

Administration, Department of Commerce.

ACTION: Notice of binational panel decision.

SUMMARY: On September 13, 1996 the Binational Panel issued its decision in the review of the final antidumping duty administrative review made by the International Trade Administration (ITA) respecting Gray Portland Cement and Cement Clinker from Mexico, Secretariat File No. USA-95-1904-02. The Binational Panel unanimously affirmed the final determination. A copy of the complete Panel decision is available from the NAFTA Secretariat.

FOR FURTHER INFORMATION CONTACT:

James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the Federal Register on February 23, 1994 (59 FR 8686). The Binational Panel review in this matter was conducted in accordance with these Rules.

Background

On June 16, 1995 Cemex, S.A. de C.V. filed a First Request for Panel Review with the U.S. Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final antidumping determination that was published in the Federal Register on January 9, 1995 (60 FR 2378) and Amended on May 19, 1995 (60 FR 26,865). Briefs were filed by all participants and oral argument was held in accordance with the Rules.

Panel Decision

In its September 13 decision, the Binational Panel unanimously affirmed the Commerce Department's final determination in all respects.

Dated: September 26, 1996.
James R. Holbein,
United States Secretary, NAFTA Secretariat.
[FR Doc. 96-26853 Filed 10-18-96; 8:45 am]
BILLING CODE 3510-GT-M

North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of binational panel decision.

SUMMARY: On September 12, 1996 the Binational Panel issued its decision in the review of the final antidumping duty administrative review made by the Secretaria de Comercio y Fomento Industrial de Mexico (SECOFI) respecting Solid and Crystal Polystyrene from the Federal Republic of Germany and the United States of America, Secretariat File No. MEX-94-1904-03. A majority of the Binational Panel affirmed the final determination. A copy of the complete Panel decision in Spanish is available from the NAFTA Secretariat, and an English translation of the majority opinion is also available.

FOR FURTHER INFORMATION CONTACT: James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

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Federal Register on February 23, 1994 (59 FR 8686). The Binational Panel review in this matter was conducted in accordance with these Rules.

Background

On December 9, 1994 Muehlstein International, Ltd. filed a First Request for Panel Review with the Mexican Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final antidumping determination that was published in the *Diario Oficial* on November 11, 1994. Briefs were filed by all participants and oral argument was held in accordance with the Rules.

Panel Decision

In its September 12 decision, the Binational Panel majority affirmed the final determination in all respects. One panelist wrote a concurring opinion agreeing in the result but differing in several areas from the majority's reasoning. One panelist dissented completely from the majority opinion.

Dated: September 26, 1996.
James R. Holbein,
United States Secretary, NAFTA Secretariat.
[FR Doc. 96-26854 Filed 10-18-96; 8:45 am]
BILLING CODE 3510-GT-M

Patent and Trademark Office

[Docket #: 950411100-6267-02]

RIN 0651-XX01

Extension of the Payor Number Practice (Through "Customer Numbers") to Matters Involving Pending Patent Applications

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice of change in procedure.

SUMMARY: The Patent and Trademark Office (PTO) is extending the Payor Number practice to matters involving pending patent applications. Payor Numbers are currently used to establish a "fee address" for receipt of maintenance fee correspondence. Through the use of "Customer Numbers," the PTO will extend the Payor Number practice to matters involving patent applications. Under this Customer Number practice, an applicant (or patentee) will be able to use a Customer Number to: (1) designate the address associated with the Customer Number as the correspondence address for an application (or patent); (2) designate the address associated with the Customer Number as the fee address (37 CFR

1.363) for a patent; and (3) submit a power of attorney in the application (or patent) to the registered practitioners associated with the Customer Number. The change of either the address or practitioners having a power of attorney in multiple patent applications through a single paper directed to the Customer Number should result in savings to the attorney, agent, or law firm, as well as the PTO.

EFFECTIVE DATE: November 1, 1996. Any request to change the correspondence address of a pending application to the address associated with a currently assigned Payor Number filed before November 1, 1996 will *not* be effective until November 1, 1996.

