

**DATES:** Written comments must be submitted on or before December 17, 2019.

**ADDRESSES:** Direct all written comments to John W. Hounsell, Program Manager, Office of Program Management, National Technical Information Service, Department of Commerce, 5301 Shawnee Road, Alexandria, VA 22312 (or at [PRAcomments@doc.gov](mailto:PRAcomments@doc.gov)). All comments received are part of the public record. Comments will generally be posted without change. All Personally Identifiable Information (for example, name and address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to John W. Hounsell, at email: [jhounsell@ntis.gov](mailto:jhounsell@ntis.gov) or telephone: 703-605-6184.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This notice informs the public that the National Technical Information Service (NTIS) is requesting the renewal of an information collection described in Section II for use in connection with the final rule entitled "Certification Program for Access to the Death Master File." The final rule was published on June 1, 2016 and became effective on November 28, 2016. The information collection described in Section II, was approved and became effective on December 23, 2016.

**II. Method of Collection**

*Title of Information Collection:* "Limited Access Death Master File Accredited Conformity Assessment Body Application for Firewalled Status" (Firewalled Status Application Form).

*Description of the need for the information and the proposed use:* NTIS issued a final rule establishing a program through which persons may become eligible to obtain access to Death Master File (DMF) information about an individual within three years of that individual's death (81 FR 34882, June 1, 2016). The final rule was promulgated under Section 203 of the Bipartisan Budget Act of 2013, Public Law 113-67 (Act). The Act prohibits the Secretary of Commerce (Secretary) from disclosing DMF information during the three-year period following an individual's death (Limited Access DMF), unless the person requesting the information has been certified to access

the Limited Access DMF pursuant to certain criteria in a program that the Secretary establishes. The Secretary delegated the authority to carry out Section 203 to the Director of NTIS.

The final rule requires that, in order to become certified, a Person must submit a written attestation from an "Accredited Conformity Assessment Body" (ACAB), as defined in the final rule, that such Person has information security systems, facilities and procedures in place to protect the security of the Limited Access DMF, as required under Section 1110.102(a)(2) of the final rule. A Certified Person also must provide a new written attestation periodically for renewal of its certification as specified in the final rule. The ACAB must be independent of the Person or Certified Person seeking certification, unless it is a conformity assessment body which qualifies for "firewalled status" pursuant to Section 1110.502 of the final rule.

The Firewalled Status Application Form collects information that NTIS will use to evaluate whether the respondent qualifies for "firewalled status" under the rule, and, therefore, can provide a written attestation in lieu of an independent ACAB's attestation. This information includes specific requirements of Section 1110.502(b) of the final rule, which the respondent ACAB must certify are satisfied, and the provision of specific information by the respondent ACAB, such as the identity of the Person or Certified Person that would be the subject of the attestation and the basis upon which the certifications were made.

**III. Data**

*OMB Control Number:* 0692-0015.

*Form Number(s):* NTIS FM101.

*Type of Review:* Regular submission.

*Affected Public:* Accredited Conformity Assessment Bodies seeking firewalled status under 15 CFR 1110.502 because they are "owned, managed or controlled" by the Person or Certified Person for whom they are providing assessment(s) and or audit(s) under the final rule for the "Certification Program for Access to the Death Master File."

*Estimated Number of Respondents:* NTIS expects to receive approximately 250 applications and renewals for certification every year, of which it expects that approximately 20% of the required assessments will be provided by Accredited Conformity Assessment Bodies that will seek firewalled status in a given year. Accordingly, NTIS estimates that it will receive approximately 50 Firewalled Status Application Forms per year.

*Estimated Time per Response:* 60 minutes.

*Estimated Total Annual Burden Hours:* 50 (50 × 1 hour = 50 hours).

*Estimated Total Annual Cost to Public:* NTIS expects to receive approximately 50 applications annually at a fee of \$268 per application, for a total cost to the public of \$13,400. The total annual cost reflects the cost to the Federal Government, which consists of the expenses associated with NTIS personnel reviewing and processing the Firewalled Status Application Forms. In addition, NTIS estimates that it will take a senior auditor within the organization one hour to complete the form at a rate of \$135 per hour, for a total additional cost to the public of \$6,750 (50 burden hours × \$135/hour = \$6,750). NTIS estimates the total annual cost to the public to be \$13,400 in fees + \$6,750 in staff time = \$20,150.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the potential use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

**Sheleen Dumas,**

*Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.*

[FR Doc. 2019-22779 Filed 10-17-19; 8:45 am]

**BILLING CODE 3510-04-P**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

[Docket No. PTO-P-2019-0034]

