

The green technology pilot program will permit patent applications pertaining to green technology, i.e., environmental quality, energy conservation, development of renewable energy, or greenhouse gas emission reduction, to be accorded special status for examination using an expedited procedure that is similar to the existing first action interview pilot program without meeting the current requirements of the accelerated examination program. The first action interview pilot and accelerated examination programs are both covered under OMB Control Number 0651-0031.

This pilot will support national and international green technology

initiatives and is expected to run for six months.

II. Method of Collection

Electronically using the USPTO online filing system EFS-Web.

III. Data

OMB Number: 0651-0062.

Form Number(s): PTO/SB/420.

Type of Review: New collection.

Affected Public: Individuals or households; businesses or other for-profits; and not-for-profit institutions.

Estimated Number of Respondents: 5,225 responses per year.

Estimated Time Per Response: The USPTO estimates that it will take the

public between 1 hour and 10 hours to gather the necessary information, prepare the appropriate form or other documents, and submit the information to the USPTO.

Estimated Total Annual Respondent Burden Hours: 6,850 hours per year.

Estimated Total Annual Respondent Cost Burden: \$2,123,500 per year. The USPTO expects that the information in this collection will be prepared by attorneys. Using the professional rate of \$310 per hour for attorneys in private firms, the USPTO estimates that the respondent cost burden for this collection will be approximately \$2,123,500 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Request for Green Technology Pilot Program (PTO/SB/420)	1 hour	5,000	5,000
Protests by the public against pending applications under 37 CFR 1.291	10 hours	65	650
Third-party submissions in published applications under 37 CFR 1.99 ...	7.5 hours	160	1,200
Total	5,225	6,850

Estimated Total Annual Non-Hour Respondent Cost Burden: \$30,210 per year. There are no capital start-up or maintenance costs associated with this information collection. However, this collection does have record keeping costs and filing fees for the second or subsequent protest filed by the same real party in interest and for a third-part submission under 37 CFR 1.99.

When submitting the information in this collection to the USPTO electronically through EFS-Web, the applicant is strongly urged to retain a copy of the file submitted to the USPTO as evidence of authenticity in addition to keeping the acknowledgment receipt as clear evidence of the date the file was received by the USPTO. The USPTO estimates that it will take 5 seconds (0.001 hours) to print and retain a copy of the EFS-Web submissions and that approximately 5,225 submissions per year will be submitted electronically, for a total of approximately 5 hours per year for printing this receipt. Using the paraprofessional rate of \$100 per hour, the USPTO estimates that the recordkeeping cost associated with this collection will be approximately \$500 per year.

There is no fee for filing protests under 37 CFR 1.291 unless the filed protest is the second or subsequent protest by the same real party in interest, in which case the 1.17(I) fee of \$130 must be included (the USPTO estimates 7 of the 65 protests filed per

year will trigger this fee). Third-party submissions under 37 CFR 1.99 must include the 1.17(p) fee of \$180. The USPTO estimates that the total fees associated with this collection will be approximately \$29,710 per year.

The total non-hour respondent cost burden for this collection in the form of record keeping costs (\$500) and filing fees (\$29,710) is approximately \$30,210 per year.

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.

Dated: January 6, 2010.

Susan K. Fawcett,
Records Officer, USPTO, Office of the Chief Information Officer.

[FR Doc. 2010-373 Filed 1-11-10; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

International Trade Administration

A-570-806

Silicon Metal from the People's Republic of China: Final Results and Partial Rescission of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On July 9, 2009, the Department of Commerce (the "Department") published in the **Federal Register** the *Preliminary Results* of the 2007-2008 administrative review of the antidumping duty order on silicon metal from the People's Republic of China ("PRC"). We gave interested parties an opportunity to comment on the *Preliminary Results*.¹ Based upon our analysis of the comments and information received, we made changes to the margin calculations for the final

¹ See *Silicon Metal From the People's Republic of China: Preliminary Results and Preliminary Rescission, in Part, of Antidumping Duty Administrative Review*, 74 FR 32885 (July 9, 2009) ("Preliminary Results").

results. We continue to find that certain exporters have sold subject merchandise at less than normal value during the period of review ("POR"), June 1, 2007, through May 31, 2008.

EFFECTIVE DATE: January 12, 2010.

FOR FURTHER INFORMATION CONTACT:

Bobby Wong, Susan Pulongbarit, or Jerry Huang, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0409, (202) 482-4031, or (202) 482-4047.

