

applicant's challenge to official notice are discussed in MPEP § 2144.03.

B. Evaluating Applicant's Response: If an applicant challenges the examiner's position that the additional element(s) is well-understood, routine, conventional activity, the examiner should reevaluate whether it is readily apparent that the additional elements are in actuality well-understood, routine, conventional activities to those who work in the relevant field. If the examiner has taken official notice per paragraph (4) of section (III)(A) above that an element(s) is well-understood, routine, conventional activity, and the applicant challenges the examiner's position, specifically stating that such element(s) is not well-understood, routine, conventional activity, the examiner must then provide one of the items discussed in paragraphs (1) through (3) of section (III)(A) above, or an affidavit or declaration under 37 CFR 1.104(d)(2) setting forth specific factual statements and explanation to support his or her position. As discussed previously, to represent well-understood, routine, conventional activity, the additional elements must be widely prevalent or in common use in the relevant field, comparable to the types of activity or elements that are so well-known that they do not need to be described in detail in a patent application to satisfy 35 U.S.C. 112(a).

The MPEP will be updated in due course to incorporate the changes put into effect the *Berkheimer* memorandum.

As discussed previously, the *Berkheimer* memorandum is available to the public on the USPTO's internet website. The USPTO is seeking public comment on its subject matter eligibility guidance, and particularly its guidance in the *Berkheimer* memorandum.

Dated: April 18, 2018.

Andrei Iancu,

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

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BILLING CODE 3510-16-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add a product and services to the Procurement List that will be furnished by the nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes products and services previously furnished by such agencies.

DATES: *Comments must be received on or before:* May 20, 2018.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia, 22202-4149.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Amy B. Jensen, Telephone: (703) 603-7740, Fax: (703) 603-0655, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the product and services listed below from the nonprofit agencies employing persons who are blind or have other severe disabilities.

The following product and services are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Product

NSN—Product Name: 6220-01-266-1651—Spotlight, .52 AMPS 28V BA15S bulb, yellow/white output, HMMWV

Mandatory Source of Supply: Cincinnati Association for the Blind and Visually Impaired, Cincinnati, OH

Mandatory for: 100% of the requirement of the Department of Defense

Contracting Activity: Defense Commissary Agency

Distribution: C-List

Services

Service Types: Furniture Design, Configuration and Installation Service Sourcing, Warehousing, Assembly and Kitting Service Tool & MRO Sourcing and Fulfillment Service

Mandatory for: USPF0 Connecticut, National Guard Bureau, National Guard Armory, 360 Broad Street, Hartford, CT

Mandatory Source of Supply: Industries for the Blind, Inc., West Allis, WI

Contracting Activity: United States Property and Fiscal Office (USPF0), Connecticut National Guard, ANGB, CT

Deletions

The following products and services are proposed for deletion from the Procurement List:

Products

NSN(s)—Product Name(s):

8410-01-466-4892—Slacks, Dress, Coast Guard, Women's, Blue, 16JS

8410-01-466-4905—Slacks, Dress, Coast Guard, Women's, Blue, 12MS

8410-01-466-4906—Slacks, Dress, Coast Guard, Women's, Blue, 14MS

8410-01-466-4912—Slacks, Dress, Coast Guard, Women's, Blue, 18MR

8410-01-466-4914—Slacks, Dress, Coast Guard, Women's, Blue, 8ML

8410-01-466-4915—Slacks, Dress, Coast Guard, Women's, Blue, 12ML

8410-01-466-4926—Slacks, Dress, Coast Guard, Women's, Blue, 14WS

8410-01-466-4930—Slacks, Dress, Coast Guard, Women's, Blue, 12WR

8410-01-466-4935—Slacks, Dress, Coast Guard, Women's, Blue, 12WL

8410-01-466-6326—Slacks, Dress, Coast Guard, Women's, Blue, 4JR

8410-01-466-6332—Slacks, Dress, Coast Guard, Women's, Blue, 6JS

8410-01-466-6485—Slacks, Dress, Coast Guard, Women's, Blue, 8JL

8410-01-466-6486—Slacks, Dress, Coast Guard, Women's, Blue, 4MS

8410-01-466-8155—Slacks, Dress, Coast Guard, Women's, Blue, 10JS

8410-01-466-8157—Slacks, Dress, Coast Guard, Women's, Blue, 12JS

8410-01-466-8161—Slacks, Dress, Coast Guard, Women's, Blue, 18JS

8410-01-466-8172—Slacks, Dress, Coast Guard, Women's, Blue, 18JL

8410-01-466-8176—Slacks, Dress, Coast Guard, Women's, Blue, 16MS

8410-01-466-8195—Slacks, Dress, Coast Guard, Women's, Blue, 18ML

8410-01-466-8197—Slacks, Dress, Coast Guard, Women's, Blue, 20ML

8410-01-466-8199—Slacks, Dress, Coast Guard, Women's, Blue, 16WS

8410-01-466-8203—Slacks, Dress, Coast Guard, Women's, Blue, 18WL

8410-01-466-8207—Slacks, Dress, Coast Guard, Women's, Blue, 20WL

8410-01-466-8211—Slacks, Dress, Coast Guard, Women's, Blue, 22WL

Mandatory Source of Supply: VGS, Inc., Cleveland, OH

Contracting Activity: Defense Logistics Agency Troop Support

Services

Service Type: Food Service and Food Service Attendant

Mandatory for: Fort Hood: Postwide, Fort Hood, TX

Mandatory Source of Supply: Unknown

Contracting Activity: Dept of the Army, W40M NORTHERREGION Contract Ofc

Service Type: Janitorial/Custodial Service

Mandatory for: Naval & Marine Corps Readiness Reserve Center, Providence, RI

Mandatory Source of Supply: The Fogarty Center, North Providence, RI

Contracting Activity: Dept of the Navy, Navy Crane Center

Service Type: Janitorial/Custodial Service

Mandatory for: Des Moines International Airport: Air National Guard Base Moines, IA

