

U.S. Patent and Trademark Office Extends and Expands Green Technology Pilot Program

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Last week, the U.S. Patent and Trademark Office (USPTO) formally announced its plan to extend and expand the Green Technology Pilot Program, which provides accelerated examination for patent applications relating to green technologies.

The Green Technology Pilot Program allows patent applications relating to improving environmental quality, conserving energy, developing renewable energy resources or reducing greenhouse gas emissions to be advanced out of turn for substantive examination.

Participation in the program can reduce the time from filing a patent application to patent grant from several years to under one year.

According to the Notice (see next page), the program will be extended to December 31, 2011; it was previously scheduled to end December 8, 2010.

Also, in a welcome eligibility change, the USPTO expanded the program to include green patent applications filed on or after the December 8, 2009 program launch date; previously, only applications filed before that date were eligible.

So, as of the November 10, 2010 effective date of the changes, any green patent application that has not yet begun examination will be eligible for the fast tracking program.

With this change, the basic eligibility requirements are now as follows:

- the application is any non-reissue, non-provisional utility application for which a first office action has not been issued;
- the application has three or fewer independent claims, 20 or fewer total claims and no multiple dependent claims (the applicant can file a preliminary amendment to bring the application in compliance with this requirement);
- the application claims a single invention directed to environmental quality, conserving energy, developing renewable energy resources or reducing greenhouse gas emissions; and
- the applicant must request early publication of the application.

The Green Technology Pilot Program is just one option for expediting examination of patent applications. The USPTO and many other national patent offices around the world participate in the Patent Prosecution Highway, which also provides accelerated examination for patent applications irrespective of the type of technology.

If you would like to inquire about participating in the Green Technology Pilot Program or the Patent Prosecution Highway please contact the author of this e-Update or another patent attorney at Luce Forward.

as Site 9 (magnet site). The ASF allows for the possible exemption of one magnet site from the "sunset" time limits that generally apply to sites under the ASF, and the applicant proposes that Site 3 (JPA Blount Island Terminal Complex) be so exempted. Because the ASF only pertains to establishing or reorganizing a general-purpose zone, the application would have no impact on FTZ 64's authorized subzone.

In accordance with the Board's regulations, Maureen Hinman of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is January 10, 2011. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to January 24, 2011.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Maureen Hinman at maureen.hinman@trade.gov or (202) 482-0627.

Dated: November 4, 2010.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2010-28414 Filed 11-9-10; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

Georgia Institute of Technology, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Public Law 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 10-061. *Applicant:* Georgia Institute of Technology, Atlanta, GA 30333-0245. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 75 FR 62763, October 13, 2010.

Docket Number: 10-062. *Applicant:* Washington State University, Pullman, WA 99164-1020. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* See notice at 75 FR 62763, October 13, 2010.

Docket Number: 10-063. *Applicant:* National Institutes of Health, Bethesda, MD 20892-8025. *Instrument:* Electron Microscope. *Manufacturer:* JEOL Limited, Japan. *Intended Use:* See notice at 75 FR 62723, October 13, 2010.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: November 3, 2010.

Richard Herring,

Acting Director, Subsidies Enforcement Office, Import Administration.

[FR Doc. 2010-28416 Filed 11-9-10; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA011

Endangered and Threatened Wildlife and Plants; Proposed Listings for Two Distinct Population Segments of Atlantic Sturgeon in the Southeast

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

ACTION: Notice of two public hearings.

SUMMARY: In December 2010, we (NMFS) will hold two public hearings—one in Wilmington, NC and one in Atlanta, GA. The purpose of these hearings is to accept comments on the proposed listing of the Carolina and South Atlantic distinct population segments (DPSs) of Atlantic sturgeon

(*Acipenser oxyrinchus oxyrinchus*) as endangered under the Endangered Species Act (ESA) of 1973, as amended.

DATES: The hearings will be held on December 6, 2010, from 6 to 9 p.m. in Wilmington, NC, and on December 7, 2010, from 6 to 9 p.m. in Atlanta, GA. An informational session will be held at the beginning of each hearing.

ADDRESSES: The public hearings will be held at the following locations:

- December 6, 2010, Coastline Conference and Event Center, 503 Nutt Street, Wilmington, NC 28401.
- December 7, 2010, Westin Atlanta Airport, 4736 Best Road, Atlanta, GA 30337.

FOR FURTHER INFORMATION CONTACT: Kelly Shotts, NMFS, Southeast Regional Office (727) 824-5312 or Marta Nammack, NMFS, Office of Protected Resources (301) 713-1401.

SUPPLEMENTARY INFORMATION:

Background

On October 6, 2010, we published a proposed rule (75 FR 61904) to list the Carolina and South Atlantic DPSs of Atlantic sturgeon as endangered under the ESA. We will accept oral and written comments regarding the proposed listing decision for these two DPSs of Atlantic sturgeon at the public hearings.

Special Accommodations

These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kelly Shotts at (727) 824-5312 no later than November 29, 2010.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: November 4, 2010.

