

phone (727)824-5312; fax (727)824-5309.

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular modification request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is *NMFS.Pr1Comments@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: File No. 1526.

FOR FURTHER INFORMATION CONTACT: Patrick Opay, (301)713-2289.

SUPPLEMENTARY INFORMATION: The subject modification to Permit No. 1526, issued on August 1, 2005 (70 FR 44091) is requested under the authority of the Endangered Species Act of 1973, as amended (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).

Permit No. 1526 authorizes the permit holder to study Kemp's ridley, loggerhead, green, and hawksbill sea turtles in the Gulf of Mexico to identify their relative abundance over time; detect changes in sea turtle size composition; document movement and migration patterns; and determine the role of nearshore habitats in sea turtle survival. The permit holder is asking to extend his current annual authorization to take 50 juvenile and 50 sub-adult green sea turtles in Laguna Madre, Texas through year 2010 in order to generate more robust population estimates, yield a larger sample size for estimating growth rates and residency and fidelity in constituent habitats, and increase the potential to recapture turtles for additional information. The permit holder also requests authorization to attach satellite transmitters to 20 animals annually and to collect biopsy samples from 150 animals annually for stable isotope analysis through year 2010 to learn more about habitat preference and residency. All animals would be captured in Texas waters in the manner already authorized under Permit No. 1526.

Dated: May 17, 2007.

P. Michael Payne,

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

[FR Doc. E7-9963 Filed 5-23-07; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Trademark Trial and Appeal Board (TTAB) Actions

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 July 23, 2007.

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

- *E-mail:* Susan.Fawcett@uspto.gov.

Include "0651-0040 comment" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan K. Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information 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 Jyll Taylor, Administrative Trademark Judge, Trademark Trial and Appeal Board, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-4314; or by e-mail at jyll.taylor@uspto.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

This collection of information is required by the Trademark Act Sections 13, 14, and 20, 15 U.S.C. 1063, 1064, and 1070, respectively. Under the Trademark Act, any individual or entity that adopts a trademark or service mark to identify its goods or services may apply to federally register its mark. Section 14 of the Trademark Act allows

individuals and entities to file a petition to cancel a registration of a mark, while Section 13 allows individuals and entities who believe that they would be damaged by the registration of a mark to file an opposition, or an extension of time to file an opposition, to the registration of a mark. Section 20 of the Trademark Act allows individuals and entities to file an appeal from any final decision of the Trademark Examining Attorney assigned to review an application for registration of a mark.

The USPTO administers the Trademark Act pursuant to 37 CFR part 2, which contains the various rules that govern the filing of petitions to cancel the registrations of marks, notices of opposition to the registration of a mark, extensions of time to file an opposition, appeals, and other papers filed in connection with inter partes and ex partes proceedings. These petitions, notices, extensions, and additional papers are filed with the Trademark Trial and Appeal Board (TTAB).

The information in this collection can be submitted in paper format or electronically through the Electronic System for Trademark Trials and Appeals (ESTTA). There are no paper forms associated with this collection. However, the TTAB has suggested formats for the Petition to Cancel and the Notice of Opposition that individuals and entities can use when submitting these petitions and notices to the TTAB. These are not forms and, as such, do not have form numbers. If applicants or entities wish to submit the petitions, notices, extensions, and additional papers in inter partes and ex parte cases electronically, they must use the forms provided through ESTTA. Oppositions to extensions of protection under the Madrid Protocol (or requests for extensions to time to oppose) must be filed electronically through ESTTA. This collection contains two suggested formats and six electronic forms.

The additional papers filed in inter partes and ex parte proceedings can be filed in paper or electronically. Although the number of paper filings are decreasing in favor of electronic filings, there are still a substantial number of paper submissions. Therefore, the USPTO is taking this opportunity to add the paper submissions of the additional papers that are filed in inter partes and ex parte proceedings into the collection.

II. Method of Collection

By mail, hand delivery, or electronically through ESTTA when a party files a petition to cancel a

trademark registration, an opposition to the registration of a trademark, a request to extend the time to file an opposition, a notice of appeal, or additional papers for inter partes and ex parte proceedings with the USPTO. However, notices of opposition and extensions of time to file notices of opposition against the extensions of protection under the Madrid Protocol must be filed electronically through ESTTA. Only notices of appeal for ex parte appeals can be submitted by facsimile, in accordance with 37 CFR 2.195(d)(3).

