

two 1-year Letters of Authorization (LOAs) to take marine mammals by harassment incidental to the U.S. Navy's operation of Surveillance Towed Array Sensor System Low Frequency Active (SURTASS LFA) sonar operations to the Chief of Naval Operations, Department of the Navy, 2000 Navy Pentagon, Washington, DC, and persons operating under his authority.

**DATES:** Effective from August 16, 2008, through August 15, 2009.

**ADDRESSES:** Copies of the Navy's April 9, 2008, LOA application letter, the LOAs, the Navy's 2007 annual report and the Navy's 2007 5-Year Comprehensive Report are available by writing to Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, by telephoning the contact listed here (see **FOR FURTHER INFORMATION CONTACT**), or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Hollingshead, Office of Protected Resources, NMFS (301-713-2289, ext 128).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a military readiness activity if certain findings are made and regulations are issued.

Authorization may be granted for periods of 5 years or less if NMFS finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for certain subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations also must include requirements pertaining to the monitoring and reporting of such taking.

Regulations governing the taking of marine mammals incidental to the U.S. Navy's operation of SURTASS LFA

sonar were published on August 21, 2007 (72 FR 46846), and remain in effect through August 15, 2012. They are codified at 50 CFR part 216 subpart Q. These regulations include mitigation, monitoring, and reporting requirements for the incidental taking of marine mammals by the SURTASS LFA sonar system. For detailed information on this action, please refer to the August 21, 2007 **Federal Register** Notice and 50 CFR part 216 subpart Q.

**Summary of LOA Request**

NMFS received an application from the U.S. Navy for two LOAs, one covering the USNS ABLE (T-AGOS 20) and one covering the USNS IMPECCABLE (T-AGOS 23), under the regulations issued on August 21, 2007 (72 FR 46846). (The *R/V Cory Chouest* has been retired and has been replaced by the USNS ABLE.) The Navy requested that these LOAs become effective on August 16, 2008. The application requested authorization, for a period not to exceed 1 year, to take, by harassment, marine mammals incidental to employment of the SURTASS LFA sonar system for training, testing and routine military operations on the aforementioned ships in areas of the North Pacific Ocean.

**Monitoring and Reporting**

In compliance with NMFS' SURTASS LFA sonar regulations for the 2002-2007 period, the Navy submitted an annual report for SURTASS LFA sonar operations during 2006-2007. The Navy also submitted a comprehensive report on SURTASS LFA sonar operations and the mitigation and monitoring activities conducted under the LOAs issued under its previous rule. A copy of these reports can be viewed and/or downloaded at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>. In accordance with the current SURTASS LFA sonar regulations (50 CFR 216.186), the Navy's has submitted classified quarterly mission reports, and its annual report for the 2007-2008 LOA is due on September 30, 2008. Upon receipt, NMFS will post this annual report on the same Internet address.

**Authorization**

NMFS has issued two LOAs to the U.S. Navy, authorizing the incidental harassment of marine mammals incidental to operating the two SURTASS LFA sonar systems for training, testing and routine military operations. Issuance of these two LOAs is based on findings, described in the preamble to the final rule (August 21, 2007, 72 FR 46846)) and supported by information contained in the Navy's

required reports on SURTASS LFA sonar, that the activities described under these two LOAs will have no more than a negligible impact on marine mammal stocks and will not have an unmitigable adverse impact on the availability of the affected marine mammal stocks for subsistence uses.

These LOAs remain valid through August 15, 2009, provided the Navy remains in conformance with the conditions of the regulations and the LOAs, and the mitigation, monitoring, and reporting requirements described in 50 CFR 216.184-216.186 (August 21, 2007, 72 FR 46846) and in the LOAs are undertaken.

Dated: August 15, 2008.

**James H. Lecky,**

*Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E8-19417 Filed 8-20-08; 8:45 am]

**BILLING CODE 3510-22-S**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Patent and Trademark Financial Transactions**

**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 October 20, 2008.

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

- *E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov). Include "0651-0043 comment" in the subject line of the message.
- *Fax:* 571-273-0112, marked to the attention of Susan Fawcett.
- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tamara McClure, Office of Finance, United States Patent

and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-6345; or by e-mail to *Tamara.McClure@uspto.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

Under 35 U.S.C. 41 and 15 U.S.C. 1113, the United States Patent and Trademark Office (USPTO) charges fees for processing and other services related to patents, trademarks, and information products. Customers may submit payments to the USPTO by several methods, including credit card, deposit account, electronic funds transfer (EFT), and paper check transactions. The provisions of 35 U.S.C. 41 and 15 U.S.C. 1113 are implemented in 37 CFR 1.16-1.28, 2.6-2.7, and 2.206-2.209.