SUPPLEMENTARY INFORMATION:

Background

On July 30, 2008, the Department initiated an administrative review of five producers/exporters of subject merchandise from the PRC: Jiangxi Gangyuan Silicon Industry Co., Ltd. ("Jiangxi Gangyuan"); Lao Silicon Co., Ltd. ("Lao Silicon"); S. AU Trade Co., Ltd. ("AU Trade"); and Shanghai Jinneng International Trade Co., Ltd. ("Shanghai Jinneng") and its affiliated producer, Datong Jinneng Industrial Silicon Co., Inc. ("Datong Jinneng") (collectively, the "Jinneng Companies"). In the *Preliminary Results* the Department rescinded the review with respect to Datong Jinneng and Lao Silicon in accordance with 19 CFR 351.213(d)(3), because the Department preliminarily determined that neither company had made shipments of subject merchandise during the POR. Also, in the *Preliminary Results*, the Department preliminarily determined that AU Trade will remain part of the PRC-wide entity for the purposes of this review because the Department received an untimely filing of AU Trade's Separate Rate Application ("SRA"). Thus, two companies remain subject to this review: Shanghai Jinneng and Jiangxi Gangyuan.

As noted above, on July 9, 2009, the Department published the *Preliminary Results* of this administrative review.² On July 29, 2009, Globe Metallurgical Inc. ("Petitioner") submitted additional surrogate value information. On July 29, 2009, the Jinneng Companies and Jiangxi Gangyuan ("Respondents") submitted additional surrogate value information.

On August 10, 2009, Petitioner requested a hearing. On September 17, 2009, the Department held public and closed hearings to discuss the final results of the instant review.

In response to requests by interested parties, on August 18, 2009, we

extended the deadline for parties to submit case briefs and rebuttal briefs until August 21, 2009, and September 4, 2009, respectively. On August 21, 2009, we received case briefs from Petitioner and Respondents. On September 3, 2009, we extended the deadline for parties to submit rebuttal briefs until September 9, 2009. On September 10, 2009, we received rebuttal briefs from Petitioner and Respondents.

On October 29, 2009, the Department partially extended the deadline for the completion of the final results of this review until November 6, 2009.³ On December 1, 2009, the Department fully extended the deadline for the completion of the final results of this review until January 5, 2010.⁴

On November 10, 2009, the Department received letters from the Embassy of the PRC and the Ministry of Commerce for the PRC ("MOFCOM") (collectively, "PRC government letters"), and subsequently requested comments from interested parties regarding the letters and a related remand determination.⁵ On December 2, 2009, the Department received comments from MOFCOM pursuant to the Department's request. On December 3, 2009, the Department received comments from Petitioner and Respondents pursuant to the Department's request. On December 5, 2009, the Department received a letter from the Chinese Minister of Commerce, and subsequently requested comments from interested parties regarding the letter.⁶ On December 16, 2009, the Department received comments from Petitioner regarding the December 5, 2009, letter.

On December 22, 2009, the Department requested comments on Indian import data from the World Trade Atlas under Harmonized Tariff Schedule 6305.330.00 "Sacks and Bags, for Packing of Goods, of Polyethylene/Polypropylene Strips Nes." from the 2005-2006 new shipper reviews of

³ See *Silicon Metal From the People's Republic of China: Notice of Extension of Time Limit for the Final Results of the 2007 - 2008 Administrative Review*, 74 FR 55811 (October 29, 2009).

⁴ See *Silicon Metal from the People's Republic of China: Notice of Second Extension of Time Limit for the Final Results of the 2007-2008 Administrative Review*, 74 FR 62745 (December 1, 2009).

⁵ See Letter From the Department of Commerce, To All Interested Parties Regarding 2007/2008 Administrative Review of Silicon Metal from the People's Republic of China, dated November 18, 2009.

⁶ See Letter From the Department of Commerce, To All Interested Parties Regarding 2007/2008 Administrative Review of Silicon Metal from the People's Republic of China, dated December 11, 2009.

silicon metal from China.⁷ No parties submitted comments to the Department regarding this data.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this review are addressed in the "Silicon Metal from the People's Republic of China: Issues and Decision Memorandum for the Final Results of 2007/2008 Administrative Review," which is dated concurrently with this notice ("I&D Memo"). A list of the issues which parties raised and to which we respond in the I&D Memo is attached to this notice as an Appendix. The I&D Memo is a public document and is on file in the Central Records Unit ("CRU"), Main Commerce Building, Room 1117, and is accessible on the Department's website at <http://www.trade.gov/ia>. The paper copy and electronic version of the memorandum are identical in content.

Changes Since the Preliminary Results

Based on a review of the record as well as comments received from parties regarding our *Preliminary Results*, we have made revisions to Jiangxi Gangyuan and Shanghai Jinneng's margin calculations for the final results. For all changes to Jiangxi Gangyuan and Shanghai Jinneng's calculations, see I&D Memo and the company specific analysis memorandums.

