

LNG Port facility for the period between May 8, 2007, and May 7, 2008, with construction activities limited from May to November 2007, would not have impacts beyond what was analyzed in the biological opinion so additional consultation was not required. An incidental take statement (ITS) was issued following NMFS' issuance of the IHA.

On November 15, 2007, Northeast Gateway and Algonquin submitted a letter to NMFS requesting an extension for the LNG Port construction into December 2007. Upon reviewing Northeast Gateway's weekly marine mammal monitoring reports submitted under the previous IHA, NMFS recognized that the potential take of some marine mammals resulting from the LNG Port and Pipeline Lateral by Level B behavioral harassment likely had exceeded the original take estimates. Therefore, NMFS Northeast Region (NER) reinitiated consultation with MARAD and USCG on the construction and operation of the Northeast Gateway LNG facility, based on their proposed action to issue revised permits allowing construction to continue through December 2007 and including the mitigation measures that are also included as part of the IHA modification, and the fact that the takes associated with the project likely had exceeded the amount of take in the ITS of the February 5, 2007, biological opinion. On November 30, 2007, NMFS NER issued a revised biological opinion, reflecting the revised construction time period and including a revised ITS. This revised biological opinion concluded that the construction and operation of the Northeast Gateway LNG terminal may adversely affect, but is not likely to jeopardize, the continued existence of northern right, humpback, and fin whales, and is not likely to adversely affect sperm, sei, or blue whales. NMFS has concluded that issuance of this proposed IHA renewal would not have impacts beyond what was analyzed in the November 30, 2007, biological opinion, so additional consultation is not required.

#### National Environmental Policy Act

MARAD and the USCG released a Final EIS/Environmental Impact Report (EIR) for the proposed Northeast Gateway Port and Pipeline Lateral. A notice of availability was published by MARAD on October 26, 2006 (71 FR 62657). The Final EIS/EIR provides detailed information on the proposed project facilities, construction methods and analysis of potential impacts on marine mammal.

NMFS was a cooperating agency (as defined by the Council on Environmental Quality (40 CFR 1501.6)) in the preparation of the Draft and Final EISs. NMFS has reviewed the Final EIS and has adopted it. Therefore, the preparation of another EIS or EA is not warranted.

#### Preliminary Determinations

NMFS has preliminarily determined that the impact of operation of the Northeast Gateway Port Project may result, at worst, in a temporary modification in behavior of small numbers of certain species of marine mammals that may be in close proximity to the Northeast Gateway LNG facility and associated pipeline during its operation. These activities are expected to result in some local short-term displacement and will have no more than a negligible impact on the affected species or stocks of marine mammals. Taking these two factors together, NMFS concludes that there will be no biologically significant effects on the survival and reproduction of these species or stocks. Please see Estimate of Take by Harassment section below for the calculation of these take numbers.

This preliminary determination is supported by proposed mitigation, monitoring, and reporting measures described in this document and NMFS' Biological Opinion on this action.

As a result of the described proposed mitigation and monitoring measures, no take by injury or death would be requested, anticipated or authorized, and the potential for temporary or permanent hearing impairment is very unlikely due to the relatively low noise levels (and consequently small zone of impact).

While the number of marine mammals that may be harassed will depend on the distribution and abundance of marine mammals in the vicinity of the LNG Port facility, the estimated numbers of marine mammals to be harassed is small relative to the affected species or stock sizes.

#### Proposed Authorization

NMFS proposes to issue an IHA to Northeast Gateway and Algonquin for conducting LNG Port facility operations in Massachusetts Bay, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

#### Information Solicited

NMFS requests interested persons to submit comments and information concerning this proposed IHA and Northeast Gateway and Algonquin's

application for incidental take regulations (see **ADDRESSES**). NMFS requests interested persons to submit comments, information, and suggestions concerning both the request and the structure and content of future regulations to allow this taking. NMFS will consider this information in developing proposed regulations to govern the taking.

Dated: March 20, 2008.

**Helen Golde,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. E8-6292 Filed 3-26-08; 8:45 am]

**BILLING CODE 3510-22-S**

---

## PATENT AND TRADEMARK OFFICE

### Post Registration (Trademark Processing)

**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 the extension of a continuing 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 May 27, 2008.

