

CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

**FOR FURTHER INFORMATION CONTACT:**  
Patrick Opay or Ruth Johnson,  
(301)713-2289.

**SUPPLEMENTARY INFORMATION:** On April 8, 2004, notice was published in the **Federal Register** (69 FR 18549) that a modification of Permit No. 1227, issued May 1, 2000 (65 FR 25312), had been requested by the above-named organization. The requested modification has been granted under the authority of the Endangered Species Act (ESA) of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The modification authorizes the permit holder to attach satellite transmitters using the harness backpack method allowed in the current permit on up to an additional 40 of the remaining leatherbacks that they are already permitted to capture in the eastern Pacific Ocean nearshore to California and Oregon. Twenty of these animals will also have VHF/TDR (time depth recorder)/sonic tag units attached to them by suction cup. The permit modification also authorizes the permit holder to attach VHF/TDR (time depth recorder)/sonic tag units with suction cups to 20 additional leatherbacks in the Monterey Bay area without having to capture them. The information from the satellite transmitters is part of studies on the migration and habitat use of this species in the Pacific Ocean. The VHF/TDR/sonic tag units will be used to study the fine-scale movements and diving behavior of leatherbacks in the vicinity of Monterey Bay and give important information regarding the foraging ecology of this species off the coast of California.

Issuance of this modification, as required by the ESA was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: July 27, 2004.

**Patrick Opay,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. 04-17524 Filed 7-30-04; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. 2004-C-042]

### Public Advisory Committees

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

**ACTION:** Notice and request for nominations.

**SUMMARY:** On November 29, 1999, the President signed into law the Patent and Trademark Office Efficiency Act (the "Act"), Pub. L. 106-113, Appendix I, Title IV, Subtitle G, 113 Stat. 1501A-572, which, among other things, established two Public Advisory Committees to review the policies, goals, performance, budget and user fees of the United States Patent and Trademark Office (USPTO) with respect to patents, in the case of the Patent Public Advisory Committee, and with respect to trademarks, in the case of the Trademark Public Advisory Committee, and to advise the Director on these matters. The USPTO is requesting nominations for three (3) members to each Public Advisory Committee for terms that begin November 27, 2004.

**DATES:** Nominations must be postmarked or electronically transmitted on or before September 3, 2004.

**ADDRESSES:** Persons wishing to submit nominations should send the nominee's resume to Chief of Staff, Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia, 22313-1450; by electronic mail to:

*PPACnominations@uspto.gov* for the Patent Public Advisory Committee or *TPACnominations@uspto.gov* for the Trademark Patent Public Advisory Committee; by facsimile transmission marked to the Chief of Staff's attention at (703) 305-8664; or by mail marked to the Chief of Staff's attention and addressed to the Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia, 22313-1450.

**FOR FURTHER INFORMATION CONTACT:**  
Chief of Staff by facsimile transmission marked to her attention at (703) 305-8664, or by mail marked to her attention and addressed to the Office of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, Post Office Box 1450, Alexandria, Virginia, 22313-1450.

**SUPPLEMENTARY INFORMATION:** The Advisory Committees' duties include:

- Review and advise the Under Secretary of Commerce for Intellectual Property and Director of the USPTO on matters relating to policies, goals, performance, budget, and user fees of the USPTO relating to patents and trademarks, respectively; and
- Within 60 days after the end of each fiscal year: (1) Prepare an annual report on matters listed above; (2) transmit a report to the Secretary of Commerce, the President, and the Committees on the Judiciary of the Senate and the House of Representatives; and (3) publish the report in the Official Gazette of the USPTO. Members of the Patent and Trademark Public Advisory Committees are appointed by and serve at the pleasure of the Secretary of Commerce for three (3)-year terms.

### Advisory Committees

The Public Advisory Committees are each composed of nine (9) voting members who are appointed by the Secretary of Commerce (the "Secretary") and who have 'substantial backgrounds and achievement in finance, management, labor relations, science, technology, and office automation.' 35 U.S.C. 5(b)(3). The Public Advisory Committee members must be United States citizens and represent the interests of diverse users of the USPTO, both large and small entity applicants in proportion to the number of such applications filed. In the case of the Patent Public Advisory Committee, at least twenty-five (25) percent of the members must represent "small business concerns, independent inventors, and nonprofit organizations," and at least one member must represent the independent inventor community. 35 U.S.C. 5 (b)(2). Each of the Public Advisory Committees also includes three (3) non-voting members representing each labor organization recognized by the USPTO.

### Procedures and Guidelines of the Patent and Trademark Public Advisory Committees

Each newly appointed member of the Patent and Trademark Public Advisory Committees will serve for a term of three years. Members appointed in the current fiscal year shall serve from November 27, 2004, to November 27, 2007. As required by the Act, members of the Patent and Trademark Public Advisory Committees will receive compensation for each day while the member is attending meetings or engaged in the business of that Advisory Committee. The rate of compensation is the daily equivalent of the annual rate

of basic pay in effect for level III of the Executive Schedule under section 5314 of title 5, United States Code. While away from home or regular place of business, each member will be allowed travel expenses, including per diem in lieu of subsistence, as authorized by Section 5703 of Title 5, United States Code. The USPTO will provide the necessary administrative support, including technical assistance for the Committees.