FOR FURTHER INFORMATION CONTACT: Robert W. Bahr by telephone at (703) 305-9285 or by facsimile at (703) 308-6916, or by mail addressed to Box Comments—Patents, Assistant Commissioner for Patents, Washington, D.C. 20231.

SUPPLEMENTARY INFORMATION: Payor Numbers are currently used to establish a "fee address" for receipt of maintenance fee correspondence. Such Payor Numbers permit, *inter alia*, an attorney, agent or law firm to file a single change of address paper for the Payor Number, and this change of address is effective for every patent designating the address associated with the Payor Number as the correspondence address for the patent. This Payor Number practice avoids the filing of a separate change of address paper for every patent affected by the change of address.

In a Notice entitled "Extension of the Use of Payor Numbers to Matters Involving Pending Patent Applications" (Payor Number Notice), published in the Federal Register at 60 FR 26026-28 (May 16, 1995), and in the PTO *Official Gazette* at 1175 *Off. Gaz. Pat. Office* 14-15 (June 6, 1995), the PTO proposed to extend the current Payor Number practice to matters involving pending patent applications. In view of the comments received in response to the Payor Number Notice, the PTO is adopting the following "Customer Number" practice.

Currently assigned "Payor Numbers" will be redesignated as "Customer Numbers" to avoid requiring persons or organizations currently assigned a Payor Number to request a "new" Customer Number. Thus, persons or organizations currently assigned a "Payor Number" should not request a new "Customer Number." Persons or organizations not currently assigned a Payor Number can request assignment of "new" Customer Numbers.

The PTO has created a box designation for correspondence related to a Customer Number ("Box CN"), and all correspondence related to a Customer Number (e.g., requests for a Customer Number) should be addressed to this box designation.

The PTO will provide standard forms to: (1) request a Customer Number (PTO/SB/125); (2) request a change in the data (address or list of practitioners) associated with an existing Customer Number (PTO/SB/124); (3) change the correspondence address of an individual application (PTO/SB/122) or patent (PTO/SB/123) to the address associated with a Customer Number; or (4) change the correspondence address of a list of applications or patents to the address associated with a Customer Number (PTO/SB/121). The PTO is also modifying its current standard forms (e.g., the declaration form) to permit: (1) the designation of the address associated with the Customer Number as the correspondence address for an application; (2) designation of the address associated with the Customer Number as the fee address for a patent; and (3) the submission of a power of attorney in the application to the practitioners associated with the Customer Number. The forms provided by the Office may be obtained by contacting the Customer Service Center of the Office of Initial Patent Examination at (703) 308-1214. Also, many standard forms have been loaded on the PTO's Internet Website and may be electronically copied *via* the Internet through anonymous file transfer protocol (ftp) (address: ftp.uspto.gov). While using the standardized forms provided by the PTO is encouraged, it is not mandatory.

This notice of change in procedure contains a collection of information subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.* This collection of information is currently approved by the Office of Management and Budget under Control No. 0651-0035. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of System Quality and Enhancement, Data Administration Division, Patent and Trademark Office, Washington, D.C. 20231, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 (ATTN: Paperwork Reduction Act Project 0651-0035).

Notwithstanding any other provision of law, no person is required to respond to nor shall any person be subject to a penalty for failure to comply with a

collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

The PTO will also accept requests submitted electronically *via* a computer-readable diskette to: (1) change the correspondence address of a list of applications or patents or the fee address for a list of patents to the address associated with a Customer Number; and (2) submit a power of attorney in a list of applications or patents to the registered practitioners associated with the Customer Number. Persons electronically submitting such a request *must* submit an IBM-compatible diskette containing a Microsoft Excel spreadsheet, or a comma separated text file which can be imported into Microsoft Excel spreadsheet, formatted as follows: (1) row 1, column B containing the six-digit Customer Number; (2) row 2 being blank; (3) rows 3 through 9 containing the address associated with the Customer Number; (4) rows 10 through 15 being blank; and (5) row 16 starting with the list of patents or applications with column A containing the patent number (if appropriate), column B containing the application number, column C containing the patent date (if appropriate), column D containing the application filing date, column E indicating "YES" or "NO" to designate assignment of the address associated with the Customer Number as the correspondence address of the application or patent, column F indicating "YES" or "NO" to designate assignment of the registered practitioners associated with the Customer Number as the list of persons having a power of attorney in the applications or patents, and column G indicating "YES" or "NO" to designate assignment of the address associated with the Customer Number as the fee address of the patent.

