

The scope of the 2007 draft document is solely fisheries research to support the Magnuson-Stevens Act. It does not include the regulatory and enforcement components of NMFS' mission. NMFS currently conducts a comprehensive program of fisheries research and involves industry and others interested in planning and implementing its fisheries objectives.

NMFS intends that the final version of the Strategic Plan for Fisheries Research will take advantage of information and recommendations from all interested parties. Therefore, comments and suggestions on this draft NMFS Strategic Plan for Fisheries Research are hereby solicited from the public, other concerned government agencies, the scientific community, industry, and any other interested parties.

Dated: January 18, 2007.

**Steven A. Murawski,**

*Director of Scientific Programs and Chief Science Advisor, National Marine Fisheries Service.*

[FR Doc. E7-1017 Filed 1-23-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 011107G]

#### Endangered Species; File No. 1596

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that NMFS Southwest Fisheries Science Center, 8604 La Jolla Shores Drive, La Jolla, CA 92037-1508 has been issued a permit to take leatherback (*Dermochelys coriacea*) sea turtles for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018.

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

**SUPPLEMENTARY INFORMATION:** On October 20, 2006, notice was published

in the **Federal Register** (71 FR 61960) that a request for a scientific research permit to take leatherback sea turtles had been submitted by the above-named organization. The requested permit has been issued under the authority of the Endangered Species Act 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 parts 222-226).

The researchers will continue long-term monitoring of the status of leatherback sea turtles off the coasts of California, Oregon, and Washington to determine their abundance, distribution, size ranges, sex ratio, health status, diving behavior, local movements, habitat use, and migration routes. Up to 38 animals will be captured using a breakaway hoop net and be measured, weighed, blood and tissue sampled, photographed, and flipper and passive integrated transponder (PIT) tagged. A subset of animals are to have biotelemetry devices (e.g., transmitters) attached to them. An additional 40 animals will be approached (but not captured) and have a VHF/TDR/sonic tag unit attached to them by suction cup using a long pole or these animals would be tissue sampled with a biopsy pole. The primary goal is to address priorities outlined in the U.S. Pacific leatherback Recovery Plan and identify critical forage habitats, genetic stock structure, migratory corridors, and potential fishery impacts on this species in the Pacific. This information is necessary to make informed management decisions concerning these turtles and their habitat. The permit is issued for 5 years.

Issuance of this permit, 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 any endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: January 18, 2007.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E7-1014 Filed 1-23-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO-P-2006-0050]

#### Grant of Interim Extension of the Term of U.S. Patent No. 4,650,787; Sanvar®

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

**ACTION:** Notice of Interim Patent Term Extension.

**SUMMARY:** The United States Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a second one-year interim extension of the term of U.S. Patent No. 4,650,787.

#### FOR FURTHER INFORMATION CONTACT:

Mary C. Till by telephone at (571) 272-7755; by mail marked to her attention and addressed to the Commissioner for Patents, Mail Stop Hatch-Waxman PTE., P.O. Box 1450, Alexandria, VA 22313-1450; by fax marked to her attention at (571) 273-7755, or by e-mail to [Mary.Till@uspto.gov](mailto:Mary.Till@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to five years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review, and that the patent may be extended for interim periods of up to a year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On March 23, 2006, Debiovision Inc., the exclusive agent of Debiopharm S.A. and Debio Recherche Pharmaceutique S.A., who is the exclusive licensee of the Administrators of the Tulane Educational Fund of New Orleans, Louisiana, the patent owner, timely filed an application under 35 U.S.C. 156(d)(5) for a second interim extension of the term of U.S. Patent No. 4,650,787. The patent claims the human drug product Sanvar® (vapreotide acetate). The application indicates that a New Drug Application for the human drug product Sanvar® (vapreotide acetate) has been filed and is currently undergoing regulatory review before the Food and Drug Administration for permission to market or use the product commercially.

Review of the application indicates that except for permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for one year as required by 35 U.S.C. 156(d)(5)(B). Because it is

apparent that the regulatory review period has and will continue beyond the extended expiration date of the patent (April 25, 2006), a second interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate.

A second interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 4,650,787 is granted for a period of one year from the extended expiration date of the patent, i.e., until April 25, 2007.

Dated: January 17, 2007.

**Jon W. Dudas,**

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

[FR Doc. E7-1008 Filed 1-23-07; 8:45 am]

BILLING CODE 3510-16-P

## CONSUMER PRODUCT SAFETY COMMISSION

[CPSA Docket No. 07-C0003]

### Hoover Company, Inc., a Corporation, Provisional Acceptance of a Settlement Agreement and Order

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20(e). Published below is a provisionally-accepted Settlement Agreement with Hoover Company, Inc., a corporation, containing a civil penalty of \$750,000.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by February 8, 2007.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 07-C0003, Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, Maryland 20814-4408.

