

Herring Committee will provide recommendations and the Council will take final action on the fishery's 2016–18 specifications. These will include an overfishing level (OFL) and acceptable biological catch (ABC) based on Scientific and Statistical Committee advice, quotas for each of the four Atlantic herring management areas as well as monthly quota allocations, research set-asides, and annual gear/area-specific catch caps for river herring and shad. The day will conclude with the Council's Observer Committee report. This group will ask for approval of a Draft Environmental Assessment and draft omnibus amendment that would establish provisions for industry-funded monitoring (IFM) across all federally-managed fisheries in the Greater Atlantic region and address monitoring requirements on Atlantic herring vessels. Additionally, the discussion will include consideration of Observer Committee and Herring Committee recommendations regarding the inclusion of any additional management measures in the action, the selection of preferred alternatives, and approval of the Draft Omnibus IFM Amendment for public comment.

*Wednesday, September 30, 2015*

Wednesday's session will begin with the receipt of recommendations from the Council's Scientific and Statistical Committee on a Georges Bank yellowtail flounder OFL and ABC for fishing years 2016–17; and an ABC recommendation for the species in the Northeast skate complex for fishing years 2016–18. Next, a summary of the 2015 Transboundary Resources Assessment Committee's recent stock assessments for Eastern Georges Bank cod, Eastern Georges Bank haddock, and Georges Bank yellowtail flounder will be presented. This will be followed by a discussion of and a decision on the Transboundary Management Guidance Committee's (TMGC) recommendations for the 2016 quotas for these same stocks. The Council may also discuss other TMGC issues. The Council's Groundfish Committee report will follow and will contain a number of elements: (1) Final Council action on Amendment 18 to the Northeast Multispecies Fishery Management Plan (FMP), which focuses on accumulation limits and fleet diversity; (2) an update on the development of Framework Adjustment 55 to the Northeast Multispecies (Groundfish) Plan, which would set specifications for all groundfish stocks for fishing years 2016–18, and include the quotas for the three U.S./Canada stocks mentioned above for 2016 only; and (3) relative to

Framework 55, consider including a proposal to establish a new sector in the groundfish fishery and possible changes that might streamline the current at-sea monitoring program.

*Thursday, October 1, 2015*

The final meeting day will begin with a briefing by Dr. Jason Link of NOAA Fisheries on the agency's Ecosystem-Based Fisheries Management Strategy. The Council's Habitat Committee will discuss the possibility of initiating a framework adjustment that would allow hydraulic clam dredging in some portions of the Great South Channel and the Georges Shoal Habitat Management Areas approved by the Council in Omnibus EFH Amendment 2 and review the status of and new information associated with the development of an Omnibus Deep-Sea Coral Amendment. A discussion of management priorities for 2016 will occur just prior to a lunch break.

After the break, the Scallop Committee will ask the Council to identify preferred alternatives in Amendment 19 to the Sea Scallop FMP. The action is intended to expedite the implementation date of the sea scallop fishery specifications each year. An update on the development of fishing year 2016 specifications and default measures for fishing year 2017 is also scheduled. The Council will spend the remainder of the day on its Small Mesh Multispecies Program and the Northeast skate complex. During the Small Mesh Program agenda item the Council will: (1) Receive a summary of the annual monitoring report for the three species in this group, red, silver, and offshore hake, all of which are managed via the Groundfish Plan; (2) consider an interim adjustment to the fishery specifications for red hake; and (3) review and approve a draft scoping document for Amendment 22 to the Groundfish Plan, which would address limited access in this fishery. During the skate discussion, the Council will receive an update on the status of the seven skate species in the complex and recent catches. A decision may also be made about initiating a framework adjustment that would allow the Skate Committee to take the lead in developing specifications for fishing years 2016–17.

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action 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 Act, provided that the public has been notified of the Council's intent to take final action to address the emergency.

### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas A. Nies (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: September 10, 2015.

