

of opposition, 21,000 extensions of time to file an opposition, 9,000 electronic requests for extension of time to file an opposition, 1,520 petitions to cancel, 380 electronic petitions to cancel, 5,000 electronic papers in inter partes cases, 2,400 notices of appeal, 600 electronic notices of appeal, and 1,500 electronic miscellaneous ex parte papers will be submitted per year.

Avg. Hours Per Response: The USPTO estimates that it will take the public an average of 10 to 45 minutes to gather the information, prepare the notices of opposition, the extension of time to file an opposition, the petitions to cancel, the notices of appeal, and the additional papers needed in inter partes and ex partes cases, and submit them to the TTAB. The USPTO estimates that it takes 10 minutes to complete the extension of time to file an opposition and 10 minutes to complete the form for submission of additional papers needed for inter partes and ex parte cases, 15 minutes to complete a notice of appeal, and 45 minutes to complete the notice of opposition and the petition to cancel. The USPTO believes that it takes the same amount of time to complete these items electronically as well.

Needs and Uses: Individuals or entities, believing that they are or will be damaged by the registration of a trademark or service mark, may file an opposition to the registration of that mark or a request for an extension of time to file an opposition under Section 13 of the Trademark Act, 15 U.S.C. 1063. Sections 14 and 20 of the Trademark Act, 15 U.S.C. 1064 and 1070, allow individuals and entities to file a petition to cancel the registration

of a mark or a notice of appeal. The USPTO administers the Trademark Act according to 37 CFR part 2. These actions are governed by the Trademark Trial and Appeal Board (TTAB), an administrative tribunal empowered to determine the right to register and subsequently determine the validity of a trademark. If a mark is successfully opposed or canceled, registration will not take place. There are no paper forms associated with this collection; however, there are forms available to submit this information electronically through the Electronic System for Trademark Trials and Appeals (ESTTA).

Affected Public: Individuals or households, businesses or other for-profits, not-for-profit institutions, farms, the Federal Government, and State, local or tribal governments.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division, 703-308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313, Attn: CPK 3 Suite 310; or by e-mail at susan.brown@uspto.gov.

Written comments and recommendations for the proposed information collection should be sent on or before July 12, 2004, to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building,

725 17th Street, NW., Washington, DC 20503.

Dated: June 3, 2004.

Susan K. Brown,

Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 04-07]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/OPS-ADMIN, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 04-07 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: June 4, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001-06-M



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

3 JUN 2004

In reply refer to:
I-04/001110

**The Honorable J. Dennis Hastert
Speaker of the House of
Representatives
Washington, D.C. 20515-6501**

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act (AECA), as amended, we are forwarding herewith Transmittal No. 04-07 and under separate cover the classified offset certificate thereto. This Transmittal concerns the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to the Republic of Korea for defense articles and services estimated to cost \$403 million. Soon after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Reporting of Offset Agreements in accordance with Section 36(b)(1)(C) of the Arms Export Control Act (AECA), as amended, requires a description of any offset agreement with respect to this proposed sale. Section 36(g) of the AECA, as amended, provides that reported information related to offset agreements be treated as confidential information in accordance with section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)). Information about offsets for this proposed sale is described in the enclosed confidential attachment.

Sincerely,

A handwritten signature in cursive script, reading "Tome Walters", is positioned above the typed name.

**TOME H. WALTERS, JR.
LIEUTENANT GENERAL, USAF
DIRECTOR**

Attachments

**Separate Cover:
Offset certificate**

**Same ltr to: House Committee on International Relations
Senate Committee on Foreign Relations
House Committee on Armed Services
Senate Committee on Armed Services
House Committee on Appropriations
Senate Committee on Appropriations**

Transmittal No. 04-07

**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended**

- (i) **Prospective Purchaser:** Republic of Korea
- (ii) **Total Estimated Value:**

Major Defense Equipment*	\$380 million
Other	<u>\$ 23 million</u>
TOTAL	\$403 million
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 159 SM-2 Block IIIA Standard missiles with MK 13 Mod 0 canisters, 130 Rolling Airframe Missiles with MK 8 launching canisters, spare and repair parts, containers, supply support, personnel training and training equipment, publications and technical data, contractor engineering services and other related elements of logistics support.
- (iv) **Military Department:** Navy (AJA and AIZ)
- (v) **Prior Related Cases, if any:**

