

*Agency Approval Number:* 0651-0022.

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

*Burden:* 3,501 hours annually.

*Number of Respondents:* 3,500 responses per year. The USPTO expects that 3,500 patent applications on inventions dealing with deposits of biological materials will be filed each year. It is estimated by the USPTO that one depository will seek recognition every four years, or 0.25 depositories will seek recognition annually.

*Avg. Hours Per Response:* The USPTO estimates that it takes an average of one (1) hour for the average patent applicant respondent to collect and submit the necessary deposit information to the USPTO. The USPTO estimates that it will take the average depository seeking approval to store biological material an average of 15 minutes (.25 hours) to gather and submit the necessary approval information to the USPTO.

*Needs and Uses:* Information on the deposit of biological materials in depositories is required for (a) the USPTO determination of compliance with 35 U.S.C. 2(b)(2), 35 U.S.C. 112, and 37 CFR Ch. 1, Subpart G, 1.801-1.809, where inventions sought to be patented rely on biological material subject to the deposit requirement, including notification to the interested public on where to obtain samples of deposits; and (b) in compliance with 37 CFR Ch. 1, Subpart G, 1.803 to demonstrate that the depositories are qualified to store and test the biological material submitted to them under patent applications. This information is used by the USPTO to determine whether or not the applicant has met the requirements of the patent regulations. In addition, the USPTO uses this information to determine the suitability of a respondent depository based upon administrative and technical competence, and the depository's agreement to comply with the requirements set forth by the USPTO. There are no forms associated with this collection of information.

*Affected Public:* Individuals or households, businesses or other for-profit, not-for-profit institutions, and the Federal 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 the Chief Information Officer, Office of Data Architecture and Services, (703) 308-

7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313, Attn: CPK 3 Suite 310, or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before February 23, 2004 to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: January 16, 2004.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 04-1475 Filed 1-22-04; 8:45 am]

**BILLING CODE 3510-16-P**

## 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:* Post Allowance and Refiling.

*Form Number(s):* PTO/SB/44/50/51/51S/52/53/56/57/58 and PTOL-85B.

*Agency Approval Number:* 0651-0033.

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

*Burden:* 67,261 hours annually.

*Number of Respondents:* 223,411 responses per year.

*Avg. Hours Per Response:* The USPTO estimates that it will take the public approximately 1.8 minutes (0.03 hours) to 2 hours to read the instructions, gather the necessary information, prepare the appropriate form or other document, and submit the information to the USPTO.

*Needs and Uses:* The USPTO is required by 35 U.S.C. §§ 131 and 151 to examine applications and issue them as patents when appropriate. The applicant must then pay the required issue fee to receive the patent and avoid abandonment of the application. The USPTO can also correct errors in patents and reissue patents as appropriate. Under 37 CFR 1.510-1.570 and 37 CFR 1.902-1.997, the USPTO may grant requests for *ex parte* and *inter partes* reexamination proceedings. The public uses this collection to request

corrections of errors in issued patents, to request reissue patents, to request reexamination proceedings, and to ensure that the necessary fees and documentation are submitted to the USPTO. The USPTO is adding two petitions, the Petition to Review Refusal to Grant *Ex Parte* Reexamination and the Petition to Review Refusal to Grant *Inter Partes* Reexamination, to this information collection. These petitions are not new requirements but were not previously covered in this collection.

*Affected Public:* Individuals or households, businesses or other for-profits, not-for-profit institutions, farms, the Federal Government, and state, local or tribal governments.

*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 the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division, 703-308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313, Attn: CPK 3 Suite 310; or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before February 23, 2004 to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, 725 17th Street NW., Washington, DC 20503.

Dated: January 15, 2004.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 04-1406 Filed 1-22-04; 8:45 am]

**BILLING CODE 3510-16-P**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Removal of Export Visa and ELVIS Requirements for Certain Cotton and Man-Made Fiber Textiles and Textile Products Produced or Manufactured in the People's Republic of China

January 20, 2004.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and

Border Protection removing visa and ELVIS requirements.

