

**PATENT AND TRADEMARK OFFICE**

**Practitioner Records Maintenance, Disclosure, and Discipline Before the Patent and Trademark Office**

**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 revision of a 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 April 27, 2007.

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

- *E-mail:* [Susan.Brown@uspto.gov](mailto:Susan.Brown@uspto.gov). Include "0651-0017 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 Christine Nucker, U.S. Patent and Trademark Office, Mail Stop OED, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-6071; or by e-mail at [oed@uspto.gov](mailto:oed@uspto.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The Director of the United States Patent and Trademark Office (USPTO) has the authority to establish regulations governing the conduct and discipline of agents, attorneys, or other persons representing applicants and other parties before the USPTO (35 U.S.C. 2, 32 and 33). The USPTO Code of Professional Responsibility (37 CFR 10.20 to 10.112) describes how attorneys

or practitioners should conduct themselves professionally and outlines their responsibilities for recordkeeping and reporting violations or complaints of misconduct to the USPTO, while the Investigations and Disciplinary Proceedings rules (37 CFR 10.130 to 10.170) dictate how the USPTO can discipline attorneys and practitioners.

The USPTO Code of Professional Responsibility requires an attorney or agent to maintain complete records of all funds, securities, and other properties of clients coming into his or her possession, and to render appropriate accounts to the client regarding the funds, securities, and other properties. These recordkeeping requirements are necessary to maintain the integrity of client property. Each State Bar requires its attorneys to perform similar record keeping.

The Code also requires an attorney or agent to report knowledge of certain violations of the Code to the USPTO. If the complaint is found to have merit, the USPTO will investigate and possibly prosecute violations of the Code. The Director of the Office of Enrollment and Discipline (OED) may, after notice and opportunity for a hearing, suspend, exclude, or disqualify any practitioner from further practice before the USPTO based on noncompliance with the regulations.

Practitioners who have been excluded or suspended from practice before the USPTO must keep and maintain records of their steps to comply with the suspension or exclusion order. These records serve as the practitioner's proof of compliance with the order.

Some existing information requirements that were added into the last renewal of this collection are now being deleted in compliance with the Terms of Clearance issued by the Office of Management and Budget (OMB) with the previous Notice of Action for this collection on July 2, 2004. The Terms of Clearance stated that "the agency is reminded of the statutory exemptions from the PRA in 44 U.S.C. 3518(c)(2)(B)(ii) for the conduct of administrative action or investigation involving an agency against specific individuals or entities." Therefore, the Responses to Requests/Requirements for Information, Requests for Extensions of

Time to Respond, Responses to Settlement Offers, and Responses to Show Cause are being deleted from this collection.

**II. Method of Collection**

By mail, facsimile, or hand delivery to the USPTO when an individual is required to participate in the information collection.

**III. Data**

*OMB Number:* 0651-0017.

*Form Number(s):* There are no forms associated with this collection.

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

*Affected Public:* Business or other for profit; not-for-profit institutions.

*Estimated Number of Respondents:* 485 responses.

*Estimated Time Per Response:* The USPTO estimates that it will take the public approximately 2 to 60 hours, depending upon the complexity of the situation, to gather the necessary information, maintain the required records, prepare the complaint, and submit the various documents in this information collection to the USPTO.

*Estimated Total Annual Respondent Burden Hours:* 9,180 hours.

*Estimated Total Annual Respondent Cost Burden:* \$328,200. At \$30 per hour for a para-professional/clerical worker, the USPTO estimates \$266,400 per year for salary costs associated with respondents for the record keeping requirements in this collection. For complaint/violation reporting, the USPTO predicts that half of the complaints will be filed by practitioners and that the remaining complaints will be split evenly between non-legal professionals and semi-professionals or skilled trades persons. The USPTO estimates that it will cost practitioners \$304 per hour, non-legal professionals \$156 per hour, and semi-professionals or skilled trades persons \$60 per hour to submit a complaint, for a weighted average hourly rate of \$206 per hour. Considering these factors, the USPTO estimates \$61,800 per year for salary costs associated with filing a complaint, for a total annual respondent cost burden of \$328,200 per year.

Item	Estimated time for response (hours)	Estimated annual responses	Estimated annual burden hours
Record Keeping Maintenance (including financial books and records such as trust accounts, fiduciary accounts, operating accounts, and advertisements) .....	26	330	8,580
Record Keeping Maintenance Under Suspension or Exclusion from the USPTO .....	60	5	300
Complaint/Violation Reporting .....	2	150	300

Item	Estimated time for response (hours)	Estimated annual responses	Estimated annual burden hours
Total .....	.....	485	9,180

*Estimated Total Annual (Non-hour) Respondent Cost Burden:* \$95. There are no capital start-up costs, maintenance costs or filing fees associated with this information collection. There are, however, postage costs.

