Management Act (MSA) reauthorization, National Fish Habitat Partnership Board’s consideration of habitat in the fishery management process, and other topics related to implementation of the MSA. This document corrects an agenda topic for Thursday, February 20, 2014 meeting scheduled from 2:45–3:45 that was published in the Federal Register on January 31, 2014. All other information relating to the proposed agenda remains the same and will not be repeated in this document.

DATES: The meeting will begin at 9 a.m. on Wednesday, February 19, 2014, recess at 5:30 p.m. or when business is complete; and reconvene at 9 a.m. on Thursday, February 20, 2014, and adjourn by 4:30 p.m. or when business is complete.

ADDRESSES: The meeting will be held at the Holiday Inn Capitol Hill, 550 C Street SW., Washington, DC 20024, telephone 202–479–4000, fax 202–288–4627.

FOR FURTHER INFORMATION CONTACT: William D. Chappell: Telephone 301–427–8505 or email at William.Chappell@noaa.gov; or Tara Scott: Telephone 301–427–8505 or email at Tara.Scott@noaa.gov.

SUPPLEMENTARY INFORMATION:

Correction

In the Federal Register of January 31, 2014, in FR Doc. 2014–02074, on page 5381, in the second column, the agenda for 2:45–3:45, February 20, 2014 meeting is corrected to read:

Proposed Agenda

Thursday, February 20, 2014

2:45–3:45 NOAA’s Habitat Conservation Initiatives and Partnership Opportunities.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Tara Scott at 301–427–8505 at least five working days prior to the meeting.


William D. Chappell.
Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2014–02467 Filed 2–5–14; 8:45 am]

BILLING CODE 3510–22–P
Design Day, some attendees requested that the Office reconsider how the written description requirement under 35 U.S.C. 112(a) is applied to design applications where only a subset of elements of the original disclosure are shown using solid lines in an amendment or continuation application. In order to obtain a better understanding of the attendees’ concerns, the Office is hosting this roundtable event.

III. Topics for Written Comments and Discussion at the Roundtable Event: The Office seeks comments on the application of the written description requirement where only a subset of elements of the original disclosure are shown using solid lines in an amendment or in a continuation application. Specifically, the Office seeks input on the following topics relating to the written description requirement under 35 U.S.C. 112(a) as applied to design applications in certain limited situations.

A. Factors in Determining Whether an Amended/Continuation Design Claim Satisfies the Written Description Requirement

It has been the experience of the Office that in the majority of cases there is no question that the amended/continuation design claim satisfies the written description requirement. However, in some rare situations, it has been the experience of the Office that a question may arise as to whether the applicant had possession of the newly claimed design at the time of filing the original application, where the design results from the applicant including only a subset of seemingly unrelated, originally disclosed elements in the claim by way of an amendment or continuation application.

At Design Day, during the Office’s presentation titled “More About Written Description Requirement of 35 U.S.C. 112(a)” at slide 8. These attendees took the position, relying on Racing Strollers Inc. v. TRI Industries Inc., 878 F.2d 1418, 1420 (Fed. Cir. 1989), that as long as the subset of elements forming the newly claimed design were contained in the originally filed drawings, the written description requirement of 35 U.S.C. 112(a) is satisfied and no further analysis is needed.

Accordingly, input is requested as to whether it would be useful for design examiners to consider any of the following factors in determining whether an amended/continuation design claim, which includes only a subset of the originally disclosed elements (no new elements are introduced that were not originally disclosed), satisfies the written description requirement. These factors would only be applied by design examiners in the rare situation where there is a question as to whether an amended/continuation design claim satisfies the written description requirement. The factors are as follows:

1. The presence of a common theme among the subset of elements forming the newly identified design claim, such as a common appearance;
2. The subset of elements forming the newly identified design claim share an operational and/or visual connection due to the nature of the particular article of manufacture (e.g., set of tail lights of an automobile);
3. The subset of elements forming the newly identified design claim is a self-contained design within the original design;
4. A fundamental relationship among the subset of elements forming the newly identified design claim is established by the context in which the elements appear; and/or
5. The subset of elements forming the newly identified design claim gives the same overall impression as the original design claim.

The Office also seeks comments on any additional factors, not listed above, that would be useful for design patent examiners to consider in determining whether an amended/continuation design claim, which includes only a subset of the originally disclosed elements, satisfies the written description requirement. Further, the Office seeks comments on the potential advantages and/or disadvantages of using such a factors-based approach.

Examples that can be used to aid discussion of the factors identified above will be made available on the Office’s Internet Web site at http://www.uspto.gov/patents/init_events/design.jsp.

I. Purpose of Notice: This notice is directed to announcing a roundtable event to solicit public opinions concerning the topics identified in section III, below, relating to the written description requirement under 35 U.S.C. 112(a) (or for applications filed prior to September 16, 2012, 35 U.S.C. 112, first paragraph) (hereinafter collectively referred to as “35 U.S.C. 112(a)”) as applied to design applications. The topics selected for comment and discussion have been chosen based on input the Office received following the Seventh Annual Office Design Patent Conference “Design Day 2013: Designs in the New Digital Age” (Design Day) held on April 23, 2013. The public is invited to provide comments on these topics and to identify future topics for discussion.

