

Management Act of 1972, as amended, 16 U.S.C. 1461. The Reserve has been operating under a management plan approved in 1999. Pursuant to 15 CFR 921.33(c), a state must revise their management plan every five years. The submission of this plan fulfills this requirement and sets a course for successful implementation of the goals and objectives of the Reserve. New facilities and updated programmatic objectives are notable revisions to the 1999 approved management plan.

The mission of the Sapelo Island Reserve is to perpetuate the protection of the Sapelo Island National Estuarine Research Reserve and to provide a platform for conservation-based research, education and stewardship through the Reserve. The revised management plan identifies priority resource issues that are addressed through active management. These priority issues include addressing public access and visitor impact on Reserve uplands and marsh areas, addressing impacts related to activities on the Reserve by the island's population and addressing the projected increase in development and population growth on the Georgia coast. By addressing these priority resource issues, the Sapelo Island Reserve aims to fulfill its mission.

The revised plan establishes goals and objectives for the Reserve's various programmatic activities, including scientific biological research; water quality monitoring; education, training, and outreach programs; and stewardship programs. It also outlines the plans for future facility development to support reserve operations.

Since 1999, the reserve has realized some aspects of the 1999 plan, including the contributions toward the completion of the Barrier Island Research and Learning Center, a joint research dormitory and lab shared with the University of Georgia.

**FOR FURTHER INFORMATION CONTACT:**

Amy N. Clark at (301) 563-1137 or Laurie McGilvray at (301) 563-1158 of NOAA's National Ocean Service, Estuarine Reserves Division, 1305 East-West Highway, N/ORM5, 10th floor, Silver Spring, MD 20910. For copies of the revised Management Plan for the Sapelo Island National Estuarine Research Reserve visit <http://www.sapelonerr.org>.

Dated: May 22, 2008.

**David M. Kennedy,**

*Director, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.*

[FR Doc. E8-12541 Filed 6-4-08; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Privacy Act of 1974; System of Records**

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

**ACTION:** Notice of proposed new Privacy Act system of records.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, the United States Patent and Trademark Office (USPTO) gives notice of a proposed new system of records entitled "COMMERCE/PAT-TM-22 Patent e-Commerce Database." We invite the public to comment on the system announced in this publication.

**DATES:** Written comments must be received no later than July 7, 2008. The amendments will become effective as proposed on July 7, 2008, unless the USPTO receives comments that would result in a contrary determination.

**ADDRESSES:** You may submit written comments by any of the following methods:

*E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov).

*Fax:* (571) 273-0112, marked to the attention of Susan Fawcett.

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

*Federal Rulemaking Portal:* <http://www.regulations.gov>.

All comments received will be available for public inspection at the Federal rulemaking portal located at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, (571) 272-5429.

**SUPPLEMENTARY INFORMATION:** The United States Patent and Trademark Office (USPTO) is giving notice of a new system of records that is subject to the Privacy Act of 1974. The information in this system of records is used to maintain a list of customers who wish to receive patent e-Commerce updates or attend patent e-Commerce events.

The proposed new system of records, "COMMERCE/PAT-TM-22 Patent e-Commerce Database," is published in its entirety below.

**COMMERCE/PAT-TM-22**

**SYSTEM NAME:**

Patent e-Commerce Database.

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Search and Information Resources Administration (SIRA), United States Patent and Trademark Office, 600 Dulany Street, Alexandria, VA 22314.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals subscribing to receive patent e-Commerce updates or to attend a patent e-Commerce event.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Name of subscriber, name of organization, and subscriber's electronic mail address.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

35 U.S.C. 2.

**PURPOSE(S):**

The information in this system of records is used to maintain a list of customers who wish to receive patent e-Commerce updates or attend patent e-Commerce events.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

See Prefatory Statement of General Routine Uses Nos. 4-5, 9-10, and 13, as found at 46 FR 63501-63502 (December 31, 1981). The USPTO may use the information contained in this system of records to contact customers who have expressed an interest in patent e-Commerce events and updates.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Not applicable.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Electronic records in a computer database stored on magnetic storage media.

**RETRIEVABILITY:**

Name of subscriber (first and/or last), name of organization, and subscriber's electronic mail address.

**SAFEGUARDS:**

The database is password-protected and can only be accessed by authorized personnel.

**RETENTION AND DISPOSAL:**

Records retention and disposal is in accordance with the series records schedules.

**SYSTEM MANAGER(S) AND ADDRESS:**

SIRA Customer Outreach Manager,  
United States Patent and Trademark  
Office, P.O. Box 1450, Alexandria, VA  
22313-1450.

**NOTIFICATION PROCEDURE:**

Information about the records contained in this system may be obtained by sending a request in writing, signed, to the SIRA Customer Outreach Manager at the address above. When requesting notification of or access to records covered by this notice, requesters should provide their name and electronic mail address in accordance with the inquiry provisions appearing in 37 CFR 102 subpart B.

**RECORD ACCESS PROCEDURES:**

Requests from individuals should be addressed to the SIRA Customer Outreach Manager at the address above.

**CONTESTING RECORD PROCEDURES:**

The general provisions for access, contesting contents, and appealing initial determinations by the individual concerned appear in 37 CFR 102 subpart B. Requests from individuals should be addressed to the SIRA Customer Outreach Manager at the address above.

**RECORD SOURCE CATEGORIES:**

Subject individuals and those authorized by the individual to furnish information.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

Dated: May 29, 2008.

