

**SUMMARY:** The Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a subsequent one-year interim extension of the term of U.S. Patent No. 4,229,449.

**FOR FURTHER INFORMATION CONTACT:**

Karin Tyson by telephone at (703) 305-9285; by mail marked to her attention and addressed to the Assistant Commissioner for Patents, Box Patent Ext., Washington, D.C. 20231; by fax marked to her attention at (703) 872-9411, or by e-mail to [karin.tyson@uspto.gov](mailto:karin.tyson@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to 5 years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review. Under Section 156(e)(1), a patent is eligible for term extension only if regulatory review of the claimed product was completed before the original patent term expired.

On October 9, 1998, patent owner Pharmacia & Upjohn, S.p.A., filed an application under 35 U.S.C. 156(d)(5) for interim extension of the term of U.S. Patent No. 4,229,449. On November 12, 1999, a request for a second interim extension under 35 U.S.C. 156(d)(5) was filed. The patent claims the active ingredient roboxetine mesylate. The application indicates that a New Drug Application for the human drug product roboxetine mesylate has been filed and is currently undergoing a regulatory review before the Food and Drug Administration for permission to market or use the product commercially. The original term of the patent expired on January 8, 1999, and has been previously extended under 35 U.S.C. 156(d)(5) for a period of one year.

Review of the application indicates that except for permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156. Since it is apparent that the regulatory review period will extend beyond the date of expiration of the patent, interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate. Accordingly, an interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 4,229,449 has been granted for a period of one year from January 8, 2000, the expiration date of the patent as previously extended.

Dated: February 10, 2000.

**Q. Todd Dickinson,**

*Assistant Secretary of Commerce and Commissioner of Patents and Trademarks.*

[FR Doc. 00-3836 Filed 2-16-00; 8:45 am]

**BILLING CODE 3510-16-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection, Comment Request

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs, DoD.

**ACTION:** Notice.

In accordance with Section 3506(c) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense for Health Affairs announces the proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) whether the proposed extension of 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 of the information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Considerations will be given to all comments received April 17, 2000.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to TRICARE Management Activity—Aurora, Office of Appeals and Hearings, 16401 E. Centretch Pkwy, ATTN: Donald F. Wagner, Aurora, CO 80011-9043.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection, please write to the above address or call TRICARE Management Activity, Office of Appeals and Hearings at (303) 676-3411.

**Title, Associated Form, and OMB Number:** Professional Qualifications Medical/Peer Reviewers, CHAMPUS Form 780, OMB Number 0720-0005.

**Needs and Uses:** The information collection requirement is necessary to obtain and record the professional qualifications of medical and peer reviewers utilized within CHAMPUS.

The form is included as an exhibit in an appeal or hearing case file as evidence of the reviewer's professional qualifications to review the medical documentation contained in the case file.

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

**Annual Burden Hours:** 15.

**Annual Number of Respondents:** 60.

**Responses per Respondent:** 1.

**Average Burden per Response:** 15 minutes.

**Frequency:** On occasion.

#### SUPPLEMENTARY INFORMATION:

#### Summary of Information Collection

Respondents are medical professionals who provide medical and peer review of cases appealed to the Office of Appeals and Hearings, TRICARE Management Activity. CHAMPUS Form 780 records the professional qualifications of the medical/peer reviewers. The completed form is included as an exhibit in the appeal or hearing case file, and documents for anyone reviewing the file, the professional qualifications of the medical professional who review the case. If the form is not included in the case file, individuals reviewing the file will not have ready access to the qualifications of the reviewing medical professional. Having qualified professionals provide medical and peer review is essential in maintaining the integrity of the appeal and hearing process.

February 11, 2000.

**Patricia L. Toppings,**

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

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**BILLING CODE 5001-10-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs, DoD.

**ACTION:** Notice.

In accordance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense for Health Affairs announced the proposed extension of a currently approved collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed extension of collection of information is