

through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

#### Forest Service

*Title:* Forest Industries, Residential Fuel Wood, and Post Data Collection Systems

*OMB Control Number:* 0596-0010  
*Summary of Collection:* The Forest and Range Renewable Resources Planning Act of 1974 (Pub. L. 93-278) and the Forest and Rangeland Renewable Resources Research Act of 1978 (Pub. L. 95-307) amended by the Energy Security Act of 1980 (42 U.S.C. 8701) require the Forest Service (FS) to evaluate trends in the use of logs and wood chips, to forecast anticipated levels of logs and wood chips, and to analyze changes in the harvest of the resources. Forest product and other wood-using industries are important to state, regional, and national economies. In most southern states, the value of rounded timber products is ranked either first or second in relation to other major agricultural crops. The importance and value of the timber products industry is significant in other regions of the United States as well. The FS will collect information using questionnaires.

*Need and Use of the Information:* To monitor the types, species, volumes, sources, and prices of the timber products harvested throughout the Nation, FS will collect information using the "Pulpwood Received Questionnaire," "Logs and Other Roundwood Received Questionnaire," and the "Residential Fuel Wood and

Post Questionnaire." The data will be used to develop specific economic development plans for a new forest-related industry in a State and to assist existing industries in identifying raw material problems and opportunities. If the information were not collected, data would not be available for sub-state, state, regional, and national policy makers and program developers to make decisions related to the forestland on a scientific basis.

*Description of Respondents:* Business or other for-profit; Not-for-profit institutions.

*Number of Respondents:* 4,011.

*Frequency of Responses:* Reporting: On occasion; Annually.

*Total Burden Hours:* 2,019.

#### Forest Service

*Title:* Objection to New Land Management Plans, Plan Amendments, and Plan Revisions

*OMB Control Number:* 0596-0158

*Summary of Collection:* The process for submitting objections to new land management plans, plan amendments, and plan revisions is set forth in Title 36 CFR 219.13. An objector must provide their name, mailing address, telephone number, and identify the specific proposed plan, amendment, or revision that is the subject of the objection. This is the minimum information needed for a citizen or organization to explain the nature of and rational for objections to new land management plans, plan amendments, and plan revisions.

This information must accompany a concise statement explaining how the environmental disclosure documents, if any, and proposed plan, amendment, or revision are inconsistent with law, regulation, Executive Order, or policy and any recommendations for change. The Reviewing Officer then reviews the objection(s) and relevant information and responds to the objector(s) in writing.

*Need and Use of the Information:* The information collected (objections to new land management plans, plan amendments, and plan revisions) is analyzed and responded to by a Forest Service official. At times, this information is used to modify land and resource management planning decisions. Forest supervisors and regional forests that make decisions on land and resource management planning also use the information. Without this information, the agency's decision-making will suffer from a reduction in public input and agency relationships with the public will deteriorate.

*Description of Respondents:* Individuals or households; Business or other for-profit; Not-for-profit institutions; State, Local or Tribal Government.

*Number of Respondents:* 1,210.

*Frequency of Responses:* Reporting: Other (once).

*Total Burden Hours:* 12,100.

**Charlene Parker,**

*Departmental Information Collection Clearance Officer.*

[FR Doc. E9-29552 Filed 12-10-09; 8:45 am]

**BILLING CODE 3410-11-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Admittance To Practice and Roster of Registered Patent Attorneys and Agents Admitted To Practice Before the United States Patent and Trademark Office (USPTO)

**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 this continuing information collection, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before February 9, 2010.

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

- *E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov). Include "0651-0012 Admittance to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice Before the USPTO 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 e-Rulemaking Portal:* <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to the attention of Christine Nucker, Enrollment and Discipline Administrator, United States 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 [Christine.Nucker@uspto.gov](mailto:Christine.Nucker@uspto.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This collection of information is required by 35 U.S.C. 2(b)(2)(D), which permits the United States Patent and Trademark Office (USPTO) to establish regulations governing the recognition and conduct of agents, attorneys or other persons representing applicants or other parties before the USPTO. This statute also permits the USPTO to require information from applicants that shows that they are of good moral character and reputation and have the necessary qualifications to assist applicants with the patent process and to represent them before the USPTO.