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

*E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov). Include "0651-0055 comment" in the subject line of the message.

*Fax:* 571-273-0112, marked to the attention of Susan K. Fawcett.

*Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, 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 Janis Long, Attorney Advisor, Office of the Commissioner for Trademarks, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, by telephone at 571-272-9573, or by e-mail at [janis.long@uspto.gov](mailto:janis.long@uspto.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The United States Patent and Trademark Office (USPTO) administers the Trademark Act, 15 U.S.C. 1051 *et seq.* which provides for the Federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register their marks with the USPTO.

Such individuals and businesses may also submit various communications to the USPTO, including requests to amend their registrations to delete goods or services that are no longer being used by the registrant. Registered marks remain on the register for ten years and can be renewed, but will be cancelled unless the owner files with the USPTO a declaration attesting to the continued use (or excusable non-use) of the mark in commerce within specific deadlines. Applicants may also surrender a registration and, in limited situations, petition the Director to reinstate a registration that has been cancelled.

The rules implementing the Act are set forth in 37 CFR Part 2. These rules mandate that each register entry include the mark, the goods and/or services in connection with which the mark is used, ownership information, dates of use, and certain other information. The USPTO also provides similar information concerning pending applications. The register and pending application information may be accessed by an individual or by businesses to determine availability of a mark. By accessing the USPTO's information, parties may reduce the possibility of initiating use of a mark previously adopted by another. The Federal trademark registration process may lessen the filing of papers in court and between parties.

**II. Method of Collection**

Electronically if applicants submit the information using the forms available through TEAS. By mail or hand delivery if applicants choose to submit the information in paper form.

**III. Data**

OMB Number: 0651-0055.

*Form Number(s):* PTO Forms 4.16, 1553, 1583, 1597 and 1963.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Primarily business or other for-profit organizations.

*Estimated Number of Respondents:* 106,030 per year.

*Estimated Time per Response:* The USPTO estimates that it will take approximately 3 minutes (0.05 hours) to 30 minutes (0.50 hours) to complete this information. This includes the time to gather the necessary information, create the documents, and submit the completed request to the USPTO.

*Estimated Total Annual Respondent Burden Hours:* 16,689 hours.

*Estimated Total Annual Respondent Cost Burden:* \$5,073,456. The USPTO believes that associate attorneys will complete this information. The professional hourly rate for associate attorneys in private firms is \$304. Using this hourly rate, the USPTO estimates that the total respondent cost burden for this collection is \$5,073,456.

Item	Estimated time for response (min)	Estimated annual responses	Estimated annual burden hours
Declaration of Use of a Mark in Commerce Under § 8 .....	11	866	156
TEAS Declaration of Use of a Mark in Commerce Under § 8 .....	10	6,559	1,115
Combined Declaration of Use in Commerce & Application for Renewal of Registration of a Mark Under §§ 8 & 9 .....	14	3,013	693
TEAS Combined Declaration of Use in Commerce & Application for Renewal of Registration of a Mark Under §§ 8 & 9 .....	12	41,287	8,257
Declaration of Incontestability of a Mark Under § 15 .....	3	92	5
TEAS Declaration of Incontestability of a Mark Under § 15 .....	6	508	51
Combined Declaration of Use & Incontestability Under §§ 8 & 15 .....	5	7,120	570
TEAS Combined Declaration of Use & Incontestability Under §§ 8 & 15 .....	3	37,555	1,878
Amendments and Corrections .....	30	4,780	2,390
Surrenders .....	30	450	225
Section 7 Request .....	20	1,900	627
TEAS Section 7 Request .....	23	1,900	722
Totals .....	.....	106,030	16,689

*Estimated Total Annual Non-Hour Respondent Cost Burden (includes postage costs and filing fees):* \$37,153,771. This collection has no operating, maintenance or recordkeeping costs.

Customers incur postage costs when submitting non-electronic information to the USPTO by mail through the United States Postal Service. The USPTO estimates that the majority of submissions for these paper forms are

made via first class mail. First class postage is 41 cents. Therefore, a total estimated mailing cost of \$7,471 is incurred (18,221 responses × \$0.41).

