

regulations; (4) a statement of findings of fact and conclusions of law; and (5) any claims under the Equal Access to Justice Act.

34. The Commission may publicize the terms of the Agreement and Order.

35. The Agreement and Order shall apply to, and be binding upon, the Firms and each of their successors and assigns.

36. The Commission issues the Order under the provisions of the CPSA, and violation of the Order may subject those referenced in paragraph 35 to appropriate legal action.

37. The Agreement may be used in interpreting the Order. Understandings, agreements, representations, or interpretations apart from those contained in the Agreement and Order may not be used to vary or contradict its terms. The Agreement shall not be waived, amended, modified, or otherwise altered, except in a writing that is executed by the party against whom such waiver, amendment, modification, or alteration is sought to be enforced.

38. If any provision of the Agreement and Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Agreement and Order, such provision shall be fully severable. The balance of the Agreement and Order shall remain in full force and effect, unless the Commission and the Firms agree that severing the provision materially affects the purpose of the Agreement and Order.

Mattel, Inc.

Dated: 5-28-09

By:

Robert Normile

Senior Vice President, General Counsel and Secretary
Mattel, Inc.

Fisher-Price, Inc.

Dated: 5-28-09

By:

Robert Normile

Senior Vice President and Secretary
Fisher-Price, Inc.

Dated: 5-28-09

By:

Neil A. Goldberg, Esq.

Goldberg Segalla LLP.

665 Main Street, Suite 400, Buffalo, New York 14203

Counsel for Mattel, Inc. and for Fisher-Price, Inc.

U.S. Consumer Product Safety Commission Staff

Cheryl A. Falvey

General Counsel

Office of the General Counsel

Dated: 5-29-09

By:

Ronald G. Yelenik

Assistant General Counsel

Office of the General Counsel

Dated: 5-29-09

By:

M. Reza Malihi

Trial Attorney

Division of Compliance

Office of the General Counsel

Order

Upon consideration of the Settlement Agreement entered into between Mattel, Inc. ("Mattel") and Fisher-Price, Inc. (collectively referred to as the "Firms"), and the U.S. Consumer Product Safety Commission ("Commission") staff, and the Commission having jurisdiction over the subject matter and over the Firms, and it appearing that the Settlement Agreement and Order are in the public interest, it is

Ordered, that the Settlement Agreement be, and hereby is, accepted; and it is

Further Ordered, that Mattel shall pay, for and on behalf of the Firms, a civil penalty in the amount of two million three hundred thousand dollars (\$2,300,000.00) within twenty (20) calendar days of service of the Commission's final Order accepting the Agreement. The payment shall be made by check payable to the order of the United States Treasury. Upon the failure of Mattel to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by Mattel at the federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b).

Provisionally accepted and provisional Order issued on the 8th day of June 2009.

By Order of the Commission.

Todd A. Stevenson,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. E9-13879 Filed 6-11-09; 8:45 am]

BILLING CODE 6355-01-P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The inventions listed below are assigned to the United States Government as represented by the Secretary of the Navy and are available for licensing by the Department of the Navy. U.S. Patent Application Number 11/417,283 filed on June 1, 2006, Navy Case Number 83036 entitled "Imagery Analysis Tool"; U.S. Patent Application Number 10/956,522 filed on September