**October 2019 Patent Eligibility Guidance Update**

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

**ACTION:** Notice.

**SUMMARY:** In January 2019, the United States Patent and Trademark Office (USPTO) prepared revised guidance (2019 Patent Eligibility Guidance) for use by USPTO personnel in evaluating subject matter eligibility. The USPTO published the 2019 Patent Eligibility Guidance in the **Federal Register** and sought public comment on the guidance. In view of the comments received in response to the 2019 Patent Eligibility Guidance, the USPTO has produced an update of its 2019 Patent Eligibility Guidance (the October 2019 Patent Eligibility Guidance Update), which is available to the public on the USPTO's website. The October 2019 Patent Eligibility Guidance Update includes a new set of examples as well as a discussion of various issues raised by the public comments. The Update is intended to assist Office personnel in applying the 2019 Patent Eligibility Guidance. The Office continues to welcome public feedback on an ongoing basis on the October 2019 Patent Eligibility Guidance Update or on any patent eligibility issue.

**ADDRESSES:** Comments must be submitted through the Federal eRulemaking Portal at <https://www.regulations.gov>. To submit comments via [www.regulations.gov](https://www.regulations.gov), enter docket number PTO-P-2019-0034 on the home page and click "search." The site will provide a search results page listing all documents associated with this docket. Find a reference to this notice and click on the "Comment Now!" icon, complete the required fields, and enter or attach your comments. Attachments to electronic comments will be accepted in ADOBE® portable document format or MICROSOFT WORD® format. 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:** Carolyn Kosowski, at 571-272-7688, Matthew Sked, at 571-272-7627, or June Cohan, at 571-272-7744, all Senior Legal Advisors at the Office of Patent Legal Administration.

**SUPPLEMENTARY INFORMATION:** The USPTO prepared the 2019 Patent Eligibility Guidance for use by USPTO personnel in determining subject matter eligibility under 35 U.S.C. 101. The USPTO published the 2019 Patent Eligibility Guidance in the **Federal Register** on January 7, 2019, and sought public comment on the guidance. See *2019 Revised Patent Subject Matter*

*Eligibility Guidance*, 84 FR 50 (Jan. 7, 2019).

The USPTO received numerous comments from the public. The public comments include requests for further explanation of the following five major themes: (1) Evaluation of whether a claim recites a judicial exception; (2) the groupings of abstract ideas enumerated in the 2019 Patent Eligibility Guidance; (3) evaluation of whether a judicial exception is integrated into a practical application; (4) the *prima facie* case and the role of evidence with respect to eligibility rejections; and (5) the application of the 2019 Patent Eligibility Guidance in the patent examining corps.

The USPTO has now produced the October 2019 Patent Eligibility Guidance Update responding to each of the major themes from the public comments. The October 2019 Patent Eligibility Guidance Update also includes three appendices. The first appendix (Appendix 1) provides new examples that are illustrative of major themes from the comments. The second appendix (Appendix 2) is a comprehensive index of examples for use with the 2019 Patent Eligibility Guidance, including examples issued prior to the publication of the 2019 Patent Eligibility Guidance. The third appendix (Appendix 3) lists and discusses selected eligibility cases from the Supreme Court and the U.S. Court of Appeals for the Federal Circuit.

The October 2019 Patent Eligibility Guidance Update, including the appendices, is available to the public on the USPTO's website (<https://www.uspto.gov/PatentEligibility>). Feedback on the October 2019 Patent Eligibility Guidance Update or on any patent eligibility issue is welcome on an ongoing basis. Instructions for submitting feedback are provided in the **ADDRESSES** section of this notice.

Dated: October 11, 2019.

**Andrei Iancu,**

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

[FR Doc. 2019-22782 Filed 10-17-19; 8:45 am]

**BILLING CODE 3510-16-P**

## **COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

### **Procurement List; Additions**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to the Procurement List.

**SUMMARY:** This action adds products to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Date added to the Procurement List:* November 17, 2019.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 715, Arlington, Virginia 22202-4149.

**FOR FURTHER INFORMATION CONTACT:** Michael R. Jurkowski, Telephone: (703) 603-2117, Fax: (703) 603-0655, or email [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

### **SUPPLEMENTARY INFORMATION:**

#### **Additions**

On 6/7/2019, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the products and impact of the additions on the current or most recent contractors, the Committee has determined that the products listed below are suitable for procurement by the Federal Government under 41 U.S.C. 8501-8506 and 41 CFR 51-2.4.

#### **Regulatory Flexibility Act Certification**

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the products to the Government.

2. The action will result in authorizing small entities to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501-8506) in connection with the products proposed for addition to the Procurement List.

#### **End of Certification**

Accordingly, the following products are added to the Procurement List:

#### *Products*

*NSN(s)—Product Name(s):*

5350-00-NIB-0013—Paper, Abrasive, Aluminum Oxide, 9" x 11" Sheet, 220 Grit

5350-00-NIB-0014—Paper, Abrasive, Aluminum Oxide, 9" x 11" Sheet, 180A Grit