

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Parts 2 and 7

[Docket No. PTO-T-2016-0005]

RIN 0651-AD08

Trademark Fee Adjustment; Correction

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to tables included in the preamble of the final rule implementing changes to trademark fees published in the **Federal Register** of Friday, October 21, 2016.

DATES: This rule is effective on January 14, 2017.

FOR FURTHER INFORMATION CONTACT: Catherine Cain, Office of the Deputy Commissioner for Trademark

Examination Policy, by email at *TMPolicy@uspto.gov*, or by telephone at (571) 272-8946.

SUPPLEMENTARY INFORMATION:

Need for Correction: As published, the regulatory and explanatory text in the final rule implementing changes to trademark fees (81 FR 72694; October 21, 2016) are correct. However, certain tables included in the preamble contain minor errors. In the tables entitled “Fees for Paper Filings” and “New Fees for Extensions of Time at the TTAB,” the descriptions for certain fees listed were mistakenly transposed. In the table entitled “Other Trademark-Processing Fees [Extension of time to file a statement of use],” a CFR citation contained a typographical error. Good cause exists to issue this rule without prior notice and opportunity for comment as the corrections are non-substantive and are being implemented to avoid inconsistencies and any confusion that may occur when

comparing the items in the tables with the regulatory text. The USPTO corrects the errors as discussed below.

In FR Doc. 2016-25506, appearing on page 72694 in the **Federal Register** of Friday, October 21, 2016, make the following corrections:

1. On page 72697, in the table entitled “Fees for Paper Filings,” revise the following:

a. In the entry for 2.6(a)(22)(i), the Description is corrected to read “Filing a Request for an Extension of Time to File a Notice of Opposition under § 2.102(c)(1)(ii) or (c)(2) on Paper,” and

b. In the entry for 2.6(a)(23)(i), the Description is corrected to read “Filing a Request for an Extension of Time to File a Notice of Opposition under § 2.102(c)(3) on Paper.”

2. On page 72700, the table entitled “Other Trademark-Processing Fees [Extension of time to file a statement of use]” is corrected to read as follows:

OTHER TRADEMARK-PROCESSING FEES

[Extension of time to file a statement of use]

37 CFR	Fee code	Description	Current fee	Final rule fee	Change
2.6(a)(4)(i)	6004	Filing a Request under § 1(d)(2) of the Act for a Six-Month Extension of Time for Filing a Statement of Use under § 1(d)(1) of the Act on Paper, per Class.	\$150	\$225	\$75
2.6(a)(4)(ii)	7004	Filing a Request under § 1(d)(2) of the Act for a Six-Month Extension of Time for Filing a Statement of Use under § 1(d)(1) of the Act through TEAS, per Class.	150	125	(25)

3. On page 72701, the table entitled “New Fees for Extensions of Time at the TTAB” is corrected to read as follows:

NEW FEES FOR EXTENSIONS OF TIME AT THE TTAB

37 CFR	Fee code	Description	Current fee	Final rule fee	Change
2.6(a)(22)(i)	New	Filing a Request for an Extension of Time to File a Notice of Opposition under § 2.102(c)(1)(ii) or (c)(2) on Paper.	\$200	n/a
2.6(a)(22)(ii)	New	Filing a Request for an Extension of Time to File a Notice of Opposition under § 2.102(c)(1)(ii) or (c)(2) through ESTTA.	n/a	100	n/a
2.6(a)(23)(i)	New	Filing a Request for an Extension of Time to File a Notice of Opposition under § 2.102(c)(3) on Paper.	n/a	300	n/a
2.6(a)(23)(ii)	New	Filing a Request for an Extension of Time to File a Notice of Opposition under § 2.102(c)(3) through ESTTA.	n/a	200	n/a

Dated: October 28, 2016.

