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Dated: November 9, 2012.

**John Q. Easton,**

*Director, Institute of Education Sciences.*

[FR Doc. 2012-27845 Filed 11-15-12; 8:45 am]

**BILLING CODE 4000-01-P**

## DEPARTMENT OF ENERGY

### Notice of Intent To Grant Exclusive License Between National Energy Technology Laboratory and Corrosion Solutions

**AGENCY:** National Energy Technology Laboratory, Department of Energy.

**ACTION:** Notice of Intent To Grant Exclusive License.

**SUMMARY:** This notice is issued in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i). The National Energy Technology Laboratory (NETL) hereby gives notice of its intent to grant an exclusive license to practice the inventions described and claimed in U.S. Patent No 7,553,517, issued June 30, 2009, entitled "Method of applying a cerium diffusion coating to a metallic alloy," to Corrosion Solutions having its principal place of business in Eugene, Oregon. The inventions are owned by the United States of America as represented by the Department of Energy (DOE). The prospective exclusive license will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7.

**DATES:** Written comments or nonexclusive license applications are to be received at the address listed below no later than December 3, 2012. Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

**ADDRESSES:** Objections relating to the prospective exclusive license may be submitted to the Office of Chief Counsel, National Energy Technology Laboratory, P.O. Box 10940, Pittsburgh, PA 15236, or via facsimile at (412) 386-5949.

**FOR FURTHER INFORMATION CONTACT:** Jessica Sosenko, Technology Transfer

Program Manager, U.S. Department of Energy, National Energy Technology Laboratory, P.O. Box 10940, Pittsburgh, PA 15236; Telephone (412) 386-7417; Email: [jessica.sosenko@netl.doe.gov](mailto:jessica.sosenko@netl.doe.gov).

**SUPPLEMENTARY INFORMATION:** Section 209(c) gives DOE with authority to grant exclusive or partially exclusive licenses in department-owned inventions, where a determination can be made, among other things, that the desired practical application of the invention has not been achieved, or is not likely expeditiously to be achieved, under a nonexclusive license. The statute and implementing regulations (37 CFR 404) require that the necessary determinations be made after public notice and opportunity for filing written objections.

Corrosion Solutions, a new small business, has applied for an exclusive license to practice the inventions and has a plan for commercialization of the invention. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. 209(c), unless, within 15 days of publication of this notice, NETL's Office of Chief Counsel (contact information listed above) receives in writing any of the following, together with the supporting documents:

(i) A statement from any person setting forth reasons why it would not be in the best interest of the United States to grant the proposed license; or

(ii) An application for a nonexclusive license to the invention, in which the applicant states that it already has brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

The proposed license would be exclusive, subject to a license and other rights retained by the U.S. Government, and subject to a negotiated royalty. DOE will review all timely written responses to this notice and will grant the license if, after expiration of the 15-day notice period and after consideration of any written responses to this notice, a determination is made in accordance with Section 209(c) that the license is in the public interest.

Dated: October 26, 2012.

**Anthony V. Cugini,**

*Director, National Energy Technology Laboratory.*

[FR Doc. 2012-27928 Filed 11-15-12; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

[Case No. CAC-039]

### Decision and Order Granting a Waiver Granted to Fujitsu General Limited From the Department of Energy Commercial Package Air Conditioner and Heat Pump Test Procedures

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Decision and Order.

**SUMMARY:** The U.S. Department of Energy (DOE) gives notice of the decision and order (Case No. CAC-039) that grants Fujitsu General Limited (Fujitsu) a waiver from the DOE commercial package air-source central air conditioners and heat pumps test procedures for determining the energy consumption set forth in its petition for waiver. Under today's decision and order, Fujitsu shall be required to test and rate its AIRSTAGE V-II multi-split heat pump with a capacity of 264,000 Btu/h, and specified compatible indoor units using American National Standards Institute (ANSI)/Air-conditioning, Heating and Refrigeration Institute (AHRI) Standard 1230, as adopted in DOE's final rule dated May 16, 2012.

**DATES:** This Decision and Order is effective November 16, 2012 through May 12, 2013.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bryan Berringer, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 586-0371. Email: [Bryan.Berringer@ee.doe.gov](mailto:Bryan.Berringer@ee.doe.gov).

Ms. Elizabeth Kohl, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-71, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585-0103. Telephone: (202) 586-7796. Email: [mailto:Elizabeth.Kohl@hq.doe.gov](mailto:mailto:Elizabeth.Kohl@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** DOE issues notice of this Decision and Order in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 431.401(f)(4). In this Decision and Order, DOE grants Fujitsu a waiver for the Airstage V-II multi-split equipment specified in its waiver submitted on December 16, 2011. Fujitsu must test and rate this equipment using ANSI/AHRI 1230, as adopted in DOE's final rule dated May 16, 2012 (77 FR 28928), as the alternative test procedure. DOE's