FMS case AHU - \$126 million - 10Oct00
FMS case AHV - \$28 million - 10Oct00
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Annex attached
- (viii) **Date Report Delivered to Congress:** 3 JUN 2004

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION**Republic of Korea – Standard Missiles and Rolling Airframe Missiles**

The Republic of Korea has requested a possible sale of 159 SM-2 Block IIIA Standard missiles with MK 13 Mod 0 canisters, 130 Rolling Airframe Missiles with MK 8 launching containers, spare and repair parts, supply support, personnel training and training equipment, publications and technical data, contractor engineering services and other related elements of logistics support. The estimated cost is \$403 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country which has been and continues to be an important force for political stability and economic progress in Northeast Asia.

Korea will use these missiles as the primary defensive system aboard the KDX-II destroyer class and LPX Amphibious ships for anti-missile ship protection. Korea will have no difficulty absorbing these additional missiles into its armed forces.

The proposed sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be Raytheon Systems Company of Tucson, Arizona. One or more proposed offset agreements may be related to this proposed sale.

There will be three U.S. Government representatives for nine months following the delivery of the missiles to Korea.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 04-07

**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act**

**Annex
Item No. vii**

(vii) Sensitivity of Technology:

1. The SM-2 Block IIIA Standard missile is a U.S. Navy surface-launched guided missile and classified Secret. It is operationally deployed on cruisers, destroyers, and frigates for use against air and surface threats (aircraft, missiles, and ships). The guidance system employs a continuous-wave radar link for homing to the target. Steering and roll commands from the adaptive auto pilot system provide flight stability via four aft-mounted control surfaces. Propulsion is provided by a solid propellant, dual thrust rocket motor, which is an integral part of the missile airframe. The target-detecting device is a complex fuze with dual radar systems to optimize warhead lethality against a spectrum of target sizes and speeds.

2. The MK 44 Guided Missile Round Pack (GMRP) Tactical Missiles each consist of a MK 116 Block 1A Rolling Airframe Missile (RAM) within a MK 8 Launching canister. The MK 44 GMRP (containing the RAM missile) is Unclassified but considered sensitive. If the missile is removed from its sealed launching canister, the missile is considered Confidential. The GMRP is transported in a tri-pack shipping and storage container and is loaded as an All Up Round into the launchers. Only in extreme cases would a missile be removed from its canister. Some Secret software is loaded into the missile. Extraction of the Secret software would be difficult. The documents are not considered sensitive and are Unclassified.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Korea can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

[FR Doc. 04-13119 Filed 6-9-04; 8:45 am]
BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE**Office of the Secretary****Membership of the Defense Contract
Audit Agency Senior Executive Service
Performance Review Boards**

AGENCY: Defense Contract Audit
Agency.

ACTION: Notice of Membership of the
Defense Contract Audit Agency Senior
Executive Service Performance Review
Boards.

SUMMARY: This notice announces the appointment of members to the Defense Contract Audit Agency (DCAA) Performance Review Boards. The Performance Review Boards provide fair and impartial review of Senior Executive Service (SES) performance appraisals and make recommendations to the Director, Defense Contract Audit Agency, regarding final performance ratings and performance awards for DCAA SES members.

EFFECTIVE DATE: June 10, 2004.

FOR FURTHER INFORMATION CONTACT: Mr. Dale R. Collins, Chief, Human Resources Management Division, Defense Contract Audit Agency, 8725 John J. Kingman

Road, Suite 2135, Fort Belvoir, Virginia 22060-6219, (703) 767-1039.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 4314(c)(4), the following are the names and titles of DCAA career executives appointed to serve as members of the DCAA Performance Review Boards. Appointees will serve one-year terms, effective upon publication of this notice.

Headquarters Performance Review Board:

Mr. Robert DiMucci, Assistant Director, Policy and Plans, DCAA, chairperson.

Mr. Earl Newman, Assistant Director, Operations, DCAA, member