

temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 10, 2016.

**Eric A. Washburn,**

*Bridge Administrator, Western Rivers.*

[FR Doc. 2016-07439 Filed 3-31-16; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2016-0232]

#### Drawbridge Operation Regulation; Shark River (South Channel), Avon, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the Railroad Bridge (NJT) across the Shark River (South Channel), mile 0.9, at Avon, NJ. This deviation is necessary to perform urgent bridge repairs. This deviation allows the bridge to remain in the closed-to-navigation position.

**DATES:** This deviation is effective from 7 a.m. to 6 p.m. on April 9, 2016.

**ADDRESSES:** The docket for this deviation, [USCG-2016-0232] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Hal R. Pitts, Bridge Administration Branch Fifth District, Coast Guard, telephone 757-398-6222, email [Hal.R.Pitts@uscg.mil](mailto:Hal.R.Pitts@uscg.mil).

**SUPPLEMENTARY INFORMATION:** New Jersey Transit (NJT), that owns and operates the Railroad Bridge (NJT), has requested a temporary deviation from the current operating regulations to perform urgent repairs to the buffers which protect the bridge locks from damage during opening and closing movements. The bridge is a single bascule draw bridge and has a vertical clearance in the closed position of 8 feet above mean high water.

The current operating schedule is set out in 33 CFR 117.751. Under this temporary deviation, the bridge will remain in the closed-to-navigation position from 7 a.m. to 6 p.m. on April 9, 2016 and will open-to-navigation with at least one hour advance notice.

The Shark River is used by a variety of vessels including small U.S. government and public vessels, small commercial vessels, tug and barge, and recreational vessels. The Coast Guard has carefully considered the nature and volume of vessel traffic on the waterway in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed position may do so at anytime. The bridge will be able to open for emergencies with at least one hour advance notice and there is no immediate alternate route for vessels to pass. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transit to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 24, 2016.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

[FR Doc. 2016-07357 Filed 3-31-16; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 42

[Docket No. PTO-P-2015-0053]

**RIN 0651-AD01**

#### Amendments to the Rules of Practice for Trials Before the Patent Trial and Appeal Board

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the existing consolidated set of rules relating to the United States Patent and Trademark Office (Office or USPTO) trial practice for *inter partes* review ("IPR"), post-grant review ("PGR"), the transitional program for covered business method patents ("CBM"), and derivation proceedings that implemented provisions of the Leahy-Smith America Invents Act ("AIA") providing for trials before the Office.

**DATES:** *Effective Date:* This rule is effective May 2, 2016 and applies to all

AIA petitions filed on or after the effective date and to any ongoing AIA preliminary proceeding or trial before the Office.

#### FOR FURTHER INFORMATION CONTACT:

Susan L. C. Mitchell, Lead Administrative Patent Judge, by telephone at (571) 272-9797.

#### SUPPLEMENTARY INFORMATION:

*Executive Summary: Purpose:* This final rule amends the existing consolidated set of rules relating to the United States Patent and Trademark Office (Office or USPTO) trial practice for IPR, PGR, CBM, and derivation proceedings that implemented provisions of the AIA providing for trials before the Office, by allowing new testimonial evidence to be submitted with a patent owner's preliminary response, adding a Rule 11-type certification for papers filed in a proceeding, allowing a claim construction approach that emulates the approach used by a district court following *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) (hereinafter "a *Phillips*-type or district court-type construction approach") for claims of patents that will expire before entry of a final written decision, and replacing the current page limit with a word count limit for major briefing.

*Summary of Major Provisions:* In an effort to gauge the effectiveness of the rules governing AIA trials, the Office conducted a nationwide listening tour in April and May of 2014, and in June 2014, published a **Federal Register** Notice asking for public feedback about the AIA trial proceedings. The Office has reviewed carefully the comments and, in response to public input, already has issued a first, final rule, which was published on May 19, 2015. That final rule addressed issues concerning the patent owner's motion to amend, the petitioner's reply brief, and other various changes. For instance, the final rule provided ten additional pages for a patent owner's motion to amend, allowed a claims appendix for a motion to amend, and provided ten additional pages for a petitioner's reply brief, in addition to other changes to conform the rules to the Office's established practices in handling AIA proceedings.

The Office published a second, proposed rule on August 20, 2015, which addressed more significant proposed changes to the rules and proposed revisions to the Office Patent Trial Practice Guide. The Office received comments from the public on these proposed rules, and presents in this **Federal Register** document the following final rules to address the claim construction standard for AIA