120 to nonprovisional application O filed on February 2, 2021, which is the only benefit claim in the application. J's EBD is February 2, 2021, which is more than six but not more than nine years, earlier than J's actual filing date of July 5, 2029. In this example, the § 1.17(w)(1) fee of $2,700 is due upon J's filing. The applicant pays the fee. Two months after J's filing, the applicant files a second ADS containing the previously added benefit claim to O and a new benefit claim under 35 U.S.C. 120 to nonprovisional application N filed on March 2, 2020. This newly added benefit claim causes J's EBD to become March 2, 2020, which is more than nine years earlier than J's actual filing date of July 5, 2029, and thus prompts the fee in § 1.17(w)(2). Because the fee in § 1.17(w)(1) was previously paid, the previous payment is subtracted from the amount now due under § 1.17(w)(2). Accordingly, the amount due upon filing of the second ADS is $1,300 (the current fee amount of $4,000 set forth in § 1.17(w)(2) less the $2,700 previously paid under § 1.17(w)(1)).

■ 2. On page 91971, in table 20, in the third entry for ''1.17(m)(2)'' (fee code 3784), in the ''Final rule fee'' column, ''$54'' is corrected to read ''$452''.

§ 1.17 [Corrected]

■ 3. On page 92004, in the second column:

■ a. In amendatory instruction 3.f for § 1.17, ''table 21 and 22'' is corrected to read ''tables 21 and 22'';

■ b. In amendatory instruction 3.h. for § 1.17, ''Redesigning tables 19 through 21'' is corrected to read ''Redesignating tables 19 through 21''.

■ 4. On page 92004, in the third column, in § 1.17, in paragraph (f), in the first line in note 1 to table 10 to paragraph (f), add ''§ '' before ''1.36(a)''.

■ 5. On page 92005, at the top of the second column, in § 1.17, in paragraph (h), in note 3 to table 14 to paragraph (h), add ''§ '' before ''1.84''.

§ 1.492 [Corrected]

■ 6. On page 92010, in the second column, in amendatory instruction 15 for § 1.492, the instruction ''Section 1.492 is amended by revising table 1 in paragraph (a), tables 2 through 5 in paragraphs (b)(2) through (4),'' is corrected to read ''Section 1.492 is amended by revising table 1 in paragraph (a), tables 3 through 5 in paragraphs (b)(2) through (4),''.

§ 42.15 [Corrected]

■ 7. On page 92011, in the third column, in § 42.15, paragraph (e) is corrected to read as follows:

* * * * *

(e) Fee for counsel who are not registered practitioners, and who are not seeking automatic recognition pursuant to § 42.10(c)(2), to appear *pro hac vice* before the Patent Trial and Appeal Board: $269.00.

* * * * *

■ 8. On page 92011, in the third column, in § 42.15, in paragraph (f), ''$452'' is corrected to read ''$452.00''.

Derrick L. Brent,

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

[FR Doc. 2025–00273 Filed 1–13–25; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Parts 2 and 7

[Docket No. PTO–T–2022–0034]

RIN 0651–AD65

Setting and Adjusting Trademark Fees During Fiscal Year 2025

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

ACTION: Final rule; correction.

SUMMARY: The United States Patent and Trademark Office (USPTO) is correcting nonsubstantive errors in the preamble and regulatory text of a final rule that appeared in the **Federal Register** on November 18, 2024. That final rule set or adjusted trademark fees as authorized by the Leahy-Smith America Invents Act (AIA), as amended by the Study of Underrepresented Classes Chasing Engineering and Science Success Act of 2018 (SUCCESS Act). This action is necessary to address potential confusion for impacted entities that could result if these errors are not corrected. These corrections do not result in any substantive changes to the final rule.

DATES: The final rule correction is effective January 18, 2025.

FOR FURTHER INFORMATION CONTACT: C. Brett Lockard, Director, Forecasting and Analysis Division, at 571–272–0928 or *Christopher.Lockard@uspto.gov*.