**Tracey L. Thompson,**

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

[FR Doc. 2015–23107 Filed 9–14–15; 8:45 am]

**BILLING CODE 3510–22–P**

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## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No.: PTO–P–2015–0062]

### Streamlined, Expedited Patent Appeal Pilot for Small Entities

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

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) has a procedure under which an application will be advanced out of turn (accorded special status) for examination if the applicant files a petition to make special with the appropriate showing. The USPTO is providing a temporary basis (the Streamlined, Expedited Patent Appeal Pilot for Small Entities) under which a small or micro entity appellant may have an *ex parte* appeal to the Patent Trial and Appeal Board (Board) accorded special status if the appellant has only a single appeal pending before the Board and the appellant agrees to streamline the appeal. Specifically, the appeal must not involve any claim subject to a rejection for lack of written description, enablement, or best mode, or for indefiniteness, and the appellant must agree to the disposition of all claims subject to each ground of rejection as a single group and waive any request for an oral hearing. The Streamlined, Expedited Patent Appeal Pilot for Small Entities will allow small or micro entity appellants who streamline their appeals to have greater control over the priority with which their appeals are decided.

**DATES:** *Effective Date:* September 18, 2015.

*Duration:* The Streamlined, Expedited Patent Appeal Pilot for Small Entities is being adopted on a temporary basis and

will run until two thousand (2,000) appeals have been accorded special status under the pilot, or until September 16, 2016, whichever occurs earlier. The USPTO may extend the Streamlined, Expedited Patent Appeal Pilot for Small Entities (with or without modification) on either a temporary or permanent basis, or may discontinue this pilot after September 16, 2016, depending upon the results.

**FOR FURTHER INFORMATION CONTACT:**

Steven Bartlett, Patent Trial and Appeal Board, by telephone at 571-272-9797, or by electronic mail message at [expeditedpatentappealspilot@uspto.gov](mailto:expeditedpatentappealspilot@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Appeals to the Board are normally taken up for decision by the Board in the order in which they are docketed. The USPTO has a preexisting procedure under which an application will be advanced out of turn (accorded special status) if the applicant files a petition to make special with the appropriate showing. See 37 CFR 1.102 and MPEP section 708.02. The USPTO recently adopted the Expedited Patent Appeal Pilot, under which an appellant may have an *ex parte* appeal to the Board in an application accorded special status if the appellant withdraws the appeal in another application or *ex parte* reexamination with an *ex parte* appeal also pending before the Board. See *Expedited Patent Appeal Pilot*, 80 FR 34145 (June 15, 2015). The USPTO is now adopting, on a temporary basis, the Streamlined, Expedited Patent Appeal Pilot for Small Entities, under which a small or micro entity appellant may have an *ex parte* appeal to the Board accorded special status if the appellant has only a single appeal pending before the Board as of September 18, 2015 and the appellant agrees to streamline the appeal. The Streamlined, Expedited Patent Appeal Pilot for Small Entities will permit small or micro entity appellants to accelerate the Board decision on an appeal, possibly hastening the pace at which the invention is patented and brought to the marketplace, and thus spurring follow-on innovation, economic growth, and job creation. The streamlining of appeals under this pilot also will assist the Board to more efficiently reduce the overall inventory of pending appeals.

The USPTO will accord special status to an appeal pending before the Board under the Streamlined, Expedited Patent Appeal Pilot for Small Entities under the following conditions:

(1) A certification and petition under 37 CFR 41.3 must be filed by the USPTO's electronic filing system (EFS-Web) in the application involved in the

*ex parte* appeal for which special status is sought ("appeal to be made special"), identifying that application and appeal by application and appeal number, respectively. In addition, the appeal to be made special must be the appellant's only appeal pending before the Board as of September 18, 2015, and the appeal to be made special must have been docketed with the PTAB on or before September 18, 2015.

(2) The appellant must certify that the appellant has established status as a small entity or micro entity in the application underlying the appeal to be made special and also must certify that status as a small entity or micro entity is still appropriate. See 37 CFR 1.27 and 1.28 concerning small entity status and see 37 CFR 1.29 concerning micro entity status.

