

northern-fur-seal#conservation-management.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Background

The Eastern Pacific (formerly Pribilof) stock of northern fur seals was designated as depleted under the MMPA on June 17, 1988, because the population had declined by over 50 percent from the highest population levels estimated in the 1950s (53 FR 17888, May 18, 1988). Consistent with the MMPA (16 U.S.C. 1383b(b)), NMFS developed a Conservation Plan to conserve and restore the stock to its optimum sustainable population, which is defined as a population size within a range of population sizes from the largest supportable within the ecosystem (*i.e.*, carrying capacity) to a level that results in maximum net productivity (50 CFR 216.3). NMFS first published a Conservation Plan in 1993, followed by a revised version in 2007. In 2023, NMFS published a revised draft Conservation Plan and invited public comment (88 FR 38010, June 12, 2023).

The 2024 revised Conservation Plan includes updated knowledge of threats, trends, and ecology of the Eastern Pacific stock of northern fur seals. Specifically, it summarizes advances in our understanding of pup production, pup mortality, pup mass, diet estimation, diving characterization, and use of Bering Sea marine foraging areas and foraging trip duration by the five rookery complexes on the Pribilof Islands. The Plan discusses critical information gaps, conservation actions and initiatives completed since the 2007 Conservation Plan as well as those that are ongoing or should be prioritized in future, and research and management actions intended to promote the conservation and restoration of the stock. The shared resources and cooperative involvement of Federal, State, and Tribal governments, Alaska Native people and Alaska Native Organizations, industry, academia, and non-governmental organizations will be needed throughout the period necessary to restore the stock.

Overall, the stock has continued to decline about 2 percent per year since the depleted designation, and differences exist in trends in abundance and habitat use for St. Paul, St. George, and Bogoslof islands and their associated rookery complexes. Preliminary estimates of age class survival rates since 2010 are similar for

both St. Paul and St. George islands; however, since trends in abundance are significantly different (*i.e.*, declining on St. Paul and increasing on St. George) our assumptions regarding site fidelity, emigration, and detection appear biased, and we are investigating whether rates of emigration are higher than previously assumed. Improved estimates of fur seal consumption of commercially important prey like pollock, and age-specific growth and bioenergetics of northern fur seals have increased the ability of ecosystem models to improve our understanding of fur seal population dynamics and how changes in prey abundance and distribution may be affecting population trends. Based on these recent model results, it is estimated that the northern fur seal population is one of the top four natural predators of pollock biomass and consumes both 0–2 year old and 3+ year old pollock. The new information presented regarding the separation of marine foraging habitat in the Bering Sea by fur seals and the differential consumption of pollock, squid, and other species based on this separation suggests there are opportunities to further investigate the indirect effects of fisheries on northern fur seals from the five rookery complexes identified on the Pribilof Islands. The extent of competition with the pollock fisheries is uncertain due to the spatial segregation of foraging fur seals among the five rookery complexes and in-season changes in the distribution of various segments of the commercial pollock fleet. NMFS intends to work with other interested parties to evaluate existing northern fur seal foraging and life history data as well as existing information on fisheries to assess observed variation in population trends among foraging complexes and guide decisions about new research related to the indirect effects of fishing. New ecosystem models are being developed to advance ecosystem-based fisheries management and are expected to include consumption of important commercial fish species by northern fur seals.

Another notable revision to this Plan is the reflection of recent subsistence use regulation changes and the evolution of co-management relationships between NMFS and Tribes in the Pribilofs. The Plan revision includes valuable input and contributions from the Aleut Community of St. Paul Island, and recognizes Unanga contributions to management and research. As fur seal subsistence use is paramount to Pribilofian Unanga cultural identity,

Unangam tunuu (*i.e.*, Aleut language) words have been incorporated into the Plan.

The Notice of Availability of the draft revised Plan was published on June 12, 2023, and the public comment period closed on August 11, 2023 (88 FR 38010). Six public comment letters containing 28 unique substantive comments were received during the comment period, on the topics of direct fishery effects, indirect fishery effects, ecology and life history, Indigenous Knowledge, co-management, optimum sustainable population, disturbance, funding, threats, and effectiveness of the Conservation Plan. In response to these comments, the final version of the Plan contains many clarifications, and significant revisions were made to the indirect fishery effects and optimum sustainable population sections. Also in response to these comments, additional information has been incorporated regarding migration patterns, pup mortality, vital rates, pup health, and foraging trip duration. Finally, a new appendix containing migration and performance measure analyses has been added. A summary of substantive comments and responses to those comments, including whether and how the draft Conservation Plan was revised in response, has been created and is on file with the NMFS Alaska Region, Protected Resources Division.

Kimberly Damon-Randall,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2024-25969 Filed 11-7-24; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XE454]

Marine Mammals; File No. 27552

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that NMFS' Pacific Islands Fisheries Science Center, 1845 Wasp Boulevard, Building 176, Honolulu, HI 96818 (Responsible Party: Charles Littnan, Ph.D.), has applied in due form for a permit to conduct research and enhancement activities on Hawaiian monk seals (*Neomonachus schauinslandi*).

