

4th Avenue, Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** Gail Bendixen, Council staff; telephone: (907) 271-2809.

**SUPPLEMENTARY INFORMATION:** The Council will begin its plenary session at 8 a.m. on Wednesday, December 6, continuing through December 12, 2006. The Council's Advisory Panel (AP) will begin at 8 a.m., Monday, December 4 and continue through Saturday December 9. The Scientific and Statistical Committee (SSC) will begin at 8 a.m. on Wednesday, December 6 and continue through Friday December 8, 2006. The Enforcement Committee will meet Tuesday, December 5, from 9 a.m. to 12 noon, in the Birch/Willow Room. All meetings are open to the public, except executive sessions.

*Council Plenary Session:* The agenda for the Council's plenary session will include the following issues. The Council may take appropriate action on any of the issues identified.

1. Reports
  - a. Executive Director's Report
  - b. NMFS Management Report (including Resource Access Management Division crab management report)
  - c. North Pacific Research Board Report
  - d. Enforcement Report
  - e. U.S. Coast Guard Report
  - f. Alaska Department of Fish & Game Report (including review of halibut subsistence survey report)
  - g. U.S. Fish & Wildlife Service Report
  - h. Department of State Report
  - i. Protected Species Report (including Marine Mammal Protected Act List of Fisheries for 2007, Adak area pollock study, update on consultation, SSC review of ranking tool)
2. Charter Halibut Management: Status report on 2005 Guideline Harvest Levels (GHLs) and committee report; review discussion paper on 5-fish limit, and committee report and action as necessary; review discussion paper on Halibut Act proposed amendment and committee report, and action as necessary; review separate accountability issue and committee report and action as necessary; review moratorium discussion paper and committee report; review discussion paper on allocations/shares and committee report and action as necessary; review discussion paper on allocations/shares and committee report and action as necessary.
3. Maximum Retainable Amounts (MRA) Adjustments: Final action on amendment.

4. Trawl License Limitation Program Recency: Preliminary review of analysis and direction as necessary.

5. Gulf of Alaska (GOA) Rationalization: Review analysis and refine alternatives.

6. Seabird Interactions: Initial review of Environmental Assessment/Regulatory Impact Review (EA/RIR).

7. Groundfish Management: Receive report on summary of comments on Environmental Impact Statement (EIS); review GOA Stock Assessment Fishery Evaluation Report (SAFE), adopt final harvest specifications for 2007/08; review Bering Sea Aleutian Islands (BS/AI) SAFE, adopt final harvest specifications for 2007/08; review Adak Experimental Fishing Permit (EFP).

8. Prohibited species bycatch: Final action on Vessel Incentive Program (VIP) repeal amendment package; Review EFP for Salmon Bycatch.

9. Bering Sea Habitat Conservation: Receive report on gear research and finalize alternatives for analysis (T).

10. Staff Tasking: Review Committees and tasking and take action as necessary; review progress on the Arctic management, and action as necessary; refine Programmatic Environmental Impact statement management policy workplan.

11. Other Business  
The SSC agenda will include the following issues:

- a. North Pacific Research Board report
- b. Protected Species
- c. Charter Halibut moratorium
- d. Trawl LLP Recency
- e. Seabird Interactions
- f. Groundfish Management
- g. EFP Review
- h. Bering Sea Habitat Conservation
- i. BS/AI Crab Management

The Advisory Panel will address the same agenda issues as the Council.

Although non-emergency issues not contained in this agenda may come before these groups for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require 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

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen at

(907) 271-2809 at least 7 working days prior to the meeting date.

Dated: November 15, 2006.

**Tracey L. Thompson,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E6-19526 Filed 11-17-06; 8:45 am]  
**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 111406E]

#### 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 Pacific Fishery Management Council's (Council) Groundfish Management Team (GMT) will hold a work session via conference call, which is open to the public.

**DATES:** The GMT will meet via conference call on Monday, December 4, 2006, from 1 p.m. until business is completed.

**ADDRESSES:** A public listening station will be available at the following location: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384.

**FOR FURTHER INFORMATION CONTACT:** Ms. Laura Bozzi, Pacific Fishery Management Council; telephone: (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** The purpose of the GMT work session is to discuss the Trawl Individual Quota alternatives under development by the Council. Specifically, the GMT will continue to develop statements that address the management feasibility of particular aspects of the proposed alternatives. No management actions will be decided by the GMT on these issues. The GMT's statements will be provided to facilitate decision-making at the Council's Groundfish Allocation Committee (GAC) December 12-14, 2006 meeting, as well as to the Council and its advisory bodies at a later point.

