

## PROPOSED TIMETABLE—Continued

Date	Location	Activity
Monday, April 16—Day 3 .....	Riyadh-Dhahran ....	KA-CARE visit and policy roundtable. Call on Minister of Water and Electricity. Discussion panels on: (1) Legal Aspects of Doing Business in Saudi Arabia; (2) Financing Projects/Sales. Evening: Fly to Dhahran.
Tuesday, April 17—Day 4 .....	Dhahran .....	Morning: Visit to Saudi Aramco, with briefing on renewable energy projects. One-on-one matchmaking meetings. Evening: Networking reception.
Wednesday, April 18—Day 5 .....	Dhahran-USA .....	Optional morning site visit to Jubail Industrial City. Departure for the U.S.

(NB: The precise schedule will depend on the availability of local government officials and business managers, and the specific goals of mission participants.)

### Participation Requirements

All parties interested in participating in the trade mission must complete and submit an application package for consideration by the DOC. All applicants will be evaluated, on a rolling basis, on their ability to meet certain conditions and best satisfy the selection criteria as outlined below. A minimum of 15 and maximum of 25 companies will be selected to participate in the mission from the applicant pool. U.S. companies already doing business with Saudi Arabia as well as U.S. companies seeking to enter to the Saudi Arabian market for the first time may apply.

#### Fees and Expenses

After a company or organization has been selected to participate on the mission, a payment to the Department of Commerce in the form of a participation fee is required. The participation fee for the Trade Mission will be \$3,020.00 for a small or medium-sized firm (SME),<sup>1</sup> and \$3,502.00 for large firms. The fee for each additional firm representative (large firm or SME/trade organization) is \$500. Expenses for travel, lodging, meals, and incidentals will be the responsibility of each mission participant. Delegation members will be able to take advantage of U.S. Embassy rates for hotel rooms.

#### Conditions for Participation

An applicant must submit a completed mission application signed by a company officer, together with supplemental application materials, including adequate information on the

company's products and/or services, primary market objectives, and goals for participation. If the Department of Commerce receives an incomplete application, the Department may reject the application, request additional information, or take the lack of information into account when evaluating the applications.

Each applicant must also certify that the products or services it seeks to export through the mission are either produced in the United States, or, if not, marketed under the name of a U.S. firm and have at least 51 percent U.S. content of the value of the finished product or service.

#### Selection Criteria for Participation

Selection will be based on the following criteria:

- Suitability of the company's products or services to the market
- Applicant's potential for business in Saudi Arabia and in the region, including likelihood of exports resulting from the mission
- Consistency of the applicant's goals and objectives with the stated scope of the mission

Diversity of company size and location may also be considered during the review process.

Referrals from political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and not considered during the selection process.

#### Timeframe for Recruitment and Applications

Mission recruitment will be conducted in an open and public manner, including publication in the **Federal Register**, posting on the Commerce Department trade mission calendar (<http://export.gov/trademiissions>) and other Internet Web sites (including the Renewable Energy & Energy Efficiency Exporters Portal at

[www.export.gov/reee](http://www.export.gov/reee)), press releases to general and trade media, direct mail, notices by industry trade associations and other multiplier groups, and publicity at industry meetings, symposia, conferences, and trade shows.

Recruitment for the mission will begin immediately and conclude no later than March 1, 2012. The U.S. Department of Commerce will review applications and make selection decisions on a rolling basis beginning February 1, 2012. Applications received after March 1, 2012 will be considered only if space and scheduling constraints permit.

#### Contacts

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### DEPARTMENT OF COMMERCE

#### Patent and Trademark Office

[Docket No. PTO-P-2011-0078]

#### Sunset of the Patent Application Backlog Reduction Stimulus Plan and a Limited Extension of the Green Technology Pilot Program

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

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (Office) has provided two procedures under which an applicant may have an application accorded special status for examination. The Patent Application Backlog Reduction Stimulus Plan is available if the applicant expressly abandons another copending unexamined

<sup>1</sup> An SME is defined as a firm with 500 or fewer employees or that otherwise qualifies as a small business under SBA regulations (see [http://www.sba.gov/services/contracting\\_opportunities/sizestandardstocps/index.html](http://www.sba.gov/services/contracting_opportunities/sizestandardstocps/index.html)). Parent companies, affiliates, and subsidiaries will be considered when determining business size. The dual pricing reflects the Commercial Service's user fee schedule that became effective May 1, 2008 (see <http://www.export.gov/newsletter/march2008/initiatives.html> for additional information).

application. The Green Technology Pilot Program is available to patent applications pertaining to environmental quality, energy conservation, development of renewable energy resources, and greenhouse gas emission reduction. In view of the trend in filings under the Patent Application Backlog Reduction Stimulus Plan, this plan has fulfilled its purpose and will not be extended. In view of the success of the Green Technology Pilot Program, this plan will be extended until 500 additional applications have been accorded special status under this program or until March 30, 2012, whichever occurs earlier. Following the expiration of this extension, the program will be eliminated, and applicants may instead use the newly enacted Prioritized Examination (Track I) program. The Track I program not only provides advancement of examination, but sets a target of reaching final disposition within 12 months from the time advancement is initiated. Furthermore, the advancement in the Track I program is available to all technologies and is not restricted to certain categories of invention as in the Pilot Program.