The patent number (if appropriate), application number, patent date (if appropriate), and application filing date are being required as redundant identifiers to avoid changing the correspondence or fee address or entering a power of attorney in the wrong patent or application due to a typographical error in the patent or application number. The PTO will enter a change in correspondence or fee address or power of attorney in a listed application or patent only if the following identifiers are provided: (1) the patent number and the corresponding application number; (2) the patent number and the corresponding patent date; (3) the

application number and the corresponding filing date; (4) the patent number and the corresponding application filing date; and (5) the application number and the corresponding patent date.

A sample spreadsheet is included as an Appendix A to this notice of change in procedure. The phrase "Customer Number" in row 1, column A, and "Requester (Attorney/Firm) Information" in row 3, as well as the information provided in rows 10 through 15, are provided on the sample spreadsheet for explanatory purposes only, and should *not* be included on any spreadsheet submitted to the PTO.

The diskette must be accompanied by a paper copy of the spreadsheet and a cover letter requesting entry of the changes contained on the spreadsheet into PTO records for the listed applications or patents. In addition, for any application or patent listed on such spreadsheet, the cover letter must be signed by the applicant or patentee, assignee in compliance with 37 CFR 3.73(b), or registered practitioner of record in the patent or application. The PTO will issue a written confirmation of the list of applications or patents indicating the change(s) entered into PTO records.

Through the use of "Customer Numbers," the PTO is extending the "fee address" practice to matters involving pending patent applications to permit: (1) the designation of the correspondence address of a patent application by a Customer Number such that the correspondence address for the patent application would be the address associated with the Customer Number; (2) the designation of the fee address of a patent by a Customer Number such that the fee address for the patent would be the address associated with the Customer Number; and (3) the submission of a list of practitioners by a Customer Number such that an applicant may in a Power of Attorney appoint those practitioners associated with the Customer Number. While this notice discusses this new Customer Number practice as it regards patent applications and applicants, it will apply equally to patents and patentees.

The designation in a patent application of a specific Customer Number as the correspondence address for such application will permit an attorney, agent or law firm to file a single paper containing a change of address, rather than a separate paper in each application, and this change of address paper will be applicable to all applications designating the Customer Number as the correspondence address for such application. The designation of

a Customer Number as the correspondence address for a patent application is optional, in that any application not designating a Customer Number as the correspondence address will not be affected by a change of address filed for a Customer Number, even if the correspondence address provided for such application is that of an attorney, agent, or law firm associated with a Customer Number. The change of address in multiple patent applications through a single paper directed to the Customer Number, rather than through individual letters directed to each application, will result in savings to the attorney, agent or law firm, as well as the PTO.

This new Customer Number practice will not affect the current practice of permitting a patentee to provide a "fee address" for the receipt of maintenance fee correspondence. A patentee will be able to designate a "fee address" for the receipt of maintenance fee correspondence, and a different address for the receipt of all other correspondence. The designation of a "fee address" by reference to a Customer Number will not affect or be affected by the designation of a correspondence address by reference to another Customer Number, in that the PTO will send maintenance fee correspondence to the address associated with the Customer Number designated as the "fee address" and will send all other correspondence to the address associated with the Customer Number designated as the correspondence address.

The association of a list of practitioners with a Customer Number will permit an applicant to appoint all of the practitioners associated with the Customer Number merely by reference to the Customer Number in the Power of Attorney (*i.e.*, without individually listing the practitioners in the Power of Attorney). The addition and/or deletion of a practitioner from the list of practitioners associated with a Customer Number will result in the addition or deletion of such practitioner from the list of persons authorized to represent any applicant who appointed all of the practitioners associated with such Customer Number. This will avoid the necessity for the filing of additional papers in each patent application affected by a change in the practitioners of the law firm prosecuting the application. The appointment of practitioners associated with a Customer Number will be optional, in that any applicant may continue to individually name those practitioners to represent the applicant in a patent application.

