

interfering with its special functions as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: May 8, 1998.

FOR FURTHER INFORMATION CONTACT: Captain R. R. Pixa, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General, Navy, Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS STOUT (DDG 55) is a vessel of the Navy which, due to its special construction and

purpose, cannot comply fully with the following specific provision of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the vessel, the placement of the after masthead light, and the horizontal distance between the forward and after masthead lights. The Deputy Assistant Judge Advocate General (Admiralty) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a

manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

Accordingly, 32 CFR part 706 is amended as follows:

PART 706—[AMENDED]

1. The authority citation for 32 CFR part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

2. Table Five of § 706.2 is amended by revising the entry for the USS STOUT to read as follows:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

* * * * *

TABLE FIVE

Vessel	No.	Masthead lights not over all other lights and obstructions. annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship. annex I, sec. 3(a)	After masthead light less than 1/2 ship's length aft of forward masthead light. annex I, sec. 3(a)	Percentage horizontal separation attained
USS STOUT	DDG 55	X	X	X	19.6

Dated: May 8, 1998.

Approved:

R.R. Pixa,

Captain, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty).

[FR Doc. 98-14289 Filed 5-29-98; 8:45 am]

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PANAMA CANAL COMMISSION

35 CFR Part 133

RIN 3207-AA-46

Tolls for Use of Canal

AGENCY: Panama Canal Commission.

ACTION: Final rule.

SUMMARY: The Panama Canal Commission (Commission) is revising its method of payment of tolls and other vessel charges to allow certain small vessels paying a toll of not more than \$1,500 to have the option to pay tolls and fees for other ancillary services by using commercial credit cards, under conditions established by the Commission.

DATES: Effective June 1, 1998.

FOR FURTHER INFORMATION CONTACT: John A. Mills, Telephone: (202) 634-6441, Facsimile: (202) 634-6439, E-mail: pancanalwo@aol.com; or Department of Financial Management, Telephone 011 (507) 272-3137, Facsimile: 011 (507) 272-3433, E-mail: fmf@pancanal.com.

SUPPLEMENTARY INFORMATION: On June 1, 1998, the Commission will establish a new toll structure for small vessels transiting the Panama Canal. This change is being implemented as part of the efforts the Commission is taking to allocate better its resources and to provide a more efficient service.

The Commission is also aware of the importance of providing better service to customers. The Board of Directors of the Commission, therefore, approved a change which will allow small vessel owners to guarantee the payment of tolls and fees for other ancillary services by use of a commercial credit card.

Currently, all vessels transiting the Canal must pay tolls in full, or secure these charges through a financial institution designated by the Commission as provided in 35 CFR

133.74. Vessels must satisfy this requirement before they are permitted to enter a lock, as well as pay all other charges before a vessel is permitted to depart from the Canal. Unless one of the exceptions under 35 CFR 133.74 applies, all payments are required to be made in cash.

This new exception will expedite the paperwork involved in the transit of small vessels by allowing vessel owners to complete payment requirements in less time. Furthermore, this will facilitate the Commission's administrative process involved in the payment of tolls and other vessel charges for small vessel transits. No notice or comment period is being afforded as this change will provide an immediate benefit to affected Canal users.

The Commission is exempt from Executive Order 12866 and its provisions do not apply to this rule. Even if the Order were applicable, the rule would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act. The

implementation of the rule will have no adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Finally, the Secretary of the Panama Canal Commission certifies these changes meet the applicable standards set out in sections 2(a) and 2(b)(2) of Executive Order 12778.

List of Subjects in 35 CFR Part 133

Navigation, Panama Canal, Vessels.

For the reasons stated in the preamble, the Panama Canal Commission is amending 35 CFR part 133 as follows:

PART 133—TOLLS FOR USE OF CANAL

1. The authority citation for part 133 continues to read as follows:

Authority: 22 U.S.C. 3791–3792, 3794.

2. Revise the heading of § 133.74 and add paragraph (c) to read as follows:

§ 133.74 Same; exception; payment secured by deposit of cash or bonds; credit cards.

* * * * *

(c) Vessels assessed a toll of not more than \$1,500 under § 133.1(d) may pay the respective toll and any charges for ancillary services by credit card, under such conditions as are established by the Commission.

Dated: May 22, 1998.

John A. Mills,
Secretary.