The USPTO administers the statute through 37 CFR 1.21, 10.14 and 11.5 to 11.12. These rules address the requirements to apply for the examination for registration and to demonstrate eligibility to be a registered attorney or agent before the USPTO, including the fee requirements. The Office of Enrollment and Discipline (OED) collects information to determine the qualifications of individuals entitled to represent applicants before the USPTO in the preparation and prosecution of applications for a patent. The OED also collects information to administer and maintain the roster of attorneys and agents registered to practice before the USPTO. Information concerning registered attorneys and agents is published by the OED in a public roster that can be accessed through the USPTO Web site.

The information in this collection is used by the USPTO to review applications for the examination for registration and to determine whether an applicant may be added to, or an existing practitioner may remain on, the Register of Patent Attorneys and Agents.

There are eight forms associated with this information collection. Two new forms are being introduced into this collection: The Application for Reciprocal Recognition to Practice in Trademark Matters Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) by a Foreign Attorney or Agent (PTO-158T) and the Application for Registration in the USPTO Law School Pilot Program to Practice Before the United States Patent and Trademark Office by a Foreign Attorney or Agent (PTO-158LS).

Three additional new items being introduced into the collection are: (1) Cover pages used for submitting correspondence to OED (for documents submitted with applications, requests for reconsideration, and petitions); (2) record keeping costs (a copy of every document submitted to OED in connection with an application for registration); and (3) electronic change of address submissions.

**II. Method of Collection**

By mail to the USPTO when the individual desires to participate in the information collection and electronically when the individual is submitting a change of address.

**III. Data**

OMB Number: 0651-0012.

Form Number(s): PTO-158, PTO-158A, PTO/275, PTO-107A, PTO-1209, PTO-2126, PTO-2149 and PTO-2150. Two new forms being introduced into the collection are PTO-158T and PTO-158LS.

Type of Review: Revision of a currently approved collection.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 93,340 responses per year.

Estimated Time per Response: The USPTO estimates that it will take the public approximately 1 minute (0.02 hours) to 40 hours, depending upon the complexity of the situation, to gather, prepare, and submit the various documents in this information collection.

Estimated Total Annual Respondent Burden Hours: 98,028 hours per year.

Estimated Total Annual Respondent Cost Burden: \$23,010,260. The cost to respondents for taking the registration examination is estimated to be at the rate of \$39 per hour, for a cost burden of \$1,206,660. The USPTO estimates that the remaining items in this collection will be prepared by attorneys in private firms. Using the professional hourly rate of \$325 for attorneys in private firms, the USPTO estimates \$21,803,600 per year in respondent cost burden associated with the remaining items in this information collection.

| Item  | Estimated time for response | Estimated annual responses | Estimated annual burden hours |
|---|-----------------------------|----------------------------|-------------------------------|
| Application for Registration to Practice Before the United States Patent and Trademark Office (includes both the computerized exam and the USPTO-administered exam) FORM PTO-158.   | 30 minutes .....            | 4,420                      | 2,210                         |
| Application for Registration to Practice Before the United States Patent and Trademark Office (former examiners; examination waived) FORM PTO-158.  | 30 minutes .....            | 100                        | 50                            |
| Application for Registration to Practice Before the United States Patent and Trademark Office Under 37 CFR 11.6(c) by a Foreign Resident (examination waived) FORM PTO-158A.  | 30 minutes .....            | 100                        | 50                            |
| Application for Reciprocal Recognition to Practice in Trademark Matters Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) by a Foreign Attorney or Agent (examination waived) FORM PTO-158T.     | 30 minutes .....            | 25                         | 13                            |
| Application for Registration in the USPTO Law School Pilot Program to Practice Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) (examination waived) (Law School Students Only) FORM PTO-158LS. | 30 minutes .....            | 60                         | 30                            |
| Registration examination to become a registered practitioner .....  | 7 hours .....               | 4,420                      | 30,940                        |
| Undertaking under 37 CFR 11.10(b) PTO/275 .....   | 20 minutes .....            | 520                        | 172                           |
| Data Sheet—Register of Patent Attorneys and Agents (individuals passing the registration exam) PTO-107A.  | 10 minutes .....            | 1,995                      | 339                           |
| Data Sheet—Register of Patent Attorneys and Agents (Foreign applicants) PTO-107A .....  | 10 minutes .....            | 100                        | 17                            |
| Data Sheet—Register of Patent Attorneys and Agents (former examiners seeking registration) PTO-107A.  | 10 minutes .....            | 100                        | 17                            |
| Oath or Affirmation PTO-1209 .....  | 5 minutes .....             | 2,195                      | 176                           |
| Reinstatement to the Register PTO-107A .....  | 10 minutes .....            | 30                         | 5                             |
| Written request for reconsideration and further review of disapproval notice of application ...   | 90 minutes .....            | 30                         | 45                            |
| Petition to the Director of the Office of Enrollment and Discipline Under 37 CFR 11.12(c) ...   | 45 minutes .....            | 20                         | 15                            |
| Petition for reinstatement after disciplinary removal under 37 CFR 11.7(h) .....  | 40 hours .....              | 4                          | 160                           |
| Annual Practitioner Registration Fee FORM PTO-2126 .....  | 10 minutes .....            | 32,500                     | 5,525                         |
| Annual Fee, Limited Recognition FORM PTO-2126 .....   | 10 minutes .....            | 200                        | 34                            |

