

control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

#### Executive Order 12866

This notice has been determined to be not significant for purposes of Executive Order 12866.

#### Executive Order 13132 (Federalism)

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### Intergovernmental Review

Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of federal programs."

#### Administrative Procedure Act/ Regulatory Flexibility Act

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits, and contracts (5 U.S.C. section 553(a)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 et seq) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: March 22, 2004.

#### Louisa Koch,

*Deputy Assistant Administrator, OAR,  
National Oceanic and Atmospheric  
Administration.*

[FR Doc. 04-6722 Filed 3-24-04; 8:45 am]

BILLING CODE 3510-KB-U

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 032204A]

#### Western Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will

hold its Precious Corals Plan Team (PCPT) meeting in Honolulu, HI.

**ADDRESSES:** The PCPT meeting will be held at the Western Pacific Fishery Management Council Office, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

**DATES:** The meeting of the PCPT will be held on April 8, 2004, from 8:30 a.m. to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808)522-8220.

**SUPPLEMENTARY INFORMATION:** The PCPT will meet on April 8, 2004 to discuss the following agenda items:

1. Introductions
2. Review of last plan team meeting and recommendations
3. Results of the main Hawaiian islands black coral meeting
4. Overview of black coral research by the State of Hawaii
5. Additional research on *Carijoa riisei*
6. Discovery of new precious coral beds in the Northwestern Hawaiian Islands
7. Review of essential fish habitat
8. Precious corals annual report
9. Precious corals fishery management plan compliance issue

The order in which agenda items are addressed may change. Public comment periods will be provided throughout the agenda. The Plan Team will meet as late as necessary to complete scheduled business.

Although non-emergency issues not contained in this agenda may come before the Plan Team for discussion, those issues may not be the subject of formal action during this meeting. Plan Team action will be restricted to those issues specifically listed in this document and any issue arising after publication of this document that requires emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

Dated: March 22, 2004.

#### Bruce C. Morehead,

*Acting Director, Office of Sustainable  
Fisheries, National Marine Fisheries Service.*

[FR Doc. 04-6724 Filed 3-24-04; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Trademark Trial and Appeal Board (TTAB) Actions

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, 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 May 24, 2004.

**ADDRESSES:** Direct all written comments to 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; by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov); or by facsimile at 703-308-7407.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to the attention of Mary Frances Bruce, Senior Administrator, Trademark Trial and Appeal Board, United States Patent and Trademark Office (USPTO), P.O. Box 1450, Alexandria, VA 22313-1450; by telephone 703-308-9300; or by e-mail at [maryfrances.bruce@uspto.gov](mailto:maryfrances.bruce@uspto.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This collection of information is required by Sections 13 (15 U.S.C. 1063), 14 (15 U.S.C. 1064), and 20 (15 U.S.C. 1070) of the Trademark Act. The Act provides for the Federal registration of trademarks and service marks. Any individual or entity that adopts a trademark or service mark to identify its goods or services may apply to federally register its mark. Section 14 of the Trademark Act allows individuals and entities to file a petition to cancel a registration of a mark, while Section 13 allows individuals and entities who

believe that they would be damaged by the registration of a mark to file an opposition to the registration of a mark. Section 20 of the Trademark Act allows individuals and entities to file an appeal from any final decision of the examiner in charge of the requested registration of a mark.

The United States Patent and Trademark Office (USPTO) administers the Trademark Act according to 37 CFR Part 2, which contains the rules that implement the Trademark Act. 37 CFR 2.111 and 2.112 govern the filing of a Petition to Cancel and 37 CFR 2.101, 2.102, and 2.104 govern the filing of an opposition to the registration of a trademark. 37 CFR 2.141 and 2.142 govern the filing of appeals. Petitions to cancel a trademark registration, oppositions, and appeals are filed with the Trademark Trial and Appeal Board (TTAB).

