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Suzanne B. Goldberg,

Acting Assistant Secretary for Civil Rights.

[FR Doc. 2021-13058 Filed 6-21-21; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 11

[Docket No.: PTO-C-2013-0042]

RIN 0651-AC91

Changes to Representation of Others Before the United States Patent and Trademark Office; Correction

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Final rule; correction.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) is correcting an earlier final rule, “Changes to the Representation of Others Before the United States Patent and Trademark Office,” that appeared in the **Federal Register** on May 26, 2021 and which takes effect on June 25, 2021. This document corrects a minor error. No other changes are being made to the underlying final rule.

DATES: This rule is effective June 25, 2021.

FOR FURTHER INFORMATION CONTACT: William R. Covey, Deputy General Counsel for Enrollment and Discipline and Director of the Office of Enrollment and Discipline, at 571-272-4097.

SUPPLEMENTARY INFORMATION: This document corrects an error pertaining to revisions to definitions made in the final rule. Specifically, the Office intended to change the listed definition of “Roster” to “Roster or register.” The Code of Federal Regulations editors informed the Office that the original **Federal Register** instruction to “revise” the definition was incorrect. Rather, the correct instruction should be to “remove and add” the intended definition. This document corrects that instruction.

In FR Doc. 2021-10528, appearing on page 28442 in the **Federal Register** of Wednesday, May 26, 2021, the following correction is made:

§ 11.1 [Corrected]

■ On page 28452, in the first column, in part 11, correct amendatory instruction 4 to read as follows:

■ 4. Amend § 11.1 by:

■ a. Revising the definitions of “Conviction or convicted” and “Practitioner;”

■ b. Removing the entry for “Roster” and adding, in alphabetical order, an entry for “Roster or register;” and

■ c. Revising the definitions for “Serious crime” and “State.”

The revisions and addition read as follows:

Andrew Hirshfeld,

Commissioner for Patents, Performing the Functions and Duties of the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2021-13145 Filed 6-21-21; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

37 CFR Parts 201, 202, 203, 210, and 370

[Docket No. 2021-3]

Technical Amendments Regarding the Copyright Office’s Organizational Structure

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Final rule.

SUMMARY: This final rule makes technical changes to the U.S. Copyright Office’s regulations pertaining to its organizational structure in light of the agency’s recent reorganization. It reflects recent structural changes, updates certain of the Office’s division names, and adds a new section for the Copyright Claims Board established by the Copyright Alternative in Small-Claims Enforcement Act of 2020.

DATES: Effective July 22, 2021.

FOR FURTHER INFORMATION CONTACT: Regan A. Smith, General Counsel and Associate Register of Copyrights, by email at regans@copyright.gov, Kevin R. Amer, Deputy General Counsel, by email at kamer@copyright.gov, or Joanna R. Blatchly, Attorney-Advisor, by email at jblatchly@copyright.gov or by telephone at (202) 707-8350.

SUPPLEMENTARY INFORMATION: The Copyright Office is publishing this final rule pursuant to its May 2021 reorganization. This effort is intended to accomplish two goals: (1) Rename divisions and realign certain reporting structures to improve the Office’s effectiveness and efficiency; and (2) reflect the agency structure for the new copyright small-claims tribunal established by the Copyright Alternative

in Small-Claims Enforcement (“CASE”) Act of 2020.¹ The Register has determined that these changes will optimize business processes and aid in the administration of her functions and duties as Director of the Copyright Office.²

Operational reorganization. The reorganization reduces the number of direct reports to the Register of Copyrights and is expected to create administrative and cost efficiencies by consolidating operational organizations currently headed by senior-level positions. The reorganization brings the Office of the Chief Financial Officer (renamed the Financial Management Division) and the Copyright Modernization Office (renamed the Product Management Division) under the supervision of the Chief of Operations (renamed the Assistant Register and Director of Operations (“ARDO”). Realignment these divisions under the ARDO consolidates operational support elements under one senior manager, in line with operational structures across the Library of Congress. This consolidation is expected to facilitate Office coordination with centralized Library services, and with similar functional elements of other service units. It is also expected to allow the Office to increase the effectiveness of communications across areas of operational responsibility, in alignment with strategic objectives.

