

Copies of the agenda and other related materials can be obtained by calling (813) 348-1630.

Although other non-emergency issues not on the agenda may come before the Advisory Panel for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Advisory Panel will be restricted to those issues specifically identified in the agenda 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 Council's intent to take 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 Trish Kennedy at the Council (*see ADDRESSES*) at least 5 working days prior to the meeting.

Dated: December 22, 2010.

**Tracey L. Thompson,**

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

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**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA112**

### Western Pacific Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold meetings of its Marianas Archipelago Plan Team (PT), Guam Regional Ecosystem Advisory Committee (Guam REAC), Mariana Archipelago Advisory Panel (AP) and Commonwealth of the Northern Mariana Islands Regional Ecosystem Advisory Committee (CNMI REAC).

**DATES:** The PT meeting will be held on January 19-20, 2011, Guam REAC on January 21, 2011, AP on January 22, 2011 and CNMI REAC on January 24, 2011. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

**ADDRESSES:** The PT, Guam REAC and AP meetings will be held at the Guam Hilton and Resort, 202 Hilton Road, Tumon Bay, Guam. The CNMI REAC will be held at the Saipan World Resort, P.O. Box 500066, Saipan, MP.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** Public comment periods will be provided. The order in which agenda items are addressed may change. The meetings will run as late as necessary to complete scheduled business.

Schedule and Agenda for PT meeting:

#### 9 a.m.-4 p.m. Wednesday and Thursday, January 19-20, 2011

The Marianas PT will meet to hear reports on, discuss and consider developing recommendations on the following items:

- A. Status of Fishery Monitoring Programs and Research Projects
- B. Update on Marianas Recommendations from the 2009 Fishery Data Workshop
- C. Marianas Archipelago Fishery Ecosystem Plan draft annual report.
- D. Proposals for improving fishery data collection for stock assessments
- E. Council meeting actions
  - 1. CNMI bottomfish regulatory changes to allow spear fishing of bottomfish management unit species
  - 2. Federal annual catch limit scoping
- F. Other business

Schedule and Agenda for Guam REAC meeting:

#### 9 a.m.-5 p.m. Friday, January 21, 2011

The Guam REAC will meet to hear reports on, discuss and consider developing recommendations on the following items:

- A. Report on previous REAC recommendations and actions
- B. Coastal Marine Spatial Planning
- C. Overview of traditional access and spatial planning
- D. Panel presentations and discussion on traditional access and history of change
- E. Guest presentation on Shoreline access restrictions in relation to fishermen deaths
- F. Panel presentations and discussion on Maintaining access to marine resources
- G. Local initiatives and actions
  - 1. Military efforts to mitigate marine spatial closure impacts on the fishing community
  - 2. Guam Fisheries Act
  - 3. Indigenous Fishing Rights
  - 4. Guam MCP

#### H. Other business

Schedule and Agenda for Marianas AP meeting:

#### 9 a.m.-5 p.m. Saturday, January 22, 2011

The Marianas AP will meet to hear reports on, discuss and consider developing recommendations on the following items:

- A. Coastal Marine Spatial Planning
  - 1. Shoreline access restrictions in relation to fishermen deaths
  - 2. Military build-up impacts to Marianas fishing community
  - 3. Review of Kahoolawe Transition
  - 4. Report on REAC outcomes
- B. Ecosystem monitoring and community issues
  - 1. Mariana programs and projects
  - 2. Federal programs and projects
- C. Local legislative activities
- D. Upcoming meetings and conferences
  - 1. Marianas archipelago lunar calendar workshop
  - 2. Offshore aquaculture workshop
  - 3. Mariana islands green sea turtle workshop
- E. Fisheries Development
  - 1. Guam Marine Conservation Plan
  - 2. CNMI Marine Conservation Plan
- F. Other business

Schedule and Agenda for CNMI REAC meeting:

#### 9 a.m.-5 p.m. Monday, January 24, 2011

The CNMI REAC will meet to hear reports on, discuss and consider developing recommendations on the following items:

- A. Status of 2010 REAC Recommendations
- B. Coastal Marine Spatial Planning Initiative
  - 1. Regional Ocean Partnership
  - 2. Monument Activities and Status
  - 3. Military build-up impacts to Marianas fishing community
- C. Ecosystem monitoring and community issues
  - 1. CNMI bio-sampling program
  - 2. Impact of land-based pollution in fish from Saipan Lagoon
  - 3. Saipan Lagoon net fishing data analysis
  - 4. Annual catch limit scoping
- D. Community Development
  - 1. Status of Mariana longline fishery
  - 2. CNMI Marine Conservation Plan
- E. Upcoming meeting/conferences/workshops
  - 1. Mariana Archipelago Lunar Calendar Workshop
  - 2. Offshore Aquaculture Workshop
  - 3. Mariana Islands Green Sea Turtle Workshop
- F. Other business

Although non-emergency issues not contained in this agenda may come before these groups for discussion, those issues may not be the subject of formal action during these meetings. 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 Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

**Dated:** December 22, 2010.

**Tracey L. Thompson,**

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

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## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No. PTO-T-2010-0090]

### Coding of Design Marks in Registrations

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

**ACTION:** Notice and request for comments.

**SUMMARY:** The United States Patent and Trademark Office ("USPTO") proposes to discontinue its secondary design coding, the practice of coding newly registered trademarks in its searchable electronic database with design mark codes based on the old paper search designations.

