PART 41—PRACTICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

1. The authority citation for 37 CFR part 41 continues to read as follows:


Subpart E—Patent Interferences

§ 41.200 [Amended]

2. In § 41.200, paragraph (b) is removed and reserved.


David J. Kappos,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2010–8626 Filed 4–14–10; 8:45 am]

BILLING CODE 3510–16–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 11

[EB Docket No. 04–296; DA 10–500]


AGENCY: Federal Communications Commission.

ACTION: Request for comments.

SUMMARY: In this document, the Federal Communication Commission’s (Commission) Public Safety and Homeland Security Bureau (PSHSB) seeks informal comment regarding what, if any, changes to the Commission’s rules governing the Emergency Alert System (EAS) might be necessitated by the introduction of the Common Alerting Protocol (CAP), as well as the Federal Emergency Management Agency’s (FEMA) deployment of its Integrated Public Alert and Warning System (IPAWS).

DATES: Comments are due on or before May 17, 2010 and reply comments are due on or before June 14, 2010.

ADDRESSES: You may submit comments, identified by EB Docket No. 04–296 by any of the following methods:

• Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

• Federal Communications Commission’s Web site: http://www.fcc.gov/cgb/ecfs/. Follow the instructions for submitting comments.

• Mail: Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

• People With Disabilities: Contact the Commission to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the SUPPLEMENTARY INFORMATION section of this document.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW., Washington, DC 20554.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

FOR FURTHER INFORMATION CONTACT:

Gregory M. Cooke, Associate Chief, Policy Division, Public Safety and Homeland Security Bureau, at (202) 418–2351, or by e-mail at gregory.cooke@fcc.gov.


Synopsis of the Public Notice

1. CAP is an open, interoperable, data interchange format for collecting and distributing all-hazard safety notifications and emergency warnings to multiple information networks, public safety alerting systems, and personal communications devices. In conjunction with appropriate alert transmission architectures, CAP will allow FEMA, the National Weather Service (NWS), a State Governor, or any other authorized initiator of a public alert and warning to
Innovative technologies and distribution
IPAWS, which will combine new and
into any new rules adopted for part 11,
Commission can implement flexibility
speakers. PSHSB also asks commenters
people with disabilities and non-
adoptions, testing, and access for
commenters may address rules for a
framework to replace part 11 rules.
new rules for Part 11—or a new rules
PSHSB asks commenters to identify,
if any, part 11 changes might be
implemented, even if CAP-formatted
sand that any revisions to Part 11 can be
adopted in manner consistent with
to which systems. Again, PSHSB urges
commenters to consider the degree to
which the Commission can and should
implement flexibility into its new rules,
in order to accommodate future changes
to EAS delivery systems without
necessitating repeated revisions to Part
11. What factors should the Commission
weigh in determining whether and or
when to implement future rule changes?
Should the structure and content of
state EAS Plans covered by § 11.21 of
the EAS rules be altered to
accommodate CAP and, if so, how?
6. Finally, PSHSB seeks comment on
what rules changes, if any, are necessary
to our Part 11 rules to ensure access to
a CAP-based EAS by people with
disabilities and those who do not speak
English. We seek comment on how
states that have adopted CAP currently
address this issue. We also seek
comment on the status of any initiatives
or programs developed by, as well as
any ongoing discussions among,
interested stakeholders to address these
issues.

Procedural Matters
A. Ex Parte Presentations
7. This matter shall be treated as a
“permit-but-disclose” proceeding in
accordance with the Commission’s ex
parte rules. Persons making oral ex
parte presentations are reminded that
memoranda summarizing the
presentations must contain summaries of
the substance of the presentations and
not merely a listing of the subjects
discussed. More than a one or two
sentences description of the views and
arguments presented is generally
required. Other requirements pertaining
to oral and written presentations are set
forth in § 1.1206(b) of the Commission’s
rules.

B. Comment Filing Procedures
8. Pursuant to §§ 1.415 and 1.419 of
the Commission’s rules, 47 CFR 1.415,
1.419, interested parties may file
comments and reply comments on or
before the dates indicated on the first
page of this document. All filings
related to this Notice of Proposed
Rulemaking should refer to EB Docket
No. 04–296. Comments may be filed
using: (1) The Commission’s Electronic
Comment Filing System (ECFS), (2) the
Federal Government’s eRulemaking
Portal, or (3) by filing paper copies. See
Electronic Filing of Documents in
Rulemaking Proceedings, 63 FR 24121,
May 1, 1998.

9. Electronic Filers: Comments may be
filed electronically using the Internet by
accessing the ECFS: http://www.fcc.gov/
cgb/ecfs/ or the Federal eRulemaking
Filers should follow the instructions
provided on the Web site for submitting
comments.

10. For ECFS filers, if multiple
docket or rulemaking numbers appear in
the caption of this proceeding, filers must
transmit one electronic copy of the
comments for each docket or
rulemaking number referenced in the
caption. In completing the transmittal
screen, filers should include their full
name, U.S. Postal Service mailing
address, and the applicable docket or
rulemaking number. Parties may also
submit an electronic comment by
Internet e-mail. To get filing
instructions, filers should send an e-
mail to ecfs@fcc.gov, and include the
following words in the body of the
message, “get form.” A sample form and
directions will be sent in response.

11. Paper Filers: Parties who choose
to file by paper must file an original and
four copies of each filing. If more than
one docket or rulemaking number
appears in the caption of this
proceeding, filers must submit two
additional copies for each additional
docket or rulemaking number.

12. Filings can be sent by hand or
messenger delivery, by commercial
overnight courier, or by first-class or
overnight U.S. Postal Service mail
(although we continue to experience
delays in receiving U.S. Postal Service
mail). All filings must be addressed to
the Commission’s Secretary, Office of
the Secretary, Federal Communications
Commission.

13. Effective December 28, 2009, all
hand-delivered or messenger-delivered
paper filings for the Commission’s
Secretary must be delivered to FCC
Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands

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

ACTION: Temporary rule; modification of a closure.

SUMMARY: NMFS is opening directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 meters) length overall using hook-and-line or pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to fully use the 2010 allowable catch (TAC) of Pacific cod necessary to allow for the orderly conduct and efficient operation of this fishery by Pacific cod by catcher vessels less than 60 feet (18.3 meters) length overall using hook-and-line or pot gear in the BSAI. Immediate notification is necessary to allow for the orderly conduct and efficient operation of this fishery, to allow the industry to plan for the fishing season, and to avoid potential disruption to the fishing fleet and processors. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of April 9, 2010.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the fishery for Pacific cod by catcher vessels less than 60 feet (18.3 meters) length overall using hook-and-line or pot gear in the BSAI to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until April 29, 2010.

This action is required by § 679.25 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 et seq.

Dated: April 12, 2010.

Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Part 679
[Docket No. 0910131363–0087–02]
RIN 0648–XV79

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