

Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have Tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves an emergency safety zone that will prohibit entry one nautical mile in all directions around well #59 at approximate position 29°04'28.919" N, 089°10'48.720" W near the Pass A Loutre State Wildlife Management Area. It is categorically excluded from further review under paragraph L60(d) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

- 2. Add § 165.T08–0435 to read as follows:

§ 165.T08–0435 Safety Zone; Gulf of America, Pass A Loutre State Wildlife Management Area.

(a) **Location.** The following area is a safety zone: all navigable waters within one nautical mile in all directions around well #59 at approximate position 29°04'28.919" N, 089°10'48.720" W, near the Pass A Loutre State Wildlife Management Area. These coordinates are based on World Geodetic System (WGS) 84.

(b) **Definition.** As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Sector New Orleans (COTP) in the enforcement of the safety zone.

(c) **Regulations.** (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative via VHF–FM Channel 16 or 67 or by telephone at (504) 365–2545. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) **Enforcement period.** This section will be enforced 24-hours per day from May 22, 2025, through July 2, 2025, unless cancelled earlier by the Captain of the Port. The COTP or a designated representative will inform the public of any changes to the enforcement times or dates for this safety zone through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs) as appropriate.

Dated: May 22, 2025.

G.A. Callaghan,

Captain, U.S. Coast Guard, Captain of the Port New Orleans.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2025–0417]

Safety Zone; City of Duluth Fourth Fest, Duluth, MN

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the Duluth Fourth Fest Fireworks Display from 9:30 p.m. to 11 p.m. on July 4, 2025 to provide for the safety of life on navigable waterways during this event in the vicinity of Bayfront Park. During the enforcement period, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port (COTP) Marine Safety Unit Duluth or a designated representative.

DATES: The regulations in 33 CFR 165.943 will be enforced for the Duluth 4th Fest Fireworks regulated area listed in item 5 in Table 1 to § 165.943 from 9:30 p.m. to 11 p.m., on July 4, 2025.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email LT Zachary Fedak, Marine Safety Unit Duluth, U.S. Coast Guard; telephone 218–522–0708, email Zachary.A.Fedak@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone regulation in 33 CFR 165.943 for the Duluth 4th Fest Fireworks listed in item 5 in Table 1 to § 165.943 from 9:30 p.m. to 11 p.m., on July 4, 2025. This action is being taken to provide for the safety of life on navigable waterways during this event. The regulation for recurring marine events within the COTP Duluth Zone, Table 1 to § 165.943, item 5, specifies the location of the regulated area for the Duluth 4th Fest Fireworks event. During the enforcement period, no vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP Marine Safety Unit Duluth or his or her on-scene representative.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with notifications of this enforcement period via Broadcast Notice to Mariners. The COTP Marine Safety Unit Duluth on-scene representative may be contacted via VHF-FM Channel 16.

Dated: May 21, 2025.

John P. Botti,

Commander, U.S. Coast Guard, Captain of the Port Marine Safety Unit Duluth.

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 7

[Docket No. PTO-T-2025-0002]

RIN 0651-AD82

Partial Replacement of an Earlier National Registration or Registrations by an International Registration

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Final rule.

SUMMARY: The United States Patent and Trademark Office (USPTO) issues this final rule to implement an amendment to the Regulations under the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol) adopted by the Madrid Union Assembly that went into effect on February 1, 2021, with a delayed implementation date of February 1, 2025. This final rule modifies U.S. trademark regulations addressing the replacement of a national registration or registrations by an international registration to allow for submission of partial replacement requests, in alignment with the Madrid Protocol, and to require a listing of the goods and/or services for which replacement is requested.

DATES: This rule is effective on July 2, 2025.

FOR FURTHER INFORMATION CONTACT:

Cristiana Schwab, Office of the Deputy Commissioner for Trademark Examination Policy, at 571-272-3514 or TMFRNotices@uspto.gov.

SUPPLEMENTARY INFORMATION: The USPTO is revising 37 CFR 7.28 to incorporate an amendment to the Madrid Protocol for international trademark registration.