SUPPLEMENTARY INFORMATION: On November 18, 2024, the USPTO published a final rule setting or adjusting trademark fees as authorized by the AIA, as amended by the SUCCESS Act. See 89 FR 91062. Subsequent to the publication of that final rule, it was discovered that the rule inadvertently omitted applicable cross-references in 37 CFR 2.22(a)(6) and (9) and contained an incorrect cross-reference in § 2.22(a)(8), which referenced a fee that did not apply. This correction amends these sections to provide the correct cross-references.

Section 2.22 applies to all applications under section 1 and/or 44 of the Trademark Act, which includes not only trademark and service mark applications, but also applications for collective, collective membership, and certification marks. However, the cross-references in § 2.22(a)(6) and (9) referred only to §§ 2.34 and 2.33, respectively, which set out the requirements for trademark and service mark applications. Sections 2.22(a)(6) and (9) each should have included cross-references to §§ 2.44 and 2.45, which set forth the corresponding applicable requirements for collective, collective membership, and certification marks. This omission was unintentional and adding the applicable cross-references is not a substantive change to the final rule.

As noted in the preamble of the final rule, the USPTO is implementing a single electronic filing option for all section 1 and/or 44 applications, which includes collective and certification marks. Applicants choosing to comply with the base application requirements set forth in § 2.22 will pay the lowest fees under the final fee schedule. Applicants were always subject to the requirements for collective, collective membership, and certification marks at §§ 2.44 and 2.45, as applicable. The addition of these sections in § 2.22(a)(6) and (9) do not impose any new limitations but provide clarity to applicants that the requirements for collective, collective membership, and certification marks apply. This correction amends the preamble and § 2.22(a)(6) and (9) to add the inadvertently omitted cross-references.

In addition, § 2.22(a)(8) contained an incorrect cross-reference to § 2.6(a)(1)(ii), which is the fee for filing an application under section 66(a) of the Trademark Act and therefore does not apply to applications filed under section 1 and/or 44. This section should have cross-referenced only § 2.6(a)(1)(iii), which provides for the applicable fee. This correction amends the preamble and § 2.22(a)(9) to remove the cross-reference to § 2.6(a)(1)(ii).

Rulemaking Considerations

Administrative Procedure Act

This final rule corrects inadvertent errors in a rulemaking setting and adjusting trademark fees. The changes in this final rule involve rules of agency

practice and procedure and/or interpretive rules and do not require notice-and-comment rulemaking. See *Perez* v. *Mortg. Bankers Ass'n,* 135 S.Ct. 1199, 1204 (2015) (explaining that interpretive rules ''advise the public of the agency's construction of the statutes and rules which it administers'' and do not require notice-and-comment rulemaking when issued or amended); *Cooper Techs. Co.* v. *Dudas,* 536 F.3d 1330, 1336–37 (Fed. Cir. 2008) (stating that 5 U.S.C. 553, and thus 35 U.S.C. 2(b)(2)(B), do not require notice-and comment rulemaking for ''interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice''); and *JEM Broadcasting Co.* v. *F.C.C.,* 22 F.3d 320, 328 (D.C. Cir. 1994) (explaining that rules are not legislative because they do not ''foreclose effective opportunity to make one's case on the merits'').

Moreover, the Director of the USPTO, pursuant to authority at 5 U.S.C. 553(b)(B) and (d)(1), finds good cause to adopt the changes in this final rule without prior notice and an opportunity for public comment or a 30-day delay in effectiveness, as such procedures would be unnecessary, impracticable, and contrary to the public interest. As discussed above, the changes in this rulemaking involve corrections of errors in the final rule published on November 18, 2024, (which itself underwent notice and comment rulemaking and a 30-day delay in effective date) that provide clarity and without imposing any new requirements. The corrections will provide clarity and address potential confusion that could result if these errors are not corrected prior to the effective date of the November 18, 2024, final rule. Therefore, good cause exists to dispense with the requirement for prior notice and an opportunity for public comment and a 30-day delay in effectiveness.