| Item   | Estimated time for response | Estimated annual responses | Estimated annual burden hours |
|--|-----------------------------|----------------------------|-------------------------------|
| Voluntary Inactive Status FORM PTO-2126 .....  | 10 minutes .....            | 2,000                      | 340                           |
| Request for Restoration to Active Status from Voluntary Inactive Status FORM PTO-2126 .....  | 10 minutes .....            | 700                        | 119                           |
| Balance of Annual Fee Due on Restoration to Active Status from Voluntary Inactive Status FORM PTO-2126.  | 10 minutes .....            | 700                        | 119                           |
| Delinquency Fee for Annual Fee FORM PTO-2126 .....   | 10 minutes .....            | 2,100                      | 357                           |
| Reinstatement Fee (fee required to be paid after the due date of the required annual fee) FORM PTO-2126.   | 10 minutes .....            | 420                        | 71                            |
| Sponsor Application for USPTO Continuing Legal Education (CLE) FORM PTO-2149 .....   | 1 hour .....                | 350                        | 350                           |
| Certification of Attendance at USPTO-approved CLE Training FORM PTO-2150 .....   | 1 hour .....                | 350                        | 350                           |
| Practitioner request for paper version of CLE .....  | 5 minutes .....             | 100                        | 8                             |
| On-line version of the seminar CLE .....   | 2 hours .....               | 28,000                     | 56,000                        |
| Paper version of the CLE .....   | 2 hours .....               | 100                        | 200                           |
| Practitioner's supporting documentation for a motion to hold in abeyance a disciplinary proceeding because of a current disability or addiction. | 40 hours .....              | 1                          | 40                            |
| Cover pages used for submitting correspondence to OED (for documents submitted with applications, Requests for Reconsideration, and petitions).  | 1 minute .....              | 7,500                      | 150                           |
| Change of address—electronic submission .....  | 2 minutes .....             | 4,200                      | 126                           |
| Total .....  | .....                       | 93,340                     | 98,028                        |

*Estimated Total Annual (non-hour) Respondent Cost Burden: \$5,710,143.* There are no capital start-up or maintenance costs associated with this information collection. There are, however, non-hour costs due to record keeping requirements, filing fees, and postage costs. There are record keeping costs as a result of the Oath which includes a notary public requirement. The average fee for having a document notarized is \$2. The USPTO estimates that it will receive 2,195 responses to this information collection per year as a result of this notary requirement, for a total cost of \$4,390 per year. Also, there

is another record keeping cost being added into the collection. The General Requirements Bulletin recommends that “applicants should make and keep a copy of every document submitted to the office in connection with an application for registration.” The USPTO estimates that it will take an applicant approximately 5 minutes (0.08 hours) to print and retain a copy of the submissions and that approximately 4,700 responses will be made per year, for a total of 376 hours. Using the professional rate of \$325 per hour for attorneys in private firms, the USPTO estimates that the record keeping cost associated with this copy requirement

will be \$122,200 per year, for a total record keeping cost of \$126,590. There are also filing fees associated with this collection. The application fees for registration to practice before the USPTO vary depending on whether the applicant is a current applicant, a former examiner, or a foreign resident. The fee for administration of the computerized examination to become a registered patent practitioner also varies depending on how the examination is administered. The total annual non-hour cost burden associated with filing fees is \$5,561,840.

