

the list in Annex 3.25 of the CAFTA–DR Agreement in unrestricted quantities.

FOR FURTHER INFORMATION CONTACT:

Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–3651.

FOR FURTHER INFORMATION ON-LINE:

<http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf> under “Approved Requests,” Reference number: 149.2010.09.22.Fabric.ElderManufacturingCo.

SUPPLEMENTARY INFORMATION:

Authority: The CAFTA–DR Agreement; Section 203(o)(4) of the Dominican Republic–Central America–United States Free Trade Agreement Implementation Act (“CAFTA–DR Implementation Act”), Pub. L. 109–53; the Statement of Administrative Action, accompanying the CAFTA–DR Implementation Act; and Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

Background

The CAFTA–DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA–DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA–DR Agreement provides that this list may be modified pursuant to Article 3.25(4)–(5), when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25 of the CAFTA–DR Agreement; see also section 203(o)(4)(C) of the CAFTA–DR Implementation Act.

The CAFTA–DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA–DR Implementation Act for modifying the Annex 3.25 list. Pursuant to this authority, on September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA–DR (Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic–Central America–United States Free Trade Agreement, 73 FR 53200) (“CITA’s procedures”).

On September 22, 2010, the Chairman of CITA received a Request for a Commercial Availability Determination (“Request”) from Elder Manufacturing Company, Inc. for certain woven flannel fabrics of polyester, rayon, and acrylic. On September 24, 2010, in accordance with CITA’s procedures, CITA notified interested parties of the Request, which was posted on the dedicated Web site for CAFTA–DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply (“Response”) must be submitted by October 6, 2010, and any Rebuttal Comments to a Response (“Rebuttal”) must be submitted by October 13, 2010, in accordance with Sections 6 and 7 of CITA’s procedures. No interested entity submitted a Response to the Request advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA–DR Implementation Act, and Section 8(c)(2) of CITA’s procedures, as no interested entity submitted a Response objecting to the Request and demonstrating its ability to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA–DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA–DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated Web site for CAFTA–DR Commercial Availability proceedings.

Specifications: Certain Woven Flannel Fabric

HTS Subheading: 5515.11.0040
 Fiber Content: 50% Polyester, 25% Rayon, 25% Acrylic
 Yarn Size(s): 2/47 x 2/47 to 2/50 x 2/50
 Thread Count (warp): 32 to 33 cm
 Thread Count (weft): 25.5 to 26.5 picks/cm
 Weave Type: Four harness twill
 Fabric Weight: 210–225 grams per square meter
 Fabric Width: 148–152 cm
 Coloration: Piece dyed, then over dyed (single uniform color)
 Finishing Processes: (CRF) Finish softeners, singed, semi-decated, sheared

Janet E. Heinzen,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 2010–27078 Filed 10–25–10; 8:45 am]

BILLING CODE 3510–DS–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the South Dakota Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that a planning meeting of the South Dakota Advisory Committee to the Commission will convene by conference call at 1 p.m. (MT) on Wednesday, November 10, 2010. The purpose of this meeting is to provide a brief overview of recent Commission and regional activities, discuss civil rights issues in the State, receive update on subcommittee to organize a “working group” to address law enforcement issues in Mellette County. The Committee will also discuss current progress on excise taxation of members of the Sisseton–Wahpeton Oyate Tribe. This meeting is available to the public through the following toll-free call-in and conference ID numbers: 1–800–516–9896; conference ID 8334. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–977–8339 and providing the Service with the conference call number and conference ID.

To ensure that the Commission secures an appropriate number of lines for the public, persons are asked to register by contacting Evelyn Bohor of the Rocky Mountain Regional Office and TTY/TDD (303) 866–1049 by noon on November 5.

Members of the public are entitled to submit written comments. The comments must be received in the regional office by December 10, 2010. The address is: U.S. Commission on Civil Rights, Rocky Mountain Regional Office, 999–18th Street, Suite 1380 South, Denver, CO 80202. Comments may be e-mailed to ebohor@usccr.gov. Records generated by this meeting may be inspected and reproduced at the Rocky Mountain Regional Office, as they become available, both before and after the meeting. Persons interested in the work of this advisory committee are advised to go to the Commission’s Web site, <http://www.usccr.gov>, or to contact

the Rocky Mountain Regional Office at the above e-mail or street address.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission and FACA.