Individuals and entities now have the option to file the Request for Extension of Time to File an Opposition, the Notice of Opposition, and certain papers such as motions and briefs, electronically through the Electronic System for Trademark Trials and Appeals (ESTTA). In addition, the USPTO is currently developing forms to collect the Petition to Cancel, the Notice of Appeal, and Miscellaneous Ex Parte Papers such as motions and briefs, electronically through ESTTA as well. The USPTO plans to deploy these forms in FY 2004. These electronic forms, in addition to those already deployed through ESTTA, are being incorporated into this collection at this time for review and approval. The paper equivalent of the Notice of Appeal is also being submitted for review at this time.

There are no paper forms associated with this collection. However, the TTAB has suggested formats for the Petition to Cancel and the Notice of Opposition that individuals and entities can use when submitting these petitions and notices to the TTAB. These are not forms and as such do not have form numbers. If applicants or entities wish to submit the petitions, notices, and additional papers in *inter partes* and *ex*

*parte* cases electronically, they must use the forms provided through ESTTA. Oppositions to extensions of protection under the Madrid Protocol (or requests for extensions of time to oppose) must be filed electronically through ESTTA.

This information collection was reviewed and approved by the Office of Management and Budget (OMB) on May 16, 2001 with 61,572 responses and 17,179 burden hours. On September 17, 2002, a change worksheet, which decreased the total responses by 19,172 responses per year and total burden hours by 5,679 hours per year, was submitted to OMB for review and approval. OMB approved this change worksheet on September 20, 2002, changing the currently approved inventory for this collection to 42,400 responses and 11,500 burden hours per year.

**II. Method of Collection**

By mail or hand carry when the applicant or agent files a petition to cancel a trademark registration, an opposition to the registration of a trademark, a request to extend the time to file an opposition, or a notice of appeal with the USPTO. These requirements, in addition to papers filed in *Inter Partes* and *Ex Parte* cases, can also be submitted electronically to the TTAB through ESTTA. Only Notices of Appeal for *ex parte* appeals can be submitted by facsimile.

**III. Data**

*OMB Number:* 0651-0040.

*Form Number(s):* Electronic forms for the Petition to Cancel, the Notice of Opposition, the Request for Extension of Time to File an Opposition, Electronic Papers in *Inter Partes* Cases, and Electronic Miscellaneous *Ex Parte* Papers.

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

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

*Estimated Number of Respondents:* 46,900 total responses per year. Of this

total, the USPTO estimates that 1,520 Petitions to Cancel, 4,400 Notices of Opposition, 21,000 Extensions of Time to File an Opposition, and 2,400 Notices of Appeal will be submitted in paper per year. The USPTO further estimates that 380 Petitions to Cancel, 1,100 Notices of Opposition, 9,000 Requests for Extension of Time to File an Opposition, 5,000 Papers in *Inter Partes* Cases, 600 Notices of Appeal, and 1,500 Miscellaneous *Ex Parte* Papers will be submitted electronically per year.

*Estimated Time Per Response:* The USPTO estimates that it will take the public 45 minutes to complete the Petitions to Cancel and the Notices of Opposition; 10 minutes to complete the Extensions of Time to File an Opposition, the Electronic Papers in *Inter Partes* Cases, and the Electronic Miscellaneous *Ex Parte* Papers; and 15 minutes to complete the Notices of Appeal. This includes time to gather the necessary information, create the documents, and submit the completed request. The USPTO believes that it will take the same amount of time to submit the Petitions to Cancel, the Notices of Opposition, the Extensions of Time to File an Opposition, and the Notices of Appeal electronically as it does to submit them in paper.

*Estimated Total Annual Respondent Burden Hours:* 12,505 hours per year.

*Estimated Total Annual Respondent Cost Burden:* \$2,294,669. The USPTO estimates that it will take a 50/50 level of effort by associate attorneys and paraprofessional/paralegals to complete the requirements in this collection. Using a typical professional hourly rate of \$286 for associate attorneys in private firms and the paraprofessional/paralegal rate of \$81 for paralegals/legal assistants in private firms and calculating the average of these rates, the USPTO believes that the average hourly rate for those completing the petitions, notices, requests, and other papers in this collection will be \$183.50. Therefore, the USPTO estimates that the salary costs for the respondents providing this information will be \$2,294,669 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Petition to Cancel .....	45 minutes .....	1,520	1,140
Electronic Petition to Cancel .....	45 minutes .....	380	285
Notice of Opposition .....	45 minutes .....	4,400	3,300
Electronic Notice of Opposition .....	45 minutes .....	1,100	825
Extension of Time to File an Opposition .....	10 minutes .....	21,000	3,570
Electronic Request for Extension of Time to File an Opposition .....	10 minutes .....	9,000	1,530
Electronic Papers in <i>Inter Partes</i> Cases (file motions, briefs, and other papers in opposition and cancellation proceedings).	10 minutes .....	5,000	850
Notice of Appeal .....	15 minutes .....	2,400	600