(3) The appellant must agree that, for each ground of rejection applying to two or more claims, the PTAB may select a single claim from the claims subject to each ground of rejection and decide the appeal to be made special with respect to every claim subject to that ground of rejection on the basis of the selected claim alone. See 37 CFR 41.37(c)(1)(iv) concerning the treatment of claims subject to the same ground of rejection argued together as a group.

(4) The appellant must certify that the appeal to be made special does not involve any claim subject to a rejection under 35 U.S.C. 112. If an appeal made special under the Streamlined, Expedited Patent Appeal Pilot for Small Entities is found to involve one or more claims subject to a rejection under 35 U.S.C. 112, the appeal normally will be removed from the pilot at the discretion of the Board.

(5) The appellant must agree to waive any oral hearing in the appeal to be made special, and acknowledge that any oral hearing fees paid in connection with the appeal to be made special will not be refunded.

(6) The petition under 37 CFR 41.3 must be signed by a registered practitioner who has a power of attorney under 37 CFR 1.32, or has authority to act under 37 CFR 1.34, for the application involved in the appeal to be made special.

The USPTO has created a form-fillable Portable Document Format (PDF) "Petition to Make Special—the Streamlined, Expedited Patent Appeal Pilot for Small Entities" (Form PTO/SB/441) for use in filing a certification and petition under 37 CFR 41.3 under the Streamlined, Expedited Patent Appeal Pilot for Small Entities. Form PTO/SB/441 is available on the USPTO's Internet Web site on the micro site for USPTO patent-related forms ([http://](http://www.uspto.gov/patent/patents-forms)

[www.uspto.gov/patent/patents-forms](http://www.uspto.gov/patent/patents-forms)). Form PTO/SB/441 does not collect "information" within the meaning of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). See 5 CFR 1320.3(h). Therefore, this notice does not involve information collection requirements which are subject to review by OMB.

No petition fee is required. The \$400.00 fee for a petition under 37 CFR 41.3 is hereby *sua sponte* waived for any petition to make an appeal special under the Streamlined, Expedited Patent Appeal Pilot for Small Entities.

MPEP section 1203 provides that an application made special and advanced out of turn for examination will continue to be special throughout its entire course of prosecution in the Office, including appeal, if any, to the Board. An appeal that is accorded special status for decision on an appeal to the Board under the Streamlined, Expedited Patent Appeal Pilot for Small Entities will be advanced out of turn for a decision on the appeal by the Board. The difference between the Streamlined, Expedited Patent Appeal Pilot for Small Entities and an application made special under 37 CFR 1.102 and MPEP section 708.02 is that an application in which an appeal is accorded special status for decision on an appeal to the Board under the Streamlined, Expedited Patent Appeal Pilot for Small Entities will not have a special status under CFR 1.102 and MPEP section 708.02 after the decision on the appeal.

The goal for handling an application in which a petition to make an appeal special under the Streamlined, Expedited Patent Appeal Pilot for Small Entities is filed is as follows: (1) rendering a decision on the petition to make the appeal special no later than two months from the filing date of the petition; and (2) rendering a decision on the appeal no later than four months from the date a petition to make an appeal special under the Streamlined, Expedited Patent Appeal Pilot for Small Entities is granted. The current pendency of decided appeals in applications, for those appeals decided this fiscal year, ranges between an average of 24.9 months for appeals from applications assigned to Technology Center 1700 and an average of 32.5 months for appeals from applications assigned to Technology Center 1600, and is shown for each Technology Center in the following table:

Technology center	Average months from docketing notice to board decision
1600 .....	32.5
1700 .....	24.9
2100 .....	31.6
2400 .....	31.2
2600 .....	31.2
2800 .....	27.0
2900 .....	26.2
3600 .....	31.7
3700 .....	30.1

*Ex parte* reexamination proceedings, including any appeal to the Board, are conducted with special dispatch within the USPTO. See 35 U.S.C. 305. The current average pendency of appeals in *ex parte* reexaminations, for those appeals decided this fiscal year, is 6.0 months. The USPTO is not making the Streamlined, Expedited Patent Appeal Pilot for Small Entities applicable to appeals in *ex parte* reexaminations as these appeals already are handled with special dispatch, and the petition evaluation process only would delay the Board decision in an appeal in an *ex parte* reexamination.