II. Background: A question as to whether an originally disclosed design provides an adequate written description may arise where a new or amended claim is presented, or where a claim to entitlement of an earlier priority date or effective filing date (e.g., under 35 U.S.C. 120) has been made. During discussions between the Office and members of the public attending
For instance, the Office seeks comments on whether use of a descriptive statement in the originally-filed application (e.g., that specifically identifies different combinations of elements which respectively form additional designs) could be a meaningful way for applicants to demonstrate that they had possession of designs claimed in future amendments/continuation applications at the time their original applications were filed. For instance, the Office seeks comments on whether use of a descriptive statement in the originally-filed application (e.g., that specifically identifies different combinations of elements which respectively form additional designs) could be a meaningful way for applicants to demonstrate that they had possession of designs claimed in future amendments/continuation applications. The Office’s initial impression is that generic boilerplate statements would not adequately reflect what the designer had in his or her possession at the time of filing the application.


Michelle K. Lee,
Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office.

[FR Doc. 2014–02578 Filed 2–5–14; 8:45 am]
BILLING CODE 3510–16–P

CONSUMER PRODUCT SAFETY COMMISSION
Sunshine Act Meeting Notice

TIME AND DATE: Wednesday February 12, 2014, 10 a.m.—12 p.m.
PLACE: Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, Maryland.
STATUS: Commission Meeting—Open to the Public.

MATTER TO BE CONSIDERED: Decisional Matter: Section 1101 update (6(b)) NPR.

A live webcast of the Meeting can be viewed at www.cpsc.gov/live.

For a recorded message containing the latest agenda information, call (301) 504–7948.

CONTACT PERSON FOR MORE INFORMATION:
Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504–7923.

Todd A. Stevenson,
Secretary.

[FR Doc. 2014–02682 Filed 2–4–14; 4:15 pm]
BILLING CODE 6355–01–P

DEPARTMENT OF DEFENSE
Department of the Army; Army Corps of Engineers

AGENCY: Department of the Army, U.S. Army Corps of Engineers; DOD.

ACTION: Notice of Intent.

SUMMARY: The U.S. Army Corps of Engineers, Sacramento District (USACE) intends to prepare a Supplemental Joint Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the 2007 Folsom Dam Safety/Flood Damage Reduction EIS/EIR (hereafter referred to as the Project). USACE will serve as lead National Environmental Policy Act (NEPA) agency and the Central Valley Flood Protection Board (CVFPB) will serve as lead agency for compliance with the California Environmental Quality Act (CEQA). The Project was originally authorized in the 2004 Energy and Water Development Appropriations Act (EWWDA) and was later reauthorized in the 2007 Water Resources Development Act (WRDA). The Project is authorized for 4 components: (1) Emergency spillway gate modifications, (2) raising the right and left wings of the main dam, Mormon Island Auxiliary Dam (MIAD), and the reservoir dikes (1–8) by 3.5 feet, (3) temperature control shutter automation and reconfiguration, and 4) downstream ecosystem restoration of Bushy Lake and Woodlake.

The Supplemental Draft Joint SEIS/SEIR will address two components of the authorized project, specifically the emergency spillway gate modifications and the 3.5 foot raise. These flood damage reduction components of the Project enhance the utilization of the existing surcharge flood storage space (temporary water storage space utilized during rare flood events), as well as increase the surcharge flood storage capacity of the reservoir.

DATES: Written comments regarding the scope of the environmental analysis should be received by March 9th, 2014.

SUPPLEMENTARY INFORMATION: None.

Brenda S. Bowen,
Army Federal Register Liaison Officer.
[FR Doc. 2014–02533 Filed 2–5–14; 8:45 am]
BILLING CODE 3710–08–P

DEPARTMENT OF DEFENSE
Department of the Army; Army Corps of Engineers

AGENCY: Department of the Army, U.S. Army Corps of Engineers; DOD.

ACTION: Notice of Intent.

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SUPPLEMENTARY INFORMATION: None.

Brenda S. Bowen,
Army Federal Register Liaison Officer.
[FR Doc. 2014–02533 Filed 2–5–14; 8:45 am]
BILLING CODE 3710–08–P

DEPARTMENT OF DEFENSE
Department of the Army; Army Corps of Engineers

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SUPPLEMENTARY INFORMATION: None.

Brenda S. Bowen,
Army Federal Register Liaison Officer.
[FR Doc. 2014–02533 Filed 2–5–14; 8:45 am]
BILLING CODE 3710–08–P

DEPARTMENT OF DEFENSE
Department of the Army; Army Corps of Engineers

AGENCY: Department of the Army, U.S. Army Corps of Engineers; DOD.

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SUPPLEMENTARY INFORMATION: None.

Brenda S. Bowen,
Army Federal Register Liaison Officer.
[FR Doc. 2014–02533 Filed 2–5–14; 8:45 am]
BILLING CODE 3710–08–P