

determination within one month from the filing of the appeal brief. To assist appellants in complying with 37 CFR 41.37, the BPAI has posted checklists for notices of appeal and appeal briefs and a list of eight reasons appeal briefs have been previously held to be noncompliant, on the USPTO Web site at http://www.uspto.gov/ip/boards/bpai/procedures/guidance_noncompliant_briefs.jsp. If the appeal brief is determined to be compliant with 37 CFR 41.37, the Chief Judge will accept the appeal brief and forward it to the examiner for consideration. If the Chief Judge determines that the appeal brief is not compliant with 37 CFR 41.37 and sends appellant a notice of noncompliant brief requiring a corrected brief, appellant will be required to file a corrected brief within the time period set forth in the notice to avoid the dismissal of the appeal. See 37 CFR 41.37(d). The Chief Judge will also have the sole responsibility for determining whether corrected briefs comply with 37 CFR 41.37, and will address any inquiries and petitions regarding notices of noncompliant briefs.

The Chief Judge's responsibility for determining whether appeal briefs comply with 37 CFR 41.37 is not considered a transfer of jurisdiction when an appeal brief is filed, but rather is only a transfer of the specific responsibility of notifying appellant under 37 CFR 41.37(d) of the reasons for non-compliance. The Patent Examining Corps retains the jurisdiction over the application to consider the appeal brief, conduct an appeal conference, draft an examiner's answer, and decide the entry of amendments, evidence, and information disclosure statements filed after final or after the filing of a notice of appeal. Furthermore, petitions concerning the refusal to enter amendments and/or evidence remain delegated to the Patent Examining Corps as provided in the Manual of Patent Examining Procedure (MPEP) §§ 1002.02(b) and (c).

Once the Chief Judge accepts the appeal brief as compliant, an examiner's answer will be provided in the application if the examiner determines that the appeal should be maintained after an appeal conference is conducted. See MPEP §§ 1207-1207.02. The examiner will treat all pending, rejected claims as being on appeal. If the notice of appeal or appeal brief identifies fewer than all of the rejected claims as being appealed, the issue will be addressed by the BPAI panel. The jurisdiction of the application will be transferred to the BPAI when a docketing notice is entered after the time period for filing a reply

brief expires or the examiner acknowledges the receipt and entry of the reply brief. After taking jurisdiction, the BPAI will not return or remand the application to the Patent Examining Corps for issues related to a noncompliant appeal brief.

This notice does not apply to reexamination proceedings. The Office is considering a streamlined procedure for review of briefs filed in reexamination proceedings, in which the Chief Judge will also have the sole responsibility for determining whether briefs filed in *ex parte* reexamination proceedings comply with 37 CFR 41.37 and briefs filed in *inter partes* reexamination proceedings comply with 37 CFR 41.67, 41.68, and 41.71.

Dated: March 24, 2010.

David J. Kappos,

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

[FR Doc. 2010-7034 Filed 3-29-10; 8:45 am]

BILLING CODE 3510-16-P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Information Collection; Submission for OMB Review, Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (hereinafter the "Corporation"), has submitted a public information collection request (ICR) entitled the Learn and Serve America Progress Report to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, (44 U.S.C. Chapter 35). Copies of this ICR, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service, Meredith Archer Hatch at (202) 606-7513. Individuals who use a telecommunications device for the deaf (TTY-TDD) may call (202) 606-3472 between 8:30 a.m. and 5 p.m. eastern time, Monday through Friday.

ADDRESSES: Comments may be submitted, identified by the title of the information collection activity, to the Office of Information and Regulatory Affairs, Attn: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service, by any of the following two methods within 30 days from the date of publication in this **Federal Register**:

(1) By fax to: (202) 395-6974, Attention: Ms. Sharon Mar, OMB Desk Officer for the Corporation for National and Community Service; and

(2) Electronically by e-mail to: smar@omb.eop.gov.

SUPPLEMENTARY INFORMATION: The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Propose ways to enhance the quality, utility, and clarity of the information to be collected; and
- Propose ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Comments

A 60-day public comment Notice was published in the **Federal Register** on December 24, 2009. This comment period ended February 22, 2010. No public comments were received from this Notice.

Description: The Corporation is seeking approval of its proposed renewal of its Learn and Serve America Progress Report. These reports must be completed by all Learn and Serve America grantees in order to ensure appropriate Federal oversight, determine progress toward meeting program objectives and make decisions related to continuation funding.