#### Applicability of Certain Ethics Laws

Members of each Public Advisory Committee shall be special Government employees within the meaning of Section 202 of Title 18, United States Code. The following additional information includes several, but not all, of the ethics rules that apply to members, and assumes that members are not engaged in Public Advisory Committee business more than sixty days during each calendar year:

- Each member will be required to file a confidential financial disclosure form within thirty (30) days of appointment. 5 CFR 2634.202(c), 2634.204, 2634.903, and 2634.904(b).
- Each member will be subject to many of the public integrity laws, including criminal bars against representing a party, 18 U.S.C. 205(c), in a particular matter that came before the member's committee and that involved at least one specific party. *See also* 18 U.S.C. 207 for post-membership bars. A member also must not act on a matter in which the member (or any of certain closely related entities) has a financial interest. 18 U.S.C. 208.
- Representation of foreign interests may also raise issues. 35 U.S.C. 5(a)(1) and 18 U.S.C. 219.

#### Meetings of the Patent and Trademark Public Advisory Committees

Meetings of each Advisory Committee will take place at the call of the Chair to consider an agenda set by the Chair. Meetings may be conducted in person, electronically through the Internet, or by other appropriate means. The meetings of each Advisory Committee will be open to the public except each Advisory Committee may, by majority vote, meet in executive session when considering personnel or other confidential matters. Nominees must also have the ability to participate in Committee business through the Internet.

#### Procedures for Submitting Nominations

Submit resumés for nomination for the Patent Public Advisory Committee and the Trademark Public Advisory Committee to: Chief of Staff to the Acting Under Secretary of Commerce for

Intellectual Property and Acting Director of the United States Patent and Trademark Office, utilizing the addresses provided above.

Dated: July 27, 2004.

**Jon W. Dudas,**

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

[FR Doc. 04-17512 Filed 7-30-04; 8:45 am]

**BILLING CODE 3510-16-P**

#### COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

#### Withdrawal of Three Commercial Availability Petitions under the United States - Caribbean Basin Trade Partnership Act (CFTA)

July 29, 2004.

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

**ACTION:** The petitioner has notified CITA that it is withdrawing three of the twelve petitions it submitted for determinations that certain woven, 100 percent cotton, flannel fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CFTA.

**SUMMARY:** On July 14, 2004, the Chairman of CITA received twelve petitions from Sandler, Travis & Rosenberg, P.A., on behalf of Picacho, S.A., alleging that certain woven, 100 percent cotton, flannel fabrics, of certain specifications, cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petitions requested that shirts, trousers, nightwear, robes, dressing gowns and woven underwear of such fabrics assembled in one or more CFTA beneficiary countries be eligible for preferential treatment under the CFTA. On July 22, 2004, CITA published a notice in the **Federal Register** (69 FR 43805) soliciting public comments on these petitions, in particular with regard to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner.

On July 28, 2004, CITA received letter from Sandler, Travis & Rosenberg, P.A. withdrawing three of the petitions. The three fabrics covered by the petitions that are being withdrawn were identified as Fabrics 2, 9, and 11 in the **Federal Register** notice. The specifications of these three fabrics are repeated below. The petitioner states that these contain "minor but significant

errors with regard to the coloration of the fibers and yarns of each fabric."

#### FOR FURTHER INFORMATION CONTACT:

Janet E. Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

#### Specifications:

##### Fabric 2

HTS Subheading: 5208.42.30.00  
Fiber Content: 100% Cotton  
Weight: 152.6 g/m<sup>2</sup>  
Width: 150 centimeters cuttable  
Thread Count: 24.4 warp ends per centimeter; 15.7 filling picks per centimeter; total: 40.1 threads per square centimeter  
Yarn Number:  
Finish:

\*cotton fiber must all be stock dyed prior to carding in order to produce the desired heather effect in the finished fabric.

##### Fabric 9

HTS Subheading: 5209.41.60.40  
Fiber Content: 100% Cotton  
Weight: 251 g/m<sup>2</sup>  
Width: 160 centimeters cuttable  
Thread Count: 22.8 warp ends per centimeter; 17.3 filling picks per centimeter; total: 40.18 threads per square centimeter  
Yarn Number:  
Finish:

Warp: 40.6 metric, ring spun; filling: 20.3 metric, open end spun; overall average yarn number: 39.4 metric of yarns of different colors; napped on both sides, sanforized

##### Fabric 11

HTS Subheading: 5209.41.60.40  
Fiber Content: 100% Cotton  
Weight: 251 g/m<sup>2</sup>  
Width: 160 centimeters cuttable  
Thread Count: 20.1 warp ends per centimeter; 16.5 filling picks per centimeter; total: 36.6 threads per square centimeter  
Yarn Number:  
Finish:

Warp: 27.07 metric, ring spun; filling: 10.16 metric, open end spun; overall average yarn number: 23.3 metric Plaid, of yarns of different colors; napped on both sides, sanforized

\*The cotton fiber must all be stock dyed prior to carding in order to produce the desired heather effect in the finished fabric.