

Mac®-based attendees: Mac OS® X 10.5 or newer; and

Mobile attendees: iPhone®, iPad®, Android™ phone or Android tablet.

Public listening stations for the Groundfish Status Determination Criteria for Data-Moderate Stocks webinar will also be available at the following locations:

1. Large conference room (room 188), NMFS Southwest Fisheries Science Center, 110 Shaffer Rd., Santa Cruz, CA 95060;

2. Large conference room, Pacific Council office, 7700 NE. Ambassador Place, Suite 101, Portland, OR 97220-1384; and

3. Auditorium, NMFS Northwest Fisheries Science Center, 2725 Montlake Blvd. E., Seattle, WA 98112.

**Council address:** 7700 NE. Ambassador Place, Suite 101, Portland, OR 97220-1384; telephone: (503) 820-2280.

**FOR FURTHER INFORMATION CONTACT:** Mr. John DeVore, Pacific Council; telephone: (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** The purpose of the Groundfish Status Determination Criteria for Data-Moderate Stocks webinar is to develop alternative status determination criteria for stocks that are assessed using new data-moderate methods adopted last year for use in the 2013 assessment cycle. No management actions will be decided in this workshop. Any recommendations developed at the workshop will be submitted for consideration by the Pacific Council at its March 2013 meeting in Tacoma, WA.

Members of the general public who are not NMFS employees need to provide photo identification to attend the webinar at the Northwest Fisheries Science Center. Foreign nationals without green cards intending to attend the webinar at the Northwest Fisheries Science Center must notify Dr. Jim Hastie, (206) 860-3412, at the Northwest Fisheries Science Center at least one week prior to the webinar.

Public comments during the webinar will only be received from attendees at one of the three public listening stations, although participants who have pre-registered can listen in on the proceedings online from remote locations.

Although non-emergency issues not identified in the webinar agenda may come before the webinar participants for discussion, those issues may not be the subject of formal action during this webinar. Formal action at the workshop will be restricted to those issues specifically listed in this notice and any issues arising after publication of this

notice that require emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the webinar participants' intent to take final action to address the emergency.

### Special Accommodations

This meeting is accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. Kris Kleinschmidt at (503) 820-2280 at least 5 days prior to the webinar date.

Dated: December 3, 2012.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2012-29495 Filed 12-5-12; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA807-X**

#### Marine Mammals; File No. 16305

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that a permit has been issued to John P. Wise, Sr., Ph.D., Wise Laboratory of Environmental and Genetic Toxicology, Maine Center for Toxicology and Environmental Health, University of Southern Maine, 478 Science Building, 96 Falmouth Street, Portland, ME 04104-9300, to receive, import, and export marine mammal and sea turtle biological samples for scientific research purposes.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following offices: See **SUPPLEMENTARY INFORMATION.**

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Jennifer Skidmore, (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** On November 7, 2011, notice was published in the **Federal Register** (76 FR 68718) that a request for a permit to receive, import, and export biological samples for scientific research had been submitted by the above-named applicant. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the

regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Permit No. 16305 authorizes the permit holder to receive, import, or export samples from marine mammals and sea turtles under NMFS jurisdiction to determine tissue levels of metals and other environmental contaminants and conduct DNA analysis and pathology studies in marine mammal and sea turtles species; and, establish a resource of marine mammal and sea turtle cell lines for use as model systems in the investigation of various factors related to marine mammal health. Tissues may also be used as comparative tools to human studies (toxicity of metals, virology, etc.). The permit expires on October 31, 2017.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

As required by the ESA, issuance of this permit was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Documents may be reviewed in the following locations:

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376;

Northwest Region, NMFS, 7600 Sand Point Way NE., BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206) 526-6150; fax (206) 526-6426;

Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7221; fax (907) 586-7249;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018;

Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm. 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941;

Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978) 281-9328; fax (978) 281-9394; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727) 824-5312; fax (727) 824-5309.

Dated: November 30, 2012.

**P. Michael Payne,**

*Chief, Permits and Conservation Division,  
Office of Protected Resources, National  
Marine Fisheries Service.*

[FR Doc. 2012-29414 Filed 12-5-12; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-P-2012-0043]

#### Request for Comments on Request for Continued Examination (RCE) Practice

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Request for Comments.

**SUMMARY:** The United States Patent and Trademark Office (Office) currently has a backlog of over 90,000 patent applications that have not been examined since the filing of a Request for Continued Examination (RCE). This backlog diverts resources away from the examination of new applications. The Office is continuing its efforts to reduce the RCE backlog. For example, the Office recently implemented a pair of pilot programs—the Quick Path Information Disclosure Statement (QPIDS) pilot program and the After Final Consideration Pilot (AFCP)—designed to reduce the need to file an RCE. The Office is now soliciting public feedback in an effort to better understand the full spectrum of factors that impact the decision to file an RCE. The Office is providing three different avenues for the public to provide their feedback on RCE practice: (1) Through the submission of written comments by electronic mail message over the Internet or by postal mail; (2) through the submission of written comments using a Web-based collaboration tool called IdeaScale®; and (3) through a series of roundtables that the Office is planning to conduct. The Office plans to use the information it obtains to design additional programs and initiatives aimed at reducing RCE filings and the RCE backlog.

