

Annual Report of the Effectiveness of the NEHRP Advisory Committee on Earthquake Hazard Reduction. The agenda may change to accommodate Committee business. The final agenda will be posted on the NEHRP Web site at <http://nehrp.gov/>.

Individuals and representatives of organizations who would like to offer comments and suggestions related to the Committee's affairs are invited to request a place on the agenda. On November 10, 2010, approximately one-half hour will be reserved near the conclusion of the meeting for public comments, and speaking times will be assigned on a first-come, first-serve basis. The amount of time per speaker will be determined by the number of requests received, but is likely to be about 3 minutes each. Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who had wished to speak but could not be accommodated on the agenda, and those who were unable to attend in person are invited to submit written statements to the ACEHR, National Institute of Standards and Technology, 100 Bureau Drive, MS 8630, Gaithersburg, Maryland 20899-8630, via fax at (301) 975-5433, or electronically by e-mail to info@nehrp.gov.

Anyone wishing to attend this meeting must register by close of business Monday, November 1, 2010 in order to attend. Please submit your name, mailing address, e-mail address, and phone number to Tina Faecke. Ms. Faecke's e-mail address is tina.faecke@nist.gov, and her phone number is (301) 975-5911.

Dated: August 10, 2010.

Harry Hertz,

Director, Baldrige National Quality Program.

[FR Doc. 2010-20310 Filed 8-16-10; 8:45 am]

BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

[Docket No.: PTO-P-2010-0065]

Streamlined Procedure for Appeal Brief Review in *Inter Partes* Reexamination Proceedings

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO) is streamlining the procedure for the

review of appeal briefs filed in *inter partes* reexamination proceeding appeals to increase the efficiency of the appellate process and to reduce the pendency of appeals. The Chief Judge of the Board of Patent Appeals and Interferences (BPAI) or his designee (collectively, "Chief Judge"), will have the sole responsibility for determining whether appeal briefs filed in *inter partes* reexamination proceedings (*i.e.*, appellant's briefs, respondent's briefs, and rebuttal briefs) comply with the applicable regulations, and will complete the determination before the appeal brief is forwarded to the examiner for consideration. The examiner will no longer review appeal briefs for compliance with the applicable regulations. The USPTO expects to achieve a reduction in *inter partes* reexamination proceeding appeal pendency as measured from the filing of a notice of appeal to the BPAI's docketing of the appeal by eliminating duplicate reviews by the examiner and the BPAI. The USPTO expects further reduction in pendency because the streamlined procedure will increase consistency in the determination, and thereby reduce the number of notices of noncompliant appeal briefs and non-substantive returns from the BPAI that require parties to file corrected appeal briefs in *inter partes* reexamination proceeding appeals.

DATES: *Effective Date:* The procedure set forth in this notice is effective on August 17, 2010.

Applicability Date: The procedure set forth in this notice is applicable to any appeal brief (regardless of whether it is an appellant's brief, a respondent's brief, or a rebuttal brief) that is filed in an *inter partes* reexamination proceeding on or after August 17, 2010.

FOR FURTHER INFORMATION CONTACT:

Merrell Cashion, Case Management Administrator, Board of Patent Appeals and Interferences, by telephone at (571) 272-9797 or by electronic mail at BPAI.Review@uspto.gov.

SUPPLEMENTARY INFORMATION: Under the streamlined procedure, upon the filing of an appeal brief in an *inter partes* reexamination proceeding (*i.e.*, an appellant's brief, a respondent's brief, or a rebuttal brief), the Chief Judge will review the appeal brief to determine whether the appeal brief complies with 37 CFR 1.943(c) and 37 CFR 41.67, 41.68, or 41.71 before it is forwarded to the Central Reexamination Unit (CRU) or other Technology Center examiner for consideration. The Chief Judge will endeavor to complete this determination within one month from the filing of the appeal brief. To assist parties in

complying with 37 CFR 1.943(c), 41.67, 41.68, and 41.71, the BPAI has provided a checklist for notices of appeal and appeal briefs and a list of eight reasons appeal briefs have been previously held to be noncompliant on the USPTO Web site at: http://www.uspto.gov/ip/boards/bpai/procedures/guidance_noncompliant_briefs.jsp. If the appeal brief is determined to be compliant with 37 CFR 1.943(c) and 37 CFR 41.67, 41.68, or 41.71, the Chief Judge will accept the appeal brief and forward it to the examiner for consideration. If the Chief Judge determines that the appeal brief is not compliant with 37 CFR 1.943(c) and 37 CFR 41.67, 41.68, or 41.71, and sends appellant, respondent, or rebutting party a notice of noncompliant brief requiring a corrected brief, the party will be required to file a corrected brief within the time period set forth in the notice to avoid the dismissal of the appeal. See 37 CFR 1.943(c) and 37 CFR 41.67(d), 41.68(c), or 41.71(e). The Chief Judge will also have the sole responsibility for determining whether corrected appeal briefs comply with 37 CFR 1.943(c) and 37 CFR 41.67, 41.68, or 41.71, and will address any inquiries and petitions regarding entry of appeal briefs or notices of noncompliant appeal briefs.

