

generally restricted to one .edu registration. Network Solutions currently provides registry/registrar services for the .edu domain names pursuant to Cooperative Agreement NCR-9218742 with the Department. The cooperative agreement will be made exclusively with EDUCAUSE. No other administering organization is being solicited with this notice. EDUCAUSE has the requisite technical and organizational capability as well as the educational community support to appropriately administer .edu. EDUCAUSE is a non-profit organization that emerged from the consolidation of two prominent higher education technology associations—CAUSE and Educom—since 1964. As an association with over 1,800 college and university members, it has represented the developers of the campus, regional, and national networking for higher education. EDUCAUSE currently operates an extensive web-based information system for external and internal communications with members of the public. One of EDUCAUSE's primary purposes is improving and transforming the use of information technology resources across college and university campuses. EDUCAUSE is uniquely qualified and best able to administer the .edu domain name space because of the following factors:

- EDUCAUSE is a non-profit association that advocates the development and management of networking for higher education and has widespread community respect on issues of Internet policy and technology. It represents information technology issues for higher education.
- With membership of over 1,800 higher educational institutions, EDUCAUSE has the support of significantly interested parties to implement the policy and be the technical administrator of the .edu domain. Specifically, EDUCAUSE's proposal to administer the .edu domain name space has the support of the American Council on Education, Association of American Universities, National Association of State Universities and Land Grant Colleges, American Association of State Colleges and Universities, Council of Independent Colleges, and the American Association of Community Colleges. EDUCAUSE is committed to and has demonstrated that it will represent the interests of .edu stakeholders while administering .edu through a transparent and open policy development process.
- EDUCAUSE has a unique background in higher education institutional technology, resources and

networking, and is technically capable of managing the .edu domain services ensuring continued stability of the .edu domain name space.

This cooperative agreement will be awarded for a 5-year period to be renewed indefinitely upon satisfactory performance. The cooperative agreement will be at no cost to the Federal government, and EDUCAUSE will only be able to recover its cost of administering the .edu domain services. Continuation awards within the project period will be made on the basis of satisfactory progress.

FOR FURTHER INFORMATION CONTACT: Stacy Cheney, Office of Chief Counsel, National Telecommunications and Information Administration, telephone (202) 482-1816; or electronic mail, scheney@ntia.doc.gov.

Dated: April 6, 2001.

Kathy Smith,
Chief Counsel.

[FR Doc. 01-8980 Filed 4-11-01; 8:45 am]

BILLING CODE 3510-60-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Patent Term Extension

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 continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)), and by the USPTO in the performance of its statutory functions of processing applications for patent term extension as required by the Federal Food, Drug and Cosmetic Act, 35 U.S.C. 156, and processing requests for reconsideration or reinstatement of any patent term adjustment under 35 U.S.C. 154(b).

DATES: Written comments must be submitted on or before June 11, 2001.

ADDRESSES: Direct all written comments to Susan K. Brown, Records Officer, Office of Data Management, Data Administration Division, USPTO, Suite 310, 2231 Crystal Drive, Washington, DC 20231; by telephone 703-308-7400; by e-mail at susan.brown@uspto.gov; or by facsimile at 703-308-7407.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the attention of

Karin L. Tyson, Office of Patent Legal Administration, United States Patent and Trademark Office, Washington, DC 20231; by telephone at 703-306-3159; or by facsimile transmission to 703-872-9411.

SUPPLEMENTARY INFORMATION:

I. Abstract

The United States Patent and Trademark Office (USPTO), together with the Secretary of Health and Human Services and the Department of Agriculture, administers the Federal Food, Drug and Cosmetic Act, 35 U.S.C. 156. This Act permits the USPTO to restore the patent term lost due to certain types of regulatory review by the Federal Food and Drug Administration or the Department of Agriculture. Only patents for drug products, medical devices, food additives, and color additives are eligible for extension. The maximum length that a patent may be extended (the maximum of patent term that may be restored) is five years.

Under 35 U.S.C. 156(d), an application for patent term extension must identify the approved product, the patent to be extended, the claims of the patent that claim the approved product, a method of use of the approved product, or a method of manufacturing the approved product. In addition, the application for patent term extension must provide a brief description of the activities undertaken by the applicant during the regulatory review period with respect to the approved product and the significant dates of these activities.

