

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Missing Parts Practice

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 new 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 November 1, 2010.

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

- *E-mail:*

InformationCollection@uspto.gov. Include "0651-00xx Missing Parts Practice comment" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, U.S. 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 Raul Tamayo, Legal Advisor, Office of

Patent Legal Administration, U.S. Patent and Trademark Office (USPTO), P.O. Box 1450, Alexandria, VA 22313-1450; by telephone 571-272-7728; or by e-mail at *raul.tamayo@uspto.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

In response to a number of requests to reduce the costs due one year after filing a provisional application, the USPTO published a **Federal Register** notice titled "Request for Comments on Proposed Change to Missing Parts Practice" proposing a change that would provide applicants with an extended time period to reply to a Notice to File Missing Parts requiring certain fees in a nonprovisional application if certain conditions were met. Based on public feedback, the USPTO is implementing an extended missing parts pilot program which will permit applicants to request a 12-month time period to reply to a Notice to File Missing Parts of Nonprovisional Application to pay certain fees. The pilot program would be scheduled to run for one year.

The extended missing parts pilot program is expected to benefit applicants by permitting additional time to determine if patent protection should be sought at a relatively low cost and by permitting applicants to focus efforts on commercialization during this period. The extended missing parts pilot program is also expected to benefit the USPTO and the public by adding publications to the body of prior art, and by removing from the USPTO's workload those nonprovisional applications for which the applicants

will later decide not to pursue examination.

There is one form associated with this collection of information. The USPTO has created PTO/SB/421, *Request for Extended Missing Parts Pilot Program*, for applicants to request participation in the program.

II. Method of Collection

By mail or electronically through EFS-Web using Form PTO/SB/421 to request participation in the extended missing parts pilot program.

III. Data

OMB Number: 0651-00xx.

Form Number(s): PTO/SB/421.

Type of Review: New information collection.

Affected Public: Business or other for profit; not-for-profit institutions.

Estimated Number of Respondents: 10,000 responses per year.

Estimated Time per Response: The USPTO estimates that it will take 15 minutes (0.25 hours) to gather the information, prepare the form, and submit it to the USPTO, depending upon the complexity of the situation. The USPTO expects that it will take the same amount of time to complete and submit the form, whether it is mailed or submitted electronically.

Estimated Total Annual Respondent Burden Hours: 2,500 hours.

Estimated Total Annual Respondent Cost Burden: \$812,500. Using the professional hourly rate of \$325 for attorneys in private firms, the USPTO estimates \$812,500 per year for salary costs associated with respondents.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Request for Extended Missing Parts Program	15 minutes	700	175
Request for Extended Missing Parts Program (EFS-Web)	15 minutes	9,300	2,325
Totals	10,000	2,500

Estimated Total Annual Non-Hour Respondent Cost Burden: \$0. There are no capital start-up or maintenance costs associated with this information collection. The request does not have filing or other fees associated with it. There are postage and recordkeeping costs associated with this form; however, these costs are covered under OMB Control Number 0651-0032 Initial Patent Applications. Since the requests for participation in the extended missing parts pilot program must be filed with the nonprovisional applications, which are covered under 0651-0032, the USPTO has concluded

that the postage costs and filing fees for these requests are part of the cost calculations for 0651-0032 and do not need to be calculated separately for this collection.

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 will also become a matter of public record.

Susan K. Fawcett,

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

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BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-844, A-570-952]

Narrow Woven Ribbons With Woven Selvedge From Taiwan and the People's Republic of China: Antidumping Duty Orders

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 antidumping duty orders on narrow woven ribbons with woven selvedge (narrow woven ribbons) from Taiwan and the People's Republic of China (PRC). On August 25, 2010, the ITC notified the Department of its affirmative determination of threat of material injury to a U.S. industry.

DATES: *Effective Date:* September 1, 2010.

FOR FURTHER INFORMATION CONTACT: Holly Phelps (Taiwan), AD/CVD Operations, Office 2, or Karine Gziryan (PRC), AD/CVD Operations, Office 4, 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) 482-4081, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 19, 2010, the Department published its affirmative final determinations of sales at less-than-fair-value in the antidumping duty investigations of narrow woven ribbons from Taiwan and the PRC. *See Notice of Final Determination of Sales at Less Than Fair Value: Narrow Woven Ribbons with Woven Selvedge from Taiwan*, 75 FR 41804 (July 19, 2010) (*Taiwan Final Determination*); *Narrow Woven Ribbons With Woven Selvedge From the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 75 FR 41808 (July 19, 2010) (*PRC Final Determination*).