The Chief Judge's responsibility for determining whether appeal briefs comply with 37 CFR 1.943(c) and 37 CFR 41.67, 41.68, or 41.71 is not considered a transfer of jurisdiction when an appeal brief is filed, but rather is only a transfer of the specific responsibility to notify appellants under 37 CFR 1.943(c) and 37 CFR 41.67(d) 41.68(c), or 41.71(e) of the reasons for non-compliance. The Patent Examining Corps retains the jurisdiction over the *inter partes* reexamination proceeding to consider the appeal brief, conduct any conference, draft an examiner's answer, and decide the entry and consideration of amendments, evidence, and information disclosure statements filed after final or after the filing of a notice of appeal. Furthermore, petitions concerning the refusal to enter amendments and/or evidence remain delegated to the Patent Examining Corps as provided in the Manual of Patent Examining Procedure (MPEP) § 1002.02(b)-(c).

Once the Chief Judge accepts the appellant's brief, respondent's brief, or rebuttal brief as compliant, an examiner's answer will be provided in the *inter partes* reexamination proceeding if the examiner determines that the appeal should be maintained. The format for the examiner's answer will be streamlined such that the examiner may incorporate by reference

any of the examiner's positions (*e.g.*, rejections) previously made on the record. The examiner will treat all pending claims in the proceeding as being on appeal. If the notice of appeal, notice of cross appeal, or appeal brief identifies fewer than all of the rejected or non-rejected claims as being appealed, the issue will be addressed by the BPAI panel. The jurisdiction of the *inter partes* reexamination proceeding will be transferred to the BPAI when a docketing notice is entered after the time period for filing the last rebuttal brief (if appropriate) expires or the examiner acknowledges the receipt and entry of the last rebuttal brief. After taking jurisdiction, the BPAI will not return or remand the *inter partes* reexamination proceeding to the Patent Examining Corps for issues related to a noncompliant appeal brief.

Date: July 20, 2010.

David J. Kappos,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2010-20340 Filed 8-16-10; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Federal Advisory Committee; Strategic Environmental Research and Development Program (SERDP), Scientific Advisory Board

AGENCY: Department of Defense (DoD).

ACTION: Notice.

SUMMARY: This notice is published in accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463). The topic of the meeting on September 14-16, 2010, is to review new start research and development projects requesting Strategic Environmental Research and Development Program (SERDP) funds in excess of \$1M. This meeting is open to the public. Any interested person may attend, appear before, or file statements with the Scientific Advisory Board at the time and in the manner permitted by the Board.

DATES: The meeting will be held Tuesday, September 14, 2010 from 8:30 a.m. to 5 p.m., Wednesday, September 15, 2010 from 9 a.m. to 5 p.m. and Thursday, September 16, 2010 from 8:30 a.m. to 11 a.m.

ADDRESSES: The meeting will be held at SERDP Office Conference Center, 901 North Stuart Street, Suite 804, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Mr. Jonathan Bunker, SERDP Office, 901 North Stuart Street, Suite 303, Arlington, VA or by telephone at (703) 696-2126.

Dated: August 12, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010-20254 Filed 8-16-10; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Federal Advisory Committee; Department of Defense Wage Committee

ACTION: Notice of closed meetings.

SUMMARY: Pursuant to the provisions of section 10 of Public Law 92-463, the Federal Advisory Committee Act, notice is hereby given the Department of Defense Wage Committee will meet on September 21, October 5, and October 19, 2010, in Rosslyn, VA. The meetings are closed to the public.

DATES: The meetings will be held on Tuesday, September 21, October 5, and October 19, 2010, at 10 a.m.

ADDRESSES: The meetings will be held at 1400 Key Boulevard, Level A, Room A101, Rosslyn, VA 22209.

FOR FURTHER INFORMATION CONTACT:

Additional information concerning the meetings may be obtained by writing to the Chairman, Department of Defense Wage Committee, 4000 Defense Pentagon, Washington, DC 20301-4000.

SUPPLEMENTARY INFORMATION: Under the provisions of section 10(d) of Public Law 92-463, the Department of Defense has determined that the three meetings that are the subject of this notice meet the criteria to close meetings to the public because the matters to be considered are related to internal rules and practices of the Department of Defense and the detailed wage data to be considered were obtained from officials of private establishments with a guarantee that the data will be held in confidence. However, members of the public who may wish to do so are invited to submit material in writing to the chairman (*see FOR FURTHER INFORMATION CONTACT*) concerning matters believed to be deserving of the Committee's attention.

Dated: August 12, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010-20255 Filed 8-16-10; 8:45 am]

BILLING CODE 5001-06-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 Department of the Navy hereby gives notice of the availability of exclusive or partially exclusive licenses to practice worldwide under the following pending patents. Any license granted shall comply with 35 U.S.C. 209 and 37 CFR part 404. Applications will be evaluated utilizing the following criteria: (1) Ability to manufacture and market the technology; (2) manufacturing and marketing ability; (3) time required to bring technology to market and production rate; (4) royalties; (5) technical capabilities; and (6) small business status.

61/292,024, "DISPOSABLE AMALGUM FILTER" filed on 01/04/2010, inventor Mark Stone

DATES: Applications for a non-exclusive, exclusive or partially exclusive license may be submitted at any time from the date of this notice.

ADDRESSES: Submit application to the Office of Technology Transfer, Naval Medical Research Center, 503 Robert Grant Ave., Silver Spring, MD 20910-7500.

FOR FURTHER INFORMATION CONTACT: Dr. Charles Schlagel, Director, Office of Technology Transfer, Naval Medical Research Center, 503 Robert Grant Ave., Silver Spring, MD 20910-7500, telephone 301-319-7428 or e-mail at: charles.schlagel@med.navy.mil.

Dated: August 10, 2010.

H.E. Higgins,

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

[FR Doc. 2010-20263 Filed 8-16-10; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.