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Electronic Notice of Appeal .....	15 minutes .....	600	150
Electronic Miscellaneous Ex Parte Papers .....	10 minutes .....	1,500	255
Totals .....	.....	46,900	12,505

*Estimated Total Annual Non-Hour Respondent Cost Burden: \$2,539,140.* There are postage costs, recordkeeping costs, and filing fees associated with this information collection. This collection does not have any capital start-up or maintenance costs.

The USPTO believes that 69% of the Petitions to Cancel, the Notices of Opposition, the Extensions of Time to File an Opposition, and the Notices of Appeal filed with the TTAB will be sent by first-class mail. Using a typical first-class postage rate of 49 cents, the USPTO estimates a total of \$15,837 in postage costs for this collection.

For the Petitions to Cancel, Notices of Opposition, the Extensions of Time to File an Opposition, the Notices of Appeal, the Electronic Papers in Inter Partes Cases, and the Electronic Miscellaneous Ex Parte Papers that are filed electronically, the USPTO suggests that the applicant print a copy of the receipt for their records. The USPTO estimates that it will take 5 seconds (0.001) to print out this receipt and that 17,580 petitions, notices, extensions, and other papers will be submitted electronically. Using the average hourly rate of \$183.50, the USPTO estimates an approximate recordkeeping cost of \$3,303 for this information collection.

There are filing fees associated with the Petitions to Cancel, the Notices of Opposition, and the Notices of Appeal; the Extensions of Time to File an Opposition do not have filing fees. The Electronic Papers in Inter Partes Cases and Electronic Miscellaneous Ex Parte Papers do not add new fees to this information collection. The filing fees for the Petitions to Cancel, the Notices of Opposition, and the Notices of Appeal are per class; therefore the total filing fees can vary depending on the number of classes. The total filing fees of \$2,520,000 shown here are the minimum fees associated with this information collection.

Item	Responses (yr) (a)	Filing fees (b)	Total cost (yr) (a) (a x b)
Petition to Cancel .....	1,520	\$300.00	\$456,000.00
Electronic Petition to Cancel .....	380	300.00	114,000.00
Notice of Opposition .....	4,400	300.00	1,320,000.00
Electronic Notice of Opposition .....	1,100	300.00	330,000.00
Extension of Time to File an Opposition .....	21,000	0.00	0.00
Electronic Request for Extension of Time to File an Opposition .....	9,000	0.00	0.00
Electronic Papers in Inter Partes Cases .....	5,000	0.00	0.00
Notice of Appeal .....	2,400	100.00	240,000.00
Electronic Notice of Appeal .....	600	100.00	60,000.00
Electronic Miscellaneous Ex Parte Papers .....	1,500	0.00	0.00
Totals .....	46,900	.....	\$2,520,000.00

**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, 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 will also become a matter of public record.

Dated: March 19, 2004.  
**Susan K. Brown,**  
*Records Officer, United States Patent and Trademark Office, Office of the Chief Information Officer, Office of Data Architecture and Services Data Administration Division.*  
 [FR Doc. 04-6671 Filed 3-24-04; 8:45 am]  
**BILLING CODE 3510-16-P**

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Adjustment of an Import Limit for Certain Cotton Textile Products Produced or Manufactured in the Federative Republic of Brazil**

March 19, 2004.  
**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and Border Protection adjusting a limit.

**EFFECTIVE DATE:** March 25, 2004.

**FOR FURTHER INFORMATION CONTACT:** Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of this limit, 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://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);