

comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Office of International Trade, Regulations and Rulings, U.S. Customs and Border Protection, 799 9th Street NW., 5th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 325-0118.

#### **SUPPLEMENTARY INFORMATION:**

##### **Public Participation**

Interested persons are invited to participate by submitting written data, views, or arguments on CBP's conclusion that the rule may have a significant economic impact on a substantial number of small entities.

##### **Background**

On February 22, 2012, CBP published a notice of proposed rulemaking (NPRM) titled "Changes to the In-Bond Process" in the **Federal Register** (77 FR 10622) and requested comments from the public. The NPRM proposes various changes to the in-bond regulations to enhance CBP's ability to regulate and track in-bond merchandise and to ensure that the in-bond merchandise is properly entered and duties are paid or that the in-bond merchandise is exported. The comment period closed on April 23, 2012.

As part of the development of the NPRM and pursuant to the Regulatory Flexibility Act of 1980, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (RFA/SBREFEA) and E.O. 13272, titled "Proper Consideration of Small Entities in Agency Rulemaking," CBP prepared a regulatory flexibility analysis. Because the initial screening analysis indicated that the rule might significantly affect a substantial number of small entities, CBP was required to conduct an Initial Regulatory Flexibility Analysis (IRFA) to further assess these impacts.

In the NPRM and the IRFA, CBP concluded that the rule may significantly affect a substantial number of small entities. The NPRM summarizes the IRFA, seeks comments

on its conclusion and states that the complete IRFA can be found in the docket for the rulemaking. However, CBP inadvertently failed to timely post the IRFA to the docket. The complete IRFA has now been posted to the docket at <http://www.regulations.gov> under Docket USCBP-2012-0002 and CBP is again inviting interested parties to comment on CBP's conclusion that the rule may have a significant economic impact on a substantial number of small entities. All comments must be received within 30 days of publication of this notice. CBP will not accept comments on any other topic.

Dated: July 20, 2012.

**Harold Singer,**

*Director, Regulations and Disclosure Law Division.*

[FR Doc. 2012-18187 Filed 7-25-12; 8:45 am]

**BILLING CODE 9111-14-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Parts 151, 155, 156, and 157**

#### **46 CFR Part 197**

[Docket Number USCG-2010-0194]

RIN 1625-AB57

#### **MARPOL Annex I Amendments; Extension of Comment Period**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Extension of comment period.

**SUMMARY:** The Coast Guard is extending the comment period for the notice of proposed rulemaking (NPRM) entitled "MARPOL Annex I Amendments," published on April 9, 2012, for 60 days. We have decided to extend the comment period at the request of industry because we omitted from the docket the accompanying Regulatory Analysis, which informs the proposal.

**DATES:** Comments and related material must be submitted to the docket by September 7, 2012.

**ADDRESSES:** You may submit comments identified by docket number using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* 202-493-2251.

(3) *Mail or Delivery:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001. Deliveries accepted between 9 a.m. and 5 p.m., Monday through Friday, except federal

holidays. The telephone number is 202-366-9329.

See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for further instructions on submitting comments. To avoid duplication, please use only one of these three methods.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Scott E. Hartley, U.S. Coast Guard Office of Operating and Environmental Standards, (CG-OES-2); telephone 202-372-1437, email

[Scott.E.Hartley@uscg.mil](mailto:Scott.E.Hartley@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Public Participation and Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

##### *1. Submitting Comments*

If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online at <http://www.regulations.gov>, or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, type the docket number (USCG-2010-0194) in the "SEARCH" box and click "SEARCH." Click on "Submit a Comment" on the line associated with this rulemaking.

If you submit your comments by mail or hand delivery, submit them in an

unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

### 2. Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number (USCG-2010-0194) in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

### 3. Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

### B. Regulatory History and Information

The Coast Guard published an NPRM entitled "MARPOL Annex I Amendments" on April 9, 2012 (77 FR 21360) proposing to align Coast Guard regulations with recent amendments to Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978. The NPRM also proposed to incorporate some elements from the International Convention for the Safety of Life at Sea into our regulations. All comments on this NPRM were originally due by July 9, 2012.

