

Ranger District, Highway 97, Crescent, Oregon, 97733, Phone (541) 433-3216.

**John Allen,**

*Deschutes National Forest Supervisor.*

[FR Doc. E9-27274 Filed 11-12-09; 8:45 am]

**BILLING CODE 3410-11-M**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Electronic Response to Office Action and Preliminary Amendment Forms**

**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 January 12, 2010.

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

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

Include "0651-0050 Electronic Response to Office Action and Preliminary Amendment Forms 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, 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 to [Janis.Long@uspto.gov](mailto:Janis.Long@uspto.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The United States Patent and Trademark Office (USPTO), pursuant to the Trademark Act, 15 U.S.C. 1051 *et seq.* and Chapter 37 of the Code of Federal Regulations, issues Office Actions in which it requests that applicants for trademark registration furnish information that is required for the issuance of a registration but that was not provided with the initial submission of the application for registration. The Response to Office Action form may be used to reply to an Office Action that was issued in connection with an application for registration or after the submission of a Statement of Use.

Additionally, applicants may supplement their applications by providing additional information voluntarily. When such information is provided before the USPTO has reviewed the application, the submission is in the nature of a Preliminary Amendment.

The Request for Reconsideration after Final Action is filed after issuance of a final Office Action but before the deadline for filing an appeal. Filing the Request for Reconsideration early in the six-month response period can eliminate the need for some appeals or petitions and reduce the need for remands and transfers of applications on appeal.

Applicants may also file a Post Publication Amendment in order to

submit a proposed amendment to an application that has already been approved for publication by the examining attorney. If an applicant receives a Suspension Inquiry or Letter of Suspension from the USPTO, the applicant may use the response form to file a reply.

**II. Method of Collection**

The forms in this collection are available in electronic format through the Trademark Electronic Application System (TEAS), which may be accessed on the USPTO Web site. Applicants may also submit the information in paper form by mail, fax or hand delivery.

**III. Data**

*OMB Number:* 0651-0050.

*Form Number(s):* PTO Forms 1771, 1822, 1957, 1960 and 1966.

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

*Affected Public:* Primarily business or other for-profit organizations.

*Estimated Number of Respondents:* 208,360 per year.

*Estimated Time Per Response:* The USPTO estimates that it will take approximately 10 minutes (0.17 hours) to 23 minutes (0.38 hours) 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:* 57,416 hours per year.

*Estimated Total Annual Respondent Cost Burden:* \$17,798,960. The USPTO believes that attorneys will complete the information in this collection. The professional hourly rate for 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 \$17,798,960 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Response to Office Action (TEAS) .....	17 minutes .....	165,000	46,200
Preliminary Amendment (TEAS) .....	17 minutes .....	11,000	3,080
Request for Reconsideration after Final Action (TEAS) .....	17 minutes .....	16,500	4,620
Post Publication Amendment (TEAS) .....	20 minutes .....	3,600	1,188
Post Publication Amendment (paper) .....	23 minutes .....	720	274
Response to Suspension Inquiry or Letter of Suspension (TEAS) .....	10 minutes .....	9,700	1,649
Response to Suspension Inquiry or Letter of Suspension (paper) .....	13 minutes .....	1,840	405
<b>TOTAL</b> .....	.....	<b>208,360</b>	<b>57,416</b>

*Estimated Total Annual (Non-hour) Respondent Cost Burden:* \$1,126. 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 \$1,126 (2560 responses × \$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.

Dated: November 5, 2009.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer.*

[FR Doc. E9-27331 Filed 11-12-09; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XS78

#### Incidental Taking of Marine Mammals; Taking of Marine Mammals Incidental to the Explosive Removal of Offshore Structures in the Gulf of Mexico

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

**ACTION:** Notice; issuance of a letter of authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA) and implementing regulations, notification is hereby given that NMFS has issued a one-year Letters of Authorization (LOA) to take marine mammals incidental to the explosive removal of offshore oil and gas structures (EROS) in the Gulf of Mexico.

**DATES:** This authorization is effective from November 10, 2009 through November 9, 2010.

**ADDRESSES:** The application and LOAs are available for review by writing to P. Michael Payne, Chief, Permits, Conservation, and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3235 or by telephoning the contact listed here (see **FOR FURTHER INFORMATION CONTACT**), or online at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm>. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Ken Hollingshead, Office of Protected Resources, NMFS, 301-713-2289.

**SUPPLEMENTARY INFORMATION:** Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the NMFS to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made by NMFS and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt capture, or kill marine mammals.

Authorization for incidental taking, in the form of annual LOAs, may be granted by NMFS for periods up to five years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals, and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). 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 (i.e., mitigation), and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating rounds, and areas of similar significance. The regulations also must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking incidental to EROS were published on June 19, 2008 (73 FR 34889), and remain in effect through July 19, 2013. For detailed information on this action, please refer to that **Federal Register** notice. The species that applicants may take in small numbers during EROS activities are bottlenose dolphins (*Tursiops truncatus*), Atlantic spotted dolphins (*Stenella frontalis*),

pantropical spotted dolphins (*Stenella attenuata*), Clymene dolphins (*Stenella clymene*), striped dolphins (*Stenella coeruleoalba*), spinner dolphins (*Stenella longirostris*), rough-toothed dolphins (*Steno bredanensis*), Risso's dolphins (*Grampus griseus*), melon-headed whales (*Peponocephala electra*), short-finned pilot whales (*Globicephala macrorhynchus*), and sperm whales (*Physeter macrocephalus*).

Pursuant to these regulations, NMFS has issued an LOA to Tarpon Operating & Development, L.L.C. Issuance of the LOA is based on a finding made in the preamble to the final rule that the total taking by these activities (with monitoring, mitigation, and reporting measures) will result in no more than a negligible impact on the affected species or stock(s) of marine mammals and will not have an unmitigable adverse impact on subsistence uses. NMFS also finds that the applicant will meet the requirements contained in the implementing regulations and LOA, including monitoring, mitigation, and reporting requirements.

Dated: November 6, 2009.

**James H. Lecky,**

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

[FR Doc. E9-27316 Filed 11-12-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XS84

#### North Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting of the North Pacific Fishery Management Council and Alaska Board of Fisheries.

**SUMMARY:** The North Pacific Fishery Management Council (Council) and the Alaska Board of Fisheries will meet in Anchorage, AK.

**DATES:** The meeting will be held on December 8, 2009, from 10 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at the Anchorage Hilton Hotel, 500 W 3rd Avenue, Aleutian Room, Anchorage, AK.

*Council address:* North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.