| Item  | Responses (a) | Filing fee (\$) (b) | Total non-hour cost burden (a) × (b) (c) |
|---|---------------|---------------------|--|
| Non-Refundable Application Fee for Registration to Practice Before the United States Patent and Trademark Office (includes both the computerized exam and the USPTO-administered exam) .....                        | 4,420         | \$40.00             | \$176,800.00                             |
| Non-Refundable Application Fee for Enrollment and/or Reinstatement to Practice Before the United States Patent and Trademark Office Under 37 CFR 1.21(a)(10) (those who must prove fitness to practice) .....       | 35            | 1,600.00            | 56,000.00                                |
| Application fee for Registration to Practice Before the United States Patent and Trademark Office, as applicable when used for registration fees only (former examiners; examination waived) .....                  | 100           | 40.00               | 4,000.00                                 |
| Application for Registration to Practice Before the United States Patent and Trademark Office Under 37 CFR 11.6(c) by a Foreign Resident (examination waived) .....   | 100           | 40.00               | 4,000.00                                 |
| Application fee for Reciprocal Recognition to Practice in Trademark Matters Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) by a Foreign Attorney/Agent (examination waived) .....       | 25            | 40.00               | 1,000.00                                 |
| Application Fee for Registration in the USPTO Law School Pilot Program to Practice Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) (examination waived) (Law School students only) ..... | 60            | 0.00                | 0.00                                     |
| Registration examination fee for administration of computerized examination to become a registered patent practitioner administered by the USPTO (USPTO-administered exam) .....                                    | 20            | 450.00              | 9,000.00                                 |
| Registration examination fee for administration of computerized examination to become a registered patent practitioner administered by a commercial entity (Computer exam) .....                                    | 4,400         | 200.00              | 880,000.00                               |
| Undertaking under 37 CFR 11.10(b) .....   | 520           | 0.00                | 0.00                                     |
| Data Sheet—Register of Patent Attorneys and Agents (includes applicants that passed the examination, former examiners, and foreign applicants) .....  | 2,195         | 100.00              | 219,500.00                               |
| Oath or Affirmation .....   | 2,195         | 0.00                | 0.00                                     |
| Reinstatement to the Register .....   | 30            | 100.00              | 3,000.00                                 |

| Item  | Responses<br>(a) | Filing fee<br>(\$)<br>(b) | Total non-hour<br>cost burden<br>(a) × (b)<br>(c) |
|---|------------------|---------------------------|---|
| Written request for reconsideration and further review of disapproval notice of application .....   | 30               | 130.00                    | 3,900.00  |
| Petition to the Director of the Office of Enrollment and Discipline under 11.12(c) .....  | 20               | 130.00                    | 2,600.00  |
| Petition for reinstatement after disciplinary removal under 11.7(h) .....   | 4                | 1,600.00                  | 6,400.00  |
| Annual Practitioner Registration Fee .....  | 32,500           | 118.00                    | 3,835,000.00                                      |
| Annual Fee, Limited Recognition .....   | 200              | 118.00                    | 23,600.00   |
| Voluntary Inactive Status .....   | 2,000            | 25.00                     | 50,000.00   |
| Request for Restoration to Active from Voluntary Inactive Status .....  | 700              | 50.00                     | 35,000.00   |
| Balance of annual fee due on restoration to active from voluntary inactive status .....   | 700              | 93.00                     | 65,100.00   |
| Delinquency fee for annual fee (fee paid after the due date and for CLE) .....  | 2,100            | 50.00                     | 105,000.00  |
| Reinstatement Fee (required to be paid after the due date of the required annual fee or CLE) .....  | 420              | 100.00                    | 42,000.00   |
| Sponsor Application for USPTO CLE .....   | 350              | 60.00                     | 21,000.00   |
| Certification of Attendance at USPTO-approved CLE Training .....  | 350              | 0.00                      | 0.00  |
| Practitioner request for paper version of CLE program and furnished narrative .....   | 100              | 75.00                     | 7,500.00  |
| On-line version of the Seminar CLE .....  | 28,000           | 0.00                      | 0.00  |
| Paper version of the CLE .....  | 100              | 0.00                      | 0.00  |
| Practitioner's supporting documentation for a motion to hold in abeyance a disciplinary proceeding because of a current disability or addiction ..... | 1                | 11,440.00                 | 11,440.00   |
| Cover pages used for submitting correspondence to OED (includes "Request for Reconsideration" cover page) .....                                       | 7,500            | 0.00                      | 0.00  |
| Change of address—electronic submission .....   | 4,200            | 0.00                      | 0.00  |
| <b>Total .....</b>  | <b>93,375</b>    | <b>.....</b>              | <b>5,561,840.00</b>                               |

