

668-7165. The First Coast Guard District Bridge Branch Office maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** Judy Leung-Yee, Project Officer, First Coast Guard District, at (212) 668-7195.

**SUPPLEMENTARY INFORMATION:** The Stratford Avenue Bridge, across the Pequonnock River, mile 0.1, at Bridgeport, Connecticut, has a vertical clearance in the closed position of 8 feet at mean high water and 14 feet at mean low water. The existing drawbridge operation regulations are listed at 33 CFR 117.219(b).

The owner of the bridge, Connecticut Department of Transportation, requested a temporary deviation to facilitate bridge deck replacement. The bridge will not be able to open while the bridge deck removal is underway and until it is rebalanced.

Under this temporary deviation the Stratford Avenue Bridge shall operate as follows:

From May 29, 2007 through July 19, 2007, Monday through Saturday, the bridge may remain in the closed position, except that, the bridge shall open on signal from 6 a.m. to 7 a.m. and from 4 p.m. to 7 p.m. The bridge shall open on signal all day on Sundays, and on Wednesday, July 4, 2007.

From July 20, 2007 through September 17, 2007, Monday through Saturday, the bridge may remain in the closed position, except that, the bridge shall open on signal from 6 a.m. to 7 a.m., and from 4 p.m. to 7 p.m., and, from 7 p.m. to 6 a.m., the bridge shall open on signal after at least a two-hour advance notice is given by calling (203) 579-6204. The bridge shall open on signal all day on Sundays, and the Labor Day weekend (September 1, 2, and 3, 2007.)

In accordance with 33 CFR 117.35(e), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible.

Should the bridge maintenance authorized by this temporary deviation be completed before the end of the effective period published in this notice, the Coast Guard will cancel the remainder of this temporary deviation, and the bridge shall be returned to its normal operating schedule. Notice of the above action shall be provided to the public in the Local Notice to Mariners and the **Federal Register**, where practicable.

This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: May 11, 2007.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. E7-9693 Filed 5-21-07; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 6

[Docket No. PTO-T-2007-0004]

RIN 0651-AC10

#### International Trademark Classification Changes

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

**ACTION:** Final rule.

**SUMMARY:** The United States Patent and Trademark Office (Office) issues a final rule to incorporate classification changes adopted by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Agreement). These changes became effective January 1, 2007, and are listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (9th ed., 2006), which is published by the World Intellectual Property Organization (WIPO). In addition, the Office is amending some punctuation and spelling in certain wording so the wording conforms to what appears in the Nice Agreement.

**DATES:** This final rule is effective May 22, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Jessie Roberts, Office of the Commissioner for Trademarks, by telephone at (571) 272-9574; by facsimile transmission addressed to her at (571) 273-9574; by e-mail addressed to her at [Jessie.Roberts@USPTO.gov](mailto:Jessie.Roberts@USPTO.gov); or by mail marked to her attention and addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

**SUPPLEMENTARY INFORMATION:**

#### Discussion of Specific Rule Changed

The Office is revising § 6.1 to incorporate classification changes and modifications that became effective January 1, 2007, or in earlier revisions of the Nice Agreement, as listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (9th ed., 2006),

published by WIPO. In addition, the Office is revising the punctuation and spelling of certain wording so that it will conform to what appears in the Nice Agreement.

These revisions have been incorporated into the Nice Agreement. As a signatory to the Nice Agreement, the United States adopts these revisions pursuant to Article 1.

The following changes are noted:

Class 4 is amended to change “wicks” to “wicks for lighting.”

Class 5 is amended to change “pharmaceutical, veterinary, and sanitary preparations” to

“pharmaceutical and veterinary preparations; sanitary preparations for medical purposes;”

Class 9 is amended to delete “electric” after “surveying;” and to add “apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity;” before “apparatus for recording.”

Class 16 is amended to delete “playing cards.” Playing cards are classified in Class 28.

Class 21 is amended to delete “(not of precious metal or coated therewith)” after “Household or kitchen utensils and containers.”

Class 29 is amended to add “frozen” before “dried;” to delete “fruit sauces” and replace it with “compotes.”

Class 42 is amended to delete “Legal services.”

Class 45 is amended to add “Legal services” and to reorder the manner in which the services are listed in the class.

#### Rule Making Requirements

*Administrative Procedure Act:* The amendments in this final rule are procedural in nature as they only reorganize the international classifications of goods and services and modify the form of the wording. The reorganization and modification have been established by the Committee of Experts of the Nice Union and have been promulgated in the volume entitled International Classification of Goods and Services for the Purposes of the Registration of Marks (9th ed. 2006). Therefore, prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553(b)(A), or any other law. Furthermore, pursuant to 5 U.S.C. 553(b)(B), notice and an opportunity for public comment are unnecessary since the amendments are required by the Nice Agreement, to which the United States is a signatory.