Michelle K. Lee,

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

[FR Doc. 2016-26684 Filed 11-4-16; 8:45 am]

BILLING CODE 3510-16-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 49 and 52

[EPA-HQ-OAR-2015-0782; FRL-9954-88-OAR]

RIN 2060-AS56

Rescission of Preconstruction Permits Issued Under the Clean Air Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is promulgating amendments to the EPA's federal Prevention of Significant Deterioration (PSD) regulations to remove a date restriction from the Permit Rescission provision. Other than removing the date restriction, this final rule does not alter the criteria under which a new source review (NSR) permit may be rescinded. This final rule also clarifies that a rescission of a permit is not automatic and corrects an outdated cross-reference to another part of the PSD regulations. The EPA is also adding a corresponding Permit Rescission provision in the federal regulations that apply to major sources in nonattainment areas of Indian country.

DATES: This final rule is effective on December 7, 2016.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2015-0782. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed in the index, some information is not publicly available, *i.e.*, confidential business information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available electronically in <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For further general information on this rulemaking, contact Ms. Jessica Montanez, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency (C504-03), Research Triangle Park, NC

27711, by phone at (919) 541-3407, or by email at montanez.jessica@epa.gov.

SUPPLEMENTARY INFORMATION:

Regulated entities. The Administrator determined that this action is subject to the provisions of Clean Air Act (CAA or Act) section 307(d). CAA section 307(d)(1)(V) (the provisions of CAA section 307(d) apply to "such other actions as the Administrator may determine"). These are amendments to existing regulations and could affect any facility that is eligible for a PSD permit rescission for any such permit issued by the EPA, reviewing authorities that implement the EPA's regulations through delegation or reviewing authorities that incorporate the federal PSD regulations by reference.

I. General Information

A. Does this action apply to me?

Entities potentially affected by this final rulemaking include reviewing authorities responsible for the permitting of stationary sources of air pollution, including the following: The EPA Regional offices; air agencies that have delegated authority to implement the EPA regulations; and air agencies that administer EPA-approved air programs that incorporate the federal NSR rules by reference. Entities also potentially affected by this final rulemaking include owners and operators of stationary sources subject to NSR permitting programs under the CAA that are administered by the entities described previously.

B. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this notice will be posted at: <https://www.epa.gov/nsr/nsr-regulatory-actions>. Upon publication in the **Federal Register**, only the published version may be considered the final official version of the notice, and will govern in the case of any discrepancies between the **Federal Register** published version and any other version.

C. How is this document organized?

The information presented in this document is organized as follows:

I. General Information

- A. Does this action apply to me?
- B. Where can I get a copy of this document and other related information?
- C. How is this document organized?

II. Background for Final Rulemaking

III. Overview of the Final Revisions

- A. What are the final revisions to the 40 CFR part 52 Permit Rescission provision?

- B. What are the final revisions to the 40 CFR part 49 Indian country nonattainment NSR provisions?

- C. What is the basis for the EPA's final revisions?

IV. Environmental Justice Considerations

V. Statutory and Executive Order Reviews

- A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review
- B. Paperwork Reduction Act (PRA)
- C. Regulatory Flexibility Act (RFA)
- D. Unfunded Mandates Reform Act (UMRA)
- E. Executive Order 13132: Federalism
- F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments
- G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
- H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use
- I. National Technology Transfer and Advancement Act (NTTAA)
- J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations
- K. Congressional Review Act (CRA)
- L. Judicial Review

VI. Statutory Authority

II. Background for Final Rulemaking

On June 14, 2016, the EPA proposed revisions to the Permit Rescission provision in the EPA's federal PSD regulations at 40 CFR 52.21(w). The proposed revisions remove a date restriction from this provision, clarify that a rescission of a permit is contingent on the reviewing authority's concurrence with a rescission applicant's demonstration that the PSD permit provisions "would not apply to the source or modification," and correct an outdated cross-reference to another part of the PSD regulations. The EPA also proposed to add a corresponding Permit Rescission provision in the federal regulations that apply to major sources in nonattainment areas of Indian country.

The preamble to the proposal provided an overview of the NSR permitting program and a brief history of the previous revisions to the Permit Rescission provision regulations. The preamble also explained the EPA's basis for the proposed changes and rationale. Because the EPA is finalizing this rule as it was proposed, this final rulemaking notice does not repeat that discussion.

The 30-day public comment period for the proposed rule closed on July 14, 2016. In Section III of this document, we summarize and respond to the comments received and explain the