**FOR FURTHER INFORMATION CONTACT:** Michelle F. Gillice, Trial Attorney, Office of Compliance and Field Operations, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, Maryland 20814-4408; telephone (301) 504-7667.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: January 18, 2007.

**Todd A. Stevenson,**  
*Secretary.*

### United States of America Consumer Product Safety Commission

[CPSA Docket No. 07-C0003]

### In the Matter of Hoover Company, Inc. a Corporation; Settlement Agreement and Order

1. This Settlement Agreement is made by and between the staff (the "staff") of the U.S. Consumer Product Safety Commission (the "Commission") and Hoover Company, Inc. ("Hoover"), a corporation, in accordance with 16 CFR 1118.20 of the Commission's Procedures for Investigations, Inspections and Inquiries under the Consumer Product Safety Act ("CPSA"). This Settlement Agreement and the incorporated attached Order resolve the staff's allegations set forth below.

#### *The Parties*

2. The Commission is an independent federal regulatory agency responsible for the enforcement of the CPSA, 15 U.S.C. 2051-2084.

3. Hoover is a corporation organized and existing under the laws of the State of Delaware, with its principal corporate office located in North Canton, Ohio. At all times relevant herein, Hoover designed and manufactured vacuum cleaners subject to the Settlement Agreement and Order.

#### *Staff Allegations*

4. Between may 1998 and November 1999, Hoover manufactured approximately 636,000 Self-Propelled Wind Tunnel Upright vacuum cleaners under the following model numbers: U6423-900; U6445-900; U6425-900; U6445-960; U6451-900; U6425-950; U6449-900; and U6455-900, (hereinafter "vacuum cleaners").

5. The vacuum cleaners are "consumer product(s)" and, at the times relevant herein, Hoover was a "manufacturer" of "consumer product(s)" which were "distributed in commerce" as those terms are defined in 3(a)(1), (4), (11), and (12) of the CPSA, 15 U.S.C. 2052(a)(1), (4), (11) and (12).

6. The vacuum cleaners are defective because of a poor crimp connection at the wire termination which could cause overheating, melting and ultimately, fire in the switch/handle area. The vacuum cleaners could catch fire while in use and switched to the "ON" position and while switched to "Off" if plugged in to an outlet.

7. On or about April 14, 1999, Hoover first learned of a vacuum cleaner switch overheating and melting.

8. Between October and November 1999, after receiving notice of at least four incidents, Hoover made several design changes to eliminate overheating in the switch area. Hoover also directed that all vacuum cleaners in inventory and any brought in by customers for repair for any reason be reworked in order to eliminate the switch overheating problem.

9. On February 26, 2001, Hoover's Safety Committee met and reviewed the vacuum cleaner incidents. At this time, Hoover had received notice of at least 46 incidents with the vacuum cleaners, 23 of which were allegations that the switch/handle area caught on fire. At least two reports indicated that the vacuum cleaner ignited while switched to the "OFF" position and consumers believed the vacuum cleaners to be off. The Safety Committee, however, decided that no report should be made to the Commission.

10. On June 11, 2002, the Safety Committee met again to review 80 new incidents involving the switch defect. By this time, Hoover had received notice of at least 127 incidents. In 73 of these incidents, consumers reported that the vacuum cleaners caught on fire.

11. On or about September 24, 2002, Hoover hired an outside consulting firm to examine and test the vacuum cleaners to determine the cause of the switch failures.

12. On March 12, 2003, the consulting firm issued a report confirming that a poor crimp connection caused the switch to melt and malfunction. By this time, Hoover had received notice of 171 incidents pertaining to switch overheating and/or melting. In 96 of these incidents, consumers reported that their vacuum cleaners caught on fire.

13. On June 7, 2004, after receiving notice of several vacuum cleaner incidents, Commission staff sent Hoover a letter requesting submission of a full report pursuant to section 15(b) of the CPSA.

14. On July 9, 2004, Hoover submitted a report in response to the staff's request. At this time of its report, Hoover had received notice of at least 260 consumer incidents, of which 141 involved reports of fire. Other than one report of minor burns to hands, there were no report consumer injuries.

15. Although Hoover had obtained sufficient information which could reasonably support the conclusion that the vacuum cleaners contained a defect which could create a substantial product hazard, or created an unreasonable risk of serious injury or