

Species Covered in This Notice

This notice is relevant to the following four threatened salmonid ESUs: Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*, California Coastal (CC) Chinook Salmon (*Oncorhynchus tshawytscha*) and Northern California (NC) Steelhead (*Oncorhynchus mykiss*).

Renewal and Modification Requests Received

Permit 1075

The Eel River Salmon Restoration Project has requested renewal and modification 2 of Permit 1075 for take of SONCC coho salmon, CC Chinook Salmon and NC steelhead. Studies include: monitoring changes in fish populations in tributaries to the South Fork Eel River, provide fertilized Chinook salmon eggs to local schools for educational purposes and run an adult trap for collection of future fish population trend data sets. Proposed capture methods are by fyke trap and downstream migrant trap. Renewal and Modification of Permit 1075 was originally issued to the Eel River Salmon Restoration Project on February 27, 2004. The Eel River Salmon Restoration Project is currently authorized take of up to 2,000 juvenile coho salmon. The Eel River Salmon Restoration Project has requested a total take of up to 50 adult SONCC coho salmon, 2,000 juvenile SONCC coho salmon, 15,000 juvenile NC steelhead, 50 adult NC steelhead, 303 adult CC Chinook salmon, and 2,500 juvenile CC Chinook salmon. Renewal and Modification of Permit 1075 will expire September 1, 2016.

Dated: October 19, 2006.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E6-17890 Filed 10-24-06; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 101806F]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Receipt of application for research permit; request for comments.

SUMMARY: Notice is hereby given that NMFS has received an application for a permit for an Endangered Species Act (ESA) scientific research from California Department of Fish and Game Glenn Colusa Irrigation District Fish Screen Facilities Office (DFG GCID FSFO) in Hamilton City, CA. This notice is relevant to federally endangered Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), threatened Central Valley spring-run Chinook salmon (*O. tshawytscha*), threatened Central Valley steelhead (*O. mykiss*), and threatened Southern Distinct Population Segment (DPS) of North American green sturgeon (*Acipenser medirostris*). This document serves to notify the public of the availability of the permit application for review and comment.

DATES: Written comments on the permit applications must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on November 24, 2006.

ADDRESSES: Written comments on the permit application should be sent to the appropriate office as indicated below. Comments may also be sent via e-mail to FRNpermit.sac@noaa.gov or fax to the number indicated for the request. The application and related documents are available for review by appointment: Protected Resources Division, NMFS, 650 Capitol Mall, Suite 8-300, Sacramento, CA 95814 (ph: 916-930-3615, fax: 916-930-3629).

FOR FURTHER INFORMATION CONTACT: Russell Bellmer, Ph.D. by telephone at 916-930-3615, or e-mail: FRNpermit.sac@noaa.gov.

SUPPLEMENTARY INFORMATION:

Authority

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531 1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this

notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such a hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

Species Covered in This Notice

This notice is relevant to Federally endangered Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*), threatened Central Valley spring-run Chinook salmon (*O. tshawytscha*), threatened Central Valley steelhead (*O. mykiss*), and threatened Southern Distinct Population Segment of North American green sturgeon (*Acipenser medirostris*).

Applications Received

DFG GCID FSFO requests a 5-year permit 1582 with an annual estimated take of 4,000 juvenile winter-run Chinook Salmon, 20,000 spring-run Chinook Salmon, and 4,000 Central Valley steelhead (with 2 percent incidental mortality) to monitor emigration behavior in the Sacramento River in California. DFG GCID FSFO requests authorization for this estimated annual take resulting from capturing, measuring, transporting, and releasing fish that may be caught by 8-foot (2.44m) diameter rotary screw trap deployed to specifically capture juvenile Chinook salmon in the Sacramento River near River near Mile 205 (Lat. 39°79' 00" N, long. 122° 05' 00" W). A sub-sample of 50 salmon juveniles will be placed into a bucket containing a solution of Tricaine methanesulfonate (MS-222) and anaesthetized. Individuals are measured and identified to species or race. DFG GCID FSFO requests authorization for an estimated annual take of 10 adult Sacramento River winter-run Chinook salmon, 10 adult Central Valley spring-run Chinook salmon, and 10 adult Central Valley steelhead (with 1 percent incidental mortality) resulting from capture and release of the fish.