The reorganization renames certain organizational elements and senior positions for purposes of greater clarity and consistency. The Office of Public Records and Repositories is renamed the Office of Copyright Records. As noted above, the Office of the Chief of Operations is renamed the Office of the Director of Operations. The following subordinate offices are also renamed: The Copyright Acquisitions Division (“CAD”) is renamed Acquisitions and Deposits (“A&D”); the Administrative Services Office (“ASO”) is renamed the Administrative Services Division (“ASD”); and the Receipt Analysis and Control Division (“RAC”) is renamed the Materials Control and Analysis Division (“MCA”). The Copyright Modernization Office (“CMO”) is renamed the Product Management Division (“PMD”).

Further, the Office of the Chief Financial Officer (“CFO”) is renamed the Financial Management Division (“FMD”) and work units under this division are also renamed, including by

¹ Public Law 116-260, sec. 212, 134 Stat. 1182, 2176 (2020).

² See 17 U.S.C. 701(a).

renaming the Licensing Division (“LD”) the Licensing Section (“LS”).

Copyright Claims Board. Second, the reorganization creates a reporting structure for the Copyright Claims Board (“CCB”) established by the CASE Act. The CCB is a voluntary, alternative forum to federal court to seek resolution of copyright disputes that have a low economic value.³ The CCB has the authority to hear copyright infringement claims, claims seeking a declaration of noninfringement, and misrepresentation claims under section 512(f) of title 17, as amended by the Digital Millennium Copyright Act.⁴ The CCB will be headed by three Copyright Claims Officers who ensure that claims, counterclaims, and defenses are properly asserted, manage CCB proceedings and issue rulings, request production of information and relevant documents, conduct hearings and conferences, facilitate settlements, maintain records, provide public information, and ultimately render determinations and award monetary relief.⁵ The CCB will report to the Copyright Office’s General Counsel.

This rule is a technical change that constitutes a change to a “rule[] of agency organization”⁶ which does not “alter the rights or interests of parties,” but merely “alter[s] the manner in which the parties present themselves or their viewpoints to the agency.”⁷ Accordingly, the Office is publishing it as final without first issuing a notice of proposed rulemaking.

List of Subjects

37 CFR Part 201

Copyright, General provisions.

37 CFR Part 202

Claims, Copyright.

37 CFR Part 203

Freedom of information.

37 CFR Part 210

Copyright, Recordings.

37 CFR Part 370

Copyright, Recordings.

Final Regulations

For the reasons set forth in the preamble, the Copyright Office amends 37 CFR parts 201, 202, 203, 210, and 370 as follows:

PART 201—GENERAL PROVISIONS

■ 1. The authority citation for part 201 continues to read as follows:

Authority: 17 U.S.C. 702.

■ 2. Amend § 201.1 as follows:

■ a. In paragraph (b)(2), in the table:

■ i. Remove the entry “Copyright Acquisitions” and add in its place the entry “Acquisitions and Deposits”.

■ ii. Revise the entry for “Deposit Demands”.

■ iii. Remove the entry “Licensing Division” add in its place the entry “Licensing Section”.

■ b. In paragraph (c)(3), remove “RAC” and add in its place “MCA”.

■ c. In paragraph (c)(5), remove “Licensing Division” from each place it appears and add in its place “Licensing Section”.

The additions and revision read as follows:

TABLE 1 TO PARAGRAPH (C)

| Registration, recordation, and related services | Fees (\$) |
|---|-----------|
| * * * * * | |
| (19) Search report prepared from official records other than Licensing Section records (per hour, 2 hour minimum) | 200 |
| * * * * * | |

(e) * * *

TABLE 1 TO PARAGRAPH (e)

| Licensing section services | Fees (\$) |
|----------------------------|-----------|
| * * * * * | |

§ 201.1201 Communication with the Copyright Office.