This information collection includes the Credit Card Payment Form (PTO-2038), which provides the public with a convenient way to submit a credit card payment for fees related to a patent, trademark, or information product. Customers may also submit credit card payments via the Electronic Credit Card Payment Form (PTO-2231) when using online systems through the USPTO Web site for paying fees related to patents, trademarks, or information products.

The USPTO will not include credit card information submitted using the credit card payment forms among the patent or trademark records open to public inspection.

Customers may establish a deposit account for making fee payments by completing a Deposit Account Application Form (PTO-2232) and sending the required information, initial deposit, and service fee to the USPTO. Deposit accounts eliminate the need to submit a check, credit card information, or other form of payment for each transaction with the USPTO. Additionally, in the event that a fee

amount due is miscalculated, customers may authorize the USPTO to charge any remaining balance to the deposit account and therefore avoid the potential consequences of underpayment. As customers use their deposit accounts to make payments, they may deposit funds to replenish their accounts by mailing a check to the USPTO or making a deposit online via EFT using the Electronic Deposit Account Replenishment Form (PTO-2233) available at the USPTO Web site. Replenishments may not be made by credit card. Customers may also close their deposit accounts by submitting a written request or by using the Deposit Account Closure Request Form (PTO-2234).

In addition to credit cards and deposit accounts, customers may also use EFT to make online fee payments to the USPTO. Customers must first establish a user profile with their banking information by submitting the EFT User Profile Form (PTO-2236) through the USPTO Web site. Once their profile is created, customers may use their User ID and password to perform EFT transactions.

Under 37 CFR 1.26 and 2.209, the USPTO may refund fees paid by mistake or in excess of the required amount. For refund amounts of \$25 or less, customers must submit a written request to the Refund Branch of the USPTO Office of Finance.

In order to access and manage their financial activity records online, customers may create a Financial Profile through the USPTO web site. Customers create a profile by registering a username and password, providing contact information, and specifying the types of notifications and alerts they would like to receive. After establishing a Financial Profile, customers may then add the relevant account information to

the profile in order to track their credit card, deposit account, and EFT transactions with the USPTO.

**II. Method of Collection**

By mail, facsimile, hand delivery, or electronically to the USPTO.

**III. Data**

*OMB Number:* 0651-0043.

*Form Number(s):* PTO-2038, PTO-2231, PTO-2232, PTO-2233, PTO-2234, PTO-2236.

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

*Affected Public:* Individuals or households; businesses or other for-profits; and not-for-profit institutions.

*Estimated Number of Respondents:* 1,929,205 responses per year.

*Estimated Time per Response:* The USPTO estimates that it will take the public approximately two to six minutes (0.03 to 0.10 hours) to gather the necessary information, prepare, and submit the items in this collection.

*Estimated Total Annual Respondent Burden Hours:* 58,166 hours per year.

*Estimated Total Annual Respondent Cost Burden:* \$2,617,470 per year. The USPTO expects that 75% of the submissions for this information collection will be prepared by fee administrators/coordinators and that 25% of the submissions will be prepared by paraprofessionals. Using those proportions and the estimated rates of \$30 per hour for fee administrators/coordinators and \$90 per hour for paraprofessionals, the USPTO estimates that the average hourly rate for all respondents will be approximately \$45 per hour. Using this estimated rate of \$45 per hour, the USPTO estimates that the respondent cost burden for submitting the information in this collection will be approximately \$2,617,470 per year.

Item	Estimated time for response (minutes)	Estimated annual responses	Estimated annual burden hours
Credit Card Payment Form (PTO-2038) .....	2	863,389	25,902
Electronic Credit Card Payment Form (PTO-2231) .....	2	1,017,322	30,520
Deposit Account Application Form (PTO-2232) .....	2	298	9
Deposit Account Replenishment .....	2	20,837	625
Electronic Deposit Account Replenishment Form (PTO-2233) .....	2	17,664	530
Deposit Account Closure Request Form (PTO-2234) .....	4	132	9
EFT User Profile Form (PTO-2236) .....	2	2,850	86
Refund Request .....	4	6,213	435
Financial Profiles .....	6	500	50
Total .....	.....	1,929,205	58,166

*Estimated Total Annual Non-Hour Respondent Cost Burden:* \$248,603. There are no capital start-up costs or

maintenance costs associated with this information collection. However, this collection does have associated service

fees for deposit accounts and returned payments, postage costs for mailing submissions to the USPTO, and

recordkeeping costs related to electronic credit card payments and electronic deposit account replenishments.