DFG GCID FSFO will take a total of 90 juveniles of the threatened Southern DPS of North American green sturgeon (with 1 percent incidental mortality) resulting from capture and release of the fish.

Dated: October 19, 2006.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E6-17892 Filed 10-24-06; 8:45 am]

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PATENT AND TRADEMARK OFFICE

Deposit of Biological Materials

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 the continuing 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 December 26, 2006.

ADDRESSES: You may submit comments by any of the following methods:

- E-mail: Susan.Brown@uspto.gov. Include "0651-0022 comment" in the subject line of the message.
- Fax: 571-273-0112, marked to the attention of Susan Brown.
- Mail: Susan K. Brown, Records Officer, Office of the Chief Information Officer, Architecture, Engineering and Technical Services, Data Architecture and Services Division, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.
- Federal e-Rulemaking Portal: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the attention of Robert J. Spar, Director, Office of Patent

Legal Administration, U.S. Patent and Trademark Office (USPTO), P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-7700; or by e-mail at bob.spar@uspto.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The deposit of biological materials as part of a patent application is required by 35 U.S.C. 2(b)(2) and outlined in 37 CFR Chapter 1, Subpart G, 1.801-1.809. Every patent must contain a description of the invention sufficient to enable a person (knowledgeable in the relevant science) to make and use the invention as specified by 35 U.S.C. 112. The term biological includes material that is capable of self-replication either directly or indirectly. When the invention involves a biological material, sometimes words alone cannot sufficiently describe how to make and use the invention in a reproducible or repeatable manner. In such cases, the required biological material must either be known and readily (and continually) available, or be deposited in a suitable depository to meet the enablement and written description requirements of 35 U.S.C. 112.

In cases where a novel microorganism is involved, the USPTO traditionally requires the deposit of a sample with a recognized patent depository in order to meet the above disclosure requirements. When a deposit is necessary, the USPTO collects information to determine whether the depositor is in compliance with the patent statute. This includes a statement proving notification to the interested public on where to obtain samples of the deposits. A viability statement showing that the biological material was tested by the depository, and is a viable or acceptable deposit, must also be submitted to the USPTO.

In order to meet and satisfy requirements for international

patenting, all countries signing the Budapest Treaty must recognize the deposit of biological material with any International Depository Authority (IDA).

II. Method of Collection

By mail, facsimile, or hand delivery to the USPTO when the applicant or agent files a patent application with the USPTO or submits subsequent papers during the prosecution of the application to the USPTO.

III. Data

OMB Number: 0651-0022.

Form Number(s): None.

Type of Review: Extension of a currently approved collection.

Affected Public: Households and individuals; business or other for-profit, not-for-profit institutions; and the Federal Government.

Estimated Number of Respondents: 3,500 responses per year for deposited materials and 1 per year for depository approval.

Estimated Time per Response: The USPTO estimates that it will take approximately 1 hour per application for deposited materials and 5 hours per application for depository approval.

Estimated Total Annual Respondent Burden Hours: 3,505 hours per year.

Estimated Total Annual Respondent Cost Burden: \$106,520 per year to submit the information to the USPTO. Using the professional hourly rate of \$30 for a senior administrative assistant, the USPTO estimates \$105,000 per year for salary costs associated with collecting and submitting the necessary deposit information. Using the professional hourly rate of \$304 for associate attorneys in private firms, the USPTO estimates \$1,520 per year for salary costs associated with the average depository seeking approval to store biological material.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Deposited Materials	1 hour	3,500	3,500
Depository Approval	5 hours	1	5
Total	3,501	3,505

Estimated Total Annual (Non-hour) Respondent Cost Burden: \$9,850,929. There are no maintenance costs or filing fees associated with this information collection. There are, however, capital start-up and mailing costs.

Depositories charge fees to depositors; all depositories charge about the same rates for their services. For example, the

American Type Culture Collection (ATCC), one of the world's leading biological supply houses and recognized patent depositories, offers comprehensive patent services for \$2,500 per deposit. Most deposits received from outside the United States require an import permit from the U.S. Department of Agriculture (USDA). Also

required is a Public Health Service (PHS) permit, available from the Centers for Disease Control and Prevention (CDC), for importation of agents infectious to humans. There is no extra charge for this permit application processing. The USPTO estimates that the total non-hour respondent cost