

The proposed numbers of animals authorized to be taken for California sea lions, harbor seals, and harbor porpoise would be considered small relative to the relevant stocks or populations (each less than five percent) even if each estimated taking occurred to a new individual—an extremely unlikely scenario. For transient killer whales, we estimate take based on an assumption that a single pod of whales, comprising six individuals, is present in the vicinity of the project area for the entire duration of the project. These six individuals represent a small number of transient killer whales. For pinnipeds, no rookeries are present in the project area, there are no haul-outs other than those provided opportunistically by man-made objects, and the project area is not known to provide foraging habitat of any special importance.

Repeated exposures of individuals to levels of sound that may cause Level B harassment are unlikely to result in hearing impairment or to significantly disrupt foraging behavior. Thus, even repeated Level B harassment of some small subset of the overall stock is unlikely to result in any significant realized decrease in viability, and thus would not result in any adverse impact to the stock as a whole in terms of adverse effects on rates of recruitment or survival. The potential for multiple exposures of a small portion of the overall stock to levels associated with Level B harassment in this area is expected to have a negligible impact on the affected stocks.

We have preliminarily determined that the impact of the previously described project may result, at worst, in a temporary modification in behavior (Level B harassment) of small numbers of marine mammals. No mortality or injuries are anticipated as a result of the specified activity, and none are proposed to be authorized. Additionally, animals in the area are not expected to incur hearing impairment (i.e., TTS or PTS) or non-auditory physiological effects. For pinnipeds, the absence of any major rookeries and only a few isolated and opportunistic haul-out areas near or adjacent to the project site means that potential takes by disturbance would have an insignificant short-term effect on individuals and would not result in population-level impacts. Similarly, for cetacean species the absence of any known regular occurrence adjacent to the project site means that potential takes by disturbance would have an insignificant short-term effect on individuals and would not result in population-level impacts. Due to the nature, degree, and context of behavioral harassment

anticipated, the activity is not expected to impact rates of recruitment or survival.

For reasons stated previously in this document, the negligible impact determination is also supported by the likelihood that marine mammals are expected to move away from a sound source that is annoying prior to its becoming potentially injurious, and the likelihood that marine mammal detection ability by trained observers is high under the environmental conditions described for Hood Canal, enabling the implementation of shutdowns to avoid injury, serious injury, or mortality. As a result, no take by injury or death is anticipated, and the potential for temporary or permanent hearing impairment is very low and would be avoided through the incorporation of the proposed mitigation measures.

While the numbers of marine mammals potentially incidentally harassed would depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the numbers are estimated to be small relative to the affected species or population stock sizes, and have been mitigated to the lowest level practicable through incorporation of the proposed mitigation and monitoring measures mentioned previously in this document. This activity is expected to result in a negligible impact on the affected species or stocks. No species for which take authorization is requested are either ESA-listed or considered depleted under the MMPA. No take would be authorized for humpback whales, Steller sea lions, southern resident killer whales, or Dall's porpoises, and the Navy would take appropriate action to avoid unauthorized incidental take should one of these species be observed in the project area.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the mitigation and monitoring measures, we preliminarily find that the proposed barge mooring project would result in the incidental take of small numbers of marine mammals, by Level B harassment only, and that the total taking from the activity would have a negligible impact on the affected species or stocks.

#### **Impact on Availability of Affected Species for Taking for Subsistence Uses**

No tribal subsistence hunts are held in the vicinity of the project area; thus, temporary behavioral impacts to individual animals will not affect any

subsistence activity. Further, no population or stock level impacts to marine mammals are anticipated or authorized. As a result, no impacts to the availability of the species or stock to the Pacific Northwest treaty tribes are expected as a result of the activities. Therefore, no relevant subsistence uses of marine mammals are implicated by this action.

#### **Endangered Species Act (ESA)**

There are no ESA-listed marine mammals expected to occur in the action area during the proposed action timeframe; therefore, no consultation under the ESA is required for such species.

#### **National Environmental Policy Act (NEPA)**

The Navy has prepared a draft EA, which has been posted on the NMFS Web site (see **ADDRESSES**) concurrently with the publication of this proposed IHA and public comments have been solicited. We will review the draft EA and the public comments received and subsequently either adopt it or prepare our own NEPA document before making a determination on the issuance of an IHA.

#### **Proposed Authorization**

As a result of these preliminary determinations, we propose to authorize the take of marine mammals incidental to the Navy's barge mooring project, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated.

Dated: May 17, 2013.

**Helen M. Golde,**

*Acting Director, Office of Protected Resources,  
National Marine Fisheries Service.*

[FR Doc. 2013-12151 Filed 5-21-13; 8:45 am]

**BILLING CODE 3510-22-P**

## **DEPARTMENT OF COMMERCE**

### **Patent and Trademark Office**

#### **Submission for OMB Review; Comment Request**

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* United States Patent and Trademark Office (USPTO).

*Title:* Grace Period Study.

*Form Number(s):* None.

*Agency Approval Number:* 0651-00xx.

*Type of Request:* New information collection.

*Burden:* 71 hours annually.