The Madrid Protocol is an international treaty that allows a

trademark owner to seek registration of its trademark in any of the member countries by filing a single international application. The International Bureau (IB) of the World Intellectual Property Organization (WIPO) in Geneva, Switzerland, administers the international registration system. The Madrid Protocol Implementation Act of 2002 amended the U.S. Trademark Act to provide that: (1) the owner of a U.S. application or registration may seek protection of its mark in any of the member countries of the Madrid Protocol by submitting a single international application through the USPTO and (2) the holder of an international registration may request an extension of protection of the international registration to the United States. The Madrid Protocol came into effect in the United States on November 2, 2003, and is implemented under 15 U.S.C. 1141 *et seq.* and 37 CFR parts 2 and 7. Each member country to the Madrid Protocol, including the United States, is represented at the Madrid Union Assembly, which meets annually at WIPO to vote on proposed changes to the Regulations under the Madrid Protocol. Each member country is obligated to implement any changes to the Regulations once adopted.

At its fifty-third (23rd ordinary) session, the Madrid Union Assembly adopted an amendment to Rule 21(3)(d) of the Regulations under the Madrid Protocol that requires member countries to provide for partial replacement of an earlier national registration(s) in addition to requests for full replacement. This amendment went into effect on February 1, 2021. However, at its fifty-fifth (24th ordinary) session, the Madrid Union Assembly adopted a new provision to the Regulations, paragraph (7) of Rule 40, that amended the compliance date for members to February 1, 2025.

This final rule incorporates the amendment adopted under the Madrid Protocol to provide partial replacement of earlier national registrations. To implement this amendment, this final rule revises the procedures at 37 CFR 7.28 to require the submission of additional information in requests to note replacement of a U.S. registration with an extension of protection, which will enable the USPTO to process requests for partial replacement of earlier national registrations. Specifically, a request to note replacement must specify the goods and/or services for which replacement is sought. The requirement to specify the goods and/or services for which replacement is requested applies to all requests to note replacement, both full

and partial requests. Finally, the USPTO revises § 7.28 to clarify that for a pending request for extension of protection that, once registered, will meet the requirements of paragraph (a), the holder may file a request to note replacement of the U.S. registration with the extension of protection. However, requests to note replacement filed in reference to a pending request for extension of protection will not be processed until the extension of protection is registered. This action ensures that the USPTO is in compliance with the Madrid Protocol. It also ensures that all replacements of earlier national registrations, not just partial replacements, clearly identify those goods and/or services that are being replaced, which will promote transparency in the trademark system.

Discussion of Regulatory Changes

The USPTO amends § 7.28 to revise paragraph (a)(2) to replace the wording “are also listed in” with “that are identified for replacement are covered by.” The USPTO revises paragraph (b) to include language clarifying addressing pending requests for extension of protection.

The USPTO also redesignates paragraph (c) as paragraph (d) and adds a new paragraph (c) to provide a stand-alone paragraph that sets forth the requirements for requests to note replacement. This paragraph includes the new requirement that requesters must specify the goods and/or services for which replacement is requested, which is set forth in paragraph (c)(3).

Rulemaking Requirements

A. Administrative Procedure Act: The changes in this rulemaking involve rules of agency practice and procedure and/or interpretive rules and do not require notice-and-comment rulemaking. See *Perez v. Mortg. Bankers Ass'n*, 575 U.S. 92, 97, 101 (2015) (explaining that interpretive rules “advise the public of the agency’s construction of the statutes and rules which it administers” and do not require notice-and-comment when issued or amended); *In re Chestek PLLC*, 92 F.4th 1105, 1110 (Fed. Cir. 2024) (noting that rule changes that “do[] not alter the substantive standards by which the USPTO evaluates trademark applications” are procedural in nature and thus “exempted from notice-and-comment rulemaking.”); *Cooper Techs. Co. v. Dudas*, 536 F.3d 1330, 1336–37 (Fed. Cir. 2008) (5 U.S.C. 553, and thus 35 U.S.C. 2(b)(2)(B), do not require notice-and-comment rulemaking for “interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice”);