

## II. Method of Collection

Paper reports are required from participants; these reports are transmitted by U.S. mail or facsimile.

## III. Data

*OMB Control Number:* 0648-0545.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 1,142.

*Estimated Time per Response:* 2 hours each for: Application for Cooperative Quota, Application for Limited Access Fishery, Application for Entry-level Fishery, and Application to Opt-out; 2 hours for Application for Inter-Cooperative Transfer of Cooperative Quota and Application to Participate; 4 hours for Annual Rockfish Cooperative Report; 6 minutes for Rockfish Catch Report; 15 minutes for Cooperative Termination of Fishing Declaration; 30 minutes for Vessel Check-in and Check-out; and 4 hours for Appeals.

*Estimated Total Annual Burden Hours:* 3,270.

*Estimated Total Annual Cost to Public:* \$5,909.

## 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 and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 2, 2009.

### Gwellnar Banks,

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E9-2496 Filed 2-5-09; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Madrid Protocol

**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 revision of a continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before April 7, 2009.

**ADDRESSES:** You may submit comments by any of the following methods:

- *E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov). Include "0651-0051 comment" in the subject line of the message.
- *Fax:* 571-273-0112, marked to the attention of Susan K. Fawcett.
- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Jennifer Chicoski, Attorney Advisor, Office of the Commissioner for Trademarks, United States Patent and Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451; by telephone at 571-272-8943; or by e-mail to [Jennifer.Chicoski@uspto.gov](mailto:Jennifer.Chicoski@uspto.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

This collection of information is required by the Trademark Act of 1946, 15 U.S.C. 1051 *et seq.*, which provides for the Federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register the marks with the United States Patent and Trademark Office (USPTO).

The Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks ("Madrid Protocol") is an international treaty that

allows a trademark owner to seek registration in any of the participating countries by filing a single international application. The International Bureau ("IB") of the World Intellectual Property Organization ("WIPO") in Geneva, Switzerland, administers the international registration system. The Madrid Protocol Implementation Act of 2002 amended the Trademark Act to provide that: (1) The owner of a U.S. application or registration may seek protection of its mark in any of the participating countries by submitting a single international application to the IB through the USPTO, and (2) the holder of an international registration may request an extension of protection of the international registration to the United States. The Madrid Protocol became effective in the United States on November 2, 2003, and is implemented under 15 U.S.C. 1141 *et seq.* and 37 CFR Part 2 and Part 7.

An international application submitted through the USPTO must be based on an active U.S. application or registration and must be filed by the owner of the application or registration. The USPTO reviews the international application to certify that it corresponds to the data contained in the existing U.S. application or registration before forwarding the international application to the IB. The IB then reviews the international application to determine whether the Madrid filing requirements have been met and the required fees have been paid. If the international application is unacceptable, the IB will send a notice of irregularity to the USPTO and the applicant. The applicant must respond to the irregularities to avoid abandonment, unless a response from the USPTO is required. After any irregularities are corrected and the application is accepted, the IB registers the mark, publishes the registration in the *WIPO Gazette of International Marks*, and sends a certificate to the holder.

When the mark is registered, the IB notifies each country designated in the application of the request for extension of protection. Once an international registration has been issued, the holder may also file subsequent designations to request an extension of protection to additional countries.

Under Section 71 of the Trademark Act, a registered extension of protection to the United States will be cancelled unless the holder of the international registration periodically files affidavits of continued use in commerce or excusable nonuse. These affidavits cannot be filed until five years after the USPTO registers an extension of protection. Since the USPTO will not be

accepting these affidavits until February 1, 2010, the estimated burden for these affidavits will not be included in this collection at this time.

This collection includes the information necessary for the USPTO to process applications for international registration and related requests under the Madrid Protocol. The USPTO provides electronic forms for filing the Application for International Registration, Subsequent Designation, and Response to a Notice of Irregularity online through the USPTO Web site. An electronic form for the Request for Transformation is under development. Applicants may also submit the items in this collection on paper or by using the forms provided by the IB, which are available on the WIPO Web site. The IB requires Applications for International

Registration and Subsequent Designations that are filed on paper to be submitted on the official IB forms.

**II. Method of Collection**

By mail, hand delivery, or electronically to the USPTO.

**III. Data**

OMB Number: 0651-0051.  
Form Number(s): PTO-2131, PTO-2132, PTO-2133.

Type of Review: Revision of a currently approved collection.

Affected Public: Individuals or households; businesses or other for-profits; and not-for-profit institutions.

Estimated Number of Respondents: 5,330 responses per year.

Estimated Time per Response: The USPTO estimates that it will take the

public approximately 15 minutes (0.25 hours) to one hour to complete the information in this collection, including the time to gather the necessary information, prepare the documents, and submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 1,347 hours per year.

Estimated Total Annual Respondent Cost Burden: \$417,570 per year. The USPTO expects that the information in this collection will be prepared by attorneys. Using the professional rate of \$310 per hour for attorneys in private firms, the USPTO estimates that the respondent cost burden for submitting the information in this collection will be approximately \$417,570 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Application for International Registration (PTO-2131) .....	15 minutes ..	3,900	975
Subsequent Designation (PTO-2132) .....	15 minutes ..	400	100
Response to Notice of Irregularity (PTO-2133) .....	15 minutes ..	1,000	250
Request that the USPTO Replace a U.S. Registration with a Subsequently Registered Extension of Protection to the United States.	30 minutes ..	4	2
Request to Record an Assignment or Restriction of a Holder's Right to Dispose of an International Registration.	30 minutes ..	5	3
Request that the USPTO Transform a Cancelled Extension of Protection into an Application for Registration under Section 1 or 44 of the Act.	15 minutes ..	6	2
Petition to Review Refusal to Certify an International Application .....	1 hour .....	15	15
Affidavit of Continued Use or Excusable Nonuse under Section 71 of the Act .....	15 minutes ..	( <sup>1</sup> )	0
<b>Total</b> .....	.....	<b>5,330</b>	<b>1,347</b>

<sup>1</sup> Not until Feb. 2010.