Item	Responses (yr) (a)	Postage costs (b)	Total cost (yr) (a × b)
Declaration of Use of a Mark in Commerce Under § 8 .....	866	\$0.41	\$355.00
Combined Declaration of Use in Commerce & Application for Renewal of Registration of a Mark Under §§ 8 & 9 .....	3,013	0.41	1,235.00
Declaration of Incontestability of a Mark Under § 15 .....	92	0.41	38.00
Combined Declaration of Use & Incontestability Under §§ 8 & 15 .....	7,120	0.41	2,919.00
Amendments and Corrections .....	4,780	0.41	1,960.00
Surrenders .....	450	0.41	185.00

Item	Responses (yr) (a)	Postage costs (b)	Total cost (yr) (a × b)
Section 7 Requests .....	1,900	0.41	779.00
Totals .....	18,221	.....	7,471.00

Filing fees of \$37,146,300 are associated with this collection. The filing fees are based on per class filing of goods and services, therefore, the total filing fees can vary depending on

the number of classes. There is a \$100 filing fee for Section 7 Requests unless the correction is due to a USPTO error, in which case there is no fee. The USPTO estimates that approximately

2,533 of the 3,800 expected Section 7 Requests would require the fee. The filing fees shown here are the minimum fees associated with this information collection.

Item	Responses (yr) (a)	Filing fees (b) (b)	Total cost (yr) (a × b)
Declaration of Use of a Mark in Commerce Under § 8 .....	866	\$100.00	\$86,600.00
TEAS Declaration of Use of a Mark in Commerce Under § 8 .....	6,559	100.00	655,900.00
Combined Declaration of Use in Commerce & Application for Renewal of Registration of a Mark Under §§ 8 & 9 .....	3,013	500.00	1,506,500.00
TEAS Combined Declaration of Use in Commerce & Application for Renewal of Registration of a Mark Under §§ 8 & 9 .....	41,287	500.00	20,643,500.00
Declaration of Incontestability of a Mark Under § 15 .....	92	200.00	18,400.00
TEAS Declaration of Incontestability of a Mark Under § 15 .....	508	200.00	101,600.00
Combined Declaration of Use & Incontestability Under §§ 8 & 15 .....	7,120	300.00	2,136,000.00
TEAS Combined Declaration of Use & Incontestability Under §§ 8 & 15 .....	37,555	300.00	11,266,500.00
Amendments and Corrections .....	4,780	100.00	478,000.00
Surrenders .....	450	0.00	0.00
Section 7 Requests .....	1,266	100.00	126,600.00
TEAS Section 7 Requests .....	1,267	100.00	126,700.00
Totals .....	104,763	.....	37,146,300.00

\*Note: All filing fees are based on per class filing.

**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 will also become a matter of public record.

Dated: March 20, 2008.  
**Susan K. Fawcett,**  
*Records Officer, USPTO, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division.*  
 [FR Doc. E8-6297 Filed 3-26-08; 8:45 am]  
**BILLING CODE 3510-16-P**

**COMMODITY FUTURES TRADING COMMISSION**

**Notice of Sunshine Act Meeting**

**AGENCY HOLDING THE MEETING:**  
 Commodity Futures Trading Commission.

**Sunshine Act Meetings**

**TIME AND DATE:** 9 a.m., Tuesday April 22, 2008.  
**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.  
**STATUS:** Open.  
**MATTERS TO BE CONSIDERED:** Public meeting to discuss recent events affecting the agricultural commodity markets.

**FOR FURTHER INFORMATION CONTACT:**  
 Sauntia S. Warfield, 202-418-5084.

**David A. Stawick,**  
*Secretary of the Commission.*  
 [FR Doc. 08-1080 Filed 3-25-08; 1:23 pm]  
**BILLING CODE 6351-01-P**

**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

**Proposed Information Collection; Comment Request**

**AGENCY:** Corporation for National and Community Service.  
**ACTION:** Notice.

**SUMMARY:** The Corporation for National and Community Service (hereinafter the "Corporation"), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). Copies of this ICR,