

short tons that harvest tuna in the ETP only if the nation has an “affirmative finding” issued by the NMFS Assistant Administrator. *See* Section 101(a)(2)(B) of the MMPA, 16 U.S.C. 1371(a)(2)(B); *see also* 50 CFR 216.24(f)(6)(i). If requested by the government of such a nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the AIDCP and its obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request a new affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS must determine whether the harvesting nation continues to meet the requirements of their 5-year affirmative finding. NMFS does this by reviewing the documentary evidence from the last year. A nation may provide information related to compliance with AIDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the AIDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f)(8), for this annual renewal, the Assistant Administrator considered documentary evidence submitted by the Governments of The Nations and obtained from the IATTC and has determined that The Nations have met the MMPA’s requirements to receive affirmative finding annual renewals.

After consultation with the Department of State, the Assistant Administrator issued affirmative finding annual renewals to The Nations, allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by purse seine vessels operating under The Nations’ jurisdiction or exported from The Nations. Issuance of affirmative finding annual renewals for The Nations does not affect implementation of an

intermediary nation embargo under 50 CFR 216.24(f)(9), which applies to exports from a nation that exports to the United States yellowfin tuna or yellowfin tuna products that was subject to a ban on importation into the United States under section 101(a)(2)(B) of the MMPA, 16 U.S.C. 1371(a)(2)(B).

These affirmative finding annual renewals for The Nations are for the 1-year period of April 1, 2022, through March 31, 2023. The Nations’ individual 5-year affirmative findings, which have varying start and end dates, remain valid. Ecuador, Guatemala, Mexico, and Spain’s 5-year affirmative findings will remain valid through March 31, 2025. Colombia’s 5-year affirmative finding will remain valid through March 31, 2024, and El Salvador’s 5-year affirmative finding will remain valid through March 31, 2023, subject to subsequent annual reviews by NMFS.

Dated: July 26, 2022.

**Janet Coit,**

*Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

[FR Doc. 2022–16311 Filed 7–28–22; 8:45 am]

**BILLING CODE 3510–22–P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Public Meeting of the Science Advisory Board

**AGENCY:** Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda for the meeting of the Science Advisory Board (SAB). The members will discuss issues outlined in the section on Matters to be Considered.

**DATES:** The meeting is scheduled for Tuesday, August 30, 2022, 9:30 a.m.–5:00 p.m. Eastern Daylight Time (EDT) and Wednesday, August 31, 2022, 9:00 a.m.–12:30 p.m. Eastern Daylight Time (EDT). The time and the agenda topics described below are subject to change. For the latest agenda, please refer to the SAB website: <https://sab.noaa.gov/index.php/current-meetings/>.

**ADDRESSES:** The August 30–31, 2022 meeting will be held at the Double Tree by Hilton Silver Spring Washington, DC North located at 8777 Georgia Ave., Silver Spring, MD 20910. The link for the webinar registration for the August 30–31, 2022 meeting may be found here:

<https://sab.noaa.gov/index.php/current-meetings/>.

**FOR FURTHER INFORMATION CONTACT:** Dr. Cynthia Decker, Executive Director, SSMC3, Room 11230, 1315 East-West Hwy., Silver Spring, MD 20910; Phone Number: 202–936–5847; Email: [Cynthia.Decker@noaa.gov](mailto:Cynthia.Decker@noaa.gov); or visit the SAB website at <https://sab.noaa.gov/index.php/current-meetings/>.

**SUPPLEMENTARY INFORMATION:** The NOAA Science Advisory Board (SAB) was established by a Decision Memorandum dated September 25, 1997, and is the only Federal Advisory Committee with responsibility to advise the Under Secretary of Commerce for Oceans and Atmosphere on strategies for research, education, and application of science to operations and information services. SAB activities and advice provide necessary input to ensure that National Oceanic and Atmospheric Administration (NOAA) science programs are of the highest quality and provide optimal support to resource management.

**Status:** The August 30–31, 2022 meeting will be open to public participation with a 15-minute public comment period at 4:45 p.m. Eastern Daylight Time (EDT) on Tuesday, August 30, 2022. The SAB expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of three minutes. Written comments for the August 30–31, 2022 meeting should be received in the SAB Executive Director’s Office by August 18, 2022 to provide sufficient time for SAB review. Written comments received by the SAB Executive Director after this date will be distributed to the SAB, but may not be reviewed prior to the meeting date.

**Special Accommodations:** This meeting is physically accessible to people with disabilities. Requests for special accommodations may be directed to the Executive Director no later than 12 p.m. on August 18, 2022.