Mandatory Source of Supply: Goodwill Solutions, Inc., Johnston, IA

Contracting Activity: Dept of the Air Force, FA7014 AFDW PK

Service Type: Repair of Strap, Air Cargo (1670-00-725-1437) Service

Mandatory for: Robins Air Force Base, Robins AFB, GA

Mandatory Source of Supply: Houston County Association for Exceptional Citizens, Inc., Warner Robins, GA

Contracting Activity: Dept of the Air Force, FA8501 AFSC PZIO

Amy Jensen,

Director, Business Operations.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to and deletions from the Procurement List.

SUMMARY: This action adds products to the Procurement List that will be furnished by a nonprofit agency employing persons who are blind or have other severe disabilities, and deletes products and service from the Procurement List previously furnished by such agencies.

DATES: Date added to and deleted from the Procurement List: May 20, 2018.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia, 22202-4149.

FOR FURTHER INFORMATION CONTACT: Amy B. Jensen, Telephone: (703) 603-7740, Fax: (703) 603-0655, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION:

Additions

On 3/16/2018 (83 FR 52), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of a qualified nonprofit agency to provide the products and impact of the addition on the current or most recent contractors, the Committee has determined that the products listed below are suitable for procurement by

the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organization that will furnish the products to the Government.

2. The action will result in authorizing a small entity to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the products proposed for addition to the Procurement List.

End of Certification

Accordingly, the following products are added to the Procurement List:

Product

NSN(s)—Product Name(s):

MR 3200-3599—Perimeter Merchandising Program, Hair Care Products, MR Series 3200-3599

Mandatory Source of Supply: Association for Vision Rehabilitation and Employment, Inc., Binghamton, NY

Mandatory for: The requirements of military commissaries and exchanges in accordance with the Code of Federal Regulations, 41 CFR 51-6.4.

Contracting Activity: Defense Commissary Agency

Distribution: C-List

Deletions

On 3/2/2018 (83 FR 42), 3/9/2018 (83 FR 47), and 3/16/2018 (83 FR 52), the Committee for Purchase From People Who Are Blind or Severely Disabled published notices of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products and service listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products and service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the products and service deleted from the Procurement List.

End of Certification

Accordingly, the following products and service are deleted from the Procurement List:

Products

NSN(s)—Product Name(s):

7520-01-483-8900—Paper Cutter, Rotary, Wood Base, Gray, 28.5" Cutting Length

7520-01-483-8901—Paper Cutter, Rotary, Wood Base, Gray, 37.5" Cutting Length

7520-01-483-8902—Paper Cutter, Rotary, Metal Base, Gray, 18" Cutting Length

7520-01-483-8904—Paper Cutter, Rotary, Metal Base, Blue, 12" Cutting Length

Mandatory Source of Supply: The Lighthouse for the Blind, Inc. (Seattle Lighthouse), Seattle, WA

Contracting Activity: General Services Administration, New York, NY

NSN(s)—Product Name(s): 8405-01-375-8999—Cap, Garrison, Air Force, Men's, Blue, 7/8

Mandatory Source of Supply: Goodwill Industries of South Florida, Inc., Miami, FL

Contracting Activity: Defense Logistics Agency Troop Support

NSN(s)—Product Name(s):

8415-01-476-6346—Shirt, Underwear, Lightweight, SPEAR, Army, Black, LL

8415-01-476-6350—Shirt, Underwear, Lightweight, SPEAR, Army, Black, MR

8415-01-476-6359—Shirt, Underwear, Lightweight, SPEAR, Army, Green, MR

8415-01-476-6555—Shirt, Underwear, Lightweight, SPEAR, Army, Black, SR

8415-01-476-6556—Shirt, Underwear, Lightweight, SPEAR, Army, Black, XLL

8415-01-476-6557—Shirt, Underwear, Lightweight, SPEAR, Army, Black, XLR

Mandatory Source of Supply: Peckham Vocational Industries, Inc., Lansing, MI

Contracting Activity: Army Contracting Command—Aberdeen Proving Ground, Natick Contracting Division

Service

Service Type: Custodial/Grounds Maint/ Refuse Removal/Snow Removal Service

Mandatory for: Naval Operations Support Center:

1089 E. Ninth Street, Cleveland, OH
800 Dan Street, Akron, OH

Mandatory Source of Supply: VGS, Inc., Cleveland, OH

Contracting Activity: Dept of the Navy, Naval FAC Engineering CMD MIDWEST

Amy Jensen,

Director, Business Operations.

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