DATES: Written comments must be received on or before December 9, 2024.

ADDRESSES: The application and related documents are available for review by selecting “Records Open for Public Comment” from the “Features” box on the Applications and Permits for Protected Species home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 27552 from the list of available applications. These documents are also available upon written request via email to NMFS.Pr1Comments@noaa.gov.

Written comments on this application should be submitted via email to NMFS.Pr1Comments@noaa.gov. Please include File No. 27552 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to NMFS.Pr1Comments@noaa.gov. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Sara Young or Shasta McClenahan, Ph.D., (301) 427-8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222-226).

The applicant requests a 5-year permit to carry out research and enhancement activities to recover the endangered Hawaiian monk seal along beaches and nearshore waters throughout the Hawaiian Archipelago (Northwestern Hawaiian Islands and main Hawaiian Islands) and Johnston Atoll.

Research will identify impediments to recovery, inform the design of conservation interventions, and evaluate those measures. Research activities include visual and photographic monitoring, capture, tagging, pelage marking, health screening, foraging studies, deworming, necropsies, tissue sampling, behavioral modification, vocalization studies, and vaccination. Enhancement activities are designed to improve survival, reproductive success, and overall species' status. Enhancement activities include deworming, capture, translocation, hazing and removal of aggressive adult male seals, disentangling, dehooking, medical treatment, behavioral modification, vaccination, and supplemental feeding of post-release rehabilitated seals. Unintentional mortalities during research and

enhancement activities are requested. Unintentional disturbance of spinner dolphins (*Stenella longirostris*) and bottlenose dolphins (*Tursiops truncatus*) during research and enhancement activities is also requested. See the application for complete numbers of animals requested by species, age-class, and procedure. Pinniped parts may be collected, received, exported, and imported for analysis.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: November 5, 2024.

Julia M. Harrison,
Chief, Permits and Conservation Division,
Office of Protected Resources, National
Marine Fisheries Service.

[FR Doc. 2024-25998 Filed 11-7-24; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO-P-2024-0052]

Manual of Patent Examining Procedure, Ninth Edition, Revision January 2024

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

ACTION: Notice.

SUMMARY: To provide updates to patent examination policy and procedures in a single source, which will improve access to essential guidance for all stakeholders and help to ensure issuance of robust and reliable patents that promote and protect innovation, the United States Patent and Trademark Office (USPTO or Office) issued a revision of the Ninth Edition of the Manual of Patent Examining Procedure (MPEP), published in November 2024 (January 2024 revision). The MPEP provides patent examiners and the public with a reference work on the practices and procedures relative to the prosecution of patent applications and other proceedings before the USPTO. The MPEP contains instructions to examiners, as well as other material in

the nature of information and interpretation, and outlines the current procedures that examiners are required or authorized to follow in appropriate cases in the normal examination of patent applications and during other Office proceedings.

ADDRESSES: The USPTO prefers that any suggestions for improving the form and content of the MPEP be submitted via email to mpepfeedback@uspto.gov or via the IdeaScale® tool accessed from www.uspto.gov/MPEP. Written comments may also be submitted by mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, marked to the attention of Editor, Manual of Patent Examining Procedure.

FOR FURTHER INFORMATION CONTACT: Jeanne Clark, Editor of the MPEP, by email at Jeanne.Clark@uspto.gov, or telephone at 571-272-7714; Monique Cole, Senior Patent Examination Policy Advisor, by email at Monique.Cole@uspto.gov, or telephone at 571-272-1463; or Kathy Mosser, Senior Patent Examination Policy Advisor, by email at Kathleen.Mosser@uspto.gov, or telephone at 571-272-4435.

SUPPLEMENTARY INFORMATION: The USPTO issued a revision to the Ninth Edition of the MPEP (January 2024 revision), published in November 2024, which provides USPTO patent examiners, applicants, attorneys, agents, representatives of applicants, and other members of the public with a reference work on the practices and procedures relative to the prosecution of patent applications and other proceedings before the USPTO. The MPEP contains instructions to examiners, as well as other material in the nature of information and interpretation, and outlines the current procedures that examiners are required or authorized to follow in the normal examination of patent applications and during other Office proceedings. Although the MPEP does not have the force of law or the force of the rules in 37 CFR, it “is well known to those registered to practice in the [US]PTO and reflects the presumptions under which the [US]PTO operates.” *Critikon, Inc. v. Becton Dickinson Vascular Access, Inc.*, 120 F.3d 1253, 1257, 43 USPQ2d 1666, 1669 (Fed. Cir. 1997).

In the November 2024 publication of the January 2024 revision to the MPEP, sections of chapters 200-700, 900-1600, 1800, and 2100-2900 have been updated. The updated sections have a revision indicator of [R-01.2024], meaning these sections have been updated to include changes based on published guidance documents (*e.g.*,