Helen M. Golde,

Deputy Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2010-28324 Filed 11-9-10; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO-P-2010-0083]

Expansion and Extension of the Green Technology Pilot Program

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: On December 8, 2009, the United States Patent and Trademark Office (USPTO) implemented the Green

Technology Pilot Program, which permits patent applications pertaining to environmental quality, energy conservation, development of renewable energy resources, and greenhouse gas emission reduction to be advanced out of turn for examination and reviewed earlier (accorded special status). The program is designed to promote the development of green technologies. Initially, participation was limited to applications filed before December 8, 2009. The USPTO is hereby expanding the eligibility for the pilot program to include applications filed on or after December 8, 2009. The program is also being extended until December 31, 2011. These changes will permit more applications to qualify for the program, thereby allowing more inventions related to green technologies to be advanced out of turn for examination and reviewed earlier.

DATES: *Effective Date:* November 10, 2010.

Duration: The Green Technology Pilot Program will run until December 31, 2011, except that the USPTO will accept only the first 3,000 grantable petitions to make special under the Green Technology Pilot Program in unexamined applications irrespective of the filing date of the application.

FOR FURTHER INFORMATION CONTACT: Pinchus M. Laufer and Joni Y. Chang, Senior Legal Advisors, Office of Patent Legal Administration, Office of the Associate Commissioner for Patent Examination Policy, by telephone at 571-272-7726 or 571-272-7720; or by mail addressed to: Mail Stop Comments Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SUPPLEMENTARY INFORMATION: The USPTO published a notice for the implementation of the Green Technology Pilot Program on December 8, 2009. *See Pilot Program for Green Technologies Including Greenhouse Gas Reduction*, 74 FR 64666 (December 8, 2009), 1349 *Off. Gaz. Pat. Office* 362 (December 29, 2009) (*Green Technology Notice*). The pilot program is designed to promote the development of green technologies. The *Green Technology Notice* indicated that an applicant may have an application advanced out of turn and reviewed earlier (accorded special status) for examination, if the application pertained to green technologies including greenhouse gas reduction (applications pertaining to environmental quality, energy conservation, development of renewable energy resources or greenhouse gas emission reduction) and met other requirements specified in the *Green Technology Notice*. The USPTO

published a notice eliminating the classification requirement of the Green Technology Pilot Program on May 21, 2010. *See Elimination of the Classification Requirement in the Green Technology Pilot Program*, 75 FR 28554 (May 10, 2010), 1355 *Off. Gaz. Pat. Office* 188 (June 15, 2010).

The *Green Technology Notice* required *inter alia* that an application be filed before December 8, 2009, the date of the original notice, to participate in the program. The *Green Technology Notice* also established that the program would run for twelve months from December 8, 2009. The USPTO is hereby expanding the eligibility for the pilot program to include unexamined non-reissue non-provisional utility applications filed on or after December 8, 2009. The USPTO is also extending the pilot program through December 31, 2011. Specifically, the Green Technology Pilot Program will run until 3,000 petitions have been granted (as set forth in the *Green Technology Notice*) or until December 31, 2011, whichever occurs earlier. Accordingly, if fewer than 3,000 grantable petitions are received, the pilot program will end on December 31, 2011. These changes will permit more applications to qualify for the pilot program, thereby allowing more inventions related to green technologies to be advanced out of turn for examination and reviewed earlier. Information concerning the number of petitions that have been filed and granted under the Green Technology Pilot Program is available on the USPTO's Internet Web site at http://www.uspto.gov/patents/init_events/green_tech.jsp. The USPTO may again extend the pilot program (with or without modifications) depending on the feedback from the participants and the effectiveness of the pilot program.

Applicants whose petitions were dismissed or denied solely on the basis that their applications were not filed before December 8, 2009, may file a renewed petition. If the renewed petition is filed within one month of the publication date of this notice, it will be given priority as of the date applicant filed the initial petition.

Dated: October 15, 2010.

David J. Kappos,

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

[FR Doc. 2010-28394 Filed 11-9-10; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-570-957]

Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: Based on affirmative final determinations by the Department of Commerce ("the Department") and the International Trade Commission ("ITC"), the Department is issuing a countervailing duty order on certain seamless carbon and alloy steel standard, line, and pressure pipe ("seamless pipe") from the People's Republic of China ("PRC"). Also, as explained in this notice, the Department is amending its final determination to correct certain ministerial errors.

DATES: *Effective Date:* November 10, 2010.

FOR FURTHER INFORMATION CONTACT: Shane Subler, Joseph Shuler, and Matthew Jordan, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; *telephone:* (202) 482-0189, (202) 482-1293, and (202) 482-1540, respectively.

Background

On September 21, 2010, the Department published its final determination that countervailable subsidies are being provided to producers and exporters of seamless pipe from the PRC. *See Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the People's Republic of China: Final Affirmative Countervailing Duty Determination, Final Affirmative Critical Circumstances Determination*, 75 FR 57444 (September 21, 2010) ("*Final Determination*").

On November 4, 2010, the ITC notified the Department of its final determination pursuant to sections 705(b)(1)(A)(ii) and 705(d) of the Tariff Act of 1930, as amended ("the Act"), that an industry in the United States is threatened with material injury by reason of subsidized imports of subject merchandise from the PRC. The ITC also determined that critical circumstances do not exist. *See Certain Seamless Carbon and Alloy Steel Standard, Line,*