### C. Background and Purpose

On June 14, 2012, we received a letter from the American Petroleum Institute requesting a 60-day extension of the comment period. It noted that the Regulatory Analysis had not been posted to the docket, and that examination of that document was important in analyzing the proposal. We found that the Regulatory Analysis was in fact not available in the docket as

stated in the NPRM, and promptly made it available and ensured it was properly posted to the docket. However, as we wish to give commenters the full amount of time originally provided to review our analysis, we are reopening the comment period to allow commenters the full period to comment on the Regulatory Analysis.

### D. Authority

This notice is issued under authority of 5 U.S.C. 552(a).

Dated: July 17, 2012.

#### F.J. Sturm,

Acting Director of Commercial Regulations, and Standards, U.S. Coast Guard.

[FR Doc. 2012-18226 Filed 7-25-12; 8:45 am]

BILLING CODE 9110-04-P

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 1

[Docket No.: PTO-P-2012-0015]

RIN 0651-AC77

### Changes To Implement the First Inventor To File Provisions of the Leahy-Smith America Invents Act

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Leahy-Smith America Invents Act (AIA) amends the patent laws pertaining to the conditions of patentability to convert the United States patent system from a "first to invent" system to a "first inventor to file" system; treats United States patents and United States patent application publications as prior art as of their earliest effective United States, foreign, or international filing date; eliminates the requirement that a prior public use or sale be "in this country" to be a prior art activity; and treats commonly owned or joint research agreement patents and patent application publications as being by the same inventive entity for purposes of novelty, as well as nonobviousness. The AIA also repeals the provisions pertaining to statutory invention registrations. The current rules of practice in patent cases have a number of provisions based on the conditions of patentability of a "first to invent" patent system. The United States Patent and Trademark Office (Office) is proposing to amend the rules of practice in patent cases to implement the changes to the conditions of patentability in the AIA, and to

eliminate the provisions pertaining to statutory invention registrations.

**DATES:** *Comment Deadline Date:* Written comments must be received on or before October 5, 2012.

**ADDRESSES:** Comments should be sent by electronic mail message over the Internet addressed to: [fitf\\_rules@uspto.gov](mailto:fitf_rules@uspto.gov). Comments may also be submitted by postal mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, marked to the attention of Susy Tsang-Foster, Legal Advisor, Office of Patent Legal Administration.

Comments may also be sent by electronic mail message over the Internet via the Federal eRulemaking Portal. See the Federal eRulemaking Portal Web site (<http://www.regulations.gov>) for additional instructions on providing comments via the Federal eRulemaking Portal.

Although comments may be submitted by postal mail, the Office prefers to receive comments by electronic mail message over the Internet because sharing comments with the public is more easily accomplished. Electronic comments are preferred to be submitted in plain text, but also may be submitted in ADOBE® portable document format or MICROSOFT WORD® format. Comments not submitted electronically should be submitted on paper in a format that facilitates convenient digital scanning into ADOBE® portable document format.

The comments will be available for public inspection at the Office of the Commissioner for Patents, currently located in Madison East, Tenth Floor, 600 Dulany Street, Alexandria, Virginia. Comments also will be available for viewing via the Office's Internet Web site (<http://www.uspto.gov>). Because comments will be made available for public inspection, information that the submitter does not desire to make public, such as an address or phone number, should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:** Susy Tsang-Foster, Legal Advisor ((571) 272-7711), Pinchus M. Laufer, Senior Legal Advisor ((571) 272-7726), or Eugenia A. Jones, Senior Legal Advisor ((571) 272-7727), Office of Patent Legal Administration, Office of the Deputy Commissioner for Patent Examination Policy.

#### SUPPLEMENTARY INFORMATION:

*Executive Summary: Purpose:* Section 3 of the AIA, *inter alia*, amends the patent laws to: (1) Convert the United States patent system from a "first to