* * * * *

(b) * * *

(2) * * *

| Type of submission | Code |
|---------------------------------|--------|
| * * * * * | |
| Acquisitions and Deposits | A&D |
| Deposit Demands | A&D/AD |
| Licensing Section | LS |
| * * * * * | |
| * * * * * | |

■ 3. Amend § 201.3 as follows:

■ a. Revise the section heading.

■ b. In paragraphs (a) and (b)(3), remove “Licensing Division” from each place it appears and add in its place “Licensing Section”.

■ c. Revise paragraph (c)(19).

■ d. In paragraph (e):

■ i. In the paragraph heading and introductory text, remove “Licensing Division” and add in its place “Licensing Section”.

■ ii. In the table, revise the heading for the first column and entry (7).

The revisions read as follows:

§ 201.3201 Fees for registration, recordation, and related services, special services, and services performed by the Licensing Section.

* * * * *

(c) * * *

³ See, e.g., H.R. Rep. No. 116–252, at 18–20 (2019); S. Rep. No. 116–105, at 7–8 (2019). Note, the CASE Act legislative history cited is for H.R. 2426 and S. 1273, the CASE Act of 2019, a bill nearly identical to the CASE Act of 2020. See H.R. 2426, 116th Cong. (2019); S. 1273, 116th Cong. (2019).

⁴ 17 U.S.C. 1504(c)(1)–(3).

⁵ *Id.* at 1503(a), 1506.

⁶ 5 U.S.C. 553(b)(A) (notice and comment not required for “interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice”); see *JEM Broad. Co. v. F.C.C.*, 22 F.3d 320, 326 (D.C. Cir. 1994) (noting that “the ‘critical feature’ of the

[553(b)(A)] procedural exception ‘is that it covers agency actions that do not themselves alter the rights or interests of parties, although it may alter the manner in which the parties present themselves or their viewpoints to the agency’”) (citation omitted).

⁷ *JEM Broad. Co.*, 22 F.3d at 326.

TABLE 1 TO PARAGRAPH (e)—Continued

| Licensing section services | Fees (\$) |
|--|--------------|
| (7) Search report prepared from Licensing Section records (per hour, 2 hour minimum) | 200 |

- * * * * *
- § 201.6 [Amended]**
- 4. Amend § 201.6(c)(3) by removing “Licensing Division” and adding in its place “Licensing Section”.
- § 201.11 [Amended]**
- 5. Amend § 201.11 by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.
- § 201.12 [Amended]**
- 6. Amend § 201.12(a) by removing “Licensing Division” and adding in its place “Licensing Section”.
- § 201.17 [Amended]**
- 7. Amend § 201.17 by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.
- § 201.18 [Amended]**
- 8. Amend § 201.18 by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.
- § 201.28 [Amended]**
- 9. Amend § 201.28 by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.
- § 201.29 [Amended]**
- 10. Amend § 201.29(e) introductory text by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.

PART 202—PREREGISTRATION AND REGISTRATION OF CLAIMS TO COPYRIGHT

- 11. The authority citation for part 202 continues to read as follows:
Authority: 17 U.S.C. 408(f), 702.

- § 202.19 [Amended]**
- 12. Amend § 202.19 by removing “the Copyright Acquisitions Division” from each place it appears and adding in its place “Acquisitions and Deposits”.

- § 202.22 [Amended]**
- 13. Amend § 202.22(d)(6)(iii) by removing “the Copyright Acquisitions

- Division” and adding in its place “Acquisitions and Deposits”.
- § 202.23 [Amended]**
- 14. Amend § 202.23(b)(2) by removing “Office of Public Records and Repositories” and adding in its place “Office of Copyright Records”.

- § 202.24 [Amended]**
- 15. Amend § 202.24(d)(3) by removing “the Copyright Acquisitions Division” and adding in its place “Acquisitions and Deposits”.