*Regulatory Flexibility Act:* As prior notice and an opportunity for public comment are not required pursuant to 5

U.S.C. 553 (or any other law), the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable.

*Executive Order 13132*: This final rule does not contain policies with federalism implications, as that term is defined in Executive Order 13132 (August 4, 1999).

*Executive Order 12866*: This final rule has been determined to be not significant for purposes of Executive Order 12866 (September 30, 1993).

*Paperwork Reduction Act*: This final rule does not involve information collection requirements which are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 37 CFR Part 6

Trademarks.

■ For the reasons given in the preamble and under the authority contained in 35 U.S.C. 2 and 15 U.S.C. 1112 and 1123, as amended, the United States Patent and Trademark Office is amending part 6 of title 37 as follows:

#### PART 6—CLASSIFICATION OF GOODS AND SERVICES UNDER THE TRADEMARK ACT

■ 1. The authority citation for part 6 continues to read as follows:

**Authority:** 15 U.S.C. 1112, 1123; 35 U.S.C. 2, unless otherwise noted.

■ 2. Revise § 6.1 to read as follows:

##### § 6.1 International schedule of classes of goods and services.

#### Goods

1. Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

2. Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

3. Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

4. Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including

motor spirit) and illuminants; candles and wicks for lighting.

5. Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

6. Common metals and their alloys; metal building materials; transportable buildings of metal; materials of metal for railway tracks; non-electric cables and wires of common metal; ironmongery, small items of metal hardware; pipes and tubes of metal; safes; goods of common metal not included in other classes; ores.

7. Machines and machine tools; motors and engines (except for land vehicles); machine coupling and transmission components (except for land vehicles); agricultural implements other than hand-operated; incubators for eggs.

8. Hand tools and implements (hand-operated); cutlery; side arms; razors.

9. Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity; apparatus for recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines, data processing equipment and computers; fire-extinguishing apparatus.

10. Surgical, medical, dental and veterinary apparatus and instruments, artificial limbs, eyes and teeth; orthopedic articles; suture materials.

11. Apparatus for lighting, heating, steam generating, cooking, refrigerating, drying, ventilating, water supply and sanitary purposes.

12. Vehicles; apparatus for locomotion by land, air or water.

13. Firearms; ammunition and projectiles; explosives; fireworks.

14. Precious metals and their alloys and goods in precious metals or coated therewith, not included in other classes; jewellery, precious stones; horological and chronometric instruments.

15. Musical instruments.

16. Paper, cardboard and goods made from these materials, not included in other classes; printed matter; bookbinding material; photographs; stationery; adhesives for stationery or

household purposes; artists' materials; paint brushes; typewriters and office requisites (except furniture); instructional and teaching material (except apparatus); plastic materials for packaging (not included in other classes); printers' type; printing blocks.

17. Rubber, gutta-percha, gum, asbestos, mica and goods made from these materials and not included in other classes; plastics in extruded form for use in manufacture; packing, stopping and insulating materials; flexible pipes, not of metal.

18. Leather and imitations of leather, and goods made of these materials and not included in other classes; animal skins, hides; trunks and travelling bags; umbrellas, parasols and walking sticks; whips, harness and saddlery.

19. Building materials (non-metallic); non-metallic rigid pipes for building; asphalt, pitch and bitumen; non-metallic transportable buildings; monuments, not of metal.

20. Furniture, mirrors, picture frames; goods (not included in other classes) of wood, cork, reed, cane, wicker, horn, bone, ivory, whalebone, shell, amber, mother-of-pearl, meerschaum and substitutes for all these materials, or of plastics.

21. Household or kitchen utensils and containers; combs and sponges; brushes (except paint brushes); brush-making materials; articles for cleaning purposes; steelwool; unworked or semi-worked glass (except glass used in building); glassware, porcelain and earthenware not included in other classes.

22. Ropes, string, nets, tents, awnings, tarpaulins, sails, sacks and bags (not included in other classes); padding and stuffing materials (except of rubber or plastics); raw fibrous textile materials.

23. Yarns and threads, for textile use.

24. Textiles and textile goods, not included in other classes; bed and table covers.

25. Clothing, footwear, headgear.

26. Lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers.

27. Carpets, rugs, mats and matting, linoleum and other materials for covering existing floors; wall hangings (non-textile).

28. Games and playthings; gymnastic and sporting articles not included in other classes; decorations for Christmas trees.

