This amended final determination and notice are issued and published in accordance with sections 735(e), and 777(i)(1) of the Act, and 19 CFR 351.224.

Dated: February 1, 2011.

Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

[Docket No. PTO–P–2011–0002]

Notice of Roundtable and Request for Comments on How To More Effectively Use the Patent and Trademark Depository Library Program


ACTION: Notice of public meeting; request for comments.

SUMMARY: The United States Patent and Trademark Office (USPTO) wants to increase transparency by making USPTO information and materials more publicly available. USPTO information is currently disseminated through a variety of means, including through the Patent and Trademark Depository Library Program (PTDLP). The PTDLP allows the USPTO, through public laws, to partner with state and municipal libraries around the United States to develop core expertise in patents and trademarks to ensure that potential filers have local resources to draw on for assistance and support. The USPTO has undertaken an overall revitalization of the PTDLP to reflect the new 21st Century electronic approach to customer service. As part of this initiative, the USPTO is conducting a public roundtable to obtain input from organizations and individuals on current use of the Patent and Trademark Depository Libraries (PTDLs) and how to more effectively use the PTDLP in the future.

DATES: The first roundtable will be held on Tuesday, February 15, 2011, beginning at 1:30 p.m. Eastern Standard Time (EST) and ending at 3 p.m. EST. The deadline for receipt of written comments is March 17, 2011.

ADDRESSES: The roundtable will be held at the USPTO in the Madison Auditorium on the concourse level of the Madison Building, which is located at 600 Dulany Street, Alexandria, Virginia 22314. Written comments should be sent by electronic mail message over the Internet addressed to PTDL_comments@uspto.gov. Comments may also be submitted by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313–1450, marked to the attention of Elizabeth L. Dougherty. Although comments may be submitted by mail, the USPTO prefers to receive comments via the Internet.

The written comments and list of the roundtable participants and their associations will be available for public inspection at the Office of the Commissioner for Patents, located in the Madison East Building, Tenth Floor, 600 Dulany Street, Alexandria, Virginia, and will be available via the USPTO Internet Web site (address: http://www.uspto.gov). Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

FOR FURTHER INFORMATION CONTACT: Martha Sneed, Office of Public Search Services Division, by telephone at (703) 756–1236, or by electronic mail message at martha.sneed@uspto.gov.

SUPPLEMENTARY INFORMATION: The PTDLP disseminates patent and trademark information and provides training and outreach support to a network of over 80 academic, public, state and special libraries, located in 45 states, the District of Columbia, and Puerto Rico. PTDLs provide walk-in, telephone, and Internet assistance for independent inventors, researchers, students, small- and medium-sized businesses and other members of the public across the United States. The PTDLP has changed dramatically over the years, from being strictly a “depository” program, where the USPTO provided paper copies of patents and trademarks and support materials, to an electronic program, where data and materials are provided on-line and in computer-readable media. In addition to the array of USPTO search tools now available on the Web, every PTDL provides public access to PubWEST (Web-based Examiner Search Tool), providing the public with one of the same powerful search tools that patent examiners have.

Today’s PTDLs provide free, personalized assistance to their communities on how to use the array of patent and trademark resources now available on the Web. As the USPTO has shifted its model, the PTDLP has assumed a greater role in the USPTO’s overall outreach program. The PTDLP provides a ready-made network for USPTO policy makers and knowledgeable staff at those venues to help share information about USPTO and its many programs and initiatives. Today’s PTDLs are no longer simply maintaining patent and trademark collections—i.e., they are no longer mere “depositories” of information—but are centers of innovation. Specially designated staff educate customers on how to perform preliminary prior art searches, provide classes in searching the USPTO Web site, show how to move their invention from inventive concept to the marketplace, show how to track down prior art disclosed in foreign patent publications and non-patent literature, and provide other individualized services.

The shift to electronic resources has enabled the PTDLP to more effectively train PTDL staff and the public to better use the tools and data available to them. More specifically, the USPTO trains PTDL staff, who, in turn, provide assistance and training to public customers. As the PTDLP continues to move away from the physical distribution of hard-copy information, the USPTO is interested in what types of new and different services the PTDLP of the future should offer its customers.

PTDLs are the face of USPTO in their local communities. For this reason, the USPTO is seeking recommendations from stakeholders on the role they envision the PTDLs playing in the USPTO’s outreach efforts, and how the PTDLP can be used to provide more effective communication and transparent information to its customers.

Toward that end, the USPTO is conducting a roundtable to obtain public input from organizations and individuals on the future character of the PTDLs. The number of participants in the roundtable is limited to ensure that all who are speaking will have a meaningful chance to do so. The USPTO plans to invite participants from patent user groups, practitioners, industry, independent inventor organizations, academia, and government. The roundtables are open to the public.

The USPTO will provide an agenda, list of known participants, and preparatory materials (if any) to the participants prior to the roundtable in order to focus the discussion and enhance the efficiency of the proceedings. All such materials will be posted on the USPTO’s Internet Web site. The USPTO plans to make the roundtable available via Web cast. Web casts of the roundtable will be made available before the roundtable on the USPTO’s Internet Web site. Any slides or handouts
executive director for the office of

DATES:

SUMMARY:

AGENCY:

Certification Requirements

Enforcement of Testing and

of Commission Action on the Stay of

CONSUMER PRODUCT SAFETY

COMMISSION

Consumer Product Safety Act: Notice

of Commission Action on the Stay of

Enforcement of Testing and

Certification Requirements

AGENCY: Consumer Product Safety

Commission.

