

expected to avoid the survey area, thereby reducing exposure and impacts. No disruption to reproductive behavior is anticipated and there is no anticipated effect on annual rates of recruitment or survival of affected marine mammals.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the mitigation and monitoring measures, NMFS preliminarily determines that CWA's survey activities would result in the incidental take of small numbers of marine mammals, by Level B harassment, and that the total taking would have a negligible impact on the affected species or stocks.

#### **Impact on Availability of Affected Species for Taking for Subsistence Uses**

There are no relevant subsistence uses of marine mammals implicated by this action.

#### **Endangered Species Act (ESA)**

No marine mammal species listed under the ESA are anticipated to occur within the action area. Therefore, section 7 consultation under the ESA is not required.

#### **National Environmental Policy Act (NEPA)**

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), as implemented by the regulations published by the Council on Environmental Quality (40 CFR parts 1500–1508), and NOAA Administrative Order 216–6, NMFS prepared an Environmental Assessment (EA) to consider the direct, indirect, and cumulative effects to marine mammals and other applicable environmental resources resulting from issuance of a one-year IHA and the potential issuance of additional authorization for incidental harassment for the ongoing project in 2012. This analysis is still considered relevant for the proposed IHA because the applicant's proposed activity has not changed. This EA is available on the NMFS Web site listed in the beginning of this document.

Dated: January 29, 2013.

**Helen M. Golde,**

*Acting Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2013–02195 Filed 1–31–13; 8:45 am]

**BILLING CODE 3510–22–P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RIN 0648–XC470**

#### **Vessel Monitoring Systems (VMS); Certification of New VMS Unit for Use in Northeast Fisheries**

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

**ACTION:** Notice of VMS unit certification.

**SUMMARY:** NMFS announces the approval and certification of the CLS America Thorium VMS Terminal model 100 (TST–100) with Iridium satellite communications network for use in the northeastern United States in which VMS units are required.

**DATES:** This new TST–100 unit can be used effective January 24, 2013.

**FOR FURTHER INFORMATION CONTACT:** Office of Law Enforcement, Northeast Division, Northeast VMS Team, telephone 978–281–9213.

**SUPPLEMENTARY INFORMATION:** Regulations at 50 CFR 648.9 and 648.10 set forth VMS requirements for fisheries in the northeastern United States for the operation of VMS units used for reporting and monitoring. Specifically, 50 CFR 648.9 requires that minimum performance criteria published by the NMFS Office of Law Enforcement and any established Northeast regional standards must be met in order to be certified for use.

The Administrator, Northeast Region, NMFS, has reviewed all components of the TST–100 VMS unit and other information provided by the vendor and has certified the following unit for use in all Northeast fisheries in which VMS units are required: Thorium TST–100, available from CLS America, Inc., 4300 Forbes Blvd., Suite 110, Lanham, Maryland 20706, telephone (301) 925–4411, fax (301) 925–8995, email: [fishing@clsamerica.com](mailto:fishing@clsamerica.com).

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

Dated: January 25, 2013.

**Kara Meckley,**

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

[FR Doc. 2013–02131 Filed 1–31–13; 8:45 am]

**BILLING CODE 3510–22–P**

## **DEPARTMENT OF COMMERCE**

### **United States Patent and Trademark Office**

[Docket No. PTO–P–2013–0001]

#### **Notice of Public Hearing and Request for Comments on Matters Related to the Harmonization of Substantive Patent Law**

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

**ACTION:** Notice of Public Hearing and Request for Comments on Matters Related to the Harmonization of Substantive Patent Law.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) is seeking stakeholder input on certain matters relating to international harmonization of substantive patent law, in particular, information and views on: (1) The grace period; (2) publication of applications; (3) the treatment of conflicting applications and (4) prior user rights. To assist in gathering this information, the USPTO is holding a public hearing at which interested members of the public are invited to testify on the issues outlined above. In addition, interested members of the public are encouraged to complete an electronic questionnaire relating to the above-identified issues. Separate written comments may be provided through electronic mail, though completion of the questionnaire is strongly preferred in lieu of separate comments. Additional details may be found in the supplementary information section of this notice.

**Public Hearing:** A public hearing will be held on March 21, 2013, beginning at 8:30 a.m. Eastern Daylight Time (EDT) and ending at 12:00 p.m. EDT. The public hearing will be held at the USPTO, Madison Auditorium, Concourse Level, Madison Building, 600 Dulany Street, Alexandria, Virginia 22314.

Those wishing to present oral testimony at the hearing must request an opportunity to do so in writing by email to [IP.Policy@uspto.gov](mailto:IP.Policy@uspto.gov) no later than February 28, 2013. Requests to testify at the hearing must indicate the following information: (1) The name of the person desiring to testify; (2) the person's contact information (telephone number and electronic mail address); (3) the organization(s) the person represents, if any; and (4) a preliminary written copy of their testimony. The opportunity to testify will only be for those physically present. Based on the requests received, an agenda of scheduled testimony will be sent to testifying respondents, and

posted on the USPTO Internet Web site (address: [http://www.uspto.gov/ip/global/aia\\_harmonization.jsp](http://www.uspto.gov/ip/global/aia_harmonization.jsp)). The number of participants testifying is limited to ensure that all who are speaking will have a meaningful chance to do so. Members of the public who wish solely to observe need not submit a request to attend.