III. Data

OMB Number: 0651-0040.
Form Number(s): PTO 2120, 2151, 2153, 2188, 2189, and 2190.
Type of Review: Revision of a currently approved collection.

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

Estimated Number of Respondents: 78,589 responses per year.

Estimated Time Per Response: The USPTO estimates that it takes the public approximately 10 to 45 minutes (0.17 to 0.75 hours) to complete this information, depending on the request. This includes the time to gather the necessary information, prepare the petitions, notices, extensions, or additional papers, and submit the completed request to the USPTO. The USPTO believes that it will take the same amount of time (and possibly less time) to gather the necessary information, prepare the submission, and submit it electronically to the TTAB as it does to submit it in paper form.

Estimated Total Annual Respondent Burden Hours: 18,566 hours.

Estimated Total Annual Respondent Cost Burden: \$3,657,502. The USPTO estimates that it will take a 50/50 level of effort by associate attorneys and paraprofessionals/paralegals to complete the requirements in this collection. The professional hourly rate for associate attorneys in private firms is \$304, while the hourly rate for paraprofessionals/paralegals in private firms is \$90. After calculating the average of these rates, the USPTO believes that the hourly rate for completing the petitions, notices, requests, and other papers will be \$197. Using this hourly rate, the USPTO estimates that the total respondent cost burden for this collection is \$3,657,502 per year.

Item	Estimated time for response (minutes)	Estimated annual responses	Estimated annual burden hours
Petition to Cancel	45	476	357
Electronic Petition to Cancel	45	1,109	832
Notice of Opposition	45	2,015	1,511
Electronic Notice of Opposition	45	4,975	3,731
Extension of Time to File an Opposition	10	2,476	421
Electronic Request for Extension of Time to File an Opposition	10	22,284	3,788
Papers in Inter Partes Cases (file answers, amendments to pleadings, amendment of application or registration during proceeding, motions (such as consent motions, motions to extend, and motions to suspend), evidence, briefs, surrender of registration, abandonment of application, documents related to concurrent use applications, and appeals to court and civil actions in opposition and cancellation proceedings)	10	11,500	1,955
Electronic Papers in Inter Partes Cases (file answers, amendments to pleadings, amendment of application or registration during proceeding, motions (such as consent motions, motions to extend, and motions to suspend), evidence, briefs, surrender of registration, abandonment of application, documents related to concurrent use applications, and appeals to court and civil actions in opposition and cancellation proceedings)	10	25,000	4,250
Notice of Appeal	15	1,168	292
Electronic Notice of Appeal	15	1,752	438
Miscellaneous Ex Parte Papers	10	4,320	734
Electronic Miscellaneous Ex Parte Papers	10	1,514	257
Total	78,589	18,566

Estimated Total Annual Non-hour Respondent Cost Burden: \$2,915,634. There are postage and recordkeeping costs, as well as filing fees, associated with this information collection. This collection does not have any capital start-up or maintenance costs.

The petitions to cancel, the notices of opposition and appeal, the extensions of time to file an opposition, and the additional papers filed in inter partes and ex parte cases may be submitted to the USPTO or served on other parties by Express or first-class mail through the United States Postal Service. These papers can also be hand delivered to the TTAB. The USPTO estimates that 6% of the petitions, notices, extensions, and additional inter partes and ex parte papers that are filed in paper will be submitted using Express Mail. The

USPTO estimates that the average submission will weigh 2 ounces and that the respondent will be mailing the original to the TTAB and serving copies on the other parties involved in the proceedings. The USPTO estimates that it costs \$16.25 to send the petitions, notices, extensions, appeals, and additional papers by Express Mail to the TTAB. To account for the service of papers on other parties, the USPTO is adding an additional 20% of the postage rate for an estimated cost of \$19.50. The USPTO estimates that up to 1,317 submissions per year may be mailed to the USPTO and other parties by Express Mail, for a postage cost of \$25,682.

