

February 5, through February 12, 2010. Thus, all deadlines in this segment of the proceeding have been extended by seven days. Therefore, the preliminary results are currently due no later than April 9, 2010. See Memorandum to the Record from Ronald Lorentzen, DAS for Import Administration, regarding "Tolling of Administrative Deadlines As a Result of the Government Closure During the Recent Snowstorm," dated February 12, 2010.

#### Extension of Time Limit for Preliminary Results

Pursuant to section 751(a)(3)(A) of Tariff Act of 1930, as amended (the Act), the Department shall make a preliminary determination in an administrative review of an antidumping order within 245 days after the last day of the anniversary month of the date of publication of the order. Section 751(a)(3)(A) of the Act further provides, however, that the Department may extend the 245-day period to 365 days if it determines it is not practicable to complete the review within the foregoing time period. We determine that it is not practicable to complete this administrative review within the time limits mandated by section 751(a)(3)(A) of the Act because we require additional time to analyze and verify the data submitted by Chia Far, the sole respondent selected for individual examination. In accordance with section 751(a)(3)(A) of the Act, we have fully extended the deadline for completing the preliminary results until August 7, 2010. Because August 7, 2010, falls on a weekend, the actual due date is now August 9, 2010. The deadline for the final results of the review continues to be 120 days after the publication of the preliminary results.

This notice is published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: March 31, 2010.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XG18**

#### Identification of Nations Whose Fishing Vessels Are Engaged in Illegal, Unreported, or Unregulated Fishing and/or Bycatch of Protected Living Marine Resources

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

**ACTION:** Reopening of request for information period.

**SUMMARY:** NMFS is reopening the request for information in order to provide additional opportunities for interested parties to provide information regarding nations whose vessels are engaged in illegal, unregulated, or unreported (IUU) fishing or bycatch of protected living marine resources (PLMRs). Such information will be reviewed for the purposes of the identification of nations pursuant to the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act). On March 5, 2010, NMFS published a request for information, with submissions requested by April 5, 2010. NMFS is now reopening the request for information until April 23, 2010.

**DATES:** Information should be received on or before April 23, 2010.

**ADDRESSES:** Information should be submitted to NMFS Office of International Affairs, Attn.: MSRA Information, 1315 East-West Highway, Silver Spring, MD 20910. E-mail address: [IUU.PLMR.INFO@noaa.gov](mailto:IUU.PLMR.INFO@noaa.gov) or fax (301) 713-9106.

**FOR FURTHER INFORMATION CONTACT:** NMFS Office of International Affairs, e-mail address: [IUU.PLMR.INFO@noaa.gov](mailto:IUU.PLMR.INFO@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) amended the Moratorium Protection Act (16 U.S.C. 1826d-k) to require actions be taken by the United States to strengthen international fishery management organizations and address IUU fishing and bycatch of PLMRs. Specifically, the Moratorium Protection Act requires the Secretary of Commerce (Secretary) to identify in a biennial report to Congress those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding 2 years, in IUU fishing. In this

context, IUU fishing is defined (16 U.S.C. 1826j; 50 CFR 300.200-201) as:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, and bycatch reduction requirements;

(2) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; and

(3) Fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.

Additionally, the Secretary must identify in the biennial report those nations whose fishing vessels are engaged, or have been engaged during the preceding calendar year, in fishing activities either (1) in waters beyond any national jurisdiction that result in bycatch of a PLMR, or (2) beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States. In this context, PLMRs are defined as non-target fish, sea turtles, or marine mammals that are protected under U.S. law or international agreement, including the Marine Mammal Protection Act, the Endangered Species Act, the Shark Finning Prohibition Act, and the Convention on International Trade in Endangered Species of Wild Flora and Fauna. PLMRs do not include species, except sharks, managed under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, or any international fishery management agreement. A list of species considered as PLMRs for this purpose is available online at: [http://www.nmfs.noaa.gov/msa2007/docs/list\\_of\\_protected\\_lmr\\_act\\_022610.pdf](http://www.nmfs.noaa.gov/msa2007/docs/list_of_protected_lmr_act_022610.pdf).

The first biennial report was submitted to Congress in January 2009 and is available online at [http://www.nmfs.noaa.gov/msa2007/docs/msra\\_biennial\\_report\\_011309.pdf](http://www.nmfs.noaa.gov/msa2007/docs/msra_biennial_report_011309.pdf). The report identified six nations for IUU fishing.

The Moratorium Protection Act also requires the Secretary to establish procedures to certify whether each nation identified in the biennial report is taking appropriate corrective action to

address IUU fishing and/or bycatch of PLMRs by fishing vessels of that nation. If a nation does not receive a positive certification by the Secretary, they could be subject to sanctions under the High Seas Driftnet Fisheries Enforcement Act (Enforcement Act) (16 U.S.C. 1826a). On January 14, 2009, NMFS published a proposed rule to implement both the identification and certification procedures. That proposed rule is available online at [http://www.nmfs.noaa.gov/msa2007/docs/iuu\\_bycatch\\_rule011409.pdf](http://www.nmfs.noaa.gov/msa2007/docs/iuu_bycatch_rule011409.pdf). The rule provides information regarding the identification process how the information solicited here will be used in that process.

