

Therefore, NMFS has determined that the total taking of affected species or stocks would not have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

#### National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review.

#### Endangered Species Act (ESA)

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

#### Authorization

As a result of these determinations, NMFS has issued an IHA to Point Blue for the potential harassment of small numbers of marine mammals incidental to seabird research activities in central California, provided the previously mentioned mitigation, monitoring and reporting requirements are incorporated.

Dated: June 29, 2018.

#### Donna S. Wieting,

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

[FR Doc. 2018-14440 Filed 7-3-18; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### USPTO Websites Customer Satisfaction Surveys

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

**SUMMARY:** The United States Patent and Trademark Office (USPTO), as required

by the Paperwork Reduction Act of 1995, invites comments on a proposed new information collection.

**DATES:** Written comments must be submitted on or before September 4, 2018.

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

- *Email:* [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651—New: Generic Clearance comment" in the subject line of the message.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.
- *Mail:* Marcie Lovett, Director, Records and Information Governance Division, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Marcie Lovett, Director, Records and Information Governance Division, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone on 571-272-8123; or by email to [Marcie.Lovett@uspto.gov](mailto:Marcie.Lovett@uspto.gov) with "Generic Clearance" in the subject line.

Additional information about this collection can be found at <http://www.reginfo.gov> under "Information Collection Review."

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This proposed information collection covers information gathered on the USPTO Websites Customer Satisfaction Surveys. These surveys provide a means to consistently assess, benchmark, and improve customer satisfaction with USPTO websites. The agency has partnered with ForeSee Results, Inc. to conduct this information collection. ForeSee Results' methodology (Customer Experience Analytics or CXA) is a derivative of the widely used American Customer Satisfaction Index (ACSI). This methodology combines survey data and a patented econometric model to precisely measure the customer satisfaction of website users, identify specific areas for improvement, and determine the impact of those improvements on customer satisfaction. The ultimate purpose of the surveys covered in this collection is to improve the quality of goods and services available to customers of the USPTO.

The USPTO Websites Customer Satisfaction Surveys will be completed subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 522a). The agency information collection will be used solely for the

purpose of the surveys. The contractor will not be authorized to release any USPTO information obtained through surveys without first obtaining permission from USPTO. In no case will any new system of records containing privacy information be developed by the USPTO or the contractor collecting the data. In addition, USPTO provides ForeSee only information sufficient to randomly select website visitors as potential survey respondents.

The information collected in the surveys will enable USPTO to determine customer satisfaction metrics among various visitor sub-groups. This information collection will assist USPTO in improving customer service and addressing areas of concern in a targeted manner. This survey does not ask any questions of a sensitive nature or regarding sensitive topics. There is no other agency or organization able to provide the information that is accessible through the surveying approach used in this information collection.

##### II. Method of Collection

Customers will respond to the surveys electronically, as hosted on USPTO websites.

##### III. Data

*OMB Number:* 0651—New.  
*IC Instruments and Forms:* The individual instruments in this collection, as well as their associated forms, are listed in the table below.  
*Type of Review:* New collection.  
*Affected Public:* Individuals and households; businesses or other for-profits; and not-for-profit institutions.  
*Estimated Number of Respondents:* 100,000 responses per year.  
*Estimated Time per Response:* Approximately 8 minutes (0.133 hours) per response.

*Estimated Total Annual Respondent Burden Hours:* 13,333.33 hours.

*Estimated Total Annual Respondent (Hourly) Cost Burden:* \$2,716,133.33. The USPTO expects that attorneys, paralegals and *pro se* applicants will complete these applications. The professional hourly rate for attorneys is \$438, and the hourly rates for paralegals and *pro se* applicants are \$145 and \$28.14, respectively. The combination of these respondent types brings the average respondent rate to \$203.71. The sources for these rates are the 2017 Report of the Economic Survey of the American Intellectual Property Association (AIPLA), the 2016 National Utilization and Compensation Survey Report of the National Association of the Legal Assistants (NALA), and the mean rate for office and administrative

support workers as found in the May 2017 National Occupational Employment and Wage Estimates of the

U.S Bureau of Labor Statistics (occupation code 43-1011). Using this blended hourly rate, the USPTO

estimates that the total respondent cost burden for this collection is \$2,716,133.33 per year.

