

Sound Vessel Traffic Service (VTS). This amendment enhances safe navigation by moving a frequency-monitoring boundary so that mariners are no longer required to change designated frequencies and report to the VTS while attempting to negotiate a bend in the navigational channel. We have not received an adverse comment, or notice of intent to submit an adverse comment, objecting to this rule. Therefore, this rule will go into effect as scheduled.

DATES: The effective date of the direct final rule is confirmed as March 15, 2000.

FOR FURTHER INFORMATION CONTACT: For questions on this rule, call Mr. Jorge Arroyo, Project Manager, Office of Vessel Traffic Management (G-MWV), Coast Guard, telephone 202-267-6277 or E-mail jarroyo@comdt.uscg.mil.

Dated: March 3, 2000.

R.C. North,

Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 00-6703 Filed 3-17-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP San Juan 00-013]

RIN 2115-AA97

Safety Zone Regulations; San Juan Harbor, San Juan, Puerto Rico

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary fixed safety zone in a 500 yard radius surrounding the cement carrier M/V SERGO ZAKARIADZE which is grounded at the entrance of San Juan Harbor in Puerto Rico. The zone will be placed into effect and terminated at different times by a broadcast notice to mariners during salvage operations to protect vessels in the vicinity. Entry into this zone is prohibited, unless authorized by the Captain of the Port.

DATES: The rule becomes effective at 7 a.m. on March 1, 2000, and terminates at 7 a.m. on March 22, 2000

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Lefevers at Coast Guard Marine Safety Office San Juan, Puerto Rico, tel: (787) 706-2444.

SUPPLEMENTARY INFORMATION:

Background and Purpose

These regulations are needed to provide for the safety of life on navigable waters from hazards associated with the salvage of the vessel SERGO ZAKARIADZE which is grounded at the entrance to San Juan Harbor.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this rule and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying its effective date would be contrary to public safety since immediate action is needed to minimize potential danger to the public, as the recent offloading of cement has increased the danger to vessels in the area.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not "significant" under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040 February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The safety zone will only be placed into effect for short periods when the salvage operations temporarily block the entrance to San Juan Harbor.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Coast Guard must consider whether this rule will have a significant economic effect upon a substantial number of small entities. "Small entities" include small business, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a substantial economic impact on a substantial number of small entities as the regulations will only be in effect for a short period during salvage operations in the San Juan Channel.

Collection of Information

This rule calls for no new collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

Federalism

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in section 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or safety that may disproportionately affect children.

Environmental

The Coastal Guard has considered the environmental impact of this action and has determined under figure 2-1, paragraph 34(g) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Safety measures, Waterways.

Temporary Regulations

In consideration of the foregoing, the Coast Guard amends Subpart C of Part 165 of title 33, Code of Federal Regulations, as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5.

2. Temporary 165.T07–013 is added to read as follows:

165.T07–013 Safety Zone; San Juan, Puerto Rico.

(a) *Regulated Area.* A temporary fixed safety zone is established within a 500 yard radius surrounding the M/V SERGO ZAKARIADZE which is grounded at the entrance to San Juan Harbor in position 18°28'3"N, 066°07'5"W.

(b) *Regulations.* In accordance with the general regulations in 165.23 of this part, anchoring, mooring or transiting in this zone is prohibited unless authorized by the Coast Guard Captain of the Port.

(c) *Dates.* These regulations become effective and terminate upon a broadcast notice to mariners issued by the Captain of the Port San Juan during the period from 7 a.m. on March 1, 2000, to 7 a.m. on March 22, 2000.

Dated: February 29, 2000.

J. Servidio,

Commander, U.S. Coast Guard, Captain of the Port, San Juan, Puerto Rico.

[FR Doc. 00–6684 Filed 3–17–00; 8:45 am]

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DEPARTMENT OF COMMERCE**Patent and Trademark Office****37 CFR Part 1**

[Docket No. 000301056–0056–01]

RIN 0651–AB13

Changes to Application Examination and Provisional Application Practice

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Interim rule.

