Done in Washington, DC, this 16th day of April 2010.

Cindy J. Smith
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2010–9198 Filed 4–16–10; 4:15 pm]
BILLING CODE 3410–34–S

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: National Telecommunications and Information Administration (NTIA).
Title: State Broadband Data and Development Grant Program.
OMB Control Number: 0660–0032.
Form Number(s): None.
Type of Request: Regular submission (extension of a currently approved collection).
Number of Respondents: 56 respondents and 2,000 subrespondents.
Average Hours per Response: 3,120 hours for respondents and 50 hours for subrespondents.
Burden Hours: 549,440.

Needs and Uses: The State Broadband Data and Development Grant Program implements the joint goals of the American Recovery and Reinvestment Act of 2009 and the Broadband Data Improvement Act by assisting, through grants, states or their designees in gathering and verifying state-specific data on the availability, speed, location, technology and infrastructure of broadband services. The data will be used to develop publicly available state-wide broadband maps and to help populate the comprehensive and searchable national broadband map that NTIA is required under the Recovery Act to create and make publicly available by February 17, 2011.

Affected Public: States, Territories and the District of Columbia, or their designees. Subrespondents include facilities-based providers of broadband connections, incumbent and competitive local exchange carriers, facilities-based mobile telephony service providers, and wireless Internet service providers.
Frequency: Semi-annually.
Respondent’s Obligation: Required to retain benefits.

OMB Desk Officer: Nicholas Fraser, (202) 395–5887.
Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482–0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).
Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Nicholas Fraser, OMB Desk Officer, FAX number (202) 395–5806, or via the Internet at Nicholas_A_Fraser@omb.eop.gov.
Dated: April 15, 2010.

Gwennlar Banks,
Management Analyst, Office of the Chief Information Officer.

FOR FURTHER INFORMATION CONTACT:
U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–7728; or by e-mail to Raul.Tamayo@uspto.gov.

SUPPLEMENTARY INFORMATION:
I. Abstract
The Federal Food, Drug, and Cosmetic Act at 35 U.S.C. 156 permits the United States Patent and Trademark Office (USPTO) to restore the patent term lost due to certain types of regulatory review by the Federal Food and Drug Administration or the Department of Agriculture. Only patents for drug products, medical devices, food additives, and color additives are eligible for extension. The maximum length that a patent may be extended in order to restore the lost portion of the patent term is five years.

The USPTO may in some cases extend the term of an original patent due to certain delays in the prosecution of the patent application, including delays caused by interference proceedings, secrecy orders, or appellate review by the Board of Patent Appeals and Interferences or a Federal court in which the patent is issued pursuant to a decision reversing an adverse determination of patentability. The patent term provisions of 35 U.S.C. 154(b), as amended by Title IV, Subtitle D of the Intellectual Property and Communications Omnibus Reform Act of 1999, require the USPTO to notify the applicant of the patent term adjustment in the notice of allowance and give the applicant an opportunity to request reconsideration of the USPTO’s patent term adjustment determination.

The USPTO may also reduce the amount of patent term adjustment granted if delays were caused by an applicant’s failure to make a reasonable effort to respond within three months of the mailing date of a communication from the USPTO. Applicants may petition for reinstatement of a reduction in patent term adjustment with a showing that, in spite of all due care, the applicant was unable to respond to a communication from the USPTO within the three month period.

The USPTO administers 35 U.S.C. 154 and 156 through 37 CFR 1.701–1.791. These rules permit the public to submit applications to the USPTO to extend the term of a patent past its original expiration date, to request interim extensions and review of final eligibility decisions, and to withdraw an application requesting a patent term extension after it is submitted. Under 35 U.S.C. 156(d), an application for patent term extension must identify the approved product, the patent to be extended, and the claims included in
the patent that cover the approved product, a method of using the approved product, or a method of manufacturing the approved product. In addition, the application for patent term extension must provide a brief description of the activities undertaken by the applicant during the regulatory review period with respect to the approved product and the significant dates of these activities.

The term of a patent which claims a product, a method of using a product, or a method of manufacturing a product shall be extended if the term of the patent has not expired before an application is submitted. The Federal Food, Drug, and Cosmetic Act requires that an application for patent term extension be filed with the USPTO within 60 days of the product receiving regulatory approval from the Federal Food and Drug Administration or the Department of Agriculture. Under 35 U.S.C. 156(e), an interim extension may be granted if the term of an eligible patent for which an application for patent term extension has been submitted would expire before a certificate of extension is issued.

The information in this collection is used by the USPTO to consider whether an applicant is eligible for a patent term extension or reconsideration of a patent term adjustment and, if so, to determine the length of the patent term extension or adjustment.

II. Method of Collection

By mail, facsimile, hand delivery, or electronically to the USPTO. Electronic submissions are made through EFS-Web, the USPTO’s online filing system for patent applications and related documents.