29. Meat, fish, poultry and game; meat extracts; preserved, frozen, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products; edible oils and fats.

30. Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread,

pastry and confectionery, ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments); spices; ice.

31. Agricultural, horticultural and forestry products and grains not included in other classes; live animals; fresh fruits and vegetables; seeds, natural plants and flowers; foodstuffs for animals, malt.

32. Beers; mineral and aerated waters and other non-alcoholic drinks; fruit drinks and fruit juices; syrups and other preparations for making beverages.

33. Alcoholic beverages (except beers).

34. Tobacco; smokers' articles; matches.

#### Services

35. Advertising; business management; business administration; office functions.

36. Insurance; financial affairs; monetary affairs; real estate affairs.

37. Building construction; repair; installation services.

38. Telecommunications.

39. Transport; packaging and storage of goods; travel arrangement.

40. Treatment of materials.

41. Education; providing of training; entertainment; sporting and cultural activities.

42. Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.

43. Services for providing food and drink; temporary accommodation.

44. Medical services; veterinary services; hygienic and beauty care for human beings or animals; agriculture, horticulture and forestry services.

45. Legal services; security services for the protection of property and individuals; personal and social services rendered by others to meet the needs of individuals.

Dated: May 16, 2007.

**Jon W. Dudas,**

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

[FR Doc. E7-9764 Filed 5-21-07; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 50

[EPA-HQ-OAR-2005-0159; FRL-8316-5]

RIN 2060-AN40

### Final Rule on the Treatment of Data Influenced by Exceptional Events; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Correcting Amendments.

**SUMMARY:** The EPA issued a final rule on March 22, 2007, entitled "Treatment of Data Influenced by Exceptional Events." The rule governs the review and handling of air quality monitoring data determined to be influenced by exceptional events. This document makes minor corrections to language contained in the regulatory text for the rule.

**EFFECTIVE DATE:** This document is effective on May 22, 2007.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding these corrections, contact Mr. Larry Wallace, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Mail Code C539-02, Research Triangle Park, NC 27711, phone number (919) 541-9006 or by e-mail at: [wallace.larry@epa.gov](mailto:wallace.larry@epa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

The EPA issued the final rule on "The Treatment of Data Influenced by Exceptional Events" on March 22, 2007, 72 FR 13560.

#### Need for Correction

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification. EPA finds that there is good cause to make these corrections without providing for notice and comment, and for making these corrections effective immediately upon publication, because neither notice or comment, nor a delayed effective date, is necessary and would not be in the public interest due to the nature of the corrections which are minor, technical, and non-controversial.

The final action, without notice and comment, and the immediate effective date for this action is authorized under 5 U.S.C. 553(d)(3)(B) and 553(d)(3) which allows an effective date less than 30 days after publication if "as otherwise provided by the agency for cause found and published with the rule." As indicated above, the final rule

on Exceptional Events was published after notice and comment on March 22, 2007 and becomes effective on May 21, 2007, 60 days from publication. Thus, additional notice and comment for these minor technical corrections is unnecessary under 5 U.S.C. 553(b)(3)(B) and EPA finds that good cause exists for these corrections to become effective immediately.

#### Corrections of Rule

In the final rule for "The Treatment of Data Influenced by Exceptional Events", 72 FR 13560, March 22, 2007, correction is being made to the regulatory text of the rule beginning at 40 CFR 50.14(c) and to the title of 40 CFR part 51. This action makes a correction under the section entitled "Treatment of air quality monitoring data influenced by exceptional events." Under § 50.14(c)(2) entitled "Schedules and procedures", "Flagging of data", change subsection (i) to remove the reference to 40 CFR 58.16 and to read as follows:

(i) A State shall notify EPA of its intent to exclude one or more measured exceedances of an applicable ambient air quality standard as being due to an exceptional event by placing a flag in the appropriate field for the data record of concern which has been submitted to the AQS database.

The final correction being made to the rule begins on page 13581, column two. Change the title of the section to read as follows:

#### PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS"

Dated: May 15, 2007.

**Stephen L. Johnson,**  
*Administrator.*

■ In consideration of the foregoing, the Environmental Protection Agency amends 40 CFR parts 50 and 51 as follows:

#### PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

■ 1. The authority citation for part 50 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

■ 2. Section 50.14 (c)(2)(i) is revised to read as follows:

#### § 50.14 Treatment of air quality monitoring data influenced by exceptional events.

\* \* \* \* \*

(c) \* \* \*

(2) Flagging of data.

(i) A State shall notify EPA of its intent to exclude one or more measured