

Administrator, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue, SW., Room 2077-S, Stop 0235, Washington, DC 20250-0235; Facsimile: (202) 720-0016. E-mail: [robert.keeney@usda.gov](mailto:robert.keeney@usda.gov).

**FOR FURTHER INFORMATION CONTACT:** Pamela Stanziani, Designated Federal Official; Phone: (202) 690-0182; E-mail: [Pamela.stanziani@usda.gov](mailto:Pamela.stanziani@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act (FACA) (5 U.S.C. App.), notice is hereby given that the Secretary of Agriculture intends to reestablish the Fruit and Vegetable Industry Advisory Committee for two years. The purpose of the Committee is to examine the full spectrum of issues faced by the fruit and vegetable industry and provide suggestions and ideas to the Secretary on how USDA can tailor its programs to better meet the fruit and vegetable industry's needs. The Deputy Administrator of the Agricultural Marketing Service's Fruit and Vegetable Programs will serve as the Committee's Executive Secretary. Representatives from USDA mission areas and agencies affecting the fruit and vegetable industry will be called upon to participate in the Committee's meetings as determined by the Committee Chairperson.

Industry members will be appointed by the Secretary of Agriculture and serve 2-year terms. Membership will consist of up to twenty-five (25) members who represent the fruit and vegetable industry and will include individuals representing fruit and vegetable growers/shippers, wholesalers, brokers, retailers, processors, fresh cut processors, foodservice suppliers, state agencies involved in organic and non-organic fresh fruits and vegetables at local, regional and national levels, state departments of agriculture, and trade associations. The members of the reestablished Committee will elect the Chairperson and Vice Chairperson of the Committee. In absence of the Chairperson, the Vice-Chairperson will act in the Chairperson's stead.

The Secretary of Agriculture invites those individuals, organizations, and groups affiliated with the categories listed above to nominate individuals for membership on the reestablished Committee. Nominations should describe and document the proposed member's qualifications for membership to the Committee, and list their name, title, address, telephone, and fax number. The Secretary of Agriculture seeks a diverse group of members representing a broad spectrum of persons interested in providing

suggestions and ideas on how USDA can tailor its programs to meet the fruit and vegetable industry's needs.

Individuals who are nominated will receive necessary forms from USDA for membership. The biographical information and clearance forms must be completed and returned to USDA within 10 working days of notification, to expedite the clearance process that is required before selection of Committee members by the Secretary of Agriculture.

Equal opportunity practices will be followed in all appointments to the Committee in accordance with USDA policies. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, persons with disabilities, and limited resource agriculture producers.

Dated: May 12, 2009.

**Robert C. Keeney,**

*Acting Associate Administrator.*

[FR Doc. E9-11494 Filed 5-15-09; 8:45 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Trademark Petitions

**ACTION:** New 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 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 17, 2009.

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

- *E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov).

Include "0651-00XX Trademark Petitions collection 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, Administrative Management Group, 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 the attention of Janis Long, Attorney Advisor, Office of the Commissioner for Trademarks, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, by telephone at 571-272-9573, or by e-mail at [Janis.Long@uspto.gov](mailto:Janis.Long@uspto.gov).

#### **SUPPLEMENTARY INFORMATION**

##### **I. Abstract**

The United States Patent and Trademark Office (USPTO) administers the Trademark Act, 15 U.S.C. 1051 *et seq.* which provides for the Federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register their marks with the USPTO. Individuals and businesses may also submit various communications to the USPTO, including letters of protest and requests to make special.

A letter of protest is an informal procedure whereby third parties who object to the registration of a mark in a pending application may submit evidence relevant to the registrability of the mark to the attention of the USPTO. A letter of protest should include an explanation of which application is being protested and relevant evidence to support the protest. A request to make special may be submitted where an applicant's prior registration was cancelled due to the inadvertent failure to file a post registration maintenance document and should include an explanation of why special action is appropriate. The USPTO is proposing to include these two items in the inventory at this time because of a new method of submission that would standardize some formatting involving the electronic collection of this information. Both of these items are covered under 15 U.S.C. 1051.

