

proceeding identified under this paragraph must be included in an appendix as required by paragraph (c)(1)(xi) of this section.

\* \* \* \* \*

(v) *Summary of claimed subject matter.* A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by column and line number, and to the drawing(s), if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. 112(f), must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

\* \* \* \* \*

■ 58. Section 41.68 is amended by revising paragraph (b)(1)(ii) to read as follows:

**§ 41.68 Respondent's brief.**

\* \* \* \* \*

(b)(1) \* \* \*  
(ii) *Related Appeals, Interferences, and trials.* A statement identifying by application, patent, appeal, interference, or trial number all other prior and pending appeals, interferences or judicial proceedings known to respondent, the respondent's legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal. Copies of any decisions rendered by a court or the Board in any proceeding identified under this paragraph must be included in an appendix as required by paragraph (b)(1)(ix) of this section.

\* \* \* \* \*

■ 59. Section 41.77 is amended by revising paragraph (a) to read as follows:

**§ 41.77 Decisions and other actions by the Board.**

(a) The Patent Trial and Appeal Board, in its decision, may affirm or reverse each decision of the examiner on all issues raised on each appealed claim, or remand the reexamination proceeding to the examiner for further consideration. The reversal of the examiner's determination not to make a rejection proposed by the third party requester constitutes a decision adverse to the patentability of the claims which

are subject to that proposed rejection which will be set forth in the decision of the Patent Trial and Appeal Board as a new ground of rejection under paragraph (b) of this section. The affirmation of the rejection of a claim on any of the grounds specified constitutes a general affirmation of the decision of the examiner on that claim, except as to any ground specifically reversed.

\* \* \* \* \*

■ 60. Section 41.110 is amended by revising paragraph (b)(2) to read as follows:

**§ 41.110 Filing claim information.**

\* \* \* \* \*

(b) \* \* \*  
(2) For each involved claim that contains a means-plus-function or step-plus-function limitation in the form permitted under 35 U.S.C. 112(f), file an annotated copy of the claim indicating in bold face between braces ( { } ) the specific portions of the specification that describe the structure, material, or acts corresponding to each claimed function.

\* \* \* \* \*

■ 61. Section 41.201 is amended by revising paragraph (2)(ii) of the definition of *Threshold issue* to read as follows:

**§ 41.201 Definitions.**

\* \* \* \* \*

*Threshold issue* \* \* \*  
(2) \* \* \*  
(ii) Unpatentability for lack of written description under 35 U.S.C. 112(a) of an involved application claim where the applicant suggested, or could have suggested, an interference under § 41.202(a).

Dated: July 25, 2012.

**David J. Kappos,**

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

[FR Doc. 2012-18530 Filed 8-3-12; 8:45 am]

**BILLING CODE 3510-16-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MB Docket No. 12-130; RM-11662, DA 12-1208]

**Television Broadcasting Services; Greenville, NC**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by ION

Media Greenville License, Inc. ("ION"), the licensee of WEPX-TV, channel 51, Greenville, North Carolina, requesting the substitution of channel 26 for channel 51 at Greenville. While the Commission instituted a freeze on the acceptance of full power television rulemaking petitions requesting channel substitutions in May 2011, it subsequently announced that it would lift the freeze to accept such petitions for rulemaking seeking to relocate from channel 51 pursuant to a voluntary relocation agreement with Lower 700 MHz A Block licensees. In addition, according to ION, this channel substitution serves the public interest as it will increase the station's service area by almost 100,000 persons.

**DATES:** This rule is effective August 6, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Joyce L. Bernstein, *joyce.bernstein@fcc.gov*, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 12-130, adopted July 27, 2012, and released July 30, 2012. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street SW., Washington, DC 20554. This document will also be available via ECFS (<http://fjallfoss.fcc.gov/ecfs/>). This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via the company's Web site, <http://www.bcpiweb.com>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the

Congressional review Act, *see* 5 U.S.C. 801(a)(1)(A).

### List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

### Final Rule

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

### PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336, and 339.

#### § 73.622 [Amended]

■ 2. Section 73.622(i), the Post-Transition Table of DTV Allotments under North Carolina, is amended by removing channel 51 and adding channel 26 at Greenville.

[FR Doc. 2012–19104 Filed 8–3–12; 8:45 am]

BILLING CODE 6712–01–P

### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 79

[MB Docket No. 11–154, FCC 12–9]

### Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's Report and Order (*Order*) implementing provisions of the Twenty-First Century Communications and Video Accessibility Act of 2010 related to closed captioning of Internet protocol-delivered video programming and apparatus closed captioning requirements. This notice is consistent with the *Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules.

**DATES:** 47 CFR 79.4(c)(1)(ii), 79.4(c)(2)(ii) through (iii), 79.4(d)(1)

through (4) and (d)(6) through (9), 79.4(e)(1) through (6), and 79.103(b)(3) through (4) published at 77 FR 19480, March 30, 2012 are effective on August 6, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Diana Sokolow, Policy Division, Media Bureau, at (202) 418–2120, or email: [diana.sokolow@fcc.gov](mailto:diana.sokolow@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on July 24, 2012, OMB approved, for a period of three years, the information collection requirements relating to the rules and procedures contained in the Commission's *Order*, FCC 12–9, published at 77 FR 19480, March 30, 2012. The OMB Control Number is 3060–1162. The Commission publishes this notice as an announcement of the effective date of the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 1–C823, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060–1162, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

#### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on July 24, 2012, for the information collection requirements contained in new rules 47 CFR 79.4(c)(1)(ii), 79.4(c)(2)(ii)–(iii), 79.4(d)(1)–(4) and (6)–(9), 79.4(e)(1)–(6), and 79.103(b)(3)–(4).

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1162.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060–1162.

*OMB Approval Date:* July 24, 2012.

*OMB Expiration Date:* July 31, 2015.

*Title:* Closed Captioning of Video Programming Delivered Using Internet Protocol, and Apparatus Closed Caption Requirements.

*Form Number:* N/A.

*Respondents:* Individuals or households; Businesses or other for-profit entities; Not-for-profit institutions.

*Number of Respondents and Responses:* 1,762 respondents; 4,684 responses.

*Estimated Time per Response:* 0.084 to 10 hours.

*Frequency of Response:* One-time and on-occasion reporting requirements; Recordkeeping requirement; Third-party disclosure requirement.

*Obligation to Respond:* Mandatory; Required to obtain or retain benefits. The statutory authority for this information collection is contained in the Twenty-First Century Communications and Video Accessibility Act of 2010, Public Law 111–260, 124 Stat. 2751, and Sections 4(i), 4(j), 303, 330(b), 713, and 716 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 303, 330(b), 613, and 617.

*Total Annual Burden:* 11,685 hours.

*Total Annual Cost:* \$ 307,800.

*Nature and Extent of Confidentiality:* Some assurances of confidentiality are being provided to the respondents.

Parties filing petitions for exemption based on economic burden, requests for Commission determinations of technical feasibility and achievability, requests for purpose-based waivers, or responses to complaints alleging violations of the Commission's rules may seek confidential treatment of information they provide pursuant to the Commission's existing confidentiality rules. *See* 47 CFR 0.459.

The Commission is not requesting that individuals who file complaints alleging violations of the Commission's rules (complainants) submit confidential information (e.g., credit card numbers, social security numbers, or personal financial information) to the Commission. The Commission requests that complainants submit their names, addresses, and other contact information, which Commission staff needs to process complaints. Any use of this information is covered under the routine uses listed in the Commission's SORN, FCC/CGB–1, "Informal Complaints and Inquiries."

The PIA that the FCC completed on June 28, 2007 gives a full and complete