

Dated: October 6, 2009.

Patrick Gallagher,

Deputy Director.

[FR Doc. E9-24430 Filed 10-8-09; 8:45 am]

BILLING CODE 3510-13-P

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-P-2009-0037]

#### Additional Period for Comments on Interim Examination Instructions for Evaluating Patent Subject Matter Eligibility

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

**ACTION:** Request for comments; additional comment period.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) has prepared interim examination instructions for evaluating patent subject matter eligibility under 35 U.S.C. 101 (Interim Patent Subject Matter Eligibility Examination Instructions) pending a decision by the U.S. Supreme Court in *Bilski v. Kappos*, and invited the public to submit written comments on the Interim Patent Subject Matter Eligibility Examination Instructions. The USPTO is extending the comment period to ensure that members of the public have sufficient opportunity to submit comments on the Interim Patent Subject Matter Eligibility Examination Instructions. The USPTO will revise the instructions as appropriate based on comments received.

**Comment Deadline Date:** Written comments must be received on or before November 9, 2009. No public hearing will be held.

**ADDRESSES:** Comments should be sent by electronic mail message over the Internet addressed to [AB98.Comments@uspto.gov](mailto:AB98.Comments@uspto.gov). Comments may also be submitted by facsimile to (571) 273-0125, marked to the attention of Caroline D. Dennison. Although comments may be submitted by mail or facsimile, the USPTO prefers to receive comments via the Internet.

The comments will be available for public inspection at the Office of the Commissioner for Patents, located in Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia, and will be available via the Office Internet Web site (address: <http://www.uspto.gov>). 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.

#### FOR FURTHER INFORMATION CONTACT:

Caroline D. Dennison, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at 571-272-7729, or by facsimile transmission to 571-273-0125, marked to the attention of Caroline D. Dennison.

**SUPPLEMENTARY INFORMATION:** The USPTO posted the Interim Patent Subject Matter Eligibility Examination Instructions on its Internet Web site (address: <http://www.uspto.gov>) on August 27, 2009. The notice published on the USPTO's Internet Web site invited public comment on the Interim Patent Subject Matter Eligibility Examination Instructions and indicated that comments must be received on or before September 28, 2009, to be ensured of consideration. The USPTO subsequently published a notice in the **Federal Register** confirming that the USPTO was inviting public comment on the Interim Patent Subject Matter Eligibility Examination Instructions and that comments must be received on or before September 28, 2009, to be ensured of consideration. *See Request for Comments on Interim Examination Instructions for Evaluating Patent Subject Matter Eligibility*, 74 FR 47780 (September 17, 2009) (notice). The USPTO is extending the comment period because the USPTO desires the benefit of public comment on the instructions and wants to ensure that members of the public have sufficient opportunity to submit comments on the Interim Patent Subject Matter Eligibility Examination Instructions. Comments that have already been received are under consideration and the USPTO will revise the instructions as appropriate based on comments received.

Dated: October 5, 2009.

David J. Kappos,

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

[FR Doc. E9-24395 Filed 10-8-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XS13

#### Marine Mammals; File No. 87-1743

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

**ACTION:** Notice; issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Daniel P. Costa, Ph.D., Long Marine Laboratory, University of California at Santa Cruz, 100 Shaffer Road, Santa Cruz, California 95060, has been issued a minor amendment to Scientific Research Permit No. 87-1743.

**ADDRESSES:** The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

#### FOR FURTHER INFORMATION CONTACT:

Amy Sloan or Tammy Adams, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The original permit (No. 87-1743-00), issued on September 17, 2004 (69 FR 56999), authorized long-term behavioral, physiological, and life history research studies on northern elephant seals (*Mirounga angustirostris*) through September 30, 2009. This permit was subsequently amended on four occasions through minor amendments.

This minor amendment (Permit No. 87-1743-05) extends the duration of the permit through September 30, 2010 with no increase in the number of animals that may be taken. Permit No. 87-1743-05 also authorizes a minor change to permitted methods for a physiological study to allow researchers to substitute one instrument, a thermometer, for another instrument, a Doppler flow sensor, but does not change any other terms or conditions of the permit.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a supplemental environmental assessment (SEA) was prepared to analyze the effects of issuing the amendment. Based on the analysis, NMFS determined that issuance of the permit amendment would not significantly impact the quality of the human environment and that preparation of an environmental impact statement was not required. That

determination is documented in a finding of no significant impact, signed on September 30, 2009.

Dated: October 5, 2009.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E9-24453 Filed 10-8-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XS14

#### Mid-Atlantic Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) will hold a public meeting.

**DATES:** The meeting will be held on Tuesday, October 27, 2009, from 9 a.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Holiday Inn BWI Airport, 890 Elkridge Landing Road, Linthicum Heights, MD 21090, telephone: (410) 859-8400.

