

later than January 30, 2011. The final results continue to be due 120 days after the publication of the preliminary results.

We are issuing and publishing this notice in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: November 18, 2011.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA832

#### Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Missile Launch Operations From San Nicolas Island, CA

**AGENCY:** National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce.

**ACTION:** Notice of issuance of a Letter of Authorization.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby given that a letter of authorization (LOA) has been issued to the Naval Air Warfare Center Weapons Division, U.S. Navy (Navy), to take three species of seals and sea lions incidental to missile launch operations from San Nicolas Island (SNI), California, a military readiness activity.

**DATES:** Effective December 1, 2011, through November 30, 2012.

**ADDRESSES:** The LOA and supporting documentation are available for review by writing to P. Michael Payne, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service (NMFS), 1315 East West Highway, Silver Spring, MD 20910 or by telephoning one of the contacts listed below (**FOR FURTHER INFORMATION CONTACT**). Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address and at the Southwest Regional Office, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

**FOR FURTHER INFORMATION CONTACT:** Michelle Magliocca, Office of Protected Resources, NMFS, (301) 427-8401, or

Monica DeAngelis, NMFS, (562) 980-3232.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued. However, for military readiness activities, the National Defense Authorization Act (Pub. L. 108-136) removed the “small numbers” and “specified geographical region” limitations. Under the MMPA, the term “take” means to harass, hunt, capture, or kill, or to attempt to harass, hunt, capture, or kill marine mammals.

Authorization may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant). In addition, NMFS must prescribe regulations that include permissible methods of taking and other means of effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements for monitoring and reporting of such taking.

Regulations governing the taking of northern elephant seals (*Mirounga angustirostris*), Pacific harbor seals (*Phoca vitulina richardsi*), and California sea lions (*Zalophus californianus*), by harassment, incidental to missile launch operations at SNI, were issued on June 2, 2009, and remain in effect until June 2, 2014 (74 FR 26580, June 3, 2009). For detailed information on this action, please refer to that document. The regulations include mitigation, monitoring, and reporting requirements for the incidental take of marine mammals during missile launches at SNI.

##### Summary of Request

On November 10, 2011, NMFS received a request for an LOA renewal pursuant to the aforementioned regulations that would authorize, for a period not to exceed 1 year, take of pinnipeds, by harassment, incidental to

missile launch operations from San Nicolas Island, CA.

#### Summary of Activity and Monitoring Conducted During 2010-2011

The Navy’s monitoring report covers an extended period of time because NMFS issued a modified LOA in December 2010, that superseded the previous LOA issued in June 2010. As described in the Navy’s monitoring report, the missile launch operations conducted by the Navy during this time period were within the scope and amounts authorized by the 2010-2011 LOA, and the levels of take remain within the scope and amounts contemplated by the final rule and detailed in the 2010-2011 LOA.

#### Planned Activities and Estimated Take for 2011-2012

During 2011-2012, the Navy expects to conduct the same type and amount of launches identified in the 2010-2011 LOA. Therefore, NMFS is authorizing the same amount of take authorized in 2010.

#### 2010-2011 Monitoring

The Navy conducted the monitoring required by the 2010-2011 LOA and described in the Monitoring Plan, which included acoustic monitoring or missile launches and visual monitoring of pinnipeds. The Navy submitted their 2010-2011 Monitoring Report, which is posted on NMFS’ Web site (<http://www.nmfs.noaa.gov/pr/permits/incidental.htm>), within the required timeframe. The Navy summarized their 2010-2011 monitoring efforts and results (beginning on page 11 of the report), which included 19 acoustic recordings and video recordings of more than 500 animals.

#### Authorization

The Navy complied with the requirements of the 2010-2011 LOA and NMFS has determined that there was no evidence of pinniped injuries or mortalities related to vehicle launches from SNI. The Navy’s activities fell within the scope of the activities analyzed in the 2009 rule, and the observed take did not exceed that authorized in the 2010-2011 LOA. NMFS has determined that this action continues to have a negligible impact on the affected species or stocks of marine mammals on SNI. Accordingly, NMFS has issued an LOA to the Navy authorizing the take of marine mammals, by harassment, incidental to missile launch activities from SNI. The provision requiring that the activities not have an unmitigable adverse impact on the availability of the affected

species or stock for subsistence uses does not apply for this action.

Dated: November 23, 2011.

**P. Michael Payne,**

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

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## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. PTO-C-2011-0066]

#### Request for Comments on Additional USPTO Satellite Offices for the Nationwide Workforce Program

The United States Patent and Trademark Office (USPTO) is interested in gathering information on potential locations for future USPTO satellite offices that the USPTO is directed to establish, subject to available resources, under Section 23 of the America Invents Act (AIA). The establishment of satellite offices is an important component of the USPTO's continued efforts to recruit and retain a highly skilled workforce, reduce patent application pendency and improve quality, and enhance communication between the USPTO and the patent applicant community. An initial satellite office is already planned to be established in Detroit, Michigan. Subject to available resources, the USPTO will establish at least two more satellite offices in addition to the one in Detroit in accordance with the AIA.

