proceedings before the U.S. Patent and Trade
dmark Office;
(b) In consideration of a release of any
claims;
(c) In exchange for or as a part of the
consideration for a license under
adversely held patents;
(d) As necessary for meeting
obligations of the U.S. under any treaty,
international agreement arrangement or
cooperation, memorandum of
understanding or similar arrangement; or
(e) In consideration for the settlement or
resolution of any proceeding under
the Department of Energy Organization
Act or other law.

§§ 781.61, 781.62, 781.63, and 781.64
[Removed and Reserved]
8. Remove and reserve §§ 781.61, 781.62, 781.63, and 781.64.
9. Section 781.65 is revised to read as follows:

§ 781.65 Appeals.
(a) Standing. The following parties
have the right to appeal under this part:
(1) Pursuant to 37 CFR 404.11:
(i) A person whose application for a
license has been denied;
(ii) A licensee whose license has been
modified or terminated, in whole or in
part;
(iii) A person who timely filed a
written objection in response to the
notice required by 37 CFR 404.7(a)(1)(i)
or (b)(1)(i) and who can demonstrate to the
satisfaction of the Federal agency that
such person may be damaged by the
agency action; or
(2) A management and operating
contractor appealing an agency decision
to grant a copyright license to a third
country pursuant to the Rights in Data
Technology Transfer clause for DOE
management and operating contracts per
48 CFR part 970.
(b) Notice of Appeal. Appeal under
paragraph (a) of this section shall be
initiated by filing a Notice of Appeal
with the Secretary, ATTN: Deputy
General Counsel for Technology
Transfer and Procurement (“Deputy
General Counsel”), within thirty (30)
days from the date of receipt of a written
notice by the Department of Energy of an
action set forth in paragraph (a) of
this section. The Notice of Appeal shall
specify the portion of the decision from
which the appeal is taken. A statement
of fact and argument in the form of a
brief in support of the appeal shall be
submitted with the Notice of Appeal or
within thirty (30) days thereafter.
(c) Procedure. Appeals under this
section shall be conducted pursuant to
rules of procedure provided by the
Deputy General Counsel.

(d) Within sixty (60) days of receiving
appellant’s brief pursuant to paragraph
(b) of this section or such other time
period set by the Deputy General
Counsel, the Office of the Assistant
General Counsel for Technology
Transfer and Intellectual Property shall
submit to the Deputy General Counsel a
response brief and shall timely serve a
copy of the response brief to appellant.

(e) The Deputy General Counsel shall
consider the facts and arguments
submitted in appellant’s brief submitted
under paragraph (b) of this section, as
well as those presented by the Assistant
General Counsel for Technology
Transfer and Intellectual Property. An
appeal by a licensee under paragraph
(a)(1)(ii) of this section may include a
hearing, upon request of the licensee, to
to address a dispute over any relevant fact.
Such request for a hearing must be
received by the Deputy General Counsel
within thirty (30) days of appellant’s
receipt of the response brief.

(f) The Deputy General Counsel shall
issue a written decision, which shall
constitute the final action of the
Department on the matter.

(g) The parties may agree to Alternate
Dispute Resolution in lieu of an appeal.

(h) Appeals Arising Under National
Nuclear Security Administration
(NNSA) Management and Operating
Contracts. For appeals pursuant to
paragraph (a)(2) of this section arising
under management and operating
contracts administered by NNSA for
NNSA facilities, the NNSA Deputy
General Counsel for Procurement shall
be designated as the appeal authority
(Deputy General Counsel) pursuant to
paragraphs (b) through (f) of this
section.

§§ 781.66, 781.71, and 781.81 [Removed
and Reserved]
10. Remove and reserve §§ 781.66,
781.71 and 781.81.

| DEPARTMENT OF TRANSPORTATION |
| Federal Aviation Administration |
| 14 CFR Parts 27 and 29 |
| RIN 2120–AJ52, 2120–AJ51 |
| Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures, and Damage Tolerance and Fatigue Evaluation for Metallic Structures; Correction |

AGENCY: Federal Aviation Administration (FAA), DOT. 
ACTION: Final rule; correction.