ACTION: Revision of terms of stay of

enforcement.

SUMMARY: The Consumer Product Safety

Commission (“CPSA” or “Commission”
or “we”) is announcing its decision to

revisit the terms of its stay of

enforcement of certain testing and

certification provisions of section 14 of

the Consumer Product Safety Act

(“CPSA”) as amended by section 102 of

the Consumer Product Safety

Improvement Act of 2008 ("CPSIA").

Through this notice, the Commission

announces an extension of the stay of

enforcement pertaining to total lead

content in children’s products (except

for metal components of children’s

metal jewelry), and certain related

products, until December 31, 2011.

DATES: The stay of enforcement

pertaining to total lead content in

children’s products (except for metal

components of children’s metal

jewelry), and certain related products,
is extended until December 31, 2011.

FOR FURTHER INFORMATION CONTACT:

Robert “Jay” Howell, Acting Assistant

Executive Director for the Office of

Compliance and Field Operations, U.S.

Consumer Product Safety Commission,

4330 East West Highway, Bethesda,

Maryland 20814; e-mail

rhowell@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Section 14 of the CPSA requires that

every manufacturer of a product (and

the private labeler, if the product bears

a private label) that is subject to a

consumer product safety rule, ban,

standard, or regulation enforced by the

Commission certify, based on testing,

that its product complies with the

applicable safety rule, ban, standard,
or regulation. For nonchildren’s products,

certification must be based on a test

of each product or a reasonable testing

program. For children’s products, the

certification must be based on testing

conducted by a CPSC-accepted third

party conformity assessment body

(laboratory).

On February 9, 2009, the Commission

published a notice in the Federal

Register, staying enforcement of many

of the testing and certification

requirements, including the

requirements related to total lead in

children’s products (other than the lead

content of metal components of

children’s metal jewelry). 74 FR 6396,

6397. The Commission committed to the

stay for one year, explaining that the

stay was necessary to “give us the time

needed to develop sound rules and

requirements as well as implement

outreach efforts to explain these [new]

requirements of the CPSA and their

applicability.” 74 FR at 6398. With

regard to lead content in metal

components of children’s metal jewelry,

the Commission stated that

certifications based on third party

testing would be required for such

products manufactured after March 23,

2009. 74 FR at 6397.

On December 28, 2009, the

Commission published a notice in the

Federal Register, revising the terms of

the stay. 74 FR 68588. In that notice, the

Commission lifted the stay for some

CPSA rules and extended the stay for

other CPSA rules. Relevant for

present purposes, the Commission

stated that it “plans to keep the stay in

effect for total lead content in metal

children’s products and non-metal

children’s products * * * (section 101

of the CPSIA) until February 10, 2011.”

74 FR at 68591. The December 28, 2009,
note did not affect certifications and

testing of lead content in metal

components of children’s metal jewelry;

the stay pertaining to those products

had expired on March 23, 2009. 74 FR

at 68589.

The Commission also published two

notices concerning discrete stays of

enforcement related to lead content. On

May 12, 2009, the Commission

published a notice staying enforcement

with regard to the lead content in

certain parts and youth motorized

vehicles that contain those parts. 74 FR

22154. The notice announced that the

stay would remain in effect until May 1,

2011. Id. Specifically, the Commission

stayed enforcement of the specified lead

level as it pertains to certain parts of

youth all-terrain vehicles, youth off-road

motorcycles, and youth snowmobiles

(“Youth Motorized Recreational

Vehicles” or “Vehicles”), specifically

battery terminals containing up to 100

percent lead, and components made

with metal alloys, including steel

containing up to 0.35 percent lead, and

copper with up to 4.0 percent lead, and

the vehicles that contain them. Id.

On June 30, 2009, the Commission

published a notice staying enforcement

with regard to the lead content in

certain parts of bicycles, jogger strollers,

and bicycle trailers ("Bicycles and

Related Products") designed or intended

primarily for children 12 years of age or

younger. 74 FR 31254. In brief, the stay

applied to components made with metal

alloys, including steel containing up to

0.35 percent lead, aluminum with up to

0.4 percent lead, and copper with up to

4.0 percent lead. 74 FR at 31257. The

Commission stated the stay would

remain in effect until July 1, 2011. 74 FR

at 31254.

II. Extension of Stay of Enforcement

We have received several requests for

an extension of the stay of enforcement

related to lead testing and certifications.

After considering these requests and

other matters, the Commission has

decided to extend the existing stay of

enforcement on testing and

certifications of the total lead content in

children’s products (except for metal

components of children’s metal jewelry)

until December 31, 2011, at which time

the stay will expire. This action by the

Commission encompasses the stays

described above, pertaining to lead

content in Youth Motorized

Recreational Vehicles and Bicycles and

Related Products; those stays are hereby

extended until December 31, 2011.

The Commission notes that there

remains in effect a stay of enforcement

on testing and certification for

children’s products subject to those

children’s product safety rules for

which a notice of requirements for

accreditation of third party conformity

assessment bodies (laboratories) has not

been published yet, including testing of

children’s toys and child care articles

for banned phthalates, and testing of