The Streamlined, Expedited Patent Appeal Pilot for Small Entities is being adopted on a temporary basis until two thousand (2,000) appeals have been accorded special status under the pilot, or until September 16, 2016, whichever occurs earlier. The USPTO may extend the Streamlined, Expedited Patent Appeal Pilot for Small Entities (with or without modification) on either a temporary or permanent basis, or may discontinue the pilot after September 16, 2016, depending upon the results. Additional information concerning the Streamlined, Expedited Patent Appeal Pilot for Small Entities, including statistical information and pendency of appeals before the Board, can be found on the USPTO Internet Web site at: <https://www.cms.uspto.gov/patents-application-process/patent-trial-and-appeal-board/expedited-patent-appeal-pilot>.

Dated: September 8, 2015.

**Michelle K. Lee,**

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

[FR Doc. 2015-23090 Filed 9-14-15; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Department of the Army

[Docket ID: USA-2015-0014]

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

**SUMMARY:** 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.

**DATES:** Consideration will be given to all comments received by October 15, 2015.

**FOR FURTHER INFORMATION CONTACT:** Fred Licari, 571-372-0493.

#### SUPPLEMENTARY INFORMATION:

*Title, Associated Form And OMB Number:* U.S. Army Corps of Engineers, Instrument for Hurricane Evacuation Behavioral Survey; Generic Collection for OMB Control Number 0710-XXXX.

*Type of Request:* New.

*Number of Respondents:* 6000.

*Responses per Respondent:* 1.

*Annual Responses:* 6000.

*Average Burden per Response:* 15 minutes.

*Annual Burden Hours:* 1500.

*Needs and Uses:* USACE is preparing a Hurricane Evacuation Study to identify clearance times for the evacuations of coastal areas in advance of a hurricane or tropical storm threat. Part of the evacuation study is a behavioral assessment, which identifies the factors and decision points for individuals who are evacuation from areas vulnerable to the storm. The proposed behavioral assessment will use phone interviews to determine the likelihood of evacuation, the method of evacuation, and the number of vehicles and individuals that will be evacuated for all contacted individuals.

*Affected Public:* Individuals or Households.

*Frequency:* Annual.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Mr. Stuart Levenbach.

Comments and recommendations on the proposed information collection should be emailed to Mr. Stuart Levenbach, DoD Desk Officer, at [Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

*Affected Public:* Individuals or Households.

*Frequency:* Annual.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Mr. Stuart Levenbach.

Comments and recommendations on the proposed information collection should be emailed to Mr. Stuart Levenbach, DoD Desk Officer, at [Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

You may also submit comments and recommendations, identified by Docket ID 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 ID 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:* Mr. Frederick Licari.

Written requests for copies of the information collection proposal should be sent to Mr. Licari at WHS/ESD Directives Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

Dated: September 9, 2015.

**Aaron Siegel,**

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

[FR Doc. 2015-23069 Filed 9-14-15; 8:45 am]

**BILLING CODE 3710-08-P**

## DEPARTMENT OF DEFENSE

### Department of the Army

[Docket ID: USA-2015-0005]

#### Submission for OMB Review; Comment Request

**ACTION:** Notice.

**SUMMARY:** 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.

**DATES:** Consideration will be given to all comments received by October 15, 2015.

**FOR FURTHER INFORMATION CONTACT:** Fred Licari, 571-372-0493.

#### SUPPLEMENTARY INFORMATION:

*Title, Associated Form and OMB Number:* U.S. Army Corps of Engineers Flood Risk Management Surveys; Generic Collection for OMB Control Number 0710-XXXX.

*Type of Request:* New.

*Number of Respondents:* 7,000.

*Responses per Respondent:* 1.

*Annual Responses:* 7,000.

*Average Burden per Response:* 43 minutes.

*Annual Burden Hours:* 5,000.

*Needs and Uses:* The Corps of Engineers uses public surveys for collecting data for planning, formulation, and evaluation of projects. Floodplain residents, property owners, businesses, and nonprofit organizations, who are flood victims, are interviewed along with state and local officials and other affected individuals.