

visit the Pacific Council Web site at [www.pccouncil.org](http://www.pccouncil.org) and browse the June 2012 Briefing Book; or contact Gretchen Hanshew (Northwest Region, NMFS), phone: 206-526-6147, fax: 206-526-6736.

**SUPPLEMENTARY INFORMATION:** This action is authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP) and the Magnuson-Stevens Fishery Conservation and Management Act provisions at 50 CFR 600.745, which states that EFPs may be used to authorize fishing activities that would otherwise be prohibited. At the June 2012 Pacific Fishery Management Council (Council) meeting in San Mateo, CA, the Council considered applications for three EFPs from: (1) Steven Fosmark; (2) the San Francisco Community Fishing Association and Dan Platt; and (3) the Central Coast Sustainable Groundfish Association and their collaborators. An opportunity for public testimony was provided during the Council meeting. For more details on these EFP applications and to view copies of the applications, see the Pacific Council's Web site at [www.pccouncil.org](http://www.pccouncil.org) and browse the June 2012 Briefing Book. The Council recommended that NMFS consider issuing the following EFPs, and that those EFPs be issued for 2 years. The 2-year duration is intended to coincide with the 2013–2014 biennial harvest specifications and management measures process. Therefore, to reduce the administrative burden of issuing annual EFPs during the 2-year management cycle, NMFS is considering issuing the EFPs described below for a 2-year period. The EFPs issued for this 2-year period would expire no later than December 31, 2014, but could be terminated earlier under terms and conditions of the EFPs and other applicable laws.

#### Commercial Chilipepper EFP

Steven Fosmark submitted an application for a 2-year EFP. The primary purpose of the EFP is to test if a specific longline gear configuration can be used in the commercial fishery to target underutilized chilipepper rockfish, while keeping bycatch of overfished species low.

#### Commercial Yellowtail EFP

The San Francisco Community Fishing Association and Dan Platt submitted an application for a 2-year EFP. The primary purpose of the EFP is to test a commercial hook and line gear to target underutilized yellowtail rockfish, while keeping bycatch of overfished species low.

#### Collaborative Fishing Survey EFP

The Central Coast Sustainable Groundfish Association submitted a proposal for a 2-year EFP, along with their collaborators: The Nature Conservancy; Environmental Defense Fund; various local industry research partners; and various academic scientific advisors and partners. The primary purpose of the EFP is to ground-truth estimates of spatial distribution of overfished species within parts of the rockfish conservation area, an area closed to groundfish fishing to protect overfished species, in order to see if there are areas that may be fished with low impacts to overfished species.

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

Dated: January 7, 2013.

#### Lindsay Fullenkamp

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

[FR Doc. 2013-00355 Filed 1-9-13; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### RIN 0648-XC393

#### Nominations to the Marine Fisheries Advisory Committee

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

**ACTION:** Notice; request for nominations.

**SUMMARY:** Nominations are being sought for an appointment by the Secretary of Commerce to fill one vacancy on the Marine Fisheries Advisory Committee (MAFAC or Committee) beginning in the spring of 2013. MAFAC is the only Federal advisory committee with the responsibility to advise the Secretary of Commerce (Secretary) on all matters concerning living marine resources that are the responsibility of the Department of Commerce. The Committee makes recommendations to the Secretary to assist in the development and implementation of Departmental regulations, policies and programs critical to the mission and goals of the NMFS. NMFS seeks to restore the geographic balance of the Committee created by recent vacancies and encourages candidates from the Hawaii region to apply, although nominations from all interested and qualified parties will be accepted. Nominees should possess demonstrable expertise in a field related to the management of living marine resources and be able to fulfill

the time commitments required for two annual meetings. Individuals serve for a term of three years for no more than two consecutive terms if re-appointed.

**DATES:** Nominations must be postmarked or have an email date stamp on or before February 11, 2013.

**ADDRESSES:** Nominations should be sent to Dr. Mark Holliday, Executive Director, MAFAC, Office of Policy, NMFS F-14451, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Mark Holliday, MAFAC Executive Director; (301) 427-8004; email: [Mark.Holliday@noaa.gov](mailto:Mark.Holliday@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The establishment of MAFAC was approved by the Secretary on December 28, 1970, and subsequently chartered under the Federal Advisory Committee Act, 5 U.S.C. App. 2, on February 17, 1971. The Committee meets twice a year with supplementary subcommittee meetings as determined necessary by the Committee Chairperson. No less than 15 and no more than 21 individuals may serve on the Committee. Membership is comprised of highly qualified, diverse individuals representing commercial and recreational fisheries interests, environmental organizations, academic institutions, governmental, tribal and consumer groups, and other living marine resource interest groups from a balance of U.S. geographical regions, including the Western Pacific and Caribbean.

A MAFAC member cannot be a Federal employee, a member of a Regional Fishery Management Council, a registered Federal lobbyist, or a State employee. The selected candidate must pass a security check and submit a financial disclosure form. Membership is voluntary, and except for reimbursable travel and related expenses, service is without pay.

Each nomination submission should include the nominee's name, a cover letter describing the nominee's qualifications and interest in serving on the Committee, curriculum vitae or resume of the nominee, and no more than three supporting letters describing the nominee's qualifications and interest in serving on the Committee. Self-nominations are acceptable. The following contact information should accompany each nominee's submission: name, address, telephone number, fax number, and email address (if available).

Nominations should be sent to (see **ADDRESSES**) and must be received by February 11, 2013. The full text of the Committee Charter and its current membership can be viewed at the

NMFS' web page at [www.nmfs.noaa.gov/mafac.htm](http://www.nmfs.noaa.gov/mafac.htm).