IC No.	Information collection item	Estimated time for response (minutes) (a)	Estimated annual responses (b)	Estimated annual burden hours (a) × (b) = (c)	Rate (S/hr)
1	Surveys	8	100,000	13,333.33	\$203.71
Total (Three-Year Period)			100,000 (300,000)	13,333.33 (40,000)	\$2,716,133.33 (8,148,400.00)

*Estimated Total Annual (Non-hour) Respondent Cost Burden:* \$0. There are no capital start-up, maintenance, postage, or recordkeeping costs associated with this information collection.

**IV. Request for Comments**

Comments are invited on:

- (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;
- (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information;
- (c) ways to enhance the quality, utility, and clarity of the information to be collected; and
- (d) ways to minimize the burden of the collection of information on respondents, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

**Marcie Lovett,**

Director, Records and Information Governance Division, Office of the Chief Information Officer, United States Patent and Trademark Office.

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**BILLING CODE 3510-16-P**

invites comments on a proposed extension of an existing information collection: 0651-0064 (Patent Reexaminations and Supplemental Examinations).

**DATES:** Written comments must be submitted on or before September 4, 2018.

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

- *Email:* [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0064 comment" in the subject line of the message.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.
- *Mail:* Marcie Lovett, Director, Records and Information Governance Division, Office of the Chief Technology Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Raul Tamayo, Senior Legal Advisor, Office of the Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-7728; or by email to [Raul.Tamayo@uspto.gov](mailto:Raul.Tamayo@uspto.gov) with "0651-0064 comment" in the subject line. Additional information about this collection is also available at <http://www.reginfo.gov> under "Information Collection Review."

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The United States Patent and Trademark Office (USPTO) is required by 35 U.S.C. 131 and 151 to examine applications and, when appropriate, allow applications and issue them as patents. Chapter 30 of Title 35 U.S.C. provides that any person at any time may file a request for reexamination by the USPTO of any claim of a patent on the basis of prior art patents or printed publications. Once initiated, the reexamination proceedings under Chapter 30 are substantially *ex parte*

and do not permit input from third parties. The rules outlining *ex parte* reexaminations are found at 37 CFR 1.510-1.570.

35 U.S.C. 257 permits a patent owner to request supplemental examination of a patent by the USPTO to consider, reconsider, or correct information believed to be relevant to the patent. The rules outlining supplemental examination are found at 37 CFR 1.601-1.625.

The Leahy-Smith America Invents Act terminated *inter partes* reexamination effective September 16, 2012. However, *inter partes* reexamination proceedings based on *inter partes* reexamination requests filed before September 16, 2012, continue to be prosecuted. Therefore, this collection continues to include items related to the prosecution of *inter partes* reexamination proceedings. The rules outlining *inter partes* reexamination are found at 37 CFR 1.903-1.931.

Thus, the items included in this collection cover: (1) Requests for *ex parte* reexamination, (2) requests for supplemental examination, and (3) information that may be submitted by patent owners and third-party requesters in relation to the prosecution of an *ex parte* or *inter partes* reexamination proceeding. The transmittal forms are used by a requester (patent owner or third party) as a checklist to ensure compliance with the requirements of the statutes and rules for *ex parte* reexaminations and supplemental examinations. The public uses this information collection to request *ex parte* reexamination and supplemental examination, to prosecute reexamination proceedings, and to ensure that the associated documentation is submitted to the USPTO.

**II. Method of Collection**

By mail, facsimile, hand delivery, or electronically to the USPTO.

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Patent Reexaminations and Supplemental Examinations**

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

**SUMMARY:** The United States Patent and Trademark Office (USPTO), as required by the Paperwork Reduction Act of 1995