The General Requirements Bulletin for Admission to the Examination for Registration to Practice in Patent Cases before the USPTO states that all business with the USPTO should be transacted in writing. The actions of the OED will be based exclusively on the written record in the USPTO (37 CFR 1.2). Personal attendance is

unnecessary. All documents may be submitted to the USPTO by first-class mail through the United States Postal Service. Mailed submissions should include a certificate of mailing for each piece of correspondence enclosed, stating the date of deposit or transmission to the USPTO. The USPTO estimates that the average first-class

postage cost for responses to this collection will vary from 44 cents for one ounce to \$4.80 for one pound, depending on the individual submission. The total annual non-hour cost burden associated with postage costs is \$21,713.

| Item  | Responses<br>(a) | Postage cost<br>(\$)<br>(b) | Total non-hour<br>cost burden<br>(a) × (b)<br>(c) |
|---|------------------|-----------------------------|---|
| Application for Registration to Practice Before the United States Patent and Trademark Office (includes both the computerized exam and the USPTO-administered exam) .....                                       | 4,420            | \$0.61                      | \$2,696.00  |
| Application for Registration to Practice Before the United States Patent and Trademark Office (former examiners; examination waived) .....  | 100              | 0.61                        | 61.00   |
| Application for Registration to Practice Before the United States Patent and Trademark Office Under 37 CFR 11.6(c) by a Foreign Resident (examination waived) .....   | 100              | 0.44                        | 44.00   |
| Application for Reciprocal Recognition to Practice in Trademark Matters Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) by a Foreign Attorney or Agent (examination waived) .....    | 25               | 0.61                        | 15.00   |
| Application for Registration in the USPTO Law School Pilot Program to Practice Before the United States Patent and Trademark Office Under 37 CFR 11.14(c) (examination waived) (Law School Students only) ..... | 60               | 0.00                        | 0.00  |
| Registration examination to become a registered practitioner .....  | 4,420            | 0.00                        | 0.00  |
| Undertaking under 37 CFR 11.10(b) .....   | 520              | 0.00                        | 0.00  |
| Data Sheet—Register of Patent Attorneys and Agents (includes applicants that passed the examination, former examiners, and foreign applicants) .....  | 2,195            | 0.44                        | 966.00  |
| Oath or Affirmation .....   | 2,195            | 0.00                        | 0.00  |
| Reinstatement to the Register .....   | 30               | 0.44                        | 13.00   |
| Written request for reconsideration and further review of disapproval notice of application .....   | 30               | 0.61                        | 18.00   |
| Petition to the Director of the Office of Enrollment and Discipline under 37 CFR 11.12(c) .....   | 20               | 1.73                        | 35.00   |
| Petition for reinstatement after disciplinary removal under 37 CFR 11.7(h) .....  | 4                | 0.78                        | 3.00  |
| Annual Practitioner Registration Fee .....  | 32,500           | 0.44                        | 14,300.00   |
| Annual Fee, Limited Recognition .....   | 200              | 0.44                        | 88.00   |
| Voluntary Inactive Status .....   | 2,000            | 0.44                        | 880.00  |
| Request for Restoration to Active from Voluntary Inactive Status .....  | 700              | 0.44                        | 308.00  |
| Balance of annual fee due on restoration to active from voluntary inactive status .....   | 700              | 0.44                        | 308.00  |
| Delinquency Fee for annual fee (fee paid after the due date and for CLE) .....  | 2,100            | 0.44                        | 924.00  |
| Reinstatement fee (required to be paid after the due date of the required annual fee or CLE) .....  | 420              | 0.44                        | 185.00  |
| Sponsor application for USPTO CLE .....   | 350              | 1.73                        | 606.00  |
| Certification of Attendance at USPTO-approved CLE Training .....  | 350              | 0.61                        | 214.00  |
| Practitioner request for paper version of CLE program and furnished narrative .....   | 100              | 0.44                        | 44.00   |