**EFFECTIVE DATE:** January 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Roy Unger, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port, call (202) 927-5850, or refer to the Bureau of Customs and Border Protection Web site at <http://www.cbp.gov>. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel Web site at <http://otexa.ita.doc.gov>.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

On December 24, 2003, as provided for under paragraph 242 of the Report of the Working Party on the Accession of China to the World Trade Organization (Accession Agreement), the United States requested consultations with the Government of the People's Republic of China with respect to imports of Chinese origin products in Categories 222, 349/649 and 350/650. Through a letter published on December 29, 2003, the Chairman of CITA directed the Commission, U.S. Customs and Border Protection, to establish a twelve-month limit on these products, beginning on December 24, 2003, and extending through December 23, 2004. 68 FR 74944, 74945, and 74947. At the same time, the Chairman of CITA directed the Commissioner to require that shipments of these products be accompanied by an export visa and Electronic Visa Information System (ELVIS) transmission issued by the Government of the People's Republic of China; this requirement did not apply to shipments exported prior to January 23, 2004. During consultations, the Government of the People's Republic of China objected to the requirement that shipments of these products be accompanied by an export visa and ELVIS transmission. Therefore, effective on January 23, 2004, the United States is rescinding the visa and ELVIS requirements for products in these categories; the quota limits remain in effect. CITA will revisit this issue if the situation warrants.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff

Schedule of the United States (see **Federal Register** notice 68 FR 1599, published on January 13, 2003). Information regarding the availability of the 2004 CORRELATION will be published in the **Federal Register** at a later date. Also see 62 FR 15465, published on April 1, 1997.

**James C. Leonard III,**

*Chairman, Committee for the Implementation of Textile Agreements.*

**The Committee for the Implementation of Textile Agreements**

January 20, 2004.

Commissioner,  
*Bureau of Customs and Border Protection,*  
*Washington, DC 20229.*

Dear Commissioner: This directive amends, but does not cancel, the 3 directives issued to you on December 23, 2003. Those directives concern the establishment of quota and visa requirements for certain cotton and man-made fiber textiles and textile products in Categories 222, 349/649, and 350/650, produced or manufactured in China and exported during the period beginning on December 24, 2003 and extending through December 23, 2004.

Effective on January 23, 2004, you are directed to remove the visa and ELVIS requirements for textile products in Categories 222, 349/649, and 350/650. However, the quota limits remain in effect.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,  
James C. Leonard III,  
Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 04-1509 Filed 1-21-04; 9:57 am]

**BILLING CODE 3510-DR-S**

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Removal of Export Visa and Folklore Certification Requirements for Certain Wool and Man-Made Fiber Textile Products Produced or Manufactured in the United Mexican States**

January 21, 2004.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and Border Protection removing visa and folklore certification requirements.

**EFFECTIVE DATE:** January 23, 2004.

**FOR FURTHER INFORMATION CONTACT:** Naomi Freeman, International Trade Specialist, Office of Textiles and

Apparel, U.S. Department of Commerce, (202) 482-4212.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

Pursuant to the North American Free Trade Agreement, the existing export visa and folklore certification requirements are being canceled for textile products no longer subject to restrictions or consultations levels which are exported from Mexico on and after January 1, 2004.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 68 FR 1599, published on January 13, 2003). Information regarding the availability of the 2004 CORRELATION will be published in the **Federal Register** at a later date. Also see 58 FR 69350, published on December 30, 1993.

**James C. Leonard III,**

*Chairman, Committee for the Implementation of Textile Agreements.*

**The Committee for the Implementation of Textile Agreements**

January 21, 2004.

Commissioner,  
*Bureau of Customs and Border Protection,*  
*Washington, DC 20229.*

Dear Commissioner: This amends, but does not cancel, the directive issued to you on December 27, 1993, as amended, by the Chairman, Committee for the Implementation of Textile Agreements. That directive directed you to prohibit entry of certain cotton, wool and man-made fiber textile products, produced or manufactured in Mexico for which the government of the United Mexican States has not issued an appropriate visa.

Pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854) and Executive Order 11651 of March 3, 1972, as amended; and pursuant to the North America Free Trade Agreement (NAFTA) between the Governments of the United States, the United Mexican States and Canada, effective on January 23, 2004, the visa and folklore certification requirements in the above referenced directive will not apply to Categories 410, 433, 443 and 611, as they are no longer subject to restrictions or consultation levels. Therefore, effective on January 23, 2004, you are directed to cancel the visa and folklore certification requirements for goods in these categories exported on and after January 1, 2004.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,