Currently, the PTO must individually enter into the Patent Application Location and Monitoring (PALM) system the registration number for each practitioner appointed to represent the applicant in a patent application. The change of persons authorized to represent applicants in multiple patent applications through a single paper directing the PTO to change its records concerning the Customer Number will require only a single entry into the PALM system, where the change of persons authorized to represent applicants in multiple patent applications through individual letters directed to each application require a separate entry into the PALM system for each affected application. Thus, the use of Customer Numbers in a Power of Attorney will significantly reduce the amount of data which must be entered into the PALM system, and would thus result in savings to the PTO. In addition, permitting a change of persons authorized to represent applicants in multiple patent applications through a single paper directing the PTO to change its records concerning the Customer Number would result in similar savings to the attorney, agent, or law firm.

As the PTO will not recognize more than one correspondence address (37 CFR 1.34(c)), any inconsistencies between the correspondence address resulting from a Customer Number being provided in an application for the correspondence address and any other correspondence address provided in that application would be resolved in favor of the address of the Customer Number. Where an applicant appoints all of the practitioners associated with a Customer Number as well as a list of individually named practitioners, such action would be treated as only an appointment of all of the practitioners associated with a Customer Number due to the potential for confusion and data entry errors in entering registration numbers from plural sources.

The following are examples of language effective to provide as the correspondence address the address of, and appoint those practitioners associated with, a Customer Number:

1. The following language would be effective to appoint those practitioners individually listed, and provide as the correspondence address the address of Customer Number 99,999:

I hereby appoint the following practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:
John Doe, Registration No. 99,991, Jane Doe, Registration No. 99,992 and Richard Doe, Registration No. 99,993.

Address all correspondence to: Customer Number 99,999.

2. The following language would be effective to appoint those practitioners associated with, and provide as the correspondence address the address of, Customer Number 99,999:

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

Customer Number 99,999.

Response to Comments

Eleven comments were received in response to the Payor Number Notice. The written comments have been analyzed, and responses to the comments follow.

Comment (1): Ten comments supported the proposed extension of use of the Payor Number practice to matters involving pending patent applications.

Response: In view of the positive response to this proposed extension of use of the Payor Number practice to matters involving pending patent applications, the PTO is extending the Payor Number practice to matters involving pending patent applications.

Comment (2): One comment opposed combining the maintenance fee Payor Number with the practitioner responsible for the application or patent. The comment argued that, in many instances, a client instructs a practitioner that a particular service organization is responsible for the payment of maintenance fees, and, while the practitioner continues as counsel of record and receives correspondence unrelated to maintenance fees (e.g., reexamination or interference notices), the client advises that the practitioner is no longer responsible for payment of the maintenance fees or even reminding the client of the due date for paying such fees.

Response: As discussed *supra*, the implemented "Customer Number" practice will not affect the current practice of providing a "fee address" for correspondence relating to the payment of maintenance fees. While the current "Payor Numbers" will be redesignated as "Customer Numbers," a patentee will be permitted to specify a "fee address" by reference to one Customer Number (e.g., the Customer or Payor Number of a maintenance fee service organization) and a correspondence address by reference to another Customer Number (e.g., the Customer Number of the attorney or agent of record). Designating a "fee address" for maintenance fee

payment purposes, by Customer Number or otherwise, will not affect the correspondence address for correspondence unrelated to maintenance fees, regardless of whether the correspondence address is also specified by a Customer Number. Likewise, providing a "fee address" for maintenance fee payment purposes, by Customer Number or otherwise, will not affect any previous appointments of practitioners.

Comment (3): One comment cautioned that sufficient safeguards be built into the system to avoid errors. Specifically, the comment cautioned that: (1) a data entry error in the Customer Number in one application (a key field error) would result in correspondence for that application being sent to an entirely different address; (2) a single error in the look-up data base would result in correspondence for every application designating a particular Customer Number being sent to an entirely different address; and (3) an indexing or programming error affecting the entire look-up data base could result in correspondence for every application designating any Customer Number being sent to an entirely different address.

