

Dated: August 19, 2013.

**Helen M. Golde,**

*Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2013-20507 Filed 8-21-13; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* United States Patent and Trademark Office (USPTO).

*Title:* Patent Term Extension.

*Form Number(s):* None.

*Agency Approval Number:* 0651-0020.

*Type of Request:* Revision of a currently approved collection.

*Burden:* 7,252 hours annually.

*Number of Respondents:* 1,950 responses per year.

*Avg. Hours per Response:* The USPTO estimates that it will take the public from 1 to 25 hours, depending on the complexity and type of filing, to gather the necessary information, prepare the appropriate documents, and submit the information to the USPTO.

*Needs and Uses:* The patent term restoration portion of the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417), which is codified at 35 U.S.C. 156, permits the United States Patent and Trademark Office (USPTO) to extend the term of protection under a patent to compensate for delay during regulatory review and approval by the Food and Drug Administration (FDA) or Department of Agriculture. Only patents for drug products, medical devices, food additives, or color additives are potentially eligible for extension. The maximum length that a patent may be extended under 35 U.S.C. 156 is five years. The USPTO administers 35 U.S.C. 156 through 37 CFR 1.710-1.791.

Separate from the extension provisions of 35 U.S.C. 156, the USPTO may in some cases extend the term of an original patent due to certain delays in the prosecution of the patent application, including delays caused by interference proceedings, secrecy orders, or appellate review by the Patent Trial and Appeal Board or a Federal

court in which the patent is issued pursuant to a decision reversing an adverse determination of patentability. The patent term provisions of 35 U.S.C. 154(b), as amended by Title IV, Subtitle D of the Intellectual Property and Communications Omnibus Reform Act of 1999, require the USPTO to notify the applicant of the patent term adjustment in the notice of allowance and give the applicant an opportunity to request reconsideration of the USPTO's patent term adjustment determination. The USPTO administers 35 U.S.C. 154 through 37 CFR 1.701-1.705.

The public uses this information collection to file requests related to patent term extensions and reconsideration or reinstatement of patent term adjustments. The information in this collection is used by the USPTO to consider whether an applicant is eligible for a patent term extension or reconsideration of a patent term adjustment and, if so, to determine the length of the patent term extension or adjustment.

*Affected Public:* Businesses or other for-profits; not-for-profit institutions.

*Frequency:* On occasion.

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

*OMB Desk Officer:* Nicholas A. Fraser, email: [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov).

Once submitted, the request will be publicly available in electronic format through the Information Collection Review page at [www.reginfo.gov](http://www.reginfo.gov).

Paper copies can be obtained by:

- *Email:* [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0020 copy request" in the subject line of the message.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before September 23, 2013 to Nicholas A. Fraser, OMB Desk Officer, via email to [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov), or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: August 19, 2013.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer.*

[FR Doc. 2013-20466 Filed 8-21-13; 8:45 am]

**BILLING CODE 3510-16-P**

## COMMODITY FUTURES TRADING COMMISSION

### Quantitative Messaging Research

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** The Commodity Futures Trading Commission ("CFTC" or "Commission") is announcing an opportunity for public comment on a proposed collection of information by the agency. Under the Paperwork Reduction Act ("PRA"), 44 U.S.C. 3501 *et seq.*, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information and to allow 60 days for public comment. The CFTC's Office of Consumer Outreach ("OCO") develops campaigns to change consumer behaviors so that consumers can better avoid fraud as defined under the Commodities Exchange Act. The CFTC is posing survey questions to the public. This survey will include screening questions to identify the correct respondents and questions to determine optimal messages to help consumers identify, avoid, and report financial fraud as part of a consumer-facing anti-fraud campaign. This survey will follow qualitative message testing research (for which CFTC received fast-track OMB approval) and is necessary to identify, with statistical validation, which of these messages most effectively help consumers to identify, avoid, and report financial fraud.

**DATES:** Comments must be received on or before October 21, 2013.

**ADDRESSES:** You may submit comments, regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, by any of the following methods:

*Agency Web site, via its Comments Online process:* <http://comments.cftc.gov>. Follow the instructions for submitting comments through the Web site.

*Mail:* Send to Melissa D. Jurgens, Secretary of the Commission, Commodity Futures Trading Commission, 1155 21st Street NW., Washington, DC 20581.