**Susan K. Fawcett,**

*Records Officer, USPTO, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division.*

[FR Doc. E8-12564 Filed 6-4-08; 8:45 am]

**BILLING CODE 3510-16-P**

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**COMMODITY FUTURES TRADING  
COMMISSION**

**RIN 3038-AC52**

**Exemptive Order for SPDR® Gold  
Futures Contracts**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final order.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is exempting certain transactions in physically delivered futures contracts based on SPDR® Gold Shares (SPDR® gold futures contracts) from those provisions of the Commodity Exchange

Act (CEA or Act),<sup>1</sup> and the Commission's regulations thereunder, that are inconsistent with the trading and clearing of SPDR® gold futures contracts as security futures. The exemption is conditioned on the compliance of transactions in SPDR® gold futures contracts with the requirements established for the trading and clearing of security futures. The authority for the issuance of this exemption is found in Section 4(c) of the Act.<sup>2</sup>

**DATES:** Effective June 5, 2008.

**FOR FURTHER INFORMATION CONTACT:**

Bruce Fekrat, Special Counsel, Office of the Director (telephone 202.418.5578, e-mail *bfekrat@cftc.gov*), Division of Market Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:****I. Background**

In correspondence dated October 26, 2007, OneChicago, LLC (OneChicago or the Exchange),<sup>3</sup> a board of trade designated with the Commission pursuant to Sections 5 and 6(a) of the Act, proposed and requested Commission approval to list for trading SPDR® gold futures contracts as security futures.<sup>4</sup> OneChicago is notice-registered with the Securities and Exchange Commission (SEC) as a national securities exchange under Section 6(g) of the Securities Exchange Act of 1934 ("34 Act") for the purpose of listing and trading security futures products. The approval request was filed pursuant to Section 5c(c)(2) of the Act and Commission Regulations 40.5 and 41.23.<sup>5</sup> OneChicago submitted its request for approval under the 45-day fast-track review period established by Commission Regulation 40.5. The fast-track review period for the Exchange's submission was scheduled to expire on December 10, 2007. The review period was extended by the Director of the Division of Market Oversight, pursuant to Regulations 40.5(c) and 40.7(a)(1), to January 24, 2008 on the grounds that the

SPDR® gold futures contracts raised novel and complex issues that required additional time for review.<sup>6</sup> By letter dated January 23, 2008, the Exchange, upon the request of the Commission's staff, voluntarily extended the review period to March 17, 2008. By letter dated February 26, 2008, the Exchange voluntarily extended the review period to April 30, 2008.<sup>7</sup> By letter dated April 28, 2008, the Exchange further voluntarily extended the review period to May 30, 2008.

On March 14, 2008, the Commission published for public comment in the **Federal Register** a proposal to exempt, pursuant to Section 4(c) of the Act, SPDR® gold futures contracts from those provisions of the CEA, and the Commission's regulations thereunder, that are inconsistent with the trading and clearing of SPDR® gold futures contracts as security futures.<sup>8</sup> The Commission proposed to issue the exemption in order to facilitate the Exchange's request for contract approval. No formal comments were submitted in response to the Commission's publication.<sup>9</sup>

**II. CEA Section 4(c) Exemptive Order**

In accordance with the Memorandum of Understanding entered into between the CFTC and the SEC on March 11, 2008, and in particular the addendum thereto concerning *Principles Governing the Review of Novel Derivative Products*, the Commission believes that novel derivative products that implicate areas of overlapping regulatory concern should be permitted to trade in either or both a CFTC or SEC regulated environment, in a manner consistent with laws and regulations (including the appropriate use of all available exemptive and interpretive authority). The Commission has determined to use

<sup>6</sup> Commission Regulations 40.5(c) and 40.7(a)(1) allow the Commission, and certain staff acting pursuant to delegated authority, to extend the 45-day fast-track review period by an additional 45 days if a product raises novel or complex issues requiring additional time for review. 17 CFR 40.5(c), 40.7(a)(1).

<sup>7</sup> Section 5c(c) of the Act requires the Commission to approve any designated contract market instrument submitted for approval within 90 days after the submission of the request unless (1) it finds that the trading or clearing of the instrument would violate the Act (or the Commission's regulations), or (2) the person submitting the request for approval agrees to extend the period of review beyond the 90 day time limitation.

<sup>8</sup> Proposed Exemptive Order for ST [SPDR®] Gold Futures Contracts, 73 FR 13876 (March 14, 2008) (Proposed Order). Effective May 21, 2008, the streetTRACKS® Gold Trust has been restyled as the SPDR® Gold Trust. Consequently, on May 22, 2008 the Exchange filed a rule amendment to reflect that change.

<sup>9</sup> A thorough summary of the Trust's operations is provided in the Proposed Order.

<sup>1</sup> 7 U.S.C. 1 *et seq.*

<sup>2</sup> 7 U.S.C. 6(c).

<sup>3</sup> OneChicago is jointly owned by the CME Group, Inc., IB Exchange Corp., and the Chicago Board Options Exchange.

<sup>4</sup> In accordance with Section 2(a)(9)(B)(i) of the Act, Commission staff forwarded the new contract filing to the Securities and Exchange Commission, the U.S. Department of Treasury and the Board of Governors of the Federal Reserve System on October 29, 2007. No comments were received in response to this correspondence. On January 4, 2008, the Exchange filed a rule amendment concerning minimum price fluctuations to supplement its initial submission.

<sup>5</sup> 7 U.S.C. 7a-2(c)(2), 17 CFR 40.5, 41.23.