Correction

In FR Doc. 2024–26644 appearing on page 91062 in the **Federal Register** of Monday, November 18, 2024, at 89 FR 91062, the following corrections are made:

■ 1. On page 91069, in the second column, the 6th, 8th, and 9th bullets are corrected to read as follows:

- One or more bases for filing that satisfy all the requirements of §§ 2.34, 2.44, or 2.45, as applicable. If more than one basis is set forth, the applicant must comply with the requirements of §§ 2.34, 2.44, or 2.45 for each asserted basis, as applicable;

* * * * *

- A filing fee for each class of goods and/or services, as required by § 2.6(a)(1)(iii);
- A verified statement that meets the requirements of §§ 2.33, 2.44, or 2.45, as applicable, dated and signed by a person properly authorized to sign on behalf of the owner pursuant to § 2.193(e)(1);

■ 2. On page 91090, in the third column, in amendatory instruction 3, in § 2.22, paragraphs (a)(6), (8), and (9) are corrected to read as follows:

§ 2.22 [Corrected]

(a) * * *

(6) One or more bases for filing that satisfy all the requirements of §§ 2.34, 2.44, or 2.45, as applicable. If more than one basis is set forth, the applicant must comply with the requirements of §§ 2.34, 2.44, or 2.45 for each asserted basis, as applicable;

* * * * *

(8) A filing fee for each class of goods and/or services, as required by § 2.6(a)(1)(iii);

(9) A verified statement that meets the requirements of § 2.33, § 2.44, or § 2.45, as applicable, dated and signed by a person properly authorized to sign on behalf of the owner pursuant to § 2.193(e)(1);

* * * * *

Derrick L. Brent,

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

[FR Doc. 2025–00274 Filed 1–13–25; 8:45 am]

BILLING CODE 3510–16–P

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

45 CFR Parts 1230 and 2554

RIN 3045–AA93

Annual Civil Monetary Penalties Inflation Adjustment

AGENCY: Corporation for National and Community Service.

ACTION: Final rule.

SUMMARY: The Corporation for National and Community Service, which operates as AmeriCorps, is updating its regulations to reflect required annual inflation-related increases to the civil monetary penalties under the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Act) and Office of Management and Budget (OMB) guidance.

DATES: This rule is effective January 14, 2025.

FOR FURTHER INFORMATION CONTACT: Elizabeth Appel, Office of General Counsel, at *eappel@americorps.gov* or 202–967–6065.

SUPPLEMENTARY INFORMATION:

I. Background

AmeriCorps is a Federal agency that engages millions of Americans in service. AmeriCorps members and AmeriCorps Seniors volunteers serve directly with nonprofit organizations to tackle some of our nation's most pressing challenges. For more information, visit *americorps.gov*.

AmeriCorps has two civil monetary penalties in its regulations. A civil monetary penalty under the Act is a penalty, fine, or other sanction that: (1) is for a specific monetary amount as provided by Federal law or has a maximum amount provided for by Federal law; and (2) is assessed or enforced by an agency pursuant to Federal law; and (3) is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts. (*See* 28 U.S.C. 2461 note.) A civil monetary penalty does not include a penalty levied for violation of a criminal statute, or fees for services, licenses, permits, or other regulatory review.

The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (sec. 701 of Pub. L. 114–74) (the ''Act'') requires agencies to adjust their civil monetary penalties for inflation annually. This rule updates AmeriCorps' two civil penalties for inflation.

II. Method of Calculation

The inflation adjustment for each applicable civil monetary penalty is determined using the percent increase in the Consumer Price Index for all Urban Consumers (CPI–U) for the month of October of the year in which the amount of each civil money penalty was most recently established or modified. *See* December 17, 2024, OMB Memo for the Heads of Executive Departments and Agencies, M–25–02, *Implementation of Penalty Inflation Adjustments for 2025, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.* The cost-of-living adjustment multiplier for 2025, based on the CPI–U for the month of October 2024, not seasonally adjusted, is 1.02598.

The agency identified two civil penalties in its regulations: (1) the penalty associated with Restrictions on Lobbying (45 CFR 1230.400) and (2) the penalty associated with the Program Fraud Civil Remedies Act (45 CFR 2554.1):