| Item  | Responses<br>(a) | Postage cost<br>(\$)<br>(b) | Total non-hour<br>cost burden<br>(a) × (b)<br>(c) |
|---|------------------|-----------------------------|---|
| On-line version of the Seminar CLE .....  | 28,000           | 0.00                        | 0.00  |
| Paper version of the CLE .....  | 100              | 0.00                        | 0.00  |
| Practitioner's supporting documentation for a motion to hold in abeyance a disciplinary proceeding because of a current disability or addiction ..... | 1                | 4.80                        | 5.00  |
| Cover pages used for submitting correspondence to OED (includes "Request for Reconsideration" cover page) .....                                       | 7,500            | 0.00                        | 0.00  |
| Change of Address—electronic submission .....   | 4,200            | 0.00                        | 0.00  |
| Total .....   | 93,340           | .....                       | 21,713.00   |

The USPTO estimates that the total (non-hour) respondent cost burden for this collection in the form of recordkeeping costs, filing fees, and postage costs is \$5,710,143.

#### 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: December 7, 2009.

**Susan K. Fawcett,**

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

[FR Doc. E9-29528 Filed 12-10-09; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-848]

#### Commodity Matchbooks from India: Antidumping Duty Order

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (the ITC), the Department is issuing an

antidumping duty order on commodity matchbooks from India. On December 4, 2009, the ITC notified the Department of its affirmative determination of material injury to a U.S. industry.

**EFFECTIVE DATE:** December 11, 2009.

**FOR FURTHER INFORMATION CONTACT:** Holly Phelps or Elizabeth Eastwood, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0656 and (202) 482-3874, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 22, 2009, the Department published its affirmative final determination of sales at less-than-fair-value in the antidumping duty investigation of commodity matchbooks from India. *See Notice of Final Determination of Sales at Less Than Fair Value: Commodity Matchbooks from India*, 74 FR 54536 (Oct. 22, 2009).

On December 4, 2009, the ITC notified the Department of its final determination pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured by reason of less-than-fair-value imports of commodity matchbooks from India. *See* section 735(b)(1)(A)(i) of the Act.

##### Scope of the Order

The scope of this order includes commodity matchbooks, also known as commodity book matches, paper matches or booklet matches.<sup>1</sup> Commodity matchbooks typically, but do not necessarily, consist of twenty match stems which are usually made from paperboard or similar material tipped with a match head composed of any chemical formula. The match stems

<sup>1</sup> Such commodity matchbooks are also referred to as "for resale" because they always enter into retail channels, meaning businesses that sell a general variety of tangible merchandise, e.g., convenience stores, supermarkets, dollar stores, drug stores and mass merchandisers.

may be stitched, stapled, or otherwise fastened into a matchbook cover of any material, on which a striking strip composed of any chemical formula has been applied to assist in the ignition process.

Commodity matchbooks included in the scope of this order may or may not contain printing. For example, they may have no printing other than the identification of the manufacturer or importer. Commodity matchbooks may also be printed with a generic message such as "Thank You" or a generic image such as the American Flag, with store brands (e.g., Kroger, 7-Eleven, Shurfine or Giant); product brands for national or regional advertisers such as cigarettes or alcoholic beverages; or with corporate brands for national or regional distributors (e.g., Penley Corp. or Diamond Brands). They all enter retail distribution channels. Regardless of the materials used for the stems of the matches and regardless of the way the match stems are fastened to the matchbook cover, all commodity matchbooks are included in the scope of this order.

All matchbooks, including commodity matchbooks, typically comply with the United States Consumer Product Safety Commission (CPSC) Safety Standard for Matchbooks, codified at 16 CFR 1202.1 *et seq.*

The scope of this order excludes promotional matchbooks, often referred to as "not for resale," or "specialty advertising" matchbooks, as they do not enter into retail channels and are sold to businesses that provide hospitality, dining, drinking or entertainment services to their customers, and are given away by these businesses as promotional items. Such promotional matchbooks are distinguished by the physical characteristic of having the name and/or logo of a bar, restaurant, resort, hotel, club, café/coffee shop, grill, pub, eatery, lounge, casino, barbecue or individual establishment printed prominently on the matchbook cover. Promotional matchbook cover printing also typically includes the