**DATES:** Comments must be received by January 27, 2011 to ensure consideration.

**Addresses for Comments:** The USPTO prefers that comments be submitted via electronic mail message to [TMFRNotices@uspto.gov](mailto:TMFRNotices@uspto.gov). Written comments may also be submitted by mail to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, attention Cynthia C. Lynch; by hand-delivery to the Trademark Assistance Center, Concourse Level,

James Madison Building-East Wing, 600 Dulany Street, Alexandria, Virginia, attention Cynthia C. Lynch; or by electronic mail message via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (<http://www.regulations.gov>) for additional instructions on providing comments via the Federal eRulemaking Portal. The comments will be available for public inspection on the USPTO's Web site at <http://www.uspto.gov> and will also be available at the Trademark Legal Policy Office, Madison East, Fourth Floor, 600 Dulany Street, Alexandria, Virginia.

### FOR FURTHER INFORMATION CONTACT:

Cynthia C. Lynch, Office of the Deputy Commissioner for Trademark Examination Policy, by telephone at (571) 272-8742.

### SUPPLEMENTARY INFORMATION:

#### Background

Pursuant to 35 U.S.C. 41(i)(1)-(2), the USPTO maintains a publicly available searchable collection of all United States trademark registrations. Initially, the collection was provided in paper form only. Currently, the USPTO provides the collection in electronic form.

When the trademark collection was maintained in paper form, marks were searched in tall cabinets located at the USPTO's Public Search Facility. In addition to the public, trademark examiners searched using the paper collection to determine whether registration should be refused pursuant to 15 U.S.C. 1052(d). Design marks were separated into design categories, groups, types, or divisions, subdivided into specific representations according to the U.S. class of goods or services covered in the registrations, and then arranged in ascending order by registration number. Marks with multiple design elements generally had to be searched separately, which was both challenging and time-consuming.

In an effort to improve the efficiency of searching for the public and USPTO examiners, the USPTO began developing a searchable electronic database of marks in 1982. By 1988, the USPTO's trademark examining attorneys used the automated system exclusively to conduct their searches. The USPTO also began to provide public access to the trademark database of active registered and pending marks through the Public Search Facility and later on the USPTO Web site.

When developing the new automated search system, the USPTO also developed a new numerical design code system, modeled after the International Classification of the Figurative Elements

of Marks ("USPTO Design Classification"), which was intended for an electronic environment and would enable searching multiple design elements in one search. In this system, each design element is generally assigned a six-digit numerical code: the first two digits indicate the category type (e.g., category 01 is celestial bodies, natural phenomena, and geographical maps), the next two digits indicate the division (e.g., 07 is globes), and the last two digits indicate the section (e.g., section 05 is globes held by a human). This numerical design code system is more robust than the paper search design code system, which relies exclusively on a word or term to identify a design element and cannot achieve the level of detail of the numerical system.

In conjunction with the new design code system, the USPTO also provided (and continues to provide) a Design Search Code Manual ("Manual") that includes an index, provides guidance on and examples, cross-references related material, and gives tips on searching using this system. The Manual is available to the public on the USPTO Web site.

In 2002, the USPTO submitted a report to Congress detailing a plan for the removal of a portion of its paper search collection. However, in response to public concern about relying exclusively on the electronic system, the USPTO decided to temporarily retain the paper collection of registrations with design coding, while improving the accuracy of its electronic database, and modified its plan accordingly.

In 2007, the USPTO submitted a new report to Congress with updated information about the improved accuracy of its electronic database and USPTO Design Classification coding, microfilmed all paper trademark registrations that include design elements, and removed the entire paper search collection from its search facility. At the same time, the USPTO replicated in the automated search system the paper design code system, exhibiting these word-based codes in a new data field for the electronic search system called the Trademark Search Facility Classification Code Index ("TC Index"). The TC Index allowed those who wished to search using the old paper designations to continue to do so in the electronic database.

### Proposed Changes

After more than three years of coding under both the TC Index and USPTO Design Classification systems, the USPTO proposes to discontinue applying the TC Index code system to