**Matters to be Considered:** The meeting on August 30–31, 2022 will include the (1) NOAA Update; (2) NOAA Science Update; (3) Review of the Cooperative Institute for Modelling the Earth System (CIMES); (4) NOAA Response to SAB Climate Working Group Report: Advancing Earth System Prediction; (5) Tsunami Science & Technology Advisory Panel Strategic Plan; (6) NOAA Response to SAB Climate Working Group Review of the Climate and Fisheries Initiative Implementation Approach; (7) Updates

from SAB 2022 Work Plan Topics; (8) Environmental Information Services Working Group Report Review of the NOAA Subseasonal to Seasonal (S2S) Report to Congress; (9) NOAA Response to SAB Climate Working Group Review of the Coastal Inundation at Climate Timescales White Paper. Meeting materials, including work products, will be made available on the SAB website: <https://sab.noaa.gov/index.php/current-meetings/>.

**Dave Holst,**

Chief Financial Officer/Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

[FR Doc. 2022-16269 Filed 7-28-22; 8:45 am]

**BILLING CODE 3510-KD-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XC213]

#### Marine Mammals; File No. 26170

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Keith Ellenbogen, Blue Reef, 189 Schermerhorn Street, 8E; Brooklyn, NY 11201, in due form for a permit to conduct commercial and educational photography on marine mammals.

**DATES:** Written, telefaxed, or email comments must be received on or before August 29, 2022.

**ADDRESSES:** These documents are available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 26170 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Courtney Smith, Ph.D., or Amy Hapeman, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and

importing of marine mammals (50 CFR part 216).

The applicant proposes to observe, film, and photograph cetaceans and seals within the U.S. northeast Atlantic waters of the U.S., from the Gulf of Maine (including Cape Cod Bay and Stellwagen Bank National Marine Sanctuary) through the New York Bight (Montauk, NY to Cape May, NJ), including the Hudson Canyon. Up to 405 humpback (*Megaptera novaeangliae*; West Indies Distinct Population Segment) and long-finned pilot (*Globicephala melaena*) whales; harbor porpoise (*Phocoena phocoena*); and Atlantic white-sided (*Lagenorhynchus acutus*), bottlenose (*Tursiops truncatus*), long-beaked common (*Delphinus capensis*), Risso's (*Grampus griseus*), short-beaked common (*Delphinus delphis*), and striped (*Stenella coeruleoalba*) dolphins; and up to 675 harbor (*Phoca vitulina*) and gray (*Halichoerus grypus*) seals may be harassed annually from close approaches by marine vessels, experienced swimmers/divers, and during ground surveys for photography and filming purposes. The permit is requested for five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: July 26, 2022.

**Julia M. Harrison,**

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2022-16277 Filed 7-28-22; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO-P-2021-0058]

#### Duties of Disclosure and Reasonable Inquiry During Examination, Reexamination, and Reissue, and for Proceedings Before the Patent Trial and Appeal Board

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

**ACTION:** Notice.

**SUMMARY:** The duty of candor and good faith in dealing with the United States Patent and Trademark Office (USPTO) includes the duty to disclose to the USPTO information material to the patentability of a claimed invention. Each party submitting a paper to the USPTO has an additional duty to perform an inquiry that is reasonable under the circumstances, including reviewing documents to identify information that is material to the patentability of a claimed invention. The USPTO relies on each individual who is subject to these duties to abide by them. The duties are imposed to assist patent examiners and administrative patent judges in evaluating patentability effectively and efficiently. The duties promote robust and reliable patents, and drive competition and economic growth. In the pharmaceutical space, the duties promote robust and reliable patents that incentivize and protect innovation that brings life-saving drugs to the American people while not unnecessarily delaying more affordable generic drugs. This notice is intended to clarify the duties, including as to materials or statements material to patentability or statements made to the USPTO that are inconsistent with statements submitted to the FDA and other governmental agencies.

**FOR FURTHER INFORMATION CONTACT:** Ali Salimi, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at 571-272-0909.

#### SUPPLEMENTARY INFORMATION:

I. *Background:* On July 9, 2021, President Biden issued an *Executive Order on Promoting Competition in the American Economy*, 86 FR 36987 (2021). President Biden expressed concern that “too often, patent and other laws have been misused to inhibit or delay—for years and even decades—competition from generic drugs and biosimilars, denying Americans access to lower-cost drugs.” The President called for action “to help ensure that the patent system, while incentivizing innovation, does not also unjustifiably delay generic drug and biosimilar competition beyond that reasonably contemplated by applicable law.”

On September 9, 2021, Senator Patrick Leahy and Senator Thom Tillis sent a letter to Mr. Andrew Hirshfeld, Performing the Functions and Duties of the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, requesting that the Office “take steps to reduce patent applicants’