The USPTO believes that 89% of the petitions to cancel, the notices of opposition and appeal, the extensions of time to file an opposition, and the

additional papers filed in inter partes and ex parte proceedings that are filed in paper will be sent by first-class mail. The USPTO estimates that the average submission will weigh 2 ounces and that the respondent will be mailing the original to the TTAB and serving copies on the other parties involved in the proceedings. The USPTO estimates that it costs 58 cents to mail the petitions, notices, extensions, appeals, and additional papers to the TTAB. To account for the service of papers on other parties, the USPTO is adding an additional 80% of the postage rate for an estimated cost of \$1.04. The USPTO estimates that up to 19,540 submissions per year may be mailed to the USPTO and other parties by first-class mail, for a postage cost of \$20,322.

Therefore, the USPTO estimates that the total postage cost for this collection is \$46,004 per year.

In addition, the USPTO also strongly advises applicants who file their petitions to cancel, notices of opposition, appeals, extensions of time to file an opposition, and additional papers for ex parte and inter partes cases electronically to keep a copy of the acknowledgment receipt as clear evidence that the file was received by the USPTO on the date noted. The USPTO estimates that it will take 5

seconds (0.001 hours) to print the acknowledgment receipt and that 56,634 petitions, notices, extensions, and other papers will be submitted electronically. Using the paraprofessional rate of \$90 per hour, the USPTO estimates that the total recordkeeping cost for this collection will be \$5,130 per year.

There is also annual nonhour cost burden in the way of filing fees associated with this collection. The petitions to cancel and the notices of opposition and appeal have filing fees. There are no filing fees for the

extensions of time to file an opposition. The additional papers that are filed in ex parte and inter partes proceedings do not have their own specific fees, so they do not add new fees to the collection. The filing fees for the petitions to cancel and notices of opposition are per class of goods and services in the subject application or registration; therefore the total filing fees can vary depending on the number of classes. The total filing fees of \$2,864,500 shown here are the minimum fees associated with this information collection.

Item	Responses (yr)	Filing fees	Total non-hour cost burden (yr)
	(a)	(b)	(a) × (b)
Petition to Cancel	476	\$300.00	\$142,800.00
Electronic Petition to Cancel	1,109	300.00	332,700.00
Notice of Opposition	2,015	300.00	604,500.00
Electronic Notice of Opposition	4,975	300.00	1,492,500.00
Extension of Time to File an Opposition	2,476	0.00	0.00
Electronic Request for Extension of Time to File an Opposition	22,284	0.00	0.00
Papers in Inter Partes Cases (file answers, amendments to pleadings, amendment of application or registration during proceeding, motions (such as consent motions, motions to extend, and motions to suspend), evidence, briefs, surrender of registration, abandonment of application, documents related to concurrent use applications, and appeals to court and civil actions in opposition and cancellation proceedings)	11,500	0.00	0.00
Electronic Papers in Inter Partes Cases (file answers, amendments to pleadings, amendment of application or registration during proceeding, motions (such as consent motions, motions to extend, and motions to suspend), evidence, briefs, surrender of registration, abandonment of application, documents related to concurrent use applications, and appeals to court and civil actions in opposition and cancellation proceedings)	25,000	0.00	0.00
Notice of Appeal	1,168	100.00	116,800.00
Electronic Notice of Appeal	1,752	100.00	175,200.00
Miscellaneous Ex Parte Papers	4,320	0.00	0.00
Electronic Miscellaneous Ex Parte Papers	1,514	0.00	0.00
Totals	78,589	2,864,500.00

The USPTO estimates that the total non-hour respondent cost burden for this collection, in the form of postage and recordkeeping costs, in addition to the filing fees, is \$2,915,634 per year.

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 also will become a matter of public record.

Dated: May 18, 2007.

Susan K. Fawcett,

Records Officer, USPTO, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division.

[FR Doc. E7-10041 Filed 5-23-07; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Patent Public Advisory Strategic Planning Survey

ACTION: Proposed collection; comment request.

SUMMARY: The Patent and Trademark Office, Patent Public Advisory Committee, invites the general public and other Federal agencies to take this opportunity to comment on this new 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 July 23, 2007.

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

- *E-mail:* Susan.Fawcett@uspto.gov. Include "0651-00xx PPAC Strategic Planning Survey" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan K. Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information 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 0651-00xx Patent Public Advisory Strategic Planning Survey c/o Andrew I.