**Deadline:** Written comments are requested on or before January 30, 2012. No public hearing will be held.

**Written Comments:** Submit comments electronically by email directly to the USPTO at [satelliteoffices@uspto.gov](mailto:satelliteoffices@uspto.gov). The USPTO prefers to receive comments via email; however, comments may also be submitted by postal mail addressed to: Azam Khan, Deputy Chief of Staff, United States Patent and Trademark Office, Mail Stop Office of Under Secretary and Director, P.O. Box 1450, Alexandria, VA, 22313-1450.

Comments may also be submitted through the Federal eRulemaking Portal Web site at <http://www.regulations.gov>. Additional instructions on providing comments through the Federal eRulemaking Portal are available at <http://www.regulations.gov>. All comments submitted directly to the USPTO or provided on the Federal eRulemaking Portal should include the docket number PTO-C-2011-0066, and should be identified in the subject line

of the email or postal mailing as "Nationwide Workforce Program."

All written comments will be available for public inspection upon request at the Office of the Chief Administrative Officer located at Madison West, 10th Floor, 600 Dulany Street Alexandria, VA, and will be available at the USPTO web site at <http://www.uspto.gov>. All comments made through the Federal eRulemaking Portal will be made publicly available on that Web site. 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.

**Contact:** Azam Khan, Deputy Chief of Staff, Office of the Under Secretary and Director, at (571) 272-8600; by email at [azam.khan@uspto.gov](mailto:azam.khan@uspto.gov); or by postal mail addressed to: Azam Khan, Deputy Chief of Staff, United States Patent and Trademark Office, Mail Stop Office of Under Secretary and Director, P.O. Box 1450, Alexandria, VA, 22313-1450.

**Additional Information:** The USPTO requests information on potential cities and regions for future locations of satellite offices as part of its Nationwide Workforce Program.

An initial satellite office is planned to be established in Detroit, Michigan. A nationwide workforce model will enable the USPTO to expand its traditional hiring methods and seek out areas of the country where the resources, including human resources and technical expertise, exist to fulfill the USPTO's critical mission. It will enable the USPTO to achieve better outreach and interact with the patent applicant community. The USPTO is investigating options for establishing satellite offices in at least two additional cities, where the USPTO does not already have an office (Alexandria, Virginia) or plan to establish an office (Detroit, Michigan). In accordance with the AIA, the USPTO is looking for States and regions that would best serve the interests of our employees, the USPTO's user community, and America's patent and trademark system, while ensuring geographic diversity among USPTO's offices.

Before choosing Detroit, the USPTO considered multiple cities to determine the feasibility of the initial phase of this program. The criteria included, but was not limited to: Occupational clusters; patent attorneys and agents currently in the region; patent applications by state; access to universities with strong engineering programs; public transportation infrastructure and proximate location to a major airport; the ability to share facilities with other

established governmental operations; the ability to support Departmental objectives, including CommerceConnect, and increase collaborations among Commerce bureaus and offices; and various economic factors, including cost of living and unemployment rates of the city.

Comments should provide information that supports the USPTO's purposes of establishing satellite offices, including that the location will:

- (1) Increase outreach activities to better connect patent filers and innovators with the USPTO, including the number of patent filings and grants by the city/region as well as other information that provides insight into the region's innovation activity;
- (2) Enhance patent examiner retention, including quality of life indicators such as average household income, cost of living factors, and other factors related to employee retention;
- (3) Improve recruitment of patent examiners, including data on employment rates and other economic factors in the area, science and technology professionals, as well as legal professionals in the workforce and other related information;
- (4) Decrease the number of patent applications awaiting examination; and
- (5) Improve the quality of patent examination.

Comments may also include any other information the Office may find useful in determining future locations such as information related to available office space, the presence of universities with strong engineering programs, the presence of research facilities, the economic impact to the region, and any other economic factors. Comments may also include information on additional factors the USPTO should consider in comparing regions.

While the Office welcomes and values all comments from the public in response to this request, these comments do not bind the Office to any further actions related to the comments, and the Office may not respond to any or every comment that is submitted. The Office will, however, consider all written submissions.

Any and all decisions made with regard to future satellite office locations will be made based on the criteria outlined in the AIA and in line with the goals and mission of the USPTO.

Dated: November 22, 2011.

**David J. Kappos,**

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

[FR Doc. 2011-30717 Filed 11-28-11; 8:45 am]

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