Scope of the Order

Imports covered by this review are shipments of silicon metal containing at least 96.00 but less than 99.99 percent of silicon by weight. Also covered by this review is silicon metal from the PRC containing between 89.00 and 96.00 percent silicon by weight but which contains a higher aluminum content than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule (HTS) as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS) is not subject to this review. Although the HTS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

Final Partial Rescission

⁷ See *Silicon Metal from the People's Republic of China: Notice of Final Results of 2005/2006 New Shipper Reviews ("New Shipper Reviews")*, 72 FR 58641 (October 16, 2007).

² See *Preliminary Results*.

In the *Preliminary Results*, the Department preliminarily rescinded this review with respect to the following companies: Datong Jinneng and Lao Silicon. Subsequent to the *Preliminary Results*, no information was submitted on the record indicating that the above companies made sales to the United States of subject merchandise during the POR. Thus, in accordance with 19 CFR 351.213(d)(3), and consistent with our practice, we are rescinding this review with respect to the above-named companies for the period of June 1, 2007, through May 31, 2008.

Separate Rates

In our *Preliminary Results*, we treated Jiangxi Gangyuan and Datong Jinneng as separate rate companies. We have not received any information since the issuance of the *Preliminary Results* that provides a basis for the reconsideration of this treatment. Therefore, the Department continues to find that Jiangxi Gangyuan and Datong Jinneng meet the criteria for a separate rate.

In our *Preliminary Results*, we determined that the Department received an untimely filing of AU Trade's SRA. The Department notes that AU Trade was considered as part of the PRC-wide entity and did not receive its own separate rate. We have not received any information since the issuance of the *Preliminary Results* that provides a basis for the reconsideration of this determination. Therefore, the Department continues to find that AU Trade will remain part of the PRC-wide entity for the purposes of this review, as the Department did not conduct a review of its separate rate eligibility.

Facts Available

Section 776(a)(2) of the Act provides that if an interested party: (A) withholds information that has been requested by the Department; (B) fails to provide such information in a timely manner or in the form or manner requested, subject to subsections 782(c)(1) and (e) of the Act; (C) significantly impedes a determination under the antidumping statute; or (D) provides such information but the information cannot be verified, the Department shall, subject to subsection 782(d) of the Act, use facts otherwise available in reaching the applicable determination.

Section 782(c)(1) of the Act provides that, if an interested party promptly notifies the Department that it is unable to submit the information in the requested form and manner, together with a full explanation and suggested alternative forms in which such party is able to submit the information, the Department shall take into

consideration the ability of the party to submit the information in the requested form and manner and may modify such requirements to the extent necessary to avoid imposing an unreasonable burden on that party.

For this final determination, in accordance with section 776(a)(2)(B) of the Act and 782(e)(3) of the Act, we have determined that the use of facts available is appropriate for Shanghai Jinneng's consumption of electricity. The record evidence demonstrates that Shanghai Jinneng consumed additional electricity in the preparation of raw materials and in finishing production, which was not previously reported as production electricity. Therefore, we have adjusted the production electricity factor of production ("FOP") to include electricity consumed in the raw material and finishing workshops. However, since the workshops are used in the production of other non-subject merchandise, and that the company only began to report the electricity consumption in January of 2008, we have applied neutral facts available to allocate the proper consumption in the production of subject silicon metal, and to derive estimated electricity consumption for the first seven months of the POR. See I&D Memo at Comment 13.

Final Results of Review

The weighted-average dumping margins for the POR are as follows:

SILICON METAL FROM THE PRC

Exporter	Weighted-Average Margin (Percent)
Jiangxi Gangyuan	50.02%
Shanghai Jinneng	23.16%
PRC-Wide Entity	139.49%

Assessment

Upon issuance of the final results, the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review. Pursuant to 19 CFR 351.212(b)(1), we will calculate importer-specific (or customer) *ad valorem* duty assessment rates based on the ratio of the total amount of the dumping margins calculated for the examined sales to the total entered value of those same sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final

results of this review is above *de minimis*.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be the rate established in these final results of review (except, if the rate is zero or *de minimis*, *i.e.*, less than 0.5 percent, a zero cash deposit rate will be required for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 139.49 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested.

Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this administrative review and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: January 5, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

Appendix I Decision Memorandum

I. General Issues:

Comment 1: Treatment of VAT and Export Taxes

Comment 2: Selection of Appropriate Surrogate Value for Silica Fume

Comment 3: Selection of Appropriate Surrogate Value for Electricity

Comment 4: Selection of Appropriate Surrogate Value Financial Statements

Comment 5: Treatment of the Silica Fume By-Product Offset

Comment 6: Selection of Appropriate Surrogate Value for Coal

Comment 7: Selection of Appropriate Surrogate Value for Truck Freight

Comment 8: Selection of Appropriate Surrogate Value for Oxygen

Comment 9: Selection of Appropriate Surrogate Value for Polypropylene Bags

Comment 10: Inclusion of Certain U.S. Sales in Margin Calculations

Comment 11: Freight Distances Reported by the Respondents

II. Shanghai Jinneng Issues

Comment 12: Treatment and Valuation of Graphite Powder

Comment 13: Datong Jinneng Reported Electricity Usage

III. Jiangxi Gangyuan Issues

Comment 14: Jiangxi Gangyuan's Production Quantity

Comment 15: Jiangxi Gangyuan's By-Product Offset

[FR Doc. 2010-378 Filed 1-11-10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-AW92

Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of application period.

SUMMARY: NMFS will accept applications from persons applying to

receive a charter halibut permit under the Limited Access System for Guided Sport Charter Vessels in Alaska. Potential eligible applicants are notified of the one-time opportunity to apply for a charter halibut permit for the 60-day period from February 4, 2010, through April 5, 2010. Any applications received by NMFS after the ending date will be considered untimely and will be denied.

DATES: An application for a charter halibut permit will be accepted by NMFS from 8 a.m. Alaska local time (A.l.t.) on February 4, 2010, through 5 p.m. A.l.t. on April 5, 2010.

ADDRESSES: Application forms are available on the internet through the Alaska Region website at <http://alaskafisheries.noaa.gov/ram/default.htm> or by contacting NMFS at 1-800-304-4846 (option 2). An application form may be submitted by mail to NMFS, Alaska Region, Restricted Access Management, P.O. Box 21668, Juneau, AK 99802, by facsimile (907-586-7354), or by hand delivery to NMFS, 709 West 9th Street, Room 713, Juneau, AK 99081.

FOR FURTHER INFORMATION CONTACT: Rachel Baker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS published a final rule implementing a limited access system for charter vessels in the guided sport fishery for Pacific halibut in waters of International Pacific Halibut Commission Regulatory Areas 2C (Southeast Alaska) and 3A (Central Gulf of Alaska) in the **Federal Register** on January 5, 2010 (75 FR 554). Under this rule, NMFS will issue a charter halibut permit to the owner of a licensed charter fishing business based on the business's past participation in the charter halibut fishery. Section 300.67(h)(1) of the final rule requires NMFS to specify an application period for charter halibut permits of no less than 60 days in the **Federal Register**, and to deny any applications received after the last day of the application period.

This notice specifies a 60-day application period of February 4, 2010, through April 5, 2010. An application period was referenced in the proposed rule published on April 21, 2009 (74 FR 18178) and in the final rule published on January 5, 2010 (75 FR 554). This 60-day application period is consistent with the intent of the final rule to give adequate time for participants in the charter halibut fisheries in Areas 2C and 3A to review the final rule and prepare materials necessary for the application procedure specified at 50 CFR 300.67(h)(3). Beginning on February 1, 2011, all vessels with charter anglers on board that are catching and retaining

Pacific halibut in Areas 2C and 3A will be required to have on board the vessel a valid original charter halibut permit with an angler endorsement equal to or greater than the number of charter anglers that are fishing for halibut.

All persons are hereby notified that they must obtain an application on the Internet or request a charter halibut application from NMFS (see ADDRESSES). The application period for charter halibut permits begins at 8 a.m. A.l.t. on February 4, 2010, and ends at 5 p.m. A.l.t. on April 5, 2010. Applicants with incomplete applications will be notified in writing of the specific information necessary to complete the application. Charter halibut permit applications submitted to NMFS (see ADDRESSES) after 5 p.m. A.l.t. on April 5, 2010, will be considered untimely and will be denied.

Authority: 16 U.S.C. 773 *et seq.*

Dated: January 6, 2010.

Emily H. Menashes,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010-389 Filed 1-11-10; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Establishment of NIST Smart Grid Advisory Committee and Solicitation of Nominations for Members

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of establishment of the NIST Smart Grid Advisory Committee and solicitation of nominations for members.

SUMMARY: Pursuant to the Federal Advisory Committee Act, the National Institute of Standards and Technology (NIST) announces the establishment of the NIST Smart Grid Advisory Committee (Committee). The Committee will advise the Director of NIST in carrying out duties authorized by the Energy Independence and Security Act of 2007.

DATES: Nominations for members of the initial NIST Smart Grid Advisory Committee must be received on or before February 11, 2010. NIST will continue to accept nominations on an ongoing basis and will consider them as vacancies arise.

ADDRESSES: All nominations should be submitted to George Arnold, National Coordinator for Smart Grid