The public may submit the complaints in this collection to the USPTO by mail through the United States Postal Service. If these documents are sent by first-class mail, a certificate of mailing for each piece of correspondence, stating the date of deposit or transmission to the USPTO, may also be included.

The USPTO expects that the complaints will be mailed to the USPTO with first-class postage, at an average cost of 63 cents. The USPTO estimates that up to 150 responses may be submitted by first-class mail, for a postage cost of \$95 per year.

Therefore, this information collection has a total of \$95 in annual (non-hour) respondent cost burden.

#### 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, including through 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: February 8, 2007.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Architecture, Engineering and Technical Services, Data Architecture and Services Division.*

[FR Doc. E7-3209 Filed 2-23-07; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Advisory Committee on Military Personnel Testing

**AGENCY:** Under Secretary of Defense for Personnel and Readiness, DoD.

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Defense Advisory Committee on Military Personnel Testing is scheduled to be held. The purpose of the meeting is to review planned changes and progress in developing computerized and paper-and-pencil enlistment tests.

**DATES:** March 29, 2007, from 8 a.m. to 4 p.m., and March 30, from 8 a.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at Humphrey's Half Moon Inn, 2303 Shelter Island Drive, San Diego, California 92106.

**FOR FURTHER INFORMATION CONTACT:** Dr. Jane M. Arabian, Assistant Director, Accession Policy, Office of the Under Secretary of Defense (Personnel and Readiness), Room 2B721, The Pentagon, Washington, DC 20301-4000, telephone (703) 697-9271.

**SUPPLEMENTARY INFORMATION:** Persons desiring to make oral presentations or submit written statements for consideration at the Committee meeting must contact Dr. Jane M. Arabian at the address or telephone number above no later than March 20, 2007.

Dated: February 16, 2007.

**C.R. Choate,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 07-854 Filed 2-23-07; 8:45 am]

BILLING CODE 5001-07-M

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Application Concerning a Coherent Radar and Ladar Polarimeter

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.

**SUMMARY:** In accordance with 37 CFR 404.6 and 404.7, announcement is made of the availability for licensing of the invention set forth in U.S. Patent Application No. 10/631,218 entitled "A Coherent Radar and Ladar Polarimeter," filed on July 25, 2003. The United States Government, as represented by the Secretary of the Army, has rights in this invention.

**ADDRESSES:** Office of Research and Technology Applications, SDMC-RDTC-TDL (Ms. Susan D. McRae), Bldg. 5220, Von Braun Complex, Redstone Arsenal, AL 35898.

**FOR FURTHER INFORMATION CONTACT:** Ms. Joan Gilsdorf, Patent Attorney, e-mail: [joan.gilsdorf@smdc.army.mil](mailto:joan.gilsdorf@smdc.army.mil) (256) 955-3213 or Ms. Susan D. McRae, Office of Research and Technology Applications, e-mail: [susan.mcrae@smdc.army.mil](mailto:susan.mcrae@smdc.army.mil); (256) 955-1501.

**SUPPLEMENTARY INFORMATION:** The invention pertains to determining the state of polarization of an electromagnetic signal. A polarimeter includes a receiver that receives a first polarization (P1) of the signal and splits the first polarization of the signal into the in-phase (I<sub>P1</sub>) and quadrature (Q<sub>P1</sub>) components, and receives a second polarization (P2) of the signal and splits the second polarization of the signal into the in-phase (I<sub>P2</sub>) and quadrature (Q<sub>P2</sub>) components. The polarimeter may also include a processor that receives each of the in-phase and quadrature components ((I<sub>P1</sub>), (Q<sub>P1</sub>), (I<sub>P2</sub>), and (Q<sub>P2</sub>)) of the first and second polarizations and determines the Stokes polarization vector components (s<sub>0</sub>, s<sub>1</sub>, s<sub>2</sub>, and s<sub>3</sub>) of the signal.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 07-851 Filed 2-23-07; 8:45 am]

BILLING CODE 3710-08-M

## DEPARTMENT OF DEFENSE

### Department of the Army

#### Availability for Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Concerning the Monitoring and Tracking of Emergencies in Support of the E-911 System

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.