

analysis will be completed prior to the issuance or denial of the IHA.

#### **Proposed Authorization**

As a result of these preliminary determinations, NMFS proposes to authorize the take of marine mammals incidental to Apache's seismic survey in Cook Inlet, Alaska, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: December 4, 2012.

**Helen M. Golde,**

*Acting Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RIN 0648-XC361**

#### **Schedules for Atlantic Shark Identification Workshops and Protected Species Safe Handling, Release, and Identification Workshops**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public workshops.

**SUMMARY:** Free Atlantic Shark Identification Workshops and Protected Species Safe Handling, Release, and Identification Workshops will be held in January, February, and March of 2013. Certain fishermen and shark dealers are required to attend a workshop to meet regulatory requirements and to maintain valid permits. Specifically, the Atlantic Shark Identification Workshop is mandatory for all federally permitted Atlantic shark dealers. The Protected Species Safe Handling, Release, and Identification Workshop is mandatory for vessel owners and operators who use bottom longline, pelagic longline, or gillnet gear, and who have also been issued shark or swordfish limited access permits. Additional free workshops will be conducted during 2013 and will be announced in a future notice.

**DATES:** The Atlantic Shark Identification Workshops will be held January 17, February 21, and March 14, 2013.

The Protected Species Safe Handling, Release, and Identification Workshops will be held on January 16, January 23, February 7, February 13, March 6, and March 13, 2013.

See **SUPPLEMENTARY INFORMATION** for further details.

**ADDRESSES:** The Atlantic Shark Identification Workshops will be held in Kenner, LA; Norfolk, VA; and Fort Pierce, FL.

The Protected Species Safe Handling, Release, and Identification Workshops will be held in Manahawkin, NJ; Panama City, FL; Portland, ME; Kitty Hawk, NC; Houston, TX; and Clearwater, FL.

See **SUPPLEMENTARY INFORMATION** for further details on workshop locations.

#### **FOR FURTHER INFORMATION CONTACT:**

Richard A. Pearson by phone: (727) 824-5399, or by fax: (727) 824-5398.

**SUPPLEMENTARY INFORMATION:** The workshop schedules, registration information, and a list of frequently asked questions regarding these workshops are posted on the Internet at: <http://www.nmfs.noaa.gov/sfa/hms/workshops/>.

#### **Atlantic Shark Identification Workshops**

Since January 1, 2008, Atlantic shark dealers have been prohibited from receiving, purchasing, trading, or bartering for Atlantic sharks unless a valid Atlantic Shark Identification Workshop certificate is on the premises of each business listed under the shark dealer permit which first receives Atlantic sharks (71 FR 58057; October 2, 2006). Dealers who attend and successfully complete a workshop are issued a certificate for each place of business that is permitted to receive sharks. These certificate(s) are valid for 3 years. Approximately 80 free Atlantic Shark Identification Workshops have been conducted since January 2007.

Currently, permitted dealers may send a proxy to an Atlantic Shark Identification Workshop. However, if a dealer opts to send a proxy, the dealer must designate a proxy for each place of business covered by the dealer's permit which first receives Atlantic sharks. Only one certificate will be issued to each proxy. A proxy must be a person who is currently employed by a place of business covered by the dealer's permit; is a primary participant in the identification, weighing, and/or first receipt of fish as they are offloaded from a vessel; and who fills out dealer reports. Atlantic shark dealers are prohibited from renewing a Federal shark dealer permit unless a valid Atlantic Shark Identification Workshop certificate for each business location which first receives Atlantic sharks has been submitted with the permit renewal application. Additionally, trucks or other conveyances that are extensions of a dealer's place of business must possess a copy of a valid dealer or proxy

Atlantic Shark Identification Workshop certificate.

#### ***Workshop Dates, Times, and Locations***

1. January 17, 2013, 12 p.m.–4 p.m., LaQuinta Inn & Suites, 2610 Williams Boulevard, Kenner, LA 70062.

2. February 21, 2013, 12 p.m.–4 p.m., LaQuinta Inn & Suites, 1387 North Military Highway, Norfolk, VA 23502.

3. March 14, 2013, 12 p.m.–4 p.m., LaQuinta Inn & Suites, 2655 Crossroads Parkway, Fort Pierce, FL 34945.

#### ***Registration***

To register for a scheduled Atlantic Shark Identification Workshop, please contact Eric Sander at [esander@peoplepc.com](mailto:esander@peoplepc.com) or at (386) 852-8588.

#### ***Registration Materials***

To ensure that workshop certificates are linked to the correct permits, participants will need to bring the following specific items to the workshop:

- Atlantic shark dealer permit holders must bring proof that the attendee is an owner or agent of the business (such as articles of incorporation), a copy of the applicable permit, and proof of identification.

- Atlantic shark dealer proxies must bring documentation from the permitted dealer acknowledging that the proxy is attending the workshop on behalf of the permitted Atlantic shark dealer for a specific business location, a copy of the appropriate valid permit, and proof of identification.

#### ***Workshop Objectives***

The Atlantic Shark Identification Workshops are designed to reduce the number of unknown and improperly identified sharks reported in the dealer reporting form and increase the accuracy of species-specific dealer-reported information. Reducing the number of unknown and improperly identified sharks will improve quota monitoring and the data used in stock assessments. These workshops will train shark dealer permit holders or their proxies to properly identify Atlantic shark carcasses.