The statute (35 U.S.C. 156) requires the USPTO to extend the term of various patents past their original expiration dates, to grant interim extensions, to review applications for patent term extension and final eligibility decisions, to obtain additional information from the public that might influence the extension of the patent term, and to withdraw an application for a patent term extension.

The USPTO administers 35 U.S.C. 156 through 37 CFR 1.705-1.791. These rules permit the public to submit applications to the USPTO to extend the term of a patent past its original expiration date; to petition for reviews of informal extensions of applications, final eligibility decisions, and interim extensions; and to withdraw an application requesting a patent term extension after it is submitted.

The term of a patent which claims a product, a method of using a product, or a method of manufacturing a product shall be extended if the term of the patent has not expired before an application is submitted. The Federal

Food, Drug and Cosmetic Act requires that an application for patent term extension be filed with the USPTO within 60 days of a product (approved product) that was subject to regulatory review receiving permission for commercial marketing or use from the Federal Food and Drug Administration or the Department of Agriculture.

Under 35 U.S.C. 156(e), an interim extension may be granted if the term of a patent for which an application for patent term extension has been submitted under 35 U.S.C. 156(d), and which is eligible for extension, would expire before a certificate of extension is issued.

The patent term provisions of 35 U.S.C. 154(b), as amended by Title IV, subtitle D of the "Intellectual Property and Communications Omnibus Reform Act of 1999," requires the USPTO to notify the applicant of the patent term adjustment in the notice of allowance, and gives the applicant an opportunity to request reconsideration of the USPTO's patent term adjustment determination and to request reinstatement of a reduction in patent term adjustment.

The information supplied to the USPTO by an applicant requesting reconsideration of a USPTO patent term adjustment determination under 35 U.S.C. 154(b) is used by the USPTO to determine whether the USPTO's determination of patent term adjustment under 35 U.S.C. 154(b) is correct, and to determine whether the applicant is

entitled to reinstatement of reduced patent term adjustment.

The subsequent application for interim extension under 37 CFR 1.790 is part of the initial application for interim extension and has been reported as such in previous submissions of this collection. Because we are now reporting filing fees as part of the nonhour respondent cost burden, it became necessary to separate out this requirement as the filing fees are different for the two requirements.

The information supplied to the USPTO by an applicant seeking a patent term extension under 35 U.S.C. 156 and a patent term adjustment under 35 U.S.C. 154(b) is used by the USPTO, the Department of Health and Human Services, and the Department of Agriculture to determine the eligibility of a patent for extension and to determine the period of any such extension.

II. Method of Collection

By mail, facsimile, or hand carried to the USPTO when the applicant or agent files an application for a patent term extension with the USPTO, submits papers during the prosecution of the application, files a Petition for Reconsideration of Patent Term Adjustment Determination, files a Petition for Reinstatement of Patent Term Adjustment, or related papers during processing of a patent application.

III. Data

OMB Number: 0651-0020.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households; business or other for-profit; not-for-profit institutions; farms; the Federal Government; and state, local or tribal governments.

Estimated Number of Respondents: 26,858 responses per year.

Estimated Time Per Response: The USPTO estimates that it will take the public anywhere from one to 25 hours, depending upon the complexity of the situation, to gather, prepare, and submit the applications, petitions, and various requests associated with the patent term and interim extensions, review of eligibility decisions, requirement to elect, requests to identify holders of regulatory approval, declarations to withdraw an application, petitions for reconsideration of a patent term adjustment determination, and petitions for reinstatement of reduced patent term adjustment with a showing that the applicant was unable to respond within three months in spite of all due care. There are no forms associated with this information collection.

Estimated Total Annual Respondent Burden Hours: 30,903 hours per year.

Estimated Total Annual Respondent Cost Burden: Using the professional hourly rate of \$175 per hour for associate attorneys in private firms, the USPTO estimates \$5,408,025 per year for salary costs associated with respondents.

