

**DEPARTMENT OF COMMERCE****[Docket No. PTO-P-2008-0042]****United States Patent and Trademark Office****Grant of Interim Extension of the Term of U.S. Patent No. 4,919,140; Andara™ OFS™ System****AGENCY:** United States Patent and Trademark Office.**ACTION:** Notice of interim patent term extension.

**SUMMARY:** The United States Patent and Trademark Office has issued a certificate under 35 U.S.C. 156(d)(5) for a one-year interim extension of the term of U.S. Patent No. 4,919,140.

**FOR FURTHER INFORMATION CONTACT:**

Mary C. Till by telephone at (571) 272-7755; by mail marked to her attention and addressed to the Commissioner for Patents, Mail Stop Patent Ext., P.O. Box 1450, Alexandria, VA 22313-1450; by fax marked to her attention at (571) 273-7755, or by e-mail to [Mary.Till@uspto.gov](mailto:Mary.Till@uspto.gov).

**SUPPLEMENTARY INFORMATION:** Section 156 of Title 35, United States Code, generally provides that the term of a patent may be extended for a period of up to five years if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review, and that the patent may be extended for interim periods of up to a year if the regulatory review is anticipated to extend beyond the expiration date of the patent.

On September 29, 2008, the patent owner, Purdue Research Foundation, timely filed an application under 35 U.S.C. 156(d)(5) for an interim extension of the term of U.S. Patent No. 4,919,140. The patent claims the medical device Andara™ OFS™ System and a method of using the Andara™ OFS™ System. The application indicates that a Humanitarian Device Exemption, HDE 070002, for the medical device Andara™ OFS™ System has been filed and is currently undergoing regulatory review before the Food and Drug Administration for permission to market or use the product commercially.

Review of the application indicates that except for permission to market or use the product commercially, the subject patent would be eligible for an extension of the patent term under 35 U.S.C. 156, and that the patent should be extended for one year as required by 35 U.S.C. 156(d)(5)(B). Because it is apparent that the regulatory review period will continue beyond the original

expiration date of the patent (October 14, 2008), interim extension of the patent term under 35 U.S.C. 156(d)(5) is appropriate.

An interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 4,919,140 is granted for a period of one year from the original expiration date of the patent, i.e., until October 14, 2009.

Dated: October 14, 2008.

**Jon W. Dudas,**

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

[FR Doc. E8-24881 Filed 10-17-08; 8:45 am]

**BILLING CODE 3510-62-P**

**COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA****Senior Executive Service; Performance Review Board; Members**

**AGENCY:** Court Services and Offender Supervision Agency for the District of Columbia.

**ACTION:** Notice.

**SUMMARY:** Section 4314(c) of Title 5, U.S.C. (as amended by the Civil Service Reform Act of 1978) requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more Performance Review Boards (PRB) to review, evaluate and make a final recommendation on performance appraisals assigned to individual members of the agency's Senior Executive Service. The PRB established for the Court Services and Offender Supervision Agency (CSOSA), including the District of Columbia Pretrial Services Agency, an independent entity within CSOSA, also makes recommendations to the agency head regarding SES performance awards, rank awards and bonuses. Section 4314(c)(4) requires that notice of appointment of Performance Review Board members be published in the **Federal Register**.

The following persons have been appointed to serve as members of the Performance Review Board for the Court Services and Offender Supervision Agency: Adrienne Poteat, Thomas Williams, Jasper Ormond, Cedric Hendricks, James Williams, Linda Mays, Arthur Elkins, William Kirkendale, Susan Shaffer, Clifford Keenan, and Kim Whatley from October 1, 2008, to September 30, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Tonya Turner, Deputy Associate Director for Human Resources, Court Services and Offender Supervision

Agency, 655 15th Street, NW., Suite 800, Washington, DC 20005, (202) 220-5477.

Dated: October 14, 2008.

**Adrienne Poteat,**

*Acting Director.*

[FR Doc. E8-24927 Filed 10-17-08; 8:45 am]

**BILLING CODE 3129-01-P**

**DEPARTMENT OF DEFENSE****Office of the Secretary****Missile Defense Advisory Committee**

**AGENCY:** Department of Defense; Missile Defense Agency (MDA).

**ACTION:** Notice of closed meeting.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended) and 41 CFR 102-3.150, the Department of Defense announces that the following Federal advisory committee meeting of the Missile Defense Advisory Committee.

**DATES:** Wednesday, October 29, 2008 (9 a.m. to 5:30 p.m.) and Thursday, October 30, 2008 (9 a.m. to 5:30 p.m.). Security clearance and visit requests are required for access.

**ADDRESSES:** 7100 Defense Pentagon, Washington, DC 20301-7100.

**FOR FURTHER INFORMATION CONTACT:** Mr. Al Bready, Designated Federal Officer at [mdac@mda.mil](mailto:mdac@mda.mil), phone/voice mail 703-695-6438, or mail at 7100 Defense Pentagon, Washington, DC 20301-7100.

**SUPPLEMENTARY INFORMATION:**

*Purpose of the Meeting:* At this meeting, the Committee will receive classified briefings by Missile Defense Agency senior staff, Program Managers, senior Department of Defense leaders, representatives from industry and the Services on the policy, technical, and programmatic aspects of developing and deploying space-based sensors and interceptors that could provide for the defense of the U.S. Homeland, deployed forces, allies, friends from ballistic missile attack; and countering adversary space systems and anti-satellite weapon systems.