PART 203—FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

- 16. The authority citation for part 203 continues to read as follows:
Authority: 5 U.S.C. 552.
- 17. Amend § 203.3 as follows:
- a. Revise paragraph (b).
- b. In paragraph (c):
- i. Remove “also” from the fourth sentence.
- ii. Add a sentence at the end of the paragraph.
- iii. Add paragraph (c)(1) and reserve paragraph (c)(2).
- c. In paragraph (f), add a sentence at the end of the paragraph.
- d. In paragraph (g):
- i. Remove “Public Records and Repositories” and add in its place “Copyright Records”.
- ii. Add a sentence before the last sentence.
- e. Remove and reserve paragraphs (h) and (i).

The revision and additions read as follows:

§ 203.3 Organization.

* * * * *

(b) The Office of the Director of Operations is headed by the Assistant Register and Director of Operations (“ARDO”), who advises the Register on core business functions and coordinates and directs the day-to-day operations of the Copyright Office. This Office supervises human capital, finances, the administration of certain statutory licenses, mandatory acquisitions and deposits, product management, and materials control and analysis functions. It interacts with other senior management offices that report to the

Register and frequently coordinates and assesses institutional projects. This Office has five divisions: Acquisitions and Deposits; Administrative Services; Financial Management; Materials Control and Analysis; and Product Management.

(1) Acquisitions and Deposits (“A&D”) administers the mandatory deposit requirements of the Copyright Act, acting as an intermediary between copyright owners of certain published works and the acquisitions staff in the Library of Congress (17 U.S.C. 407). It creates and updates records for copies received by the Copyright Office, demands particular works or particular formats of works as necessary, and administers deposit agreements between the Library and copyright owners.

(2) The Administrative Services Division (“ASD”) manages human capital and physical space issues for the Copyright Office, and serves as the liaison with other components of the Library for those matters.

(3) The Financial Management Division (“FMD”) oversees fiscal, financial, and budgetary activities for the Copyright Office. It contains the Licensing Section, which administers certain statutory licenses set forth in the Copyright Act. The Licensing Section collects royalty payments and examines statements of account for the cable statutory license (17 U.S.C. 111), the satellite statutory license for retransmission of distant television broadcast stations (17 U.S.C. 119), and the statutory license for digital audio recording technology (17 U.S.C. chapter 10). The Licensing Section also accepts and records certain documents associated with the use of the mechanical statutory license for making and distributing phonorecords of nondramatic musical works (17 U.S.C. 115) and the statutory licenses for publicly performing sound recordings by means of digital audio transmission (17 U.S.C. 112, 114).

(4) The Materials Control and Analysis Division (“MCA”) processes incoming mail, creates initial records, and dispatches electronic and hardcopy materials and deposits to the appropriate service areas. It operates the Copyright Office’s central print room and outgoing mail functions.

(5) The Product Management Division (“PMD”) advises on business process integration and improvements in connection with technology initiatives affecting the Copyright Office. It coordinates business activities, including resource planning, stakeholder engagement activities, and project management. The PMD oversees the Office’s data management, performance statistics, and business intelligence capabilities.

(c) * * * The Office of the General Counsel also supervises the Copyright Claims Board (“CCB”) as it discharges its statutory mandate.

(1) The CCB is a voluntary, alternative forum to Federal court for parties to seek resolution of copyright disputes that have a low economic value. The CCB is headed by three Copyright Claims Officers who ensure that claims are properly asserted and appropriate for resolution; manage proceedings; render determinations and award monetary relief; provide public information; certify and maintain CCB records, including making proceeding records publicly available; and other related duties.

(2) [Reserved]

* * * * *

(f) * * * This Office is comprised of two sections: The Public Information Office and the Outreach and Education section.

(g) * * * It contains three divisions: Recordation; Records Management; and Records, Research and Certification.

* * * * *

PART 210—COMPULSORY LICENSE FOR MAKING AND DISTRIBUTING PHYSICAL AND DIGITAL PHONORECORDS OF NONDRAMATIC MUSICAL WORKS

■ 18. The authority citation for part 210 continues to read as follows:

Authority: 17 U.S.C. 115, 702.

§ 210.6 [Amended]

■ 19. Amend § 210.6(g)(4)(i) by removing “Licensing Division” and adding in its place “Licensing Section”.