*Council address:* Mid-Atlantic Fishery Management Council, 300 S. New Street, Room 2115, Dover, DE 19904; telephone: (302) 674-2331.

**FOR FURTHER INFORMATION CONTACT:** Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council, 300 S. New Street, Room 2115, Dover, DE 19904; telephone: (302) 674-2331, extension 19.

**SUPPLEMENTARY INFORMATION:** The purpose of this meeting is: (1) specification of Acceptable Biological Catch (ABC) for spiny dogfish for the upcoming fishing year(s); (2) review of the Management Strategy Evaluation project and research priorities to address scientific uncertainty and development of ABC control rules for managed species, and (3) to discuss the role of the SSC members relative to stock assessment working groups and Stock Assessment Review Committee (SARC) Chairmanship.

#### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other

auxiliary aids should be directed to M. Jan Bryan at the Mid-Atlantic Council Office, (302) 674-2331 extension 18, at least 5 days prior to the meeting date.

Dated: October 5, 2009.

**Tracey L. Thompson,**

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

[FR Doc. E9-24314 Filed 10-8-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

#### Commerce Spectrum Management Advisory Committee Meeting

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.

**ACTION:** Notice of Open Meeting.

**SUMMARY:** This notice announces a public meeting of the Commerce Spectrum Management Advisory Committee (Committee). The Committee provides advice to the Assistant Secretary for Communications and Information on spectrum policy matters.

**DATES:** The meeting will be held on October 27, 2009, from 9:30 a.m. to 1:00 p.m., Eastern Daylight Time.

**ADDRESSES:** The meeting will be held at the United States Department of Commerce, 1401 Constitution Avenue, NW, Room 4830, Washington, DC 20230. Public comments may be mailed to Commerce Spectrum Management Advisory Committee, National Telecommunications and Information Administration, 1401 Constitution Avenue, NW, Room 4725, Washington, DC 20230 or emailed to [spectrumadvisory@ntia.doc.gov](mailto:spectrumadvisory@ntia.doc.gov).

**FOR FURTHER INFORMATION CONTACT:** Joe Gattuso, Designated Federal Officer, at (202) 482-0977 or [jgattuso@ntia.doc.gov](mailto:jgattuso@ntia.doc.gov); and/or visit NTIA's web site at [www.ntia.doc.gov](http://www.ntia.doc.gov).

#### SUPPLEMENTARY INFORMATION:

*Background:* The Committee is subject to the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2 and is consistent with the National Telecommunications and Information Administration Act, 47 U.S.C. § 904(b). The Committee provides advice to the Assistant Secretary of Commerce for Communications and Information on needed reforms to domestic spectrum policies and management to enable the introduction of new spectrum-dependent technologies and services, including long-range spectrum planning and policy reforms for expediting the

American public's access to broadband services, public safety, and digital television. The Committee functions solely as an advisory body in compliance with the FACA.

*Matters to Be Considered:* The Committee will discuss issues, work plans, and subcommittees for the coming year. There also will be an opportunity for public comment at the meeting.

*Time and Date:* The meeting will be held on October 27, 2009, from 9:30 a.m. to 1:00 p.m. Eastern Daylight Time. The times and the agenda topics are subject to change. Please refer to NTIA's web site, <http://www.ntia.doc.gov>, for the most up-to-date meeting agenda.

*Place:* The meeting will be held at the United States Department of Commerce, 1401 Constitution Avenue, NW, Room 4830, Washington, DC 20230. The meeting will be open to the public and press on a first-come, first-served basis. Space is limited. The public meeting is physically accessible to people with disabilities. Individuals requiring accommodations, such as sign language interpretation or other ancillary aids, are asked to notify Mr. Gattuso at (202) 482-0977 or [jgattuso@ntia.doc.gov](mailto:jgattuso@ntia.doc.gov), at least five (5) business days before the meeting.

*Status:* Interested parties are invited to attend and to submit written comments with the Committee at any time before or after a meeting. Parties wishing to submit written comments for consideration by the Committee in advance of this meeting should send them to the above-listed address and must be received by close of business on October 22, 2009, to provide sufficient time for review. Comments received after October 22, 2009, will be distributed to the Committee, but may not be reviewed prior to the meeting. It would be helpful if paper submissions also include a compact disc (CD) in HTML, ASCII, Word, or WordPerfect format (please specify version). CDs should be labeled with the name and organizational affiliation of the filer, and the name of the word processing program used to create the document. Alternatively, comments may be submitted electronically to [spectrumadvisory@ntia.doc.gov](mailto:spectrumadvisory@ntia.doc.gov). Comments provided via electronic mail may also be submitted in one or more of the formats specified above.

*Records:* NTIA maintains records of all Committee proceedings. Committee records are available for public inspection at NTIA's office at the address above. Documents including the Committee's charter, membership list, agendas, minutes, and any reports are available on NTIA's Committee web