actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(h) Refer to MCAI Dirección Nacional de Aeronavegabilidad AD No. RA 2006–06–01, Rev. 1 LAVIA S.A., Amendment No. 39/03–041, dated November 17, 2006; and Latinoamericana de Aviación S.A. Service Bulletin No. 25/53/03, dated May 10, 2006, for related information.

Issued in Kansas City, Missouri, on February 8, 2007. Kim Smith, Manager, Small Airplane Directorate, Aircraft Certification Service.

FOR FURTHER INFORMATION CONTACT: Cynthia C. Lynch, Office of the Deputy Commissioner for Trademark Examination Policy, by telephone at (571) 272–8742.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301
Release of Lien or Discharge of Property; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to notice of proposed rulemaking.

SUMMARY: This document contains corrections to a notice of proposed rulemaking (REG–159444–04) that was published in the Federal Register on Thursday, January 11, 2007 (72 FR 1301) relating to release of lien and discharge of property under sections 6325, 6503, and 7426 of the Internal Revenue Code.

FOR FURTHER INFORMATION CONTACT: Debra A. Kohn, (202) 622–7985 (not toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The correction notice that is the subject of this document is under sections 6325, 6503, and 7426 of the Internal Revenue Code.

Need for Correction

As published, the notice of proposed rulemaking (REG–159444–04) contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of proposed rulemaking (REG–159444–04), which was the subject of FR Doc. E7–219, is corrected as follows:

1. On page 1302, column 1, in the preamble, under the paragraph heading “Background”, sixth line from the bottom of the second paragraph of the column, the language “addition these provisions to the Code,” is corrected to read “addition of these provisions to the Code.”.

§ 301.6325–1 [Corrected]

2. On page 1306, column 3, § 301.6325–1(a)(2)(i), fourth paragraph of the column, sixth line from the bottom of the paragraph, the language “been put into the matter. In no case” is corrected to read “been put in the matter. In no case”.

LaNita Van Dyke,
Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. E7–2496 Filed 2–13–07; 8:45 am]
BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

37 CFR Part 2
Changes in the Requirements for Filing Requests for Reconsideration of Final Office Actions in Trademark Cases


ACTION: Notice of proposed rule.

SUMMARY: The United States Patent and Trademark Office (“USPTO”) proposes to amend 37 CFR 2.64 to require a request for reconsideration of an examining attorney’s final refusal or requirement to be filed through the Trademark Electronic Application System (“TEAS”) within three months of the mailing date of the final action.

DATES: Comments must be received by April 16, 2007 to ensure consideration.

ADDRESSES: The Office prefers that comments be submitted via electronic mail message to TM_RECON COMMENTS@USPTO.GOV. Written comments may also be submitted by mail to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313–1451, attention Cynthia C. Lynch; or by hand delivery to the Trademark Assistance Center, Concourse Level, James Madison Building-East Wing, 600 Dulany Street, Alexandria, Virginia, attention Cynthia C. Lynch; or by electronic mail message via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (http://www.regulations.gov) for additional instructions on providing comments via the Federal eRulemaking Portal.

The comments will be available for public inspection on the Office’s Web site at http://www.uspto.gov, and will also be available at the Office of the Commissioner for Trademarks, Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia.

FOR FURTHER INFORMATION CONTACT: Cynthia C. Lynch, Office of the Deputy Commissioner for Trademark Examination Policy, by telephone at (571) 272–8742.

SUPPLEMENTARY INFORMATION: The USPTO proposes the amendment of 37 CFR 2.64 to streamline and promote efficiency in the process once a final action has issued in an application for trademark registration. By setting a three-month period in which to file a request for reconsideration of the final action, and by requiring that the request be filed through TEAS, the proposed amendment would facilitate the likely disposition of an applicant’s request for reconsideration prior to the six-month deadline for filing an appeal to the Trademark Trial and Appeal Board (“TTAB”) or petition to the Director on the same final action. This may eliminate the need for some appeals or petitions, and reduces the need for remands and transfers of applications on appeal.

A request for reconsideration of a final action does not extend the time for filing an appeal or petitioning the Director on that action. Under the current version of the rule, wherein the applicant may file a request for reconsideration at any time between the final action and the six-month deadline for appealing or petitioning, many applicants simultaneously seek reconsideration and file an appeal. Because the examining attorney loses jurisdiction over the application upon the filing of an appeal to the TTAB, this simultaneous pursuit of reconsideration and appeal often necessitates a remand by the TTAB to the examining attorney for a decision on the request for reconsideration. If the request is denied, then the case is transferred back to the TTAB. If the request is granted, and the examining attorney reconsiders the final
action, the appeal or petition may become moot. The need for these
remands and transfers contributes to the burden on the applicant and the
USPTO, and prolongs the pendency of the case.
In order to eliminate some appeals and petitions and reduce the need for
these remands and transfers, the proposed rule provides that a request for
reconsideration must be filed within three months of the final action, while
the six-month period for appeal or petition remains unchanged. Normally,
the examining attorney will reply to the request for reconsideration before the
date of the action. The proposed rule still affords applicants the opportunity to submit
amendments for the full six-month period from the date of the final action,
and maintains the practice under the current rule that such amendments are
entered if they comply with the applicable rules and statutory
provisions. As in the current version of the rule, the filing of such amendments
does not extend the time for filing an
appeal or petitioning the Director.
The Office proposes a technical
correction to § 2.64(c), for consistency
with the proposed amendment to
§ 2.64(b), to eliminate the reference to
“the six-month response period after issuance of the final action.” The
reference would be changed to “the six-month period after issuance of the final
action.”