§ 210.7 [Amended]

■ 20. Amend § 210.7(g)(5)(i) by removing “Licensing Division” and adding in its place “Licensing Section”.

PART 370—NOTICE AND RECORDKEEPING REQUIREMENTS FOR STATUTORY LICENSES

■ 21. The authority citation for part 370 continues to read as follows:

Authority: 17 U.S.C. 112(e)(4), 114(f)(3)(A).

§ 370.2 [Amended]

■ 22. Amend § 370.2 by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.

§ 370.3 [Amended]

■ 23. Amend § 370.3(b) by removing “Licensing Division” and adding in its place “Licensing Section”.

§ 370.4 [Amended]

■ 24. Amend § 370.4(c) by removing “Licensing Division” and adding in its place “Licensing Section”.

§ 370.5 [Amended]

■ 25. Amend § 370.5 by removing “Licensing Division” from each place it appears and adding in its place “Licensing Section”.

Dated: June 8, 2021.

Shira Perlmutter,

Register of Copyrights and Director of the U.S. Copyright Office.

Approved by:

Carla Hayden,

Librarian of Congress.

[FR Doc. 2021–12939 Filed 6–21–21; 8:45 am]

BILLING CODE 1410–30–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Parts 383, 384, and 391

[Docket No. FMCSA–2018–0152]

RIN 2126–AC18

Extension of Compliance Dates for Medical Examiner’s Certification Integration

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: FMCSA amends its regulations to extend the compliance date from June 22, 2021, to June 23, 2025, for several provisions of its April 23, 2015, Medical Examiner’s Certification Integration final rule. FMCSA issued an interim final rule (IFR) on June 21, 2018, extending the compliance date for these provisions until June 22, 2021. FMCSA published a supplemental notice of proposed rulemaking (SNPRM) on April 22, 2021, that proposed further extending the compliance date to June 23, 2025. This final rule will provide FMCSA time to complete certain information technology (IT) system development

tasks for its National Registry of Certified Medical Examiners (National Registry) and to provide the State Driver’s Licensing Agencies (SDLAs) sufficient time to make the necessary IT programming changes when the new National Registry system is completed and available.

DATES: This final rule is effective June 22, 2021.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE, Washington, DC 20590–0001, (202) 366–4001, fmcsamedical@dot.gov. If you have questions on viewing or submitting material to the docket, contact Dockets Operations, (202) 366–9826.

SUPPLEMENTARY INFORMATION:

FMCSA organizes this final rule as follows:

- I. Availability of Rulemaking Documents
- II. Executive Summary
- III. Legal Basis
 - A. Authority Over Drivers Affected; Drivers Required To Obtain a Medical Examiner’s Certificate (MEC)
 - B. Authority To Regulate State CDL Programs
 - C. Authority To Require Reporting by MEs
- IV. Background
- V. Discussion of Proposed Rulemaking and Comments
 - A. Background and Proposed Rulemaking
 - B. Comments and Responses
- VI. Good Cause Exists
- VII. International Impacts
- VIII. Changes From the SNPRM
- IX. Section-By-Section Analysis
- X. Regulatory Analyses
 - A. E.O. 12866 (Regulatory Planning and Review), E.O. 13563 (Improving Regulation and Regulatory Review), and DOT Regulatory Policies and Procedures
 - B. Congressional Review Act
 - C. Regulatory Flexibility Act (Small Entities)
 - D. Assistance for Small Entities
 - E. Unfunded Mandates Reform Act of 1995
 - F. Paperwork Reduction Act (Collection of Information)
 - G. E.O. 13132 (Federalism)
 - H. Privacy
 - I. E.O. 13175 (Indian Tribal Governments)
 - J. National Environmental Policy Act of 1969

I. Availability of Rulemaking Documents

To view any documents mentioned as being available in the docket, go to <https://www.regulations.gov/docket/FMCSA-2018-0152/document> and choose the document to review. To view comments, click this final rule, and click “Browse Comments.” If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12–140,