[FR Doc. 98–14181 Filed 5–29–98; 8:45 am]

BILLING CODE 3640–04–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket #: 980511124–8124–01]

Revision of Patent Cooperation Treaty Application Procedure

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Interim rule with request for public comments.

SUMMARY: The Patent and Trademark Office (Office or USPTO) is amending its rules of practice relating to applications filed under the Patent Cooperation Treaty (PCT) to conform the United States rules of practice with the corresponding changes to the

Regulations under the PCT which become effective July 1, 1998. The result will be more streamlined procedures for filing and prosecuting international applications under the PCT.

DATES: *Effective date:* July 1, 1998.

Comment deadline date: To be ensured of consideration, written comments must be received on or before July 31, 1998. No public hearing will be held.

ADDRESSES: Address written comments to: Box Comments—Patents, Assistant Commissioner for Patents, Washington, D.C. 20231, or by facsimile to (703) 308–6459, marked to the attention of Richard Lazarus. Comments submitted by facsimile should be followed by a copy of the comments submitted by mail. The Office would also prefer that comments submitted by mail be accompanied by a copy of the comments in a standard word processing format on a 3 1/4 inch disk.

The comments will be available for public inspection in Crystal Plaza Two, room 7A04, 2011 South Clark Place, Arlington, Virginia, and will be available through anonymous file transfer protocol (ftp) via the Internet (address: ftp.uspto.gov). Since comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

FOR FURTHER INFORMATION CONTACT: Richard Lazarus, PCT Legal Office Supervisor, by telephone at (703) 308–6451; or by mail addressed to: Box PCT, Assistant Commissioner for Patents, Washington, DC 20231; or by facsimile to (703) 308–6459, marked to the attention of Richard Lazarus.

SUPPLEMENTARY INFORMATION: During a September-October 1997 meeting of the Governing Bodies of the World Intellectual Property Organization (WIPO), the PCT Assembly adopted amendments to the PCT Regulations, which will take effect on July 1, 1998. The amended PCT Regulations were published in the *Official Gazette* at 1210 *Off. Gaz. Pat. Office* 29 (May 12, 1998). The resulting changes to PCT practice will improve filing and processing procedures for applicants filing international applications.

This interim rule amends the United States rules of practice to conform them to corresponding changes made to the PCT Regulations that will take effect on July 1, 1998. The interim rules will also be effective on July 1, 1998. The Office will publish a final rule either confirming the adoption of these interim rules as final rules or adopting final rules which reflect changes made based

upon the public comments received in response to this interim rule.

Applicants are hereby notified that PCT Rules 20.4(c) and 26.3ter(a) and (c) as amended are not compatible with the national law of the United States, and thus the USPTO has taken a reservation on adherence to these Rules through its notification to the Director General of WIPO to such effect. See PCT Rules 20.4(d) and 26.3ter(b) and (d). Applicants of international applications in the United States need to be aware of these differences to avoid the consequences of failing to comply with the requirements of United States law. For example, PCT Rules 20.4(c) and 26.3ter(a) and (c) permit an international filing date to be accorded notwithstanding that portions of the international application are in a language not acceptable to the Receiving Office. 35 U.S.C. 361 does not permit this practice and a filing date will not be accorded by the USPTO under these provisions or circumstances. However, if any portion of the international application is not in English, but is in a language of filing accepted by the International Bureau, it will be forwarded to the International Bureau pursuant to the provisions of PCT Rule 19.4. The International Bureau will act as a Receiving Office and accord a receipt date as of the receipt date in the USPTO.

Similarly, the USPTO continues not to adhere to the unchanged provisions of PCT Rule 49.5(cbis) and (k) with respect to the translation requirements for United States national stage applications (35 U.S.C. 371(c)(2)). See PCT Rule 49.5(l).

The above noted changes to the PCT Regulations include the addition of new PCT Rules 89bis and 89ter (directed to electronic filing and processing of international applications) which will enter into force at the same time as the modifications to the Administrative Instructions implementing those PCT Rules. Implementation of PCT Rules 89bis and 89ter is optional with each national office. In the event that the USPTO decides to implement PCT Rules 89bis and 89ter, the USPTO will provide notice to that effect in the **Federal Register** and *Official Gazette*.

Discussion of Specific Rules

Title 37 of the Code of Federal Regulations, Part 1, is amended as follows:

Section 1.14(g) is added to comply with the amendments to PCT Rule 94. After international publication and establishment of the international preliminary examination report, third parties are permitted access to