On August 25, 2010, 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 threatened with material injury by reason of less-than-fair-value imports of narrow woven ribbons from Taiwan and the PRC. *See* section 735(b)(1)(A)(ii) of the Act.

Scope of the Orders

The scope of the orders covers narrow woven ribbons with woven selvedge, in any length, but with a width (measured at the narrowest span of the ribbon) less than or equal to 12 centimeters, composed of, in whole or in part, man-made fibers (whether artificial or synthetic, including but not limited to nylon, polyester, rayon, polypropylene, and polyethylene terephthalate), metal threads and/or metalized yarns, or any combination thereof. Narrow woven ribbons subject to the orders may:

- Also include natural or other non-man-made fibers;
- Be of any color, style, pattern, or weave construction, including but not limited to single-faced satin, double-faced satin, grosgrain, sheer, taffeta, twill, jacquard, or a combination of two or more colors, styles, patterns, and/or weave constructions;
- Have been subjected to, or composed of materials that have been subjected to, various treatments, including but not limited to dyeing, printing, foil stamping, embossing, flocking, coating, and/or sizing;
- Have embellishments, including but not limited to appliqué, fringes, embroidery, buttons, glitter, sequins, laminates, and/or adhesive backing;
- Have wire and/or monofilament in, on, or along the longitudinal edges of the ribbon;
- Have ends of any shape or dimension, including but not limited to straight ends that are perpendicular to the longitudinal edges of the ribbon, tapered ends, flared ends or shaped ends, and the ends of such woven ribbons may or may not be hemmed;
- Have longitudinal edges that are straight or of any shape, and the longitudinal edges of such woven ribbon may or may not be parallel to each other;
- Consist of such ribbons affixed to like ribbon and/or cut-edge woven ribbon, a configuration also known as an "ornamental trimming";
- Be wound on spools; attached to a card; hanked (*i.e.*, coiled or bundled); packaged in boxes, trays or bags; or configured as skeins, balls, bateaus or folds; and/or
- Be included within a kit or set such as when packaged with other products,

including but not limited to gift bags, gift boxes and/or other types of ribbon.

Narrow woven ribbons subject to the orders include all narrow woven fabrics, tapes, and labels that fall within this written description of the scope of these antidumping duty orders.

Excluded from the scope of the orders are the following:

- (1) Formed bows composed of narrow woven ribbons with woven selvedge;
- (2) "Pull-bows" (*i.e.*, an assemblage of ribbons connected to one another, folded flat and equipped with a means to form such ribbons into the shape of a bow by pulling on a length of material affixed to such assemblage) composed of narrow woven ribbons;
- (3) Narrow woven ribbons comprised at least 20 percent by weight of elastomeric yarn (*i.e.*, filament yarn, including monofilament, of synthetic textile material, other than textured yarn, which does not break on being extended to three times its original length and which returns, after being extended to twice its original length, within a period of five minutes, to a length not greater than one and a half times its original length as defined in the Harmonized Tariff Schedule of the United States (HTSUS), Section XI, Note 13) or rubber thread;
- (4) Narrow woven ribbons of a kind used for the manufacture of typewriter or printer ribbons;
- (5) Narrow woven labels and apparel tapes, cut-to-length or cut-to-shape, having a length (when measured across the longest edge-to-edge span) not exceeding eight centimeters;
- (6) Narrow woven ribbons with woven selvedge attached to and forming the handle of a gift bag;
- (7) Cut-edge narrow woven ribbons formed by cutting broad woven fabric into strips of ribbon, with or without treatments to prevent the longitudinal edges of the ribbon from fraying (such as by merrowing, lamination, sonobonding, fusing, gumming or waxing), and with or without wire running lengthwise along the longitudinal edges of the ribbon;
- (8) Narrow woven ribbons comprised at least 85 percent by weight of threads having a denier of 225 or higher;
- (9) Narrow woven ribbons constructed from pile fabrics (*i.e.*, fabrics with a surface effect formed by tufts or loops of yarn that stand up from the body of the fabric);
- (10) Narrow woven ribbon affixed (including by tying) as a decorative detail to non-subject merchandise, such as a gift bag, gift box, gift tin, greeting card or plush toy, or affixed (including by tying) as a decorative detail to