Although non-emergency issues not contained in the meeting agenda may be discussed, those issues may not be the subject of formal action during this meeting. Action will be restricted to

those issues specifically listed in this document and any issues arising after publication of this document that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: November 15, 2006.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E6-19524 Filed 11-17-06; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No.: PTO-P-2006-0034]

#### Business Size Standard for Purposes of United States Patent and Trademark Office Regulatory Flexibility Analysis for Patent-Related Regulations

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

**ACTION:** Notice.

**SUMMARY:** The Regulatory Flexibility Act permits an agency head to establish, for purposes of Regulatory Flexibility Act analysis and certification, one or more definitions of “small business concern” that are appropriate to the activities of the agency. Pursuant to this authority, the United States Patent and Trademark Office (USPTO) is establishing the Small Business Administration (SBA) business size standard for the purpose of paying reduced patent fees as the size standard for conducting an analysis or making a certification under the Regulatory Flexibility Act for patent-related regulations.

**DATES:** *Effective Date:* November 20, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Christina T. Donnell, Senior Petitions Attorney, Office of Petitions, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at (571) 272-3211, by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, or

by facsimile to (571) 273-7735, marked to the attention of Christina T. Donnell.

**SUPPLEMENTARY INFORMATION:** The USPTO is in this notice establishing the SBA business size standard for the purpose of paying reduced patent fees as the size standard for conducting an analysis or making a certification under the Regulatory Flexibility Act for patent-related regulations. The USPTO is not changing or proposing to change the definition of small entity for the purpose of paying reduced patent fees.

The patent statute provides that “[f]ees charged under [35 U.S.C. 41](a), (b) and (d)(1) shall be reduced by 50 percent with respect to their application to any small business concern as defined under section 3 of the Small Business Act, and to any independent inventor or nonprofit organization as defined in regulations issued by the Director.” 35 U.S.C. 41(h)(1). The SBA defines a small business concern for the purpose of paying reduced patent fees as one: “(a) Whose number of employees, including affiliates, does not exceed 500 persons; and (b) Which has not assigned, granted, conveyed, or licensed (and is under no obligation to do so) any rights in the invention to any person who made it and could not be classified as an independent inventor, or to any concern which would not qualify as a non-profit organization or a small business concern under this section.” 13 CFR 121.802.

The USPTO uses the SBA business size standard for the purpose of paying reduced patent fees in 13 CFR 121.802 as the size standard when conducting an analysis or making a certification under the Regulatory Flexibility Act for patent-related regulations. *See e.g., Changes To Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan*, 69 FR 56481, 56530 (Sept. 21, 2004) (discussion indicating that small entities for purposes of the Regulatory Flexibility Act are considered a subset of the small entities for purposes of paying reduced patent fees). The USPTO has no business need (other than to conduct an analysis or make a certification under the Regulatory Flexibility Act) to collect information from patentees and patent applicants concerning whether they are a small business concern using the business size standards set forth in 13 CFR 121.201. Thus, the USPTO uses the SBA business size standard set forth in 13 CFR 121.802 as its size standard when conducting an analysis or making a certification under the Regulatory Flexibility Act to avoid the need to gather data from patentees and patent applicants as to whether they are a

small business concern as described in 13 CFR 121.201.

**Comments and Responses:** Pursuant to the Regulatory Flexibility Act, the USPTO consulted with SBA Advocacy and published a request for comments on the establishment of a business size standard (the business size standard set forth in 13 CFR 121.802 for the purpose of paying reduced patent fees) for the purpose of USPTO Regulatory Flexibility Analysis for patent-related regulations. *See Size Standard for Purposes of United States Patent and Trademark Office Regulatory Flexibility Analysis for Patent-Related Regulations*, 71 FR 38388 (July 6, 2006), 1309 *Off. Gaz. Pat. Office* 37 (Aug. 1, 2006) (request for comments). SBA Advocacy convened a regulatory roundtable to discuss the USPTO’s proposed business size standard (attended by USPTO representatives) on July 19, 2006, and the USPTO received seven written comments (from SBA Advocacy, the Professional Inventors Alliance, and five individuals) in response to the request for comments. The comments and responses to the comments follow:

**Comment 1:** SBA Advocacy commented, in pertinent part, that:

On July 19, 2006, Advocacy convened a regulatory roundtable to discuss the USPTO’s proposed size standard. Participants at the roundtable included industry personnel representing the interests of small businesses and independent inventors, USPTO personnel, representatives from the SBA Office of Size Standards, and Advocacy. During the roundtable, small entity representatives expressed reservations about the proposed size standard. They indicated that the standard would exclude a significant number of small entities. Further, they were concerned that the standard would not provide an accurate estimate of the number of small entities affected by the USPTO’s regulations.

Currently, patent applicants must claim small entity status by checking a box on their patent application. However, small entity representatives informed Advocacy that entities often choose not to claim small entity status for a variety of reasons. USPTO data systems track the number of patent applications that claim small entity status. The agency then uses the numbers to estimate the number of small entities affected by its rulemakings. The agency does not collect data on or count the specific entities that are submitting a patent application. As a result, the data collected by the USPTO does not provide an accurate estimate of the number of small entities affected by the agency’s rules. Since the proposed size standard only tabulates the number of applicants claiming small entity status, and not actual small entities, Advocacy does not believe that it is the appropriate size standard for [Regulatory Flexibility Act] purposes.

Advocacy appreciates the USPTO’s challenge in identifying an appropriate size