In fulfillment of its requirements under the Moratorium Protection Act, NMFS is preparing the second biennial report to Congress, which will identify nations whose fishing vessels are engaged in IUU fishing or fishing practices that result in bycatch of PLMRs. NMFS is soliciting information from the public that could assist in its identification of nations engaged in activities that meet one or more of the three criteria described above for IUU fishing or one or more of the two criteria described above for PLMR bycatch. Information that may prove useful to NMFS includes:

- Documentation (photographs, *etc.*) of IUU activity or PLMR bycatch;
- Fishing vessel records;
- Reports from off-loading facilities, port-side government officials, enforcement agents, military personnel, port inspectors, transshipment vessel workers and fish importers;
- Government vessel registries;
- IUU vessel lists from RFMOs;
- RFMO catch documents and statistical document programs;
- Appropriate certification programs; and
- Reports from governments, international organizations, or nongovernmental organizations.

NMFS will consider all available information, as appropriate, when making a determination whether or not to identify a particular nation in the biennial report to Congress. NMFS is particularly interested in information on IUU fishing activity and bycatch of PLMRs that occurred during 2009–2010. NMFS will consider several criteria when determining whether information is appropriate for use in making identifications, including but not limited to:

- Corroboration of information;
- Whether multiple sources have been able to provide information in support of an identification;

- The methodology used to collect the information;
  - Specificity of the information provided; and
  - Susceptibility of the information to falsification and alteration; and
  - Credibility of the individuals or organization providing the information.
- Information should be as specific as possible as this will assist NMFS in its review.

Dated: March 31, 2010.

**Rebecca Lent,**

*Director, Office of International Affairs,  
National Marine Fisheries Service.*

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-P-2010-0012]

#### Patents Ombudsman Pilot Program

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) published a notice in the **Federal Register** seeking public comments on a proposed procedure for a Patents Ombudsman Pilot Program. The majority of the written comments from the patent community were positive and supported the implementation of such a program. After considering the written comments, the USPTO has decided to implement the Patents Ombudsman Pilot Program as set forth in this notice for a period of one year. The Patents Ombudsman Pilot Program is intended to provide patent applicants, attorneys and agents with assistance with application-processing issues regarding concerns with advancement of prosecution (*e.g.*, stalled applications). The Patents Ombudsman Pilot Program is not intended to circumvent normal communication between pro se applicants or applicants' representatives and examiners or Supervisory Patent Examiners, and it is not intended to supersede the authority of the examiners or Supervisory Patent Examiners. After the one-year period, the USPTO may extend the pilot program with appropriate modifications based on the feedback from the participants, the effectiveness of the pilot program and the availability of resources.

**DATES:** *Effective Date:* April 6, 2010.

*Duration:* The Patents Ombudsman Pilot Program will run for twelve

months from its effective date. Therefore, any request under the Patents Ombudsman Pilot Program must be submitted before April 6, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mindy Fleisher, Special Programs Advisor, Technology Center (TC) 2400, at (571) 272-3365, or Pinchus M. Laufer, Legal Advisor, Office of Patent Legal Administration, Office of the Associate Commissioner for Patent Examination Policy, at (571) 272-7726.

Valencia Martin-Wallace, TC 2400 Director, available at (571) 272-4020, will provide oversight of the Patents Ombudsman Pilot Program.

**SUPPLEMENTARY INFORMATION:** The majority of patent applications filed with the USPTO proceed through the examination process consistent with established USPTO procedure. However, some patent applicants, attorneys, and agents have expressed that their applications have not proceeded in accordance with established procedure. In some situations, the patent applicants, attorneys, and agents have felt that examination has stalled and that their efforts to move their applications forward through the normal channels have not been effective. Patent applicants, attorneys, and agents have suggested that there be a dedicated resource they can turn to in such instances. These suggestions led the USPTO to consider implementing a Patents Ombudsman Pilot Program and to publish a notice in the **Federal Register** seeking public comments on a proposed procedure. *See Request for Comments on Patents Ombudsman Pilot Program*, 74 FR 55212 (Oct. 27, 2009), 1348 *Off. Gaz. Pat. Office* 418 (Nov. 24, 2009). The USPTO received fifteen written comments from the public, which are available on the USPTO Web site at <http://www.uspto.gov/patents/law/comments/ombudsmancomments.jsp>. The majority of the written comments from the patent community were positive and supported the implementation of such a program. The USPTO considered the written comments and decided to implement the Patents Ombudsman Pilot Program as set forth in this notice for the duration of one year. After the one-year period, the USPTO may extend the pilot program with appropriate modifications based on feedback from the participants, the effectiveness of the pilot program and the availability of resources.

The objectives for the Patents Ombudsman Pilot Program are: (1) To facilitate complaint-handling for pro se applicants and applicant's representatives whose applications have