**DATES:** *Comment Deadline Date:* Written comments must be received on or before February 4, 2013.

**ADDRESSES:** Comments should be sent by electronic mail message over the Internet addressed to: [rceoutreach@uspto.gov](mailto:rceoutreach@uspto.gov). Comments may

also be submitted by postal mail addressed to: United States Patent and Trademark Office, Mail Stop Comments—Patents, Office of Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, marked to the attention of Raul Tamayo. Although comments may be submitted by postal mail, the Office prefers to receive comments by electronic mail message over the Internet in order to facilitate posting on the Office's Internet Web site.

The comments will be available for public inspection at the Office of the Commissioner for Patents, located at Madison Building East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia. Comments also will be available for viewing via the Office's Internet Web site (<http://www.uspto.gov>). Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:** Raul Tamayo, Legal Advisor, Office of the Deputy Commissioner for Patent Examination Policy (telephone (571) 272-7728; email [raul.tamayo@uspto.gov](mailto:raul.tamayo@uspto.gov)). Alternatively, mail may be addressed to Raul Tamayo, Office of Commissioner for Patents, Attn: RCE Outreach, P.O. Box 1450, Alexandria, VA 22313-1450.

**SUPPLEMENTARY INFORMATION:** The Office has gathered a variety of statistics related to RCEs, including the fraction of applications (by technology classification) containing at least one RCE, and the fraction of applications (out of a random sample) in which no submission under 37 CFR 1.116 was filed prior to the filing of the RCE. These statistics can be viewed at [http://www.uspto.gov/patents/init\\_events/rce\\_outreach.jsp](http://www.uspto.gov/patents/init_events/rce_outreach.jsp), and may help inform comments responsive to this request for comments (RFC).

The Office has generated the following list of questions concerning RCE practice to further inform comments responsive to this RFC. Responders to this RFC can choose to address as many of these questions as desired. The Office is particularly interested in receiving information that facilitates an understanding of filing strategies related to RCEs.

(1) *If within your practice you file a higher or lower number of RCEs for certain clients or areas of technology as compared to others, what factor(s) can you identify for the difference in filings?*

(2) *What change(s), if any, in Office procedure(s) or regulation(s) would reduce your need to file RCEs?*

(3) *What effect(s), if any, does the Office's interview practice have on your decision to file an RCE?*

(4) *If, on average, interviews with examiners lead you to file fewer RCEs, at what point during prosecution do interviews most regularly produce this effect?*

(5) *What actions could be taken by either the Office or applicants to reduce the need to file evidence (not including an IDS) after a final rejection?*

(6) *When considering how to respond to a final rejection, what factor(s) cause you to favor the filing of an RCE?*

(7) *When considering how to respond to a final rejection, what factor(s) cause you to favor the filing of an amendment after final (37 CFR 1.116)?*

(8) *Was your after final practice impacted by the Office's change to the order of examination of RCEs in November 2009? If so, how?*

(9) *How does client preference drive your decision to file an RCE or other response after final?*

(10) *What strategy/strategies do you employ to avoid RCEs?*

(11) *Do you have other reasons for filing an RCE that you would like to share?*

Interested members of the public can provide the Office with their feedback on RCE practice through the submission of written comments by electronic mail message over the Internet or by postal mail sent to the corresponding address noted above. Feedback on RCE practice can alternatively be submitted using a Web-based collaboration tool called IdeaScale®. The tool allows users to post comments on a topic, and view and respond to others' comments. In addition, users may vote to indicate agreement or disagreement with a particular comment. Information on how to use IdeaScale® to comment on RCE practice is available at [http://www.uspto.gov/patents/init\\_events/rce\\_outreach.jsp](http://www.uspto.gov/patents/init_events/rce_outreach.jsp).

Finally, the Office is planning to conduct roundtables to obtain input from diverse organizations and individuals on RCE practice. Further information on roundtable dates and how to participate in a roundtable on RCE practice will be available at [http://www.uspto.gov/patents/init\\_events/rce\\_outreach.jsp](http://www.uspto.gov/patents/init_events/rce_outreach.jsp).

Dated: November 30, 2012.

**Teresa Stanek Rea,**

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

[FR Doc. 2012-29546 Filed 12-5-12; 8:45 am]

**BILLING CODE 3510-16-P**