Response: Currently, the application number is entered into the PALM data base to look-up the actual address (i.e., the application number is a key field). Thus, the risk of error in the improper entry of a Customer Number is no greater than the current risk of error in the improper entry of an application number. Nevertheless, the PTO endeavors to reduce such errors by requiring that employees check the returned application data.

To avoid errors in information associated with a Customer Number, the PTO will double enter the Customer Number anytime there is a change to the information associated with the Customer Number. In addition, the PTO is in the process of developing Customer Number bar code labels for use on incoming requests for changes to the information associated with a Customer Number to permit scanning and reduce data entry errors.

In any event, errors in the look-up data base would result in correspondence for every application designating a particular Customer Number being sent to an entirely different address, and indexing or programming errors affecting the entire look-up data base could result in correspondence for every application designating any Customer Number being sent to an entirely different address. These errors would result in mismailings of such magnitude that it

would be readily apparent to the attorney, agent or law firm of the Customer Number, if not the PTO, that an error has occurred.

Comment (4): Three comments suggested that registration numbers be used as Customer Numbers.

Response: The suggestion has not been adopted. The PTO currently has a data base of addresses (i.e., fee addresses) associated with the current Payor Numbers that will be redesignated as "Customer Numbers." To avoid an adverse impact on the current fee address practice, the Customer Number practice is being implemented using the existing fee address data base. Thus, the PTO cannot use registration numbers as Customer Numbers since newly assigned Customer Numbers must be compatible with the existing Payor Numbers.

Comment (5): One comment suggested that a Power of Attorney be permitted to include the practitioners associated with a Customer Number and no more than one additional practitioner. The comment argued that clients will desire to name a responsible person in the Power of Attorney, and that this would also be helpful in the event that a practitioner withdraws from a law firm and the client continues with that practitioner. The comment cautioned that if this is not permitted, each practitioner will establish his or her own Customer Number, resulting in the appointment of a large number of Customer Numbers.

Response: The comment is adopted only to the extent indicated. To accommodate the desire of a client to see the responsible person mentioned by name in the Power of Attorney, a Power of Attorney appointing the practitioners associated with a specific Customer Number may also specifically mention any of the practitioners associated with such Customer Number. This mention may designate the responsible practitioner(s) as the principal attorney(s) or agent(s) in the application. In a Power of Attorney appointing those practitioners associated with a Customer Number, the specific mentioning of practitioner(s) will be ineffective to appoint a practitioner not associated with the Customer Number.

As discussed *supra*, the entry of a single Customer Number, rather than the individual registration number of each practitioner, into the PALM system is a primary benefit of permitting the appointment of a list of practitioners by Customer Number. As the individually listed practitioner is ostensibly among those practitioners associated with the Customer Number provided in the

Power of Attorney, requiring the PTO to enter the individual registration numbers of a list of practitioners associated with a Customer Number, as well as the Customer Number, would frustrate this benefit. Thus, the PTO will treat such an appointment as an appointment of *only* those practitioners associated with the Customer Number.

Customer Numbers are designed to serve the dual purpose of providing a correspondence address, and providing the list of practitioners appointed with a power of attorney. Due to the prohibition against dual correspondence (37 CFR 1.33(a)), an applicant will be permitted to provide only a single number at a time as the Customer Number, and thus correspondence address, for the application. In an instance in which an applicant provides more than one Customer Number, the last provided Customer Number is controlling.

Thus, the appointment of a plurality (much less a large number) of Customer Numbers will result in the PTO recognizing only the last mentioned Customer Number. Applicants are strongly cautioned not to attempt to appoint more than one Customer Number in a single communication, as such action will *not* have a cumulative effect.

Comment (6): Three comments suggested that in this new context, the term "Payor Number" could cause confusion, and would be demeaning to applicants and their representatives.

Response: In view of these comments, the term "Customer Number" has been used to describe the number having an address or a list of practitioners associated with such number. The term "Payor Number" was used in the Payor Number Notice as this term had a specific meaning with regard to the "fee address" for maintenance fee correspondence, and thus served to provide a frame of reference for the extension of such practice.