Dated: January 4, 2013.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, performing the functions and duties of the Assistant Administrator for Fisheries, National Marine Fisheries Service.*

[FR Doc. 2013-00346 Filed 1-9-13; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No.: PTO-P-2012-0055]

#### Extension of the Extended Missing Parts Pilot Program

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

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) implemented a pilot program (Extended Missing Parts Pilot Program) in which an applicant, under certain conditions, can request a twelve-month time period to pay the search fee, the examination fee, any excess claim fees, and the surcharge (for the late submission of the search fee and the examination fee) in a nonprovisional application. The Extended Missing Parts Pilot Program benefits applicants by permitting additional time to determine if patent protection should be sought—at a relatively low cost—and by permitting applicants to focus efforts on commercialization during this period. The Extended Missing Parts Pilot Program benefits the USPTO and the public by adding publications to the body of prior art, and by removing from the USPTO's workload those nonprovisional applications for which applicants later decide not to pursue examination. The USPTO is extending the Extended Missing Parts Pilot Program until December 31, 2013, to better gauge whether the Extended Missing Parts Program offers sufficient benefits to the patent community for it to be made permanent.

**DATES:** *Duration:* The Extended Missing Parts Pilot Program will run through December 31, 2013. Therefore, any certification and request to participate in the Extended Missing Parts Pilot Program must be filed before December 31, 2013. The USPTO may further extend the pilot program (with or without modifications) depending on the feedback received and the continued effectiveness of the pilot program.

#### FOR FURTHER INFORMATION CONTACT:

Eugenia A. Jones, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at (571) 272-7727, or by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, marked to the attention of Eugenia A. Jones.

Inquiries regarding this notice may be directed to the Office of Patent Legal Administration, by telephone at (571) 272-7701, or by electronic mail at [PatentPractice@uspto.gov](mailto:PatentPractice@uspto.gov).

**SUPPLEMENTARY INFORMATION:** The USPTO implemented a change to missing parts practice in certain nonprovisional applications as a pilot program (*i.e.*, Extended Missing Parts Pilot Program) after considering written comments from the public. *See Pilot Program for Extended Time Period To Reply to a Notice to File Missing Parts of Nonprovisional Application*, 75 FR 76401 (Dec. 8, 2010), 1362 Off. Gaz. Pat. Office 44 (Jan. 4, 2011). The USPTO extended the Extended Missing Parts Pilot Program until December 31, 2012. *See Extension of the Extended Missing Parts Pilot Program*, 76 FR 78246 (Dec. 16, 2011), 1374 Off. Gaz. Pat. Office 113 (Jan. 10, 2012).

The USPTO is extending the Extended Missing Parts Pilot Program until December 31, 2013. The USPTO may further extend the Extended Missing Parts Pilot Program, or may discontinue the pilot program after December 31, 2013, depending on the results of the program. The requirements of the program are reiterated below. Applicants are strongly cautioned to review the pilot program requirements before making a request to participate in the Extended Missing Parts Pilot Program.

The USPTO cautions all applicants that, in order to claim the benefit of a prior provisional application, the statute requires a nonprovisional application filed under 35 U.S.C. 111(a) to be filed within twelve months after the date on which the corresponding provisional application was filed. *See* 35 U.S.C. 119(e). It is essential that applicants understand that the Extended Missing Parts Pilot Program cannot and does not change this statutory requirement.

**I. Requirements:** In order for an applicant to be provided a twelve-month (non-extendable) time period to pay the search and examination fees and any required excess claims fees in response to a Notice to File Missing Parts of Nonprovisional Application under the Extended Missing Parts Pilot

Program, the applicant must satisfy the following conditions: (1) Applicant must submit a certification and request to participate in the Extended Missing Parts Pilot Program with the nonprovisional application on filing, preferably by using Form PTO/AIA/421 titled “Certification and Request for Extended Missing Parts Pilot Program;” (2) the application must be an original (*i.e.* not a Reissue) nonprovisional utility or plant application filed under 35 U.S.C. 111(a) within the duration of the pilot program; (3) the nonprovisional application must directly claim the benefit under 35 U.S.C. 119(e) and 37 CFR 1.78 of a prior provisional application filed within the previous twelve months; the specific reference to the provisional application must be in an application data sheet under 37 CFR 1.76 (*see* 37 CFR 1.78(a)(5)); and (4) applicant must not have filed a nonpublication request.

As required for all nonprovisional applications, applicant will need to satisfy filing date requirements and publication requirements. In accordance with 35 U.S.C. 122(b), the USPTO will publish the application promptly after the expiration of eighteen months from the earliest filing date to which benefit is sought. Therefore, the nonprovisional application should also be in condition for publication as provided in 37 CFR 1.211(c). The following are required in order for the nonprovisional application to be in condition for publication: (1) The basic filing fee; (2) the executed inventor's oath or declaration in compliance with 37 CFR 1.63 or an application data sheet containing the information specified in 37 CFR 1.63(b); (3) a specification in compliance with 37 CFR 1.52; (4) an abstract in compliance with 37 CFR 1.72(b); (5) drawings in compliance with 37 CFR 1.84 (if applicable); (6) any application size fee required under 37 CFR 1.16(s); (7) any English translation required by 37 CFR 1.52(d); and (8) a sequence listing in compliance with 37 CFR 1.821–1.825 (if applicable). The USPTO also requires any compact disc requirements to be satisfied, and an English translation of the provisional application to be filed in the provisional application if the provisional application was filed in a non-English language and a translation has not yet been filed. If the requirements for publication are not met, applicant will need to satisfy the publication requirements within a two-month extendable time period.

As noted above, applicants should request participation in the Extended Missing Parts Pilot Program by using Form PTO/AIA/421. For utility patent