*Agenda:* Topics tentatively scheduled for classified discussion include, but are not limited to program status for the Kinetic Energy Interceptor/Multiple Kill Vehicle, Space Protection, and Space Tracking and Surveillance System; administrative work; and development of draft outbrief to the Director, Missile Defense Agency.

**Meeting Accessibility:** Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.155 the Missile Defense Agency has determined that the meeting shall be closed to the public. The Director, Missile Defense Agency, in consultation with the Missile Defense Agency Office of General Counsel, has determined in writing that the public interest requires that all sessions of the committee's meeting will be closed to the public because they will be concerned with classified information and matters covered by section 5 U.S.C. 552b(c)(1).

**Committee's Designated Federal Officer:** Mr. Al Bready, [mdac@mda.mil](mailto:mdac@mda.mil), phone/voice mail 703–695–6438, or mail at 7100 Defense Pentagon, Washington, DC 20301–7100.

**Written Statements:** Pursuant to 41 CFR 102–3.105(j) and 102–3.140, and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written statements to the membership of the Missile Defense Advisory Committee about its mission and functions. Written statements may be submitted at any time or in response to the stated agenda of a planned meeting of the Missile Defense Advisory Committee.

All written statements shall be submitted to the Designated Federal Officer for the Missile Defense Advisory Committee, in the following formats: One hard copy with original signature and one electronic copy via e-mail (acceptable file formats: Adobe Acrobat PDF, MS Word or MS PowerPoint), and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Designated Federal Officer is as stated above and can also be obtained from the GSA's Federal Advisory Committee Act Database—<https://www.fido.gov/facadatabase/public.asp>.

Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at the address listed at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the Missile Defense Advisory Committee until its next meeting. The Designated Federal Officer will review all timely submissions with the Missile Defense Advisory Committee Chairperson and ensure they are provided to all members of the Missile Defense Advisory Committee before the meeting that is the subject of this notice.

Dated: October 14, 2008.

**Patricia L. Toppings,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

[FR Doc. E8–24844 Filed 10–17–08; 8:45 am]

**BILLING CODE 5001–06–P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Missile Defense Advisory Committee

**AGENCY:** Department of Defense; Missile Defense Agency (MDA).

**ACTION:** Notice of closed meeting.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended) and 41 CFR 102–3.150, the Department of Defense announces that the following Federal advisory committee meeting of the Missile Defense Advisory Committee.

**DATES:** Wednesday, November 5, 2008 (8 a.m. to 5 p.m.). Security clearance and visit requests are required for access.

**ADDRESSES:** 7100 Defense Pentagon, Washington, DC 20301–7100.

**FOR FURTHER INFORMATION CONTACT:** Mr. Al Bready, Designated Federal Officer at [mdac@mda.mil](mailto:mdac@mda.mil), phone/voice mail 703–695–6438, or mail at 7100 Defense Pentagon, Washington, DC 20301–7100.

#### SUPPLEMENTARY INFORMATION:

**Purpose of the Meeting:** At this meeting, the Committee will receive classified briefings by Missile Defense Agency senior staff, Program Managers, senior Department of Defense leaders, representatives from industry and the Services on the policy, technical, and programmatic aspects of developing and deploying space-based sensors and interceptors that could provide for the defense of the U.S. Homeland, deployed forces, allies, friends from ballistic missile attack; and countering adversary space systems and anti-satellite weapon systems.

**Agenda:** Topics tentatively scheduled for classified discussion include, but are not limited to follow-up briefings on Space Protection, MDA Space Architecture Study, External Sensors Laboratory, and Space Tracking and Surveillance System; administrative work; and development of final outbrief to the Director, Missile Defense Agency.

**Meeting Accessibility:** Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102–3.155 the Missile Defense Agency has determined that the meeting shall be

closed to the public. The Director, Missile Defense Agency, in consultation with the Missile Defense Agency Office of General Counsel, has determined in writing that the public interest requires that all sessions of the committee's meeting will be closed to the public because they will be concerned with classified information and matters covered by section 5 U.S.C. 552b(c)(1).

**Committee's Designated Federal Officer:** Mr. Al Bready, [mdac@mda.mil](mailto:mdac@mda.mil), phone/voice mail 703–695–6438, or mail at 7100 Defense Pentagon, Washington, DC 20301–7100.

**Written Statements:** Pursuant to 41 CFR 102–3.105(j) and 102–3.140, and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written statements to the membership of the Missile Defense Advisory Committee about its mission and functions. Written statements may be submitted at any time or in response to the stated agenda of a planned meeting of the Missile Defense Advisory Committee.

All written statements shall be submitted to the Designated Federal Officer for the Missile Defense Advisory Committee, in the following formats: One hard copy with original signature and one electronic copy via e-mail (acceptable file formats: Adobe Acrobat PDF, MS Word or MS PowerPoint), and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Designated Federal Officer is as stated above and can also be obtained from the GSA's Federal Advisory Committee Act Database—<https://www.fido.gov/facadatabase/public.asp>.

Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer at the address listed at least five calendar days prior to the meeting which is the subject of this notice. Written statements received after this date may not be provided to or considered by the Missile Defense Advisory Committee until its next meeting. The Designated Federal Officer will review all timely submissions with the Missile Defense Advisory Committee Chairperson and ensure they are provided to all members of the Missile Defense Advisory Committee before the meeting that is the subject of this notice.