Rule Making Requirements

Executive Order 13132: This rule does not contain policies with federalism
implications sufficient to warrant preparation of a Federalism Assessment
under Executive Order 13132 (Aug. 4, 1999).

Executive Order 12866: This rule has
been determined not to be significant for
purposes of Executive Order 12866
(Sept. 30, 1993).

Regulatory Flexibility Act: The Deputy
General Counsel for General Law of the
United States Patent and Trademark
Office has certified to the Chief Counsel
for Advocacy of the Small Business
Administration that the proposed rule
changes will not have a significant
impact on a substantial number of small
entities (Regulatory Flexibility Act, 5
U.S.C. 605(b)). The changes proposed in
this notice would not impose any
additional fees on trademark applicants.
Rather, the proposed changes would
facilitate the likely disposition of the
request for reconsideration prior to the
deadline to petition or appeal. A grant
of reconsideration within this time frame
will obviate the need for an applicant to file an appeal or petition, thus also
saving the applicant the filing fee for an
appeal or petition. A denial of
reconsideration within this time frame
will obviate the need for a case on
appeal to be remanded and transferred
between the TTAB and the examining
attorney. Under either scenario, the time
frame in the proposed rule promotes
more efficient and prompt handling of the
case, and achieves benefits both for
the applicant and the USPTO.

References in this notice to “the Act,”
“the Trademark Act,” or “the statute”
refer to the Trademark Act of 1946, 15
U.S.C. 1051 et seq., as amended.
“TMEP” refers to the Trademark
Manual of Examining Procedure, 4th

Discussion of Specific Rule

The Office proposes to revise current
§ 2.64(b). This section concerns the time
frame for and effect of filing a request for
reconsideration of a final action, as
well as the treatment of amendments
accompanying such requests. The
proposed revision changes the period
for filing a request for reconsideration of
a final action to three months from the
date of the action. The proposed
revision also introduces a requirement
that any request for reconsideration be
filed through TEAS. In addition, the
proposed revision eliminates the
aspiration revision limit in the current
rule as to when an examining attorney
would “normally” act on such requests,
PART 2—RULES OF PRACTICE IN TRADEMARK CASES

1. The authority citation for 37 CFR part 2 continues to read as follows:

2. Amend §2.64 by revising paragraphs (b) and (c)(1) to read as follows:
   §2.64 Final action.
   * * * * *
   (b)(1) During the three-month period after issuance of a final action, the applicant may request that the examining attorney reconsider the final action. The request must be filed through TEAS. The filing of a request for reconsideration will not extend the time for filing an appeal or petitioning the Director.
   (2) During the six-month period after issuance of a final action, the applicant may submit amendments. Any such amendments will be examined, and will be entered if they comply with the rules of practice in trademark cases and the Act of 1946. The filing of such an amendment will not extend the time for filing an appeal or petitioning the Director.
   (c)(1) If an applicant in an application under section 1(b) of the Act files an amendment to allege use under §2.76 during the six-month period after issuance of a final action, the examiner shall examine the amendment. The filing of such an amendment will not extend the time for filing an appeal or petitioning the Director.
   * * * * *

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

[FR Doc. E7–2519 Filed 2–13–07; 8:45 am]
BILLING CODE 3510–16–P

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Parts 52 and 81

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes: California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to grant a request submitted by the State to redesignate the South Coast from nonattainment to attainment for the CO National Ambient Air Quality Standards (NAAQS). EPA is also proposing to approve a state implementation plan (SIP) revision for the South Coast nonattainment area in California as meeting the Clean Air Act (CAA) requirements for maintenance plans for carbon monoxide (CO). EPA is proposing to find adequate and approve motor vehicle emission budgets, which are included in the maintenance plan. Finally, EPA is proposing to approve the California motor vehicle inspection and maintenance (I/M) program as meeting the low enhanced I/M requirements for CO in the South Coast.

DATES: Comments must be received by March 16, 2007.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2007–0101, by one of the following methods:

1. Agency Web site: http://www.regulations.gov. EPA prefers receiving comments through this electronic public docket and comment system. Follow the on-line instructions to submit comments.


3. E-mail: jesson.david@epa.gov


Instructions: All comments will be included in the public docket without change and may be made available online at http://www.regulations.gov, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through the agency Web site, eRulemaking portal, or e-mail. The agency Web site and eRulemaking portal are anonymous access systems, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

Docket: The index to the docket for this action is available electronically at http://www.regulations.gov and in hard copy at EPA Region 9, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the FOR FURTHER INFORMATION CONTACT section.

FOR FURTHER INFORMATION CONTACT: David Jesson, U.S. EPA Region 9, 415–972–3961, david.jesson@epa.gov or http://www.epa.gov/region09/air/actions.

SUPPLEMENTARY INFORMATION: Throughout this document, the terms “we,” “us,” and “our” mean U.S. EPA.

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