Item	Estimated time for response (in hours)	Estimated annual burden hours	Estimated annual responses
Application to Extend Patent Term under 35 U.S.C. 156	25	1,250	50
Request for Interim Extension under 35 U.S.C. 156(e)(2)	1	1	1
Petition to Review Final Eligibility Decision	25	25	1
Initial Application for Interim Extension under 35 U.S.C. 156(d)(5)	20	20	1
Subsequent Application for Interim Extension under 37 CFR 1.790	1 D1	1	
Response to Requirement to Elect	1	2	2
Response to Request to Identify Holder of Regulatory Approval	2	2	1
Declaration to Withdraw an Application to Extend Patent Term	2	2	1
Petition for Reconsideration of Patent Term Adjustment Determination (35 U.S.C. 154(b))	1	24,000	24,000
Petition for Reinstatement of Reduced Patent Term Adjustment (35 U.S.C. 154(b))	2	5,600	2,800
Totals		30,903	26,858

Estimated Total Annual Nonhour Respondent Cost Burden: \$5,976,770. (There are no capitol start-up or maintenance costs associated with this information collection.)

There is annual nonhour cost burden in the way of filing fees associated with this collection. The filing fees related to this collection are considered part of the nonhour cost burden of the collection. Following is a chart listing these filing

fees/nonhour cost burden. A zero means that there is no fee associated with that requirement. The total annual filing fees/nonhour cost burden is \$5,976,770.

Item	Responses (a)	Filing fees (\$)* (b)	Total non- hour cost burden (a) × (b)
Application to Extend Patent Term under 35 U.S.C. 156(d)(1)	50	\$1,120	\$56,000
Request for Interim Extension under 35 U.S.C. 156(e)(2)	1	0	0
Petition to Review Final Eligibility Decision	1	130	130
Initial Application for Interim Extension under 35 U.S.C. 156(d)(5)	1	420	420
Subsequent Application for Interim Extension under 37 CFR 1.790	1	220	220
Response to Requirement to Elect	2	0	0
Response to Request to Identify Holder of Regulatory Approval	1	0	0
Declaration to Withdraw an Application to Extend Patent Term	1	0	0
Petition for Reconsideration of Patent Term Adjustment Determination (35 U.S.C. 154(b))	24,000	200	4,800,000
Petition for Reinstatement of Reduced Patent Term Adjustment (35 U.S.C. 154(b))	2,800	400	1,120,000
Totals	26,858	2,490	5,976,770

* NOTE: All fees listed 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, including through 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: April 3, 2001.

Susan K. Brown,

Records Officer, USPTO, Office of Data Management, Data Administration Division.

[FR Doc. 01-9080 Filed 4-11-01; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF DEFENSE

Department of the Air Force

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Skills Management Branch, Air Force Personnel Center, announces the proposed reinstatement of a public information collection and seeks public

comment on the provisions thereof.

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 of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by June 11, 2001.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to Skills Management Branch (DPPAE), Air Force Personnel Center, 550 C Street West, Suite 10, ATTN: Mrs. Blanche Thompson, Randolph AFB, TX 78150-4712.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address or call Mrs. Blanche Thompson at 210-565-2461.

Title, Associated Form, and OMB Number: "Application for Appointment as Reserves of the Air Force or USAF Without Component," Air Force (AF) Form 24, OMB number 0701-0096.

Needs and Uses: The information collection requirement is necessary for providing necessary information to determine if applicant meets qualifications established for appointment as a Reserve (Air National Guard of the United States (ANGUS) and U.S. Air Force Reserves (USAFR)) or in the USAF without component. Use of the Social Security Number (SSN) is necessary to make positive

identification of an applicant and his or her records.

Affected Public: Individuals and households.

Annual Burden Hours: 5,899.

Number of Respondents: 5,899.

Responses per Respondent: 1.

Average Burden per Response: 1 Hour.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

This is an information collection from person applying for appointment as a member of the Reserves of the Air Force or an Air Force member without a component and entry into active duty. The information contained on AF Form 24 supports the Air Force as it applies to direct appointment (procurement) programs for civilian and military applicants. It provides necessary information to determine if an applicant meets qualifications established for appointment to fill authorized ANGUS and USAFR position vacancies and active duty requirements. Eligibility requirements are outlined in Air Force Instruction 36-2005.

Janet A. Long,

Air Force Federal Register Liaison Officer
[FR Doc. 01-9082 Filed 4-11-01; 8:45 am]

BILLING CODE 5001-05-P

DEPARTMENT OF DEFENSE

Department of the Army

Army Science Board, Notice of Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (PL 92-463), announcement is made of the following Committee Meeting:

Name of Committee: Army Science Board (ASB).

Date of Meeting: 16-17 April 2001.