#### **Protected Species Safe Handling, Release, and Identification Workshops**

Since January 1, 2007, shark limited-access and swordfish limited-access permit holders who fish with longline or gillnet gear have been required to submit a copy of their Protected Species Safe Handling, Release, and Identification Workshop certificate in order to renew either permit (71 FR 58057; October 2, 2006). These

certificate(s) are valid for 3 years. As such, vessel owners who have not already attended a workshop and received a NMFS certificate, or vessel owners whose certificate(s) will expire prior to the next permit renewal, must attend a workshop to fish with, or renew, their swordfish and shark limited-access permits. Additionally, new shark and swordfish limited-access permit applicants who intend to fish with longline or gillnet gear must attend a Protected Species Safe Handling, Release, and Identification Workshop and submit a copy of their workshop certificate before either of the permits will be issued. Approximately 142 free Protected Species Safe Handling, Release, and Identification Workshops have been conducted since 2006.

In addition to certifying vessel owners, at least one operator on board vessels issued a limited-access swordfish or shark permit that uses longline or gillnet gear is required to attend a Protected Species Safe Handling, Release, and Identification Workshop and receive a certificate. Vessels that have been issued a limited-access swordfish or shark permit and that use longline or gillnet gear may not fish unless both the vessel owner and operator have valid workshop certificates onboard at all times. Vessel operators who have not already attended a workshop and received a NMFS certificate, or vessel operators whose certificate(s) will expire prior to their next fishing trip, must attend a workshop to operate a vessel with swordfish and shark limited-access permits that uses longline or gillnet gear.

#### *Workshop Dates, Times, and Locations*

1. January 16, 2013, 9 a.m.–5 p.m., Holiday Inn, 151 Route 72 East, Manahawkin, NJ 08050.
2. January 23, 2013, 9 a.m.–5 p.m., Holiday Inn Select, 2001 Martin Luther King Boulevard, Panama City, FL 32405.
3. February 7, 2013, 9 a.m.–5 p.m., Holiday Inn, 88 Spring Street, Portland, ME 04101.
4. February 13, 2013, 9 a.m.–5 p.m., Hilton Garden Inn, 5353 North Virginia Dare Trail, Kitty Hawk, NC 27949.
5. March 6, 2013, 9 a.m.–5 p.m., Holiday Inn Express, 8080 South Main Street, Houston, TX 77025.
6. March 13, 2013, 9 a.m.–5 p.m., Holiday Inn Express, 2580 Gulf to Bay Boulevard, Clearwater, FL 33765.

#### *Registration*

To register for a scheduled Protected Species Safe Handling, Release, and Identification Workshop, please contact

Angler Conservation Education at (386) 682–0158.

#### *Registration Materials*

To ensure that workshop certificates are linked to the correct permits, participants will need to bring the following specific items with them to the workshop:

- Individual vessel owners must bring a copy of the appropriate swordfish and/or shark permit(s), a copy of the vessel registration or documentation, and proof of identification.
- Representatives of a business-owned or co-owned vessel must bring proof that the individual is an agent of the business (such as articles of incorporation), a copy of the applicable swordfish and/or shark permit(s), and proof of identification.
- Vessel operators must bring proof of identification.

#### *Workshop Objectives*

The Protected Species Safe Handling, Release, and Identification Workshops are designed to teach longline and gillnet fishermen the required techniques for the safe handling and release of entangled and/or hooked protected species, such as sea turtles, marine mammals, and smalltooth sawfish. In an effort to improve reporting, the proper identification of protected species will also be taught at these workshops. Additionally, individuals attending these workshops will gain a better understanding of the requirements for participating in these fisheries. The overall goal of these workshops is to provide participants with the skills needed to reduce the mortality of protected species, which may prevent additional regulations on these fisheries in the future.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: December 4, 2012.

#### **Emily H. Menashes,**

*Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**BILLING CODE 3510–22–P**

## **DEPARTMENT OF COMMERCE**

### **Patent and Trademark Office**

#### **Grace Period Study**

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the

general public and other Federal agencies to take this opportunity to comment on this new information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before February 8, 2013.

**ADDRESSES:** You may submit comments by any of the following methods:

- Email: [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include “0651–00xx Grace Period Study comment” in the subject line of the message.
- Mail: Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.
- Federal Rulemaking Portal: <http://www.regulations.gov>.

#### **FOR FURTHER INFORMATION CONTACT:**

Requests for additional information should be directed to the attention of Jim Moore, Attorney Advisor, Office of Governmental Affairs, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–5661; or by email to [James.Moore@USPTO.Gov](mailto:James.Moore@USPTO.Gov) with “Paperwork” in the subject line.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Abstract**

The United States’ grace period, which permits exceptions to absolute novelty, figures centrally in the international discourse on patent law harmonization. The grace period allows individuals to improve upon their ideas by sharing them with the research and business communities without jeopardizing their intellectual property interests. Many European countries, however, lack adequate grace periods. The consequences of this are not fully understood. Few studies in the past ten years have dealt with the grace period, and none of them have quantified the effects of premature disclosure on researchers’ failure to apply for or receive patents. To study this issue, the USPTO plans to conduct a study to estimate the commercial opportunities lost as a result of the lack of grace periods.

As part of this study, the USPTO plans to survey European scientific researchers from select European research institutions. The results from this USPTO-sponsored study would provide current, quantitative data on the effects of the premature disclosure on European patenting. The data collected from the survey can be used to estimate the value of lost commercial opportunities in Europe due to the lack