Learn and Serve America provides grants to state education agencies, higher education institutions, tribes, and U.S. Territories, national nonprofits and state commissions on nation and community service to implement service-learning programs. To ensure appropriate oversight of Federal funds, Learn and Serve America requires all grant recipients to submit Progress Reports describing grant activities and progress toward approved program objectives. Information received from the reports informs continuation funding decisions and how to target training and technical assistance.

Copies of the information collection requests can be obtained by contacting

the office listed in the addresses section of this notice.

Type of Review: Renewal.

Agency: Corporation for National and Community Service.

Title: Learn and Serve America Progress Report.

OMB Number: 3045-0089.

Agency Number: None.

Affected Public: State and Local Government, Not-for-profit institutions.

Total Respondents: 175.

Frequency: Twice Annually.

Average Time per Response: Averages 2 hours.

Estimated Total Burden Hours: 700 (annual).

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Dated: March 23, 2010.

Cara Patrick,

Learn and Serve America.

[FR Doc. 2010-6953 Filed 3-29-10; 8:45 am]

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CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Proposed Information Collection; Comment Request

AGENCY: Corporation for National and Community Service.

ACTION: Notice.

SUMMARY: The Corporation for National and Community Service (hereinafter the "Corporation"), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. Sec. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of the collection requirement on respondents can be properly assessed.

Currently, the Corporation is soliciting comments concerning its proposed renewal of "Application for the President's Higher Education Community Service Honor Roll" which will involve the collection of information from institutions of higher education concerning community service activities and will provide the basis for the national honor roll and

awards program. Each year the Honor Roll program includes a Special Focus Area that awards excellence in a specific category of community service work. This Special Focus Area will fall within the Administration's and Edward M. Kennedy Serve America Act's (Pub. L. 111-13) national service priorities: Education, health, clean energy, veteran and economic opportunity.

Copies of the information collection requests can be obtained by contacting the office listed in the addresses section of this notice.

DATES: Written comments must be submitted to the individual and office listed in the **ADDRESSES** section by June 1, 2010.

ADDRESSES: You may submit comments, identified by the title of the information collection activity, by any of the following methods:

(1) By mail sent to: Corporation for National and Community Service, Learn and Serve America; Attention: Kevin Michael Days, Advisor, Higher Education Special Initiatives, Room 9616A; 1201 New York Avenue, NW., Washington, DC 20525.

(2) By hand delivery or by courier to the Corporation's mailroom at Room 8100 at the mail address given in paragraph (1) above, between 9 a.m. and 4 p.m. Monday through Friday, except Federal holidays.

(3) By fax to: (202) 606-3477, Attention: Kevin Michael Days, Advisor, Higher Education Special Initiatives.

(4) Electronically through www.regulations.gov. Individuals who use a telecommunications device for the deaf (TTY-TDD) may call (202) 606-3472 between 8:30 a.m. and 5 p.m. eastern time, Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Kevin Michael Days, (202) 606-6899, or by e-mail at kdays@cns.gov.

SUPPLEMENTARY INFORMATION:

The Corporation is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are expected to respond, including the use of appropriate automated,

electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submissions of responses).

Background

The President's Higher Education Community Service Honor Roll program is designed to identify and reward exemplary higher education community service programs and practices. This program helps fulfill the Corporation's strategic goals of engaging Americans, particularly millions of college students, in service, and ensuring that all higher education institutions provide, or stimulate the creation of resources to coordinate service, service-learning, and community partnerships. Beginning with the fifth year of the Honor Roll program, the application will include a special focus area that will highlight the national service priorities of the Administration and the Edward M. Kennedy Serve America Act, by encouraging higher education institutions' efforts to tackle priorities ranging from increasing high school graduation rates to fostering economic opportunity.

Current Action

The Corporation seeks to renew the current information collection. The Corporation is making the following changes to the application and guidance for two reasons. First, to better align the program with the current Administration's goals for service, (i.e., measuring the impact of service in the community, strengthening of civic infrastructures, and building the capacities of nonprofits) the focus of the application is moving away from individual project descriptions toward institutional and long-term support of community service. The Corporation is also revising the Special Focus area competition to align with the current Administration's and Edward M. Kennedy Serve America Act's national service priorities.

Second, as a result of feedback from respondents from the higher education field, we are reducing the number of project descriptions within the application and instructing applicants to align their project/program descriptions to their institution's overall support for community service. These changes will reduce the number of project/program descriptions from five to three but will include expanded opportunity for applicants to demonstrate the connection of this service to their larger institutional commitment to service, and the impact