##### **II. Method of Collection**

In order to provide filers with many of the benefits of electronic filing for a submission where a true electronic form does not currently exist within the Trademark Electronic Application System (TEAS), the USPTO is creating a new form of submission in a "global" format. This new method of submission will allow the user to identify the type of document being filed by selecting from a drop-down list and then

uploading a document in either the JPG or PDF format. Applicants may also submit the information in paper form by mail, fax or hand delivery.

**III. Data**

*OMB Number:* 0651-00xx.  
*Form Number:* None.  
*Type of Review:* New information collection.  
*Affected Public:* Primarily business or other for-profit organizations.

*Estimated Number of Respondents:* 953 per year.

*Estimated Time per Response:* The USPTO estimates that it will take approximately 30 minutes (0.50 hours) to 1 hour to gather the necessary information, create the document, and submit the completed request, depending on whether the information is submitted electronically or on paper.

*Estimated Total Annual Respondent Burden Hours:* 862 hours per year.

*Estimated Total Annual Respondent Cost Burden:* \$267,220. The USPTO believes that associate attorneys will complete the information in this collection. The professional hourly rate for associate attorneys in private firms is \$310. This is a fully-loaded hourly rate. Therefore, the USPTO estimates that the respondent cost burden for this collection will be approximately \$267,220 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
TEAS Letter of Protest .....	50 minutes .....	463	384
Letter of Protest .....	1 hour .....	462	462
TEAS Request to Make Special .....	30 minutes .....	14	7
Request to Make Special .....	40 minutes .....	14	9
<b>Total</b> .....	.....	<b>953</b>	<b>862</b>

*Estimated Total Annual (Non-hour) Respondent Cost Burden:* \$209. There are no capital start-up, operation, maintenance or record keeping costs, nor are there filing fees associated with this information collection.

Customers incur postage costs when submitting non-electronic information to the USPTO by mail through the United States Postal Service. The USPTO estimates that the majority of submissions for these paper forms are made via first class mail at a cost of 44 cents per submission. Therefore, the total estimated postage cost for this collection is \$209 (476 responses x \$0.44).

**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.

**Susan K. Fawcett,**  
*Records Officer, USPTO, Office of the Chief Information Officer, Administrative Management Group.*

[FR Doc. E9-11534 Filed 5-15-09; 8:45 am]  
**BILLING CODE 3510-16-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[Application No. 87-8A001]

**Export Trade Certificate of Review**

**ACTION:** Notice of Issuance (#87-8A001) of an Amended Export Trade Certificate of Review Issued to Independent Film and Television Alliance (formerly "American Film Marketing Association").

**SUMMARY:** The U.S. Department of Commerce issued an amended Export Trade Certificate of Review to Independent Film and Television Alliance ("IFTA") on May 8, 2009. The Certificate has been amended seven times. The previous amendment was issued to IFTA on August 6, 2003, and published in the **Federal Register** August 13, 2003 (68 FR 48342). The original Export Trade Certificate of Review No. 87-00001 was issued to IFTA on April 10, 1987, and published in the **Federal Register** on April 17, 1987 (52 FR 12578).

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Anspacher, Acting Director Office of Competition and Economic Analysis, International Trade Administration, by telephone at (202)

482-5131 (this is not a toll-free number) or by e-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (2008).

Export Trading Company Affairs is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Amended Certificate:

IFTA's Export Trade Certificate of Review has been amended to:

1. Change the previous name of the Certificate holder from "American Film Marketing Association" to the current name, "Independent Film and Television Alliance";

2. Add the following companies as new Members of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.11):

111 Pictures Ltd, London, United Kingdom  
 2929 International, LLC, Beverly Hills, CA

Action Concept Film und Stuntproduktion GmbH, Huerth/Cologne, Germany  
 Alpine Pictures, Inc., Burbank, CA  
 American Cinema International, Van Nuys, CA