burden:* 17,179 hours annually.

*Number of Respondents:* 61,572 responses per year. The USPTO estimates that of this total, 9,863 notices of opposition, 50,000 requests for extension of time to file an opposition, and 1,709 petitions to cancel a trademark registration will be submitted per year.

*Avg. Hours Per Response:* The USPTO estimates that it will take the public 45 minutes to complete a notice of opposition, 10 minutes to complete a request for an extension of time to file an opposition, and 45 minutes to complete a petition to cancel a trademark registration. This includes time to gather the necessary information, create the documents, and submit the completed requests.

*Needs and Uses:* Any individual or entity, believing that they are or will be damaged by the registration of a trademark or service mark, may file an opposition to the registration of a mark or a request for an extension of time to file an opposition under Section 13 of the Trademark Act, 15 U.S.C. 1063. Section 14 of the Trademark Act, 15 U.S.C. 1064, allows individuals and entities to file a petition to cancel the registration of a mark. The USPTO administers the Trademark Act

according to 37 CFR Part 2. These actions are governed by the Trademark Trial and Appeal Board (TTAB), an administrative tribunal empowered to determine the right to register and subsequently determine the validity of a trademark. If a mark is successfully opposed or canceled, registration will not take place. There are no forms associated with this collection.

*Affected Public:* Individuals or households; business or other for-profit; not-for-profit institutions; farms; the federal Government; and state, local or tribal Government.

*Frequency:* On occasion.

*Respondent's Obligation:* Required to obtain or retain benefits.

*OMB Desk Officer:* David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of Data Management, Data Administration Division, (703) 308-7400, USPTO, Suite 310, 2231 Crystal Drive, Washington, DC 20231, or by e-mail at susan.brown@uspto.gov.

Written comments and recommendations for the proposed information collection should be sent on or before March 5, 2001, to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, D.C. 20503.

Dated: January 24, 2001.

**Susan K. Brown,**

*Records Officer, USPTO, Office of Data Management, Data Administration Division.*

[FR Doc. 01-2715 Filed 1-31-01; 8:45 am]

**BILLING CODE 3510-16-U**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

**RIN 0651-AB29**

#### Extension of Comment Period: Standard for Declaring a Patent Interference

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

**ACTION:** Notice, extension of comment period.

**SUMMARY:** The period for commenting on the **Federal Register** notice dated December 20, 2000 (65 FR 79809) regarding the standard for declaring a patent interference is extended.

**DATES:** Submit comments on or before February 28, 2001.

**ADDRESSES:** Send all comments:

1. Electronically to "Interference.Rules@uspto.gov", Subject: "Interference-in-fact";

2. By mail to Director of the United States Patent and Trademark Office, BOX INTERFERENCE, Washington, D.C. 20231, ATTN: "Interference-in-Fact"; or

3. By facsimile to 703-305-0942, ATTN: "Interference-in-fact".

**FOR FURTHER INFORMATION CONTACT:** Fred E. McKelvey or Richard Torczon at 703-308-9797.

**SUPPLEMENTARY INFORMATION:** In a **Federal Register** notice published December 20, 2000, the public was invited to comment on the standard used to declare patent interferences. In response to requests from the public to extend the period for public comment, the comment period is extended one month to ensure ample opportunity for public comment.

#### Comment Format

Comments should be submitted in electronic form if possible, either via the Internet or on a 3¼-inch diskette. Comments submitted in electronic form should be submitted as ASCII text. Special characters, proprietary formats, and encryption should not be used.

**Authority:** 35 U.S.C. 2(b)(2)(A), 3(a)(2), 135(a).

Dated: January 26, 2001.

**Nicholas P. Godici,**

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

[FR Doc. 01-2820 Filed 1-31-01; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Title and OMB Number:* Defense Federal Acquisition Regulation Supplement (DFARS) Appendix I, DoD Pilot Mentor Protégé OMB Number 0704-0332.

*Type of Request:* Revision.

*Number of Respondents:* 269.

*Responses Per Respondent:* 3.

*Annual Responses:* 393.

*Average Burden Per Response:* 1 hour reporting; 3.7 hours recordkeeping.