SUMMARY: The United States Patent and Trademark Office (Office) is revising the rules of practice in patent cases to implement certain provisions of the “American Inventors Protection Act of 1999.” These provisions of the “American Inventors Protection Act of 1999” provide for continued examination of an application for a fee, extend the pendency of a provisional application if the date that is twelve months after the filing date of the provisional application falls on a Saturday, Sunday, or a Federal holiday

within the District of Columbia, eliminate the copendency requirement for a nonprovisional application to claim the benefit of a provisional application, provide for the conversion of a provisional application to a nonprovisional application, and to provide a prior art exclusion for certain commonly assigned patents.

DATES: Effective Date: May 29, 2000.

COMMENTS: To be ensured of consideration, written comments must be received on or before May 19, 2000. No public hearing will be held.

ADDRESSES: Comments should be sent by electronic mail message over the Internet addressed to:

rce.comments@uspto.gov. Comments may also be submitted by mail addressed to: Box Comments—Patents, Assistant Commissioner for Patents, Washington, D.C. 20231, or by facsimile to (703) 872–9411, marked to the attention of Robert W. Bahr. Although comments may be submitted by mail or facsimile, the Office prefers to receive comments via the Internet. If comments are submitted by mail, the Office would prefer that the comments be submitted on a DOS formatted 3½ inch disk accompanied by a paper copy.

The comments will be available for public inspection at the Special Program Law Office, Office of the Deputy Assistant Commissioner for Patent Policy and Projects, located at Room 3-C23 of Crystal Plaza 4, 2201 South Clark Place, Arlington, Virginia, and will be available through anonymous file transfer protocol (ftp) via the Internet (address: <http://www.uspto.gov>). Since comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

FOR FURTHER INFORMATION CONTACT:

Robert W. Bahr, Karin L. Tyson, or Robert A. Clarke by telephone at (703) 308–6906, or by mail addressed to: Box Comments—Patents, Assistant Commissioner for Patents, Washington, DC 20231, or by facsimile to (703) 872–9411, marked to the attention of Robert W. Bahr.

SUPPLEMENTARY INFORMATION: The “American Inventors Protection Act of 1999” (Title IV of the “Intellectual Property and Communications Omnibus Reform Act of 1999” (S. 1948) as introduced in the 106th Congress on November 17, 1999) was incorporated and enacted into law on November 29, 1999, by § 1000(a)(9), Division B, of Public Law 106–113, 113 Stat. 1501 (1999). The “American Inventors Protection Act of 1999” contains a number of changes to title 35, United

States Code. This interim rule changes the rules of practice to implement the provisions of §§ 4403, 4801, and 4807 of the “American Inventors Protection Act of 1999.”

Section 4403 of the “American Inventors Protection Act of 1999” is effective on the date six months after the date of enactment of the “American Inventors Protection Act of 1999” (May 29, 2000), and applies to applications (other than for a design patent) filed on or after June 8, 1995. Section 4801 of the “American Inventors Protection Act of 1999” is effective on the date of enactment of the “American Inventors Protection Act of 1999” (November 29, 1999) and applies to all provisional applications (with limited exception) filed on or after June 8, 1995. Section 4807 of the “American Inventors Protection Act of 1999” is effective on the date of enactment of the “American Inventors Protection Act of 1999” (November 29, 1999) and applies to all applications filed on or after November 29, 1999.

Section 4403 (Continued Examination of Patent Applications): Section 4403 of the “American Inventors Protection Act of 1999” amends 35 U.S.C. 132 to state that the Office “shall prescribe regulations to provide for the continued examination of applications for patent at the request of the applicant,” and that the Office “may establish appropriate fees for such continued examinations and shall provide a 50 percent reduction in such fees for small entities that qualify for reduced fees under [35 U.S.C. 41(h)(1)].” Currently, an applicant must file a continuing application (a continuing application under § 1.53(b) or a continued prosecution application under § 1.53(d)) to obtain continued examination of an application for a fee (the application filing fee). Section 4403 of the “American Inventors Protection Act of 1999” will provide statutory authority for the continued examination of an application for a fee (to which the small entity reduction will be applicable) without requiring the applicant to file a continuing application.

Section 4801 (Provisional Applications): Section 4801(a) of the “American Inventors Protection Act of 1999” amends 35 U.S.C. 111(b)(5) to provide that “[n]otwithstanding the absence of a claim, upon timely request and as prescribed by the Director, a provisional application may be treated as an application filed under [35 U.S.C. 111(a)]” but that if “no such request is made, the provisional application shall be regarded as abandoned 12 months after the filing date of such application and shall not be subject to revival