Speakers selected to provide testimony at the hearing should provide a final written copy of their testimony for inclusion in the record of the proceedings no later than February 28, 2013. In addition, any member of the public may submit written comments on issues raised at the public hearing or on any issue pertaining to harmonization. However, users are strongly encouraged to fill out the questionnaire before the roundtable event in lieu of providing separate written comments. The questionnaire will also close on February 28, 2013.

The USPTO plans to make the public roundtable available via Webcast. Webcast information will be available on the USPTO's Internet Web site (address: [http://www.uspto.gov/ip/global/aia\\_harmonization.jsp](http://www.uspto.gov/ip/global/aia_harmonization.jsp)) before the public hearing.

**Written Comments:** Written comments should be sent by email to [IP.Policy@uspto.gov](mailto:IP.Policy@uspto.gov). Comments may also be submitted by postal mail addressed to: Mail Stop OPEA, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Bijou Mgbojikwe. Written comments should be identified in the subject line of the email or postal mailing as "Harmonization Issues." Although comments may be submitted by postal mail, the USPTO prefers to receive comments via email. It is also strongly preferred that interested members of the public undertake the questionnaire in lieu of submitting written comments. The questionnaire will be available on the USPTO's Web site (address: [http://www.uspto.gov/ip/global/patents/tegersee\\_survey/index.jsp](http://www.uspto.gov/ip/global/patents/tegersee_survey/index.jsp)). However, for those wishing to submit supplemental written comments, the deadline for receipt of those written comments for consideration by the USPTO is February 28, 2013.

Because 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. It should be noted that the tenor of the questions posed in the questionnaire should not be perceived as an indication that the USPTO has taken a position on or is predisposed to any particular views.

**Availability of Hearing Transcript and Written Comments:** A transcript of the events at the hearing and the written comments will be available for public inspection at the USPTO's Office of Policy and External Affairs in the Executive Library located in the Madison West Building, Tenth Floor, 600 Dulany Street, Alexandria, Virginia 22314. Contact: Bijou Mgbojikwe at [Bijou.Mgbojikwe@uspto.gov](mailto:Bijou.Mgbojikwe@uspto.gov) or 571-272-9300. In addition, the hearing transcript and the comments from the public will also be available via the USPTO Internet Web site (address: <http://www.uspto.gov>). Contact: Bijou Mgbojikwe at [Bijou.Mgbojikwe@uspto.gov](mailto:Bijou.Mgbojikwe@uspto.gov) or 571-272-9300.

**FOR FURTHER INFORMATION CONTACT:** Bijou Mgbojikwe, Office of Policy and External Affairs, by phone 571-272-9300, by email at [Bijou.Mgbojikwe@uspto.gov](mailto:Bijou.Mgbojikwe@uspto.gov) or by mail addressed to: Mail Stop OPEA, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450, ATTN: Bijou Mgbojikwe.

**SUPPLEMENTARY INFORMATION:** At a meeting convened in Tegernsee, Germany, in July 2011, leaders and representatives from the patent offices of Denmark, France, Germany, Japan, the United Kingdom, and the United States as well as from the European Patent Office (the "Tegernsee Group") launched a new dialogue on the state of affairs concerning international harmonization of substantive patent law. Since that initial meeting, the Tegernsee Group has met twice to consider work done by patent experts from each office analyzing comparative aspects of each jurisdiction's patent law and practice. In addition, the Group mandated detailed studies on four issues of particular interest for international harmonization: the grace period, publication of applications, treatment of conflicting applications, and prior user rights.

Most recently, on October 4, 2012, Heads of Offices and experts from each of the patent offices in the Tegernsee Group met in Geneva, Switzerland, to review the results of the Group-mandated studies on these four issues. In reviewing these studies and contemplating the future of international harmonization, it was agreed that the next step in the process would be to solicit stakeholder views. To this end, experts from the Tegernsee Group offices were tasked to collaboratively develop a joint harmonization questionnaire to aid in the acquisition and analysis of stakeholder views across jurisdictions

on the particular issues of: grace period, publication of applications, treatment of conflicting applications, and prior user rights. As such, each patent office in the Tegernsee Group will be separately administering the joint questionnaire to its respective stakeholders.

Accordingly, interested members of the public are encouraged to respond to the jointly-developed questionnaire being administered by the USPTO which is located at address: [http://www.uspto.gov/ip/global/patents/tegersee\\_survey/index.jsp](http://www.uspto.gov/ip/global/patents/tegersee_survey/index.jsp). Further information and details concerning each of the above-identified topics may be found within the questionnaire.

Dated: January 24, 2013.

**Teresa Stanek Rea,**

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

[FR Doc. 2013-01966 Filed 1-31-13; 8:45 am]

**BILLING CODE 2013-16-P**

## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List; Proposed Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed Additions to the Procurement List.

**SUMMARY:** The Committee is proposing to add products to the Procurement List that will be furnished by the nonprofit agency employing persons who are blind or have other severe disabilities.

**DATES:** *Comments Must Be Received On or Before:* 3/4/2013.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

**FOR FURTHER INFORMATION OR TO SUBMIT COMMENTS CONTACT:** Patricia Briscoe, Telephone: (703) 603-7740, Fax: (703) 603-0655, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 8503(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

### Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the