*Number of Respondents:* 420 responses per year. Out of a sample size of 3,000, the USPTO estimates that 420 completed surveys will be received, for a response rate of 14%. The USPTO estimates that none of these surveys will be submitted by small entities.

*Avg. Hours Per Response:* The USPTO estimates that it will take the public approximately 10 minutes (0.17 hours) to complete this survey. This estimated time includes reading the instructions for the survey, gathering the necessary information, completing the survey, and submitting it to the USPTO.

*Needs and Uses:* The Grace Period Study survey is used by foreign governments, researchers, and other stakeholders to evaluate the effects of premature disclosure of patentable inventions or ideas on researchers' failures to apply for or receive patents. The USPTO will use the survey to gather data to estimate the value of lost commercial opportunities in Europe due to the lack of adequate patent grace periods in many European countries.

*Affected Public:* Businesses or other for-profits and non-profit institutions.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Nicholas A. Fraser, email:

*Nicholas\_A\_Fraser@omb.eop.gov.*

Once submitted, the request will be publicly available in electronic format through the Information Collection Review page at [www.reginfo.gov](http://www.reginfo.gov).

Paper copies can be obtained by:

- Email:

*InformationCollection@uspto.gov.*

Include "0651-00xx Grace Period Study copy request" in the subject line of the message.

- Mail: Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before June 21, 2013 to Nicholas A. Fraser, OMB Desk Officer, via email to *Nicholas\_A\_Fraser@omb.eop.gov*, or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: May 17, 2013.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer.*

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## DEPARTMENT OF ENERGY

[FE Docket Nos. 12-73-NG, 12-161-LNG, 13-12-NG, 13-18-NG, 13-20-NG, 13-25-NG, 13-04-LNG, 13-06-LNG, 11-38-NG, 13-15-NG, 13-27-NG, 13-29-NG, 13-31-NG, 13-33-NG, 13-34-NG, 13-36-NG, 13-37-NG, 13-24-NG, 13-28-LNG, and 13-32-LNG]

**Constellation Energy Commoditiesgroup, Inc., ENI USA Gas Marketing LLC, Sequent Energy Canada Corp., Alpha Gas and Electric, LLC, H.Q. Energy Services (U.S.) Inc. Nextera Energy Power Marketing, LLC, Trunkline LNG Export, LLC, Gasfin Development USA LLC, Louis Dreyfus Energy Services L.P. Fortisbc Energy Inc., Gazprom Marketing & Trading USA, Inc., Liquiline LNG Solutions Corporation, El Paso Marketing Company, L.L.C., Superior Plus Energy Services Inc., Maritimes & Northeast Pipeline, L.L.C., St. Lawrence Gas Company, Inc., Ecogas Mexico S. de R.L. de C.V., Citigroup Energy Canada ULC, Gulf LNG Energy, L.L.C., and, Logistic Energy and Petroleum Services Inc.; Orders Granting Authority To Import and Export Natural Gas, To Import Liquefied Natural Gas, To Export Liquefied Natural Gas, and Vacating Prior Authority During March 2013**

**AGENCY:** Office of Fossil Energy, Department of Energy (DOE).

**ACTION:** Notice of orders.

**SUMMARY:** The Office of Fossil Energy (FE) of the Department of Energy gives notice that during March 2013, it issued orders granting authority to import and export natural gas and liquefied natural gas and vacating prior authority. These orders are summarized in the attached appendix and may be found on the FE Web site at <http://www.fossil.energy.gov/programs/gasregulation/authorizations/Orders-2012.html>. They are also available for inspection and copying in the Office of Fossil Energy, Office of Natural Gas Regulatory Activities, Docket Room 3E-033, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478. The Docket Room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, on May 6, 2013.

**John A. Anderson,**

*Manager, Natural Gas Regulatory Activities, Office of Oil and Gas Global Security and Supply, Office of Fossil Energy.*

## Appendix

### DOE/FE Orders Granting Import/Export Authorizations

| Order No.    | Date issued | FE Docket No. | Authorization holder                         | Description of action                                                                                                                                                                                                                                  |
|--------------|-------------|---------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3137-A ..... | 03/05/13    | 12-73-NG ...  | Constellation Energy Commodities Group, Inc. | Order vacating blanket authority to import/export natural gas from/to Canada.                                                                                                                                                                          |
| 3247 .....   | 03/05/13    | 12-161-LNG    | ENI USA Gas Marketing LLC.                   | Order granting blanket authority to export previously imported LNG by vessel.                                                                                                                                                                          |
| 3248 .....   | 03/05/13    | 13-12-NG ...  | Sequent Energy Canada Corp.                  | Order granting blanket authority to import/export natural gas from/to Canada.                                                                                                                                                                          |
| 3249 .....   | 03/05/13    | 13-18-NG ...  | Alpha Gas and Electric LLC.                  | Order granting blanket authority to import/export natural gas from/to Canada, to import LNG from Canada by truck, to export LNG to Canada by vessel, to export LNG to Canada by truck, and to import LNG from various international sources by vessel. |
| 3250 .....   | 03/05/13    | 13-20-NG ...  | H.Q. Energy Services (U.S.) Inc.             | Order granting blanket authority to import/export natural gas from/to Canada/Mexico.                                                                                                                                                                   |