III. Data

OMB Number: 0651–0020.

Form Number(s): PTO/SB/131.

Type of Review: Revision of a currently approved collection.

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<th>Estimated annual responses</th>
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Totals ................................................................................................................................. 13,586 7,808

Estimated Total Annual Non-hour Respondent Cost Burden: $360,416.

There are no capital start-up or maintenance costs associated with this information collection. However, this collection does have annual (non-hour) costs in the form of filing fees, postage costs, and recordkeeping costs.

This collection has filing fees associated with the requirements for patent term extension and patent term adjustment. The USPTO estimates that the total filing fees associated with this collection will be $358,680 per year.

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</tr>
</tbody>
</table>
### DEPARTMENT OF COMMERCE
#### International Trade Administration
#### [A–552–802]

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

**SUMMARY:** The Department of Commerce (“Department”) is extending the time limit for the final results of the new shipper review of certain frozen warmwater shrimp (“shrimp”) from the Socialist Republic of Vietnam (“Vietnam”). This review covers the period February 1, 2008 through January 31, 2009.

**EFFECTIVE DATE:** April 20, 2010.

**FOR FURTHER INFORMATION CONTACT:** Toni Dach or Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–1655 or (202) 482–0415, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 21, 2010, the Department published its notice of preliminary intent to rescind the new shipper review in the antidumping duty order on shrimp from Vietnam for Nhat Duc Co., Ltd. See **Certain Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Preliminary Intent To Rescind New Shipper Review, 75 FR 3446** (January 21, 2010) (“Preliminary Rescission”). The final results of this review are currently due no later than April 19, 2010.1

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Susan K. Fawcett, Records Officer, USPTO, Office of the Chief Information Officer.

[FR Doc. 2010–9081 Filed 4–19–10; 8:45 am]

**BILLING CODE 3510–16–P**

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*Customers may incur postage costs when submitting the information in this collection to the USPTO by mail. The USPTO expects that the Application to Extend Patent Term under 35 U.S.C. 156, the Initial Application for Interim Extension under 35 U.S.C. 156(d)(5), and approximately 7% of the other responses for this collection will be submitted by mail. The USPTO estimates that the average first-class postage cost for these 991 mailed submissions will be 44 cents each, for a total estimated postage cost of $436 per year.

When submitting the information in this collection to the USPTO electronically, the customer is strongly urged to retain a copy of the acknowledgment receipt as evidence that the submission was received by the USPTO on the date noted. The USPTO estimates that it will take 5 seconds (0.001 hours) to print and retain a copy of the acknowledgment receipt and that approximately 12,595 responses per year will be submitted electronically, for a total of approximately 13 hours per year for printing this receipt. Using the paraprofessional rate of $100 per hour, the USPTO estimates that the recordkeeping cost associated with this collection will be $1,300 per year.

The total non-hour respondent cost burden for this collection in the form of filing fees, postage costs, and recordkeeping costs is estimated to be $360,416 per year.

### 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, e.g., 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 also will become a matter of public record.

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1Due to the extended closure of the Government between February 3 and 11, 2010, all deadlines for active cases were tolled by one calendar week. See Memorandum From Ronald Lorenzen, DAS for Import Administration, Regarding Tolling of Administrative Deadlines As a Result of the Government Closure During the Recent Snowstorm, available at http://ita.doc.gov/download/administrative-deadline-tolling-memo-022010.pdf.

**Statutory Time Limits**

In antidumping duty new shipper reviews, section 751(a)(2)(B)(iv) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.214(i)(1) requires the Department to issue the final results of a new shipper review within 90 days after the date on which the preliminary results are issued. However, the Department may extend the deadline for completion of the final results of a new shipper review to 150 days after the date on which the preliminary results are issued if it determines that the case is extraordinarily complicated. See 19 CFR 351.214(i)(2)

**Extension of Time Limit for Final Results of Review**

The Department has determined that the review is extraordinarily complicated as the Department’s Preliminary Rescission included analysis of six detailed issues related to the respondent’s POR sale. Both respondent and petitioner have provided extensive comments on all these issues, which must be analyzed along with the Department’s preliminary determination. Based on the timing of the case and the extensive arguments and detailed issues that must be analyzed, the final results of this new shipper review cannot be completed within the statutory time limit of 90 days.

Therefore, the Department is extending the time limit for completion of the final results of this new shipper review by 30 days from the April 19, 2010 deadline. The final results will now be due no later than May 19, 2010.

We are issuing and publishing this notice in accordance with sections 751(a)(2)(B)(iv) and 777(i) of the Act.

Dated: April 12, 2010.

John M. Andersen,
Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2010–9081 Filed 4–19–10; 8:45 am]

**BILLING CODE 3510–05–S**

Import Administration, Regarding Tolling of Administrative Deadlines As a Result of the Government Closure During the Recent Snowstorm.