Comment (7): One comment suggested that the form of appointment refer to registered practitioners, rather than attorneys and agents.

Response: The PTO does not require any specific form of appointment (*i.e.*, the forms of appointment in the Payor Number Notice were merely exemplary). Nevertheless, the phrase "practitioner" is defined in 37 CFR 10.1(r), and "registered practitioners" is considered preferable to "attorneys or agents" or "attorneys and agents." As such, the PTO will change its standardized forms of appointment to refer to "registered practitioners."

Comment (8): One comment questioned the form and effect of an

appointment of all practitioners associated with a Customer Number. The comment specifically questioned whether the practitioner would have to obtain a new power of attorney in a situation in which: (1) a practitioner is associated with the Customer Number of a law firm, and is thus appointed in every application appointing the practitioners associated with that Customer Number; (2) the practitioner subsequently leaves the law firm; and (3) an applicant in an application appointing the practitioners associated with the law firm's Customer Number continues with the practitioner leaving the law firm.

Response: The practitioner should obtain a new power of attorney to continue to have a power of attorney in the application. An appointment in an application of the practitioners associated with a particular Customer Number is the appointment of each of the practitioners associated with that Customer Number at the time any practitioner associated with such Customer Number seek to act for the applicant. With such an appointment, a practitioner is of record until removed from the Customer Number (*i.e.*, until the practitioner is no longer associated with the Customer Number). As the practitioner's former law firm should promptly remove such practitioner from the list of practitioners associated with the law firm's Customer Number, a new power of attorney will be necessary for the practitioner to continue to have a power of attorney in the application.

In an instance in which a particular practitioner in a law firm has a significant number of clients who are clients of the practitioner rather than the law firm (*i.e.*, clients who would prefer to be represented by the practitioner, rather than the law firm, in the event that the practitioner left the law firm), such practitioner should consider establishing a Customer Number separate from the law firm's Customer Number. This would permit the clients of the practitioner to appoint a power of attorney to the practitioners associated with the practitioner's, rather than the law firm's, Customer Number. The practitioner can list any or all of the practitioners in the law firm as practitioners associated with the Customer Number, and can change the practitioners associated with the Customer Number in the event that the practitioner left the law firm. This would avoid the necessity for a new power of attorney in the event that the practitioner leaves the law firm.

Comment (9): One comment suggested that the proposed practice be extended to trademark applications.

Response: The suggestion has been forwarded to the Assistant Commissioner for Trademarks for consideration.

Comment (10): One comment suggested that procedures be adopted such that this number could be utilized informally to identify the source of documents such as drawings, certified copies, *etc.*, by including this number on the back of the document.

Response: There is no prohibition against using a Customer Number on the back of a document to informally identify the source of the document. That is, while 37 CFR 1.52(b) and 1.84(e) provide that the application papers contain writing or drawings only on one side of a sheet, these provisions are directed to the writing and drawings forming the application papers. Thus, the inclusion of identifying information on the back of a sheet simply results in that information not being considered part of the application papers. However, the inclusion of a Customer Number to informally identify the source of a document is not a substitute for the inclusion on the document of the application number to which the document is directed. In addition, a telephone number should also be provided on such document, as the Customer Number will not provide the telephone number (but only the address) of the source of the document.

Comment (11): One comment suggested that the PTO update the address of all registered practitioners in the Office of Enrollment and Discipline (OED) index by a change in the Customer Number address.

Response: The suggestion has been forwarded to OED for consideration.

Dated: October 15, 1996.

Bruce A. Lehman,

*Assistant Secretary of Commerce and
Commissioner of Patents and Trademarks.*

[FR Doc. 96-26845 Filed 10-18-96; 8:45 am]

BILLING CODE 3510-16-P

Announcement of Membership of the Patent and Trademark Office Performance Review Board

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: In conformance with the Civil Service Reform Act of 1978, 5 U.S.C. 4314(c)(4), the Patent and Trademark Office announces the appointment of persons to serve as members of its Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Alethea Long-Green, Director, Office of Human Resources, Patent and