Dated in Washington, DC, October 21, 2010.

Peter Minarik,

*Acting Chief, Regional Programs
Coordination Unit.*

[FR Doc. 2010-26996 Filed 10-25-10; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Native American Tribal Insignia Database

ACTION: Proposed collection; comment request.

SUMMARY: The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on the continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before December 27, 2010.

ADDRESSES: You may submit comments by any of the following methods:

- *E-mail:*

InformationCollection@uspto.gov.

Include "0651-0048 comment" in the subject line of the message.

- *Fax:* 571-273-0112, marked to the attention of Susan Fawcett.

- *Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Sharon Marsh, Deputy Commissioner for Trademark Examination Policy, Office of the Commissioner for Trademarks, United States Patent and Trademark Office, P.O. Box 1451, Alexandria, VA 22313-1451, by telephone at 571-272-8900, or by e-mail to *Sharon.Marsh@uspto.gov*.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Trademark Law Treaty Implementation Act of 1998 (Pub. L.

105-330, § 302, 112 Stat. 3071) required the United States Patent and Trademark Office (USPTO) to study issues surrounding the protection of the official insignia of federally- and State-recognized Native American tribes under trademark law. The USPTO conducted the study and presented a report to the House and Senate Judiciary Committees on November 30, 1999. One of the recommendations made in the report was that the USPTO create and maintain an accurate and comprehensive database containing the official insignia of all federally- and State-recognized Native American tribes. In accordance with this recommendation, the Senate Committee on Appropriations directed the USPTO to create this database.

The USPTO database of official tribal insignias assists trademark attorneys in their examination of applications for trademark registration. Additionally, the database provides evidence of what a federally- or State-recognized Native American tribe considers to be its official insignia. The database serves as a reference for examining attorneys when determining the registrability of a mark that may falsely suggest a connection to the official insignia of a Native American tribe. The database is also available to the public on the USPTO Web site.

Tribes are not required to request that their official insignia be included in the database. The entry of an official insignia into the database does not confer any rights to the tribe that submitted the insignia, and entry is not the legal equivalent of registering the insignia as a trademark under 15 U.S.C. 1051 *et seq.* The inclusion of an official tribal insignia in the database does not create any legal presumption of validity or priority, does not carry any of the benefits of Federal trademark registration, and is not a determination as to whether a particular insignia would be refused registration as a trademark pursuant to 15 U.S.C. 1051 *et seq.*

Requests from federally-recognized tribes to enter an official insignia into the database must be submitted in writing and include: (1) A depiction of the insignia, including the name of the tribe and the address for correspondence; (2) a copy of the tribal resolution adopting the insignia in question as the official insignia of the tribe; and (3) a statement, signed by an official with authority to bind the tribe, confirming that the insignia included with the request is identical to the official insignia adopted by the tribal resolution.

Requests from State-recognized tribes must also be in writing and include each of the three items described above that are submitted by federally-recognized tribes. Additionally, requests from State-recognized tribes must include either: (a) A document issued by a State official that evidences the State's determination that the entity is a Native American tribe; or (b) a citation to a State statute designating the entity as a Native American tribe. The USPTO enters insignia that have been properly submitted by federally- or State-recognized Native American tribes into the database and does not investigate whether the insignia is actually the official insignia of the tribe making the request.

This collection includes the information needed by the USPTO to enter an official insignia for a federally- or State-recognized Native American tribe into a database of such insignia. No forms are associated with this collection.

II. Method of Collection

By mail, facsimile, or hand delivery to the USPTO.

III. Data

OMB Number: 0651-0048.

Form Number(s): None.

Type of Review: Revision of a currently approved collection.

Affected Public: Tribal governments.

Estimated Number of Respondents: 8 responses per year.

Estimated Time per Response: The USPTO estimates that a federally- or State-recognized Native American tribe will require an average of 30 minutes (0.5 hours) to complete a request to record an official insignia, including time to prepare the appropriate documents and submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 5. hours.

Estimated Total Annual Respondent Cost Burden: \$325. The USPTO expects that the information in this collection will be prepared by both paraprofessionals and administrative staff. The estimated rate of \$65 per hour used in this submission is an average of the paraprofessional rate of \$100 per hour and the administrative rate of \$30 per hour. Using this rate of \$65 per hour, the USPTO estimates that the respondent cost burden for submitting the information in this collection will be \$325 per year.