23, 2004, Navy Case Number 83683 entitled "Method for Comparing Tabular Data"; U.S. Patent Application Number 11/251,535 filed on September 29, 2005, Navy Case Number 85000 entitled "Just In Time Wiring Information System"; U.S. Patent Application Number 11/357,460 filed on February 14, 2006, Navy Case Number 96400 entitled "Apparatus and Method to Amalgamate Substances"; U.S. Patent Application Number 11/482,303 filed on July 11, 2006, Navy Case Number 97495 entitled "Hoisting Harness Assembly Tool"; U.S. Patent Application Number 11/998,863 filed on November 28, 2007, Navy Case Number 97722 entitled "Method and Apparatus for Non-Invasively Estimating Body Core Temperature"; U.S. Patent Application Number 11/481,227 filed on July 7, 2006, Navy Case Number 97763 entitled "Portable Medical Equipment Suite"; U.S. Patent Application Number 11/296,723 filed on December 6, 2006, Navy Case Number 97798 entitled "Global Visualization Process for Personal Computer Platforms (GVP+)"; U.S. Patent Application Number 11/789,118 filed on April 5, 2007, Navy Case Number 98491B entitled "Method of Producing and Controlling the Atomization of an Output Flow from a C-D Nozzle"; U.S. Patent Application Number 12/432,019 filed on April 28, 2009, Navy Case Number PAX06 entitled "Method for Producing Nanoparticles"; U.S. Patent Application Number 12/469,197 filed on May 20, 2009, Navy Case Number PAX14 entitled "Fast Rope"; U.S. Patent Number 5,520,331 entitled "Liquid Atomizing Nozzle" issued May 28, 1996; U.S. Patent Number 6,233,740 entitled "Aircraft Integrated Recovery Survival Vest" issued May 22, 2001; U.S. Patent Number 6,240,742 entitled "Modular Portable Air-Conditioning System" issued June 5, 2001; U.S. Patent Number 6,241,164 entitled "Effervescent Liquid Fine Mist Apparatus and Method" issued June 5, 2001; U.S. Patent Number 6,484,072 entitled "Embedded Terrain Awareness Warning System for Aircraft" issued November 19, 2002; U.S. Patent Number 6,598,802 entitled "Effervescent Liquid Fine Mist Apparatus and Method" issued July 29, 2003; U.S. Patent Number 6,659,963 entitled "Apparatus for Obtaining Temperature and Humidity Measurements" issued December 9, 2003; U.S. Patent Number 7,176,812 B1 entitled "Wireless Blade Monitoring System and Process" issued February 13, 2007; U.S. Patent Number 7,225,999 entitled "Spray Array Apparatus" issued June 5, 2007; U.S. Patent Number 7,331,183 B2 entitled

“Personal Portable Environmental Control System” issued February 19, 2008; U.S. Patent Number 7,380,467 B2 entitled “Bond Integrity Tool” issued June 3, 2008; U.S. Patent Number 7,494,670 B2 entitled “Composition and Process for Removing and Preventing Mildew and Fungal Growth” issued February 24, 2009; U.S. Patent Number 7,523,876 entitled “Adjustable Liquid Atomization Nozzle” issued April 28, 2009.

ADDRESSES: Request for data and inventor interviews should be directed to Mr. Paul Fritz, Naval Air Warfare Center Aircraft Division, Business and Partnership Office, Office of Research and Technology Applications, Building 505, 22473 Millstone Road, Patuxent River, MD 20670, telephone 301-342-5586 or e-mail at: Paul.Fritz@navy.mil.

DATES: Request for data, samples, and inventor interviews should be made prior to September 1, 2009.

FOR FURTHER INFORMATION CONTACT: Mr. Paul Fritz, Office of Research and Technology Applications, Building 505, Naval Air Warfare Center Aircraft Division, 22473 Millstone Road, Patuxent River, MD 20670, telephone 301-342-5586 or e-mail at: Paul.Fritz@navy.mil.

SUPPLEMENTARY INFORMATION: The U.S. Navy intends to move expeditiously to license these inventions. All licensing application packages and commercialization plans must be returned to Naval Air Warfare Center Aircraft Division, Business and Partnership Office, Office of Research and Technology Applications, Building 505, 22473 Millstone Road, Patuxent River, MD 20670.

The Navy, in its decisions concerning the granting of licenses, will give special consideration to existing licensees, small business firms, and consortia involving small business firms. The Navy intends to ensure that its licensed inventions are broadly commercialized throughout the United States.

PCT application may be filed for each of the patents as noted above. The Navy intends that licensees interested in a license in territories outside of the United States will assume foreign prosecution and pay the cost of such prosecution.