*Hand delivery/Courier:* Same as Mail above.

*Federal eRulemaking Portal:* <http://www.regulations.gov/search/index.jsp>. Follow the instructions for submitting comments.

Please submit your comments using only one method.

All comments must be submitted in English, or if not, accompanied by an

English translation. Comments will be posted as received to <http://www.cftc.gov>. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission's regulations.<sup>1</sup>

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <http://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the rulemaking will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

**FOR FURTHER INFORMATION CONTACT:**

Nisha Smalls, Consumer Education & Outreach Specialist, 202-418-5000, [consumers@cftc.gov](mailto:consumers@cftc.gov), Office of Consumer Outreach, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** Under the PRA, federal agencies must obtain approval from the Office of Management and Budget ("OMB") for each collection of information they collect or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) as "the obtaining, causing to be obtained, soliciting . . . facts or opinions by or for an agency, regardless of form or format [from] ten

or more persons." An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires federal agencies to provide a 60-day notice in the **Federal Register** for each proposed collection of information before submitting the collection to OMB for approval. Under OMB regulations, which implement provisions of the PRA, certain "facts or opinions submitted in response to general solicitations of comments from the public, published in the **Federal Register** or other publications," 5 CFR 1320.3(h)(4), or "facts or opinions obtained or solicited at or in connection with public hearings or meetings," 5 CFR 1320.3(h)(8), are excluded from the OMB approval process.

In 2010, the Dodd-Frank Act<sup>2</sup> expanded the Commission's authority to, among other matters related to regulatory oversight, establish funding of consumer education initiatives under its new Whistleblower authority.<sup>3</sup> Under this new authority, the Commission established an Office of Consumer Outreach ("OCO") to, among other efforts, survey the public regarding consumer education initiatives.<sup>4</sup> This notice announces a public survey. The survey will include screening questions to identify the correct respondents and questions to determine optimal messages to help consumers identify, avoid, and report financial fraud as part of a consumer-facing anti-fraud campaign. This survey will follow qualitative message testing research (for which CFTC received fast-track OMB approval) and is necessary to identify, with statistical validation,

which of these messages most effectively help consumers to identify, avoid, and report financial fraud.

The OCO will use the information collected in the survey to develop effective methods to inform the public on how best to detect and report financial fraud. This will be done by creating a final summary report that combines key findings from both the survey as well as other qualitative research.

Findings from the summary report will be used to inform a directional document to be used by the OCO that will include recommendations on primary messages, support points, content, overall tone, phrasing and imagery of outreach efforts on financial fraud, as well as how to use these messages in various communications channels (e.g. online, print, radio, TV and collateral materials).

The survey will be administered using an online survey tool. The online modality approach will allow presentation of test material to participants in a more convenient and time-efficient manner than other collection methods such as mail intercepts. The online method also allows for a quicker turnaround for data collection. No other collection methods will be used.

The screening questions will take about 1 minute to complete. It is anticipated that 2,200 people will be screened. The survey will take 15 minutes. 1,100 people will take the 15 minute survey. Based on these assumptions, the total burden hours will be 330 hours. This estimate includes the time to prepare the survey and transmit it to the Commission. The Commission estimates the average burden of this collection of information as follows:

**ESTIMATED ANNUAL REPORTING BURDEN HOURS**

	Annual	Frequency	Hours per	Total	
17 CFR Part 165 .....	2,200	1 response per respondent.	1 minute per response.	2,200	36.7 hours—\$96.36 per burden hour.
17 CFR Part 165 .....	1,100	1 response per respondent.	15 minutes per response.	1,100	293.3 hours—\$96.36 per burden hour.

Issued in Washington, DC, on August 16, 2013, by the Commission.

**Melissa D. Jurgens,**

*Secretary of the Commission.*

[FR Doc. 2013-20419 Filed 8-21-13; 8:45 am]

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<sup>1</sup> 17 CFR 145.9.

<sup>2</sup> See Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law. 111-203,124

Stat. 1376 (2010). The text of the Dodd-Frank Act may be accessed at <http://www.cftc.gov/LawRegulation/DoddFrankAct/index.htm>.

<sup>3</sup> See 7 U.S.C. 26.

<sup>4</sup> See 17 CFR 165.12.