

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

[Docket 26-2009]

Foreign-Trade Zone 73 - Baltimore/Washington International Airport, MD, Application for Subzone IKEA Wholesale, Inc. (Home furnishings and accessories), Perryville, MD

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Maryland Department of Transportation/ Maryland Aviation Administration, grantee of FTZ 73, requesting special-purpose subzone status for the warehousing and distribution facility of IKEA Wholesale Inc. (IKEA), located in Perryville, Maryland. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on July 2, 2009.

The IKEA facility (400 full-time and part-time employees, 242 acres/ 1.7 million square feet) is located at 100 Ikea Way, Perryville, Maryland. The facility is used for the storage and distribution of merchandise that includes: housewares and home furnishings, home textiles, glassware, kitchenware, appliances, cutlery, furniture, flooring and floor coverings, window treatments and fixtures, lighting fixtures, lamps, electrical products, batteries, hand tools, closet and storage accessories, office accessories, paper products, computers, CDs and DVDs, clocks and timers, toys, sporting goods, seasonal decorations, home recreation/entertainment items, and brooms and brushes (duty rate range: from free to 38%).

FTZ procedures could exempt IKEA from customs duty payments on the foreign goods exported from the proposed subzone. The company anticipates that some 25 percent of the facility's shipments will be exported. On its domestic sales, the company would be able to defer duty payments until merchandise is shipped from the facility and entered for consumption. FTZ designation would further allow IKEA to realize logistical benefits through the use of weekly customs entry procedures. The request indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Pierre Duy of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case

record and to report findings and recommendations to the Board. Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is September 11, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to September 28, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via www.trade.gov/ftz.

For further information, contact Pierre Duy at: pierre_duy@ita.doc.gov, or (202) 482-1378.

Dated: July 2, 2009.

Andrew McGilvray,

Executive Secretary.

[FR Doc. E9-16515 Filed 7-10-09; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE**Foreign-Trade Zones Board**

Order No. 1627

Grant of Authority For Subzone Status, Black & Decker Corporation (Power Tools, Lawn and Garden Tools and Home Products Warehousing and Distribution), Jackson, Tennessee

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for ". . . the establishment . . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the City of Memphis, Tennessee, grantee of FTZ 77, has made

application to the Board for authority to establish special-purpose subzone status at the power tools/lawn and garden tools and home products warehousing and distribution facilities of Black & Decker Corporation, located in Jackson, Tennessee (FTZ Docket 44-2008, filed 8/5/2008);

Whereas, notice inviting public comment has been given in the **Federal Register** (73 FR 47585, 8/14/2008); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants authority for subzone status for activity related to power tools/lawn and garden tools and home products warehousing and distribution at the Black & Decker Corporation facility located in Jackson, Tennessee (Subzone 77D), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 26th day of June 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board

Attest:

Andrew McGilvray,

Executive Secretary.

[FR Doc. E9-16513 Filed 7-10-09; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XQ06

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of a proposal to conduct exempted fishing; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application that was submitted by the

Cornell Cooperative Extension of Suffolk County (CCE) warrants further consideration and should be issued for public comment. The EFP would exempt participating vessels from summer flounder size restrictions and summer flounder minimum mesh size regulations. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made.

DATES: Comments must be received on or before July 28, 2009.

ADDRESSES: Comments may be submitted by e-mail to: nero.efp@noaa.gov. Include in the subject line of the e-mail comment the following document identifier: "Comments on CCE Inshore Fluke Discard EFP." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on CCE Inshore Fluke Discard EFP." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Anna Macan, Fishery Management Specialist, phone: 978-281-9165, fax: 978-281-9135.

SUPPLEMENTARY INFORMATION: In 2007, the Science and Research Director for NMFS's Northeast Fisheries Science Center selected the proposal submitted by the CCE under the Summer Flounder, Scup, and Black Sea Bass Research Set-Aside (RSA) titled: "Evaluation of Summer Flounder Discard Mortality in the Bottom Trawl Fishery." The research was conducted to improve and enhance fishery information relative of discard mortality of summer flounder in the bottom trawl fishery. An extension to utilize available funds was granted to CCE, so an EFP to conduct additional research trips is being requested.

This EFP would allow for additional research trips to further enhance the existing data on mortality of trawl-caught summer flounder. The research would be carried out from July 2009 through July 2010, up to a total of 10 research trips, and would be in conjunction with normal fishing operations of the mixed trawl fishery. Only one vessel would be used for each trip, but up to six vessels could be used, depending on availability. Vessels

would be compensated to make three specific tows for summer flounder to assess trawl mortality. Duration of these tows would be 1, 2, and 3 hours. Summer flounder from each tow would be culled and sorted between live and dead. Sorting would occur at predetermined time intervals until the deck is cleared of fish. The fish would then be weighed and, as time allows, scale and otolith samples from both groups would be collected. The research trips would be conducted inshore along the coast of southern Long Island from Jones Inlet to Montauk Point, reaching depths of 240 ft (73 m). Areas sampled would include NMFS statistical areas 611, 612, and 613. In order to conduct the research, the vessels would need exemptions from the summer flounder minimum fish size and mesh size regulations at §§ 648.103 and 648.104(a)(1), respectively. These exemptions are needed to retain the fish on deck for the purpose of scientific research. Additionally, since the research trips may be conducted during a commercial squid trip, an exemption from the summer flounder minimum mesh size regulation is also needed in order for the vessels to retain more than the incidental limit of 100 lb (45.4 kg) of summer flounder. After the research, is conducted the fish would be returned to sea, unless the vessel is currently allocated 2009 research set-aside and has been issued a current and separate EFP to harvest research set-aside quota.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs. The applicant may place requests for minor modifications and extensions to the EFP throughout the year. EFP modifications and extensions may be granted without further notice if they are deemed essential to facilitate completion of the proposed research and minimal so as not to change the scope or impact of the initially approved EFP request.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: July 8, 2009.

Kristen C. Koch

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. E9-16528 Filed 7-10-09; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO-T-2009-0026]

Trademark Examination Guides 01-09 and 02-09 on Deceptiveness Refusals

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice

SUMMARY: The United States Patent and Trademark Office ("USPTO" or "Office") is publishing two Trademark Examination Guides ("Guides") regarding deceptiveness refusals for non-geographic and geographic marks. These Guides, issued on May 11, 2009, are being published to give members of the public notice of them in addition to the notice already provided on the USPTO's Web site. Members of the public may submit comments regarding the Guides. Comments will be given consideration in connection with developing future examination guidance dealing with the subjects of the Guides.

ADDRESSES: The Office prefers that any comments be submitted via electronic mail message to TMFRNotices@uspto.gov. Written comments may also be submitted by mail addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, marked to the attention of Cynthia C. Lynch; or by hand delivery to the Trademark Assistance Center, Concourse Level, James Madison Building—East Wing, 600 Dulany Street, Alexandria, Virginia, marked to the attention of Cynthia C. Lynch.

The comments will be available for public inspection on the Office's Web site at <http://www.uspto.gov> and will also be available at the Office of the Commissioner for Trademarks, Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia. Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

FOR FURTHER INFORMATION CONTACT: Cynthia C. Lynch, Office of the Deputy Commissioner for Trademark Examination Policy, by electronic mail at: cynthia.lynych@uspto.gov; or by mail addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, marked to the attention of Cynthia C. Lynch.

SUPPLEMENTARY INFORMATION: On May 11, 2009, the Office issued Examination Guides 01-09 and 02-09 regarding examination procedures for marks that may be deceptive under either section