Authority: 35 U.S.C. 207 and 37 CFR part 404.

Dated: June 2, 2009.

A.M. Vallandigham,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. E9-13857 Filed 6-11-09; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF DEFENSE

Department of the Navy

Nominations for Membership on the Ocean Research and Resources Advisory Panel (ORRAP)

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Ocean Research and Resources Advisory Panel (ORRAP) is soliciting nominations for new members.

DATES: Nominations should be submitted no later than July 1, 2009.

ADDRESSES: Nominations should be submitted via e-mail to CDR D. Benjamin Reeder, U.S. Navy, at reederd@onr.navy.mil. Contact Information: Office of Naval Research, 875 North Randolph Street, Suite 1425, ATTN: ONR Code 322B Room 1075, Arlington, VA 22203, telephone (703) 696-4395.

FOR FURTHER INFORMATION CONTACT: Dr. Charles L. Vincent, Office of Naval Research, 875 North Randolph Street, Suite 1425, Arlington, VA 22203-1995, telephone (703) 696-4118.

SUPPLEMENTARY INFORMATION: ORRAP is a statutorily mandated Federal advisory committee that provides senior scientific advice to the National Oceanographic Research Leadership Council (NORLC), the governing body of the National Oceanographic Partnership Program (NOPP). ORRAP advises the NORLC on policies, procedures, selection of projects and allocation of funds, as well as other responsibilities that NORLC considers appropriate. NORLC conducts its business through the Interagency Committee on Ocean Science and Resource Management Integration (ICOSRMI), an equivalent governance body under the U.S. Ocean Action Plan. Hence, ORRAP advises ICOSRMI.

Panel Member Duties and Responsibilities: Members of the panel represent the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine, ocean industries, State governments, academia and others, including individuals who are eminent in the fields of marine science, marine policy, or related fields, including ocean resource management. Members are appointed for four year terms, and are not normally compensated except for travel expenses and per diem while away from their homes in performance of services for the panel.

The panel meets for at least one two-day public meeting per year, but

possibly meets three times per year, on dates agreeable by the panel members; attendance at meetings is expected. Intercessional activities not involving formal decisions or recommendations may be carried out electronically, and the panel may establish sub-panels composed of less than full membership to carry out panel duties.

Nominations: Any interested person or organization may nominate qualified individuals (including one's self) for membership on the panel. Nominated individuals should have extended expertise and experience in the field of ocean science and/or ocean resource management. Nominations should be identified by name, occupation, position, address, telephone number, e-mail address, and a brief paragraph describing their qualifications in the context of the ORRAP Charter (<http://www.nopp.org/Dev2Go.web?id=207773>). Including a résumé or curriculum vitae is recommended.

Process and Deadline for Submitting Nominations: Submit nominations via e-mail to CDR D. Benjamin Reeder (reederd@onr.navy.mil) no later than July 1, 2009. From the nominees identified by respondents to this **Federal Register** Notice, the ORRAP Nomination Committee will down-select to a short-list of available candidates (150% of the available open positions for consideration). These selected candidates will be required to fill-out the “Confidential Financial Disclosure Report” OGE Form 450. This confidential form will allow Government officials to determine whether there is a statutory conflict between a person's public responsibilities and private interests and activities, or the appearance of a lack of impartiality, as defined by Federal regulation. The form and additional guidance may be viewed at: (http://www.usoge.gov/forms/oqe450_pdf/oqe450_automated.pdf).

In accordance with section 7903 of title 10, United States Code, the short-list of candidates will then be submitted for approval by the Secretary of the Navy. New candidates are expected to be selected with terms to begin in July 2010.

The selection of new panel members will be based on the nominee's qualifications to provide senior scientific advice to the NORLC; the availability of the potential panel member to fully participate in the panel meetings; absence of any conflict of interest or appearance of lack of impartiality, and lack of bias; the candidates' areas of expertise and professional qualifications; and