There are service fees for setting up a deposit account at the USPTO, for not maintaining the minimum balance required for the deposit account, and for returned payments. The service charge to establish a deposit account is \$10, and the USPTO estimates that it processes 298 Deposit Account Application Forms annually, for a total of \$2,980 per year. There is also a \$25 service charge for deposit accounts that are below the minimum balance (\$1,000 minimum balance for an unrestricted deposit account or \$300 minimum balance for a restricted deposit account) at the end of the month. The USPTO estimates that it assesses 4,000 of these low balance charges annually, for a total of \$100,000 per year. There is a \$50 service charge for processing a payment refused (including a check returned "unpaid") or charged back by a financial institution. The USPTO estimates that it assesses 456 of these returned payment charges annually, for a total of \$22,800 per year. The total estimated service fees for this collection are \$125,780 per year.

Customers may incur postage costs when submitting the Credit Card Payment Form and other paper forms or requests to the USPTO by mail. Customers generally send the Credit Card Payment Form to the USPTO along with other documents related to the fee or service being paid for by credit card, but some customers may submit just the Credit Card Payment Form without additional supporting documents. The USPTO estimates that roughly 5 percent of the 863,389 paper Credit Card Payment Forms submitted annually may be mailed in by themselves, approximately 43,169 per year. The USPTO estimates that it will receive an additional 27,480 submissions per year that may be mailed, including Deposit Account Application Forms, Deposit Account Replenishments, Deposit Account Closure Requests, and Refund Requests, for a total of 70,649 mailed submissions per year. The USPTO estimates that the first-class postage cost for a mailed submission will be 42 cents, for a total postage cost of approximately \$29,673 per year.

Customers using the Electronic Credit Card Payment Form or the Electronic Deposit Account Replenishment Form may incur recordkeeping costs from printing a copy of the electronic receipt confirming their successful online transaction. The USPTO estimates that it will take 5 seconds (0.001 hours) to print a copy of the confirmation receipt and that approximately 1,034,986

submissions per year will use the Electronic Credit Card Payment Form or the Electronic Deposit Account Replenishment Form, for a total recordkeeping burden of 1,035 hours per year. Using the paraprofessional rate of \$90 per hour, the USPTO estimates that the recordkeeping cost associated with this collection will be approximately \$93,150 per year.

The total non-hour respondent cost burden for this collection in the form of service fees, postage costs, and recordkeeping costs is estimated to be \$248,603 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, e.g., 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: August 14, 2008.

**Susan K. Fawcett,**

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

[FR Doc. E8-19375 Filed 8-20-08; 8:45 am]

**BILLING CODE 3510-16-P**

#### CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 08-C0018]

##### **Cobmex, Inc., Provisional Acceptance of a Settlement Agreement and Order**

###### *Correction*

In notice document Z8-18395 beginning on page 46877 in the issue of Tuesday, August 12, 2008, make the following correction:

On page 46877, in the third column, under the **DATES** heading, in the fifth line, "(insert date that is 15 calendar days from publication date)" should read "August 27, 2008".

[FR Doc. Z8-18395 Filed 8-20-08; 8:45 am]

**BILLING CODE 1505-01-D**

#### CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 08-C0017]

##### **Siegfried & Parzifal, Inc., Provisional Acceptance of a Settlement Agreement and Order**

###### *Correction*

In notice document Z8-18399 beginning on page 46885 in the issue of Tuesday, August 12, 2008, make the following correction:

On page 46885, in the first column, under the **DATES** heading, in the fifth line, "(insert date that is 15 calendar days from publication date)" should read "August 27, 2008".

[FR Doc. Z8-18399 Filed 8-20-08; 8:45 am]

**BILLING CODE 1505-01-D**

#### DEPARTMENT OF DEFENSE

##### **Defense Logistics Agency**

##### **Membership of the Defense Logistics Agency (DLA) Senior Executive Service (SES) Performance Review Board (PRB)**

**AGENCY:** Defense Logistics Agency, Department of Defense.

**ACTION:** Notice of membership—2008 DLA PRB.

**SUMMARY:** This notice announces the appointment of members to the Defense Logistics Agency Senior Executive Service (SES) Performance Review Board (PRB). The publication of PRB composition is required by 5 U.S.C. 4314(c)(4). The PRB provides fair and impartial review of Senior Executive Service performance appraisals and makes recommendations to the Director, Defense Logistics Agency (DLA), with respect to pay level adjustments and performance awards and other actions related to management of the SES cadre. **DATES:** *Effective Date:* September 26, 2008.

**ADDRESSES:** Defense Logistics Agency, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, Virginia 22060-6221.

**FOR FURTHER INFORMATION CONTACT:** Ms. Julie Brown, SES Program Manager, Human Resources (J-1), Defense Logistics Agency, Department of Defense, (703) 767-5041.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 4314(c)(4), the following are the names and titles of DLA career executives appointed to serve as members of the SES PRB. Members will serve a 12-month term, which begins on September 26, 2008.