SUMMARY: The FAA is correcting two final rules, “Damage Tolerance and Fatigue Evaluation for Composite Rotorcraft Structures” (76 FR 74655), published December 1, 2011, and “Damage Tolerance and Fatigue Evaluation for Metallic Structures” (76 FR 75435), published December 2, 2011. In the “Composite Rotorcraft Structures” rule, the FAA amended its regulations to require evaluation of fatigue and residual static strength of composite rotorcraft structures using a damage tolerance evaluation, or a fatigue evaluation if the applicant establishes that a damage tolerance evaluation is impractical. In the “Metallic Structures” rule, the FAA amended its regulations to address advances in structural fatigue substantiation technology for metallic structures to provide an increased level of safety by avoiding or reducing the likelihood of the catastrophic fatigue failure of a metallic structure. This document corrects errors in the preamble of those two documents by adding a statement advising that affected parties do not need to comply with the information collection requirements until the Office of Management and Budget (OMB) approves the collections.


FOR FURTHER INFORMATION CONTACT: For technical questions concerning this action, contact Sharon Y. Miles, Regulations and Policy Group, Rotorcraft Directorate, ASW–111, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, Texas 76137; telephone (817) 222–5122; facsimile (817) 222–5961; email
On page 74655, in the second column, after "Dates: Effective January 30, 2012.", insert "Affected parties, however, are not required to comply with the information collection requirement in §§27.573 and 29.573 until the Office of Management and Budget (OMB) approves the collection and assigns a control number under the Paperwork Reduction Act of 1995. The FAA will publish in the Federal Register a notice of the control number assigned by the Office of Management and Budget (OMB) for this information collection requirement."

In FR Doc. 2011–30941, beginning on page 75435 in the Federal Register of December 2, 2011, make the following correction:

On page 75435, in the second column, after "Dates: Effective January 31, 2012.", insert "Affected parties, however, are not required to comply with the information collection requirement in §29.571 until the Office of Management and Budget (OMB) approves the collection and assigns a control number under the Paperwork Reduction Act of 1995. The FAA will publish in the Federal Register a notice of the control number assigned by the Office of Management and Budget (OMB) for this information collection requirement."

Issued in Washington, DC, on January 26, 2012.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

[FR Doc. 2012–2170 Filed 1–27–12; 8:45 am]

BILLING CODE 4891–13–P

DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

18 CFR Parts 1b, 2, 3a, 4, 5, 11, 12, 131, 157, 284, 376, 380, and 385
[Docket No. RM11–30–000; Order No. 756]

Technical Corrections to Commission Regulations

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is issuing this Final Rule to make minor changes to its regulations. This Final Rule revises a number of references that have become outdated for various reasons or contain typographical errors. Generally, these changes add or delete language in the current regulations by eliminating obsolete information, incorporating reference to updated electronic filing options, modernizing language, and correcting incorrect citations and clerical mistakes. The revisions are intended to be ministerial and/or informational in nature.

DATES: Effective Date: The rule will become effective February 1, 2012.


SUPPLEMENTARY INFORMATION:

Before Commissioners: Jon Wellinghoff, Chairman; Philip D. Moeller, John R. Norris, and Cheryl A. LaFleur.


I. Introduction

1. The Commission is issuing this Final Rule to make minor changes to its regulations. This Final Rule revises a number of references that have become outdated for various reasons or contain typographical errors. Generally, these changes add or delete language in the current regulations by eliminating obsolete information, incorporating reference to updated electronic filing options, modernizing language, and correcting incorrect citations and clerical mistakes. The revisions are intended to be ministerial and/or informational in nature.

II. Discussion

A. Minor Revisions To Correct References and Outdated Nomenclature

2. In Part 3a of Title 18 of the Code of Federal Regulations, this Final Rule corrects references, where appropriate, to the "FPC" and the "Federal Power Commission" (the predecessor to the Federal Energy Regulatory Commission) to read "FERC" or "Federal Energy Regulatory Commission." Additionally, the Commission’s contact information is updated and corrected in Part 380.

3. In Parts 2, 3a, 4, 12, and 284, references to outdated titles, positions, and technologies are revised.

4. In Parts 1b, 2, 4, 5, 131, 157, 284, 376, and 380, multiple outdated and incorrect references to Commission regulations, guidelines, the Federal Register, and Federal statutes are removed or corrected.

B. Corrections to Grammatical, Typesetting, and Typographical Mistakes

5. In Parts 1b, 2, 4, 157, 380, and 385, this Final Rule corrects grammatical, typesetting, and typographical mistakes in the Commission’s regulations to improve the clarity and accuracy of the regulations.