**DATES:** *Effective Date:* December 15, 2011. The Patent Application Backlog Reduction Stimulus Plan became effective on November 27, 2009, was modified on June 24, 2010, and was extended on November 22, 2010. The Green Technology Pilot Program became effective on December 8, 2009, was modified to eliminate the classification requirement on May 21, 2010, and was extended on November 10, 2010.

**FOR FURTHER INFORMATION CONTACT:** Pinchus M. Laufer or Michael Cygan, Office of Patent Legal Administration, Office of the Associate Commissioner for Patent Examination Policy, by telephone at (571) 272-7726 or (571) 272-7700; or by mail addressed to: Mail Stop Comments Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**SUPPLEMENTARY INFORMATION:** On November 27, 2009, the USPTO published a notice in the **Federal Register** providing an additional temporary basis (the Patent Application Backlog Reduction Stimulus Plan) under which a small entity applicant may have an application accorded special status for examination if the applicant expressly abandons another copending unexamined application. See *Patent Application Backlog Reduction Stimulus Plan*, 74 FR 62285 (Nov. 27, 2009), 1349 *Off. Gaz. Pat. Office* 304 (Dec. 22, 2009) (notice). The USPTO indicated that the plan would last for

the period ending on February 28, 2010, but may be extended for an additional time period thereafter. See *Patent Application Backlog Reduction Stimulus Plan*, 74 FR at 62287, 1349 *Off. Gaz. Pat. Office* at 306. The USPTO extended the plan for an additional four months to June 30, 2010. See *Extension of the Patent Application Backlog Reduction Stimulus Plan*, 75 FR 5041 (Feb. 1, 2010), 1351 *Off. Gaz. Pat. Office* 202 (Feb. 23, 2010). Subsequently, the USPTO expanded the plan to eliminate the small entity requirement and further extended its duration to expire at the earlier of the December 31, 2010 date, or the date that 10,000 applications have been accorded special status under this plan. See *Expansion and Extension of the Patent Application Backlog Reduction Stimulus Plan*, 75 FR 36063 (June 24, 2010), 1356 *Off. Gaz. Pat. Office* 173 (July 20, 2010). The USPTO further extended the plan to expire at the earlier of December 31, 2011, or the date that 10,000 applications have been accorded special status under this plan. See *Extension of the Patent Application Backlog Reduction Stimulus Plan*, 75 FR 71072 (Nov. 22, 2010), 1361 *Off. Gaz. Pat. Office* 230 (Dec. 28, 2010). Filings under this plan reached a peak in late 2010 and have since steadily decreased. Accordingly, as those desiring the benefits of this plan have taken advantage of its provisions, the Patent Application Backlog Reduction Stimulus Plan has run its course and will not be further extended beyond December 31, 2011.

On December 8, 2009, the USPTO published a notice for the implementation of the Green Technology Pilot Program. See *Pilot Program for Green Technologies Including Greenhouse Gas Reduction*, 74 FR 64666 (December 8, 2009), 1349 *Off. Gaz. Pat. Office* 362 (December 29, 2009) (*Green Technology Notice*). The *Green Technology Notice* indicated that an applicant may have an application advanced out of turn (accorded special status) for examination, if the application pertained to green technologies and met other requirements specified in the *Green Technology Notice*. The USPTO published a notice eliminating the classification requirement of the Green Technology Pilot Program on May 21, 2010. See *Elimination of the Classification Requirement in the Green Technology Pilot Program*, 75 FR 28554 (May 10, 2010), 1355 *Off. Gaz. Pat. Office* 188 (June 15, 2010). The USPTO further extended the program to expire at the earlier of December 31, 2011, or the date that 3,000 applications have

been accorded special status under this program. See *Expansion and Extension of the Green Technology Pilot Program*, 75 FR 69049 (Nov. 10, 2010), 1361 *Off. Gaz. Pat. Office* 50 (Dec. 7, 2010). In view of the success of the Green Technology Pilot Program in the designated technology areas, the Green Technology Pilot Program will be extended until an additional 500 applications have been accorded special status under this program (for a total of 3,500 applications) or March 30, 2012, whichever occurs earlier. Following the expiration of this extension, the program will be eliminated, and applicants may instead seek to use the newly enacted Prioritized Examination (Track I) program.

The Prioritized Examination (Track I) program permits an applicant to have an application advanced out of turn (accorded special status) for examination under 37 CFR 1.102(e), if the application contains, upon filing, a request for prioritized (Track I) examination accompanied by the appropriate fees. See *Changes to Implement the Prioritized Examination Track (Track I) of the Enhanced Examination Timing Control Procedures Under the Leahy-Smith America Invents Act*, 76 FR 59050 (September 23, 2011), 1371 *Off. Gaz. Pat. Office* 151 (October 18, 2011) (Track I Notice).

The Track I Program provides prioritized examination having a more aggressive time frame for examination than the Green Technology Pilot Program, with an aggregate goal of reaching final disposition within 12 months and maintains an enhanced special status of the application throughout prosecution until final disposition. Additionally, the Track I Program does not have the restrictions of the Green Technology Pilot Program on the types of inventions for which special status may be sought, as the Track I Program does not require a connection to any particular technology.

In view of the ability of any applicant to request prioritized examination with the filing of an application under the procedure set forth in the Track I Notice, the Green Technology Pilot Program will not be extended past the earlier of March 30, 2012, or the date that 3,500 applications have been accorded special status under this program.

Dated: December 7, 2011.

**David J. Kappos,**

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

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