Estimated Total Annual Non-hour Respondent Cost Burden: \$529,701 per year. There are no capital start-up, maintenance, or recordkeeping costs associated with this information collection. However, this collection

does have annual (non-hour) costs in the form of filing fees and postage costs.

The USPTO charges fees for processing international applications and related requests under the Madrid Protocol as set forth in 37 CFR 7.6. In addition to these USPTO fees, applicants must also pay international

filing fees to the IB as indicated in 37 CFR 7.7. The USPTO estimates that the total filing fees in the form of USPTO processing fees associated with this collection will be approximately \$529,650 per year as calculated in the accompanying table.

Item	Estimated annual responses	Fee amount	Estimated annual filing costs
Application for International Registration, for certifying an international application based on a single basic application or registration (per international class) .....	2,000	\$100.00	\$200,000.00
Application for International Registration, for certifying an international application based on more than one basic application or registration (per international class) .....	1,900	150.00	285,000.00
Subsequent Designation .....	400	100.00	40,000.00
Response to Notice of Irregularity .....	1,000	0.00	0.00
Request that the USPTO Replace a U.S. Registration with a Subsequently Registered Extension of Protection to the United States (per international class) .....	4	100.00	400.00
Request to Record an Assignment or Restriction of a Holder's Right to Dispose of an International Registration .....	5	100.00	500.00
Request that the USPTO Transform a Cancelled Extension of Protection into an Application for Registration under Section 1 or 44 of the Act .....	6	375.00	2,250.00
Petition to Review Refusal to Certify an International Application .....	15	100.00	1,500.00
Affidavit of Continued Use or Excusable Nonuse under Section 71 of the Act (per international class) .....	1	100.00	0.00

Item	Estimated annual responses	Fee amount	Estimated annual filing costs
Total .....	5,330	.....	529,650.00

<sup>1</sup> Not until Feb. 2010.

The public may submit the items in this collection to the USPTO by mail through the United States Postal Service. The USPTO estimates that approximately 1% (53 out of 5,300) of the international applications, subsequent designations, and responses to notices of irregularities may be filed on paper, and that 15 of the 30 responses for the other items in this collection will also be filed on paper, for a total of approximately 68 of the 5,330 total responses per year being submitted by mail. The average first-class postage cost for a mailed submission will be 75 cents, for a total postage cost of approximately \$51 per year.

The total non-hour respondent cost burden for this collection in the form of filing fees and postage costs is estimated to be \$529,701 per year.

#### 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, e.g., 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 also will become a matter of public record.

Dated: January 30, 2009.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division.*

[FR Doc. E9-2539 Filed 2-5-09; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**DATES:** Consideration will be given to all comments received by March 9, 2009.

**Title, Form, and OMB Number:** Industry Cost Collection Report Survey; OMB Control Number 0704-TBD.

**Type of Request:** New.

**Number of Respondents:** 1,613.

**Responses per Respondent:** 1.

**Annual Responses:** 1,613.

**Average Burden per Response:** 30 minutes.

**Annual Burden Hours:** 807.

**Needs and Uses:** Executive Order 12829, "National Industrial Security Program" requires the Department of Defense to account each year for the costs associated with implementation of the National Industrial Security Program and report those costs to the Director of the Information Security Oversight Office (ISOO). In furtherance of this requirement, and pursuant with 32 CFR, Subpart F, section 2001.61(b); Classified National Security Information; Final Rule, the Secretary of Defense, acting as executive agent for the NISP, is obligated to collect cost estimates for classification-related activities of contractors, licensees, certificate holders, and grantees and report them to ISOO annually. The cost collection methodology employed since 1996 was validated with the ISOO in December 2007. Participation in the survey is strictly voluntary. Input is integrated into a total cost figure for the President and is never associated with a specific facility.

**Frequency:** Annually.

**Respondent's Obligation:** Voluntary.

**OMB Desk Officer:** Ms. Jasmeet Seehra.

Written comments and recommendations on the proposed information collection should be sent to Ms. Seehra at the Office of Management and Budget, Desk Officer for DoD, Room

10236, New Executive Office Building, Washington, DC 20503.

You may also submit comments, identified by docket number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

**Instructions:** All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**DoD Clearance Officer:** Ms. Patricia Toppings.

Written requests for copies of the information collection proposal should be sent to Ms. Toppings at WHS/ESD/Information Management Division, 1777 North Kent Street, RPN, Suite 11000, Arlington, VA 22209-2133.

Dated: January 30, 2009.

**Patricia L. Toppings,**

*OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. E9-2491 Filed 2-5-09; 8:45 am]

BILLING CODE 5001-06-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Task Force on Sexual Assault in the Military Services

**AGENCY:** Office of the Under Secretary of Defense (Personnel and Readiness); DoD.

**ACTION:** Committee meeting.

**SUMMARY:** On January 29, 2009 (74 FR 5149), the Department of Defense announced a meeting of the Defense Task Force on Sexual Assault in the Military Services. This notice is published to provide the correct address of the meeting location. All other information remains the same.

**ADDRESSES:** Coronado Island Marriott, 2000 Second Street, Marius Room, Coronado, California 92118.

**FOR FURTHER INFORMATION CONTACT:** Colonel Jackson-Chandler, Designated