

**SUPPLEMENTARY INFORMATION:** The membership of the United States Patent and Trademark Office Performance Review Board is as follows:

*Stephen M. Pinkos*, Chair, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the United States Patent and Trademark Office, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2006

*Jo-Anne D. Barnard*, Vice Chair, Chief Financial Officer and Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2005

*Nicholas Godici*, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2005

*Lynne Beresford*, Deputy Commissioner for Trademark Policy, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2005

*Ronald Hack*, Acting Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2005

*James Toupin*, General Counsel, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2006

*Lois E. Boland*, Director of International Relations, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 2213-1450, Term expires September 30, 2005

*Andrew B. Maner*, Chief Financial Officer, Department of Homeland Security, 301-7th Street, SW., Room 4905, Washington, DC 20528, Term expires September 30, 2006

Dated: October 29, 2004.

**Jon W. Dudas**,

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

[FR Doc. 04-24554 Filed 11-2-04; 8:45 am]

**BILLING CODE 3510-16-P**

## COMMISSION OF FINE ARTS

### Notice of Meeting

The next meeting of the Commission of Fine Arts is scheduled for 18 November 2004 at 10 a.m. in the Commission's offices at the National Building Museum, Suite 312, Judiciary

Square, 401 F Street, NW., Washington, DC 20001-2728. Items of discussion affecting the appearance of Washington, DC, may include buildings, parks and memorials.

Draft agendas and additional information regarding the Commission are available on our Web Site <http://www.cfa.gov>. Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Frederick J. Lindstrom, Acting Secretary, Commission of Fine Arts, at the above address or call 202-504-2200. Individuals requiring sign language interpretation for the hearing impaired should contact the Secretary at least 10 days before the meeting date.

Dated in Washington, DC, 27 October 2004.

**Frederick J. Lindstrom**,

*Acting Secretary.*

[FR Doc. 04-24512 Filed 11-2-04; 8:45 am]

**BILLING CODE 6330-01-M**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Solicitation of Public Comments on Request for Textile and Apparel Safeguard Action on Imports from China

October 29, 2004.

**AGENCY:** The Committee for the Implementation of Textile Agreements (the Committee)

**ACTION:** Solicitation of public comments concerning a request for safeguard action on imports from China of cotton trousers (Category 347/348).

**SUMMARY:** The Committee has received a request from the American Manufacturing Trade Action Coalition, the National Council of Textile Organizations, the National Textile Association, SEAMS, and UNITE HERE! (Requestors) asking the Committee to limit imports from China of cotton trousers in accordance with the textile and apparel safeguard provision of the Working Party on the Accession of China to the World Trade Organization (the Accession Agreement). The Committee hereby solicits public comments on this request.

**FOR FURTHER INFORMATION CONTACT:** Jay Dowling, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

### SUPPLEMENTARY INFORMATION:

**Authority:** Section 204 of the Agriculture Act of 1956, as amended; Executive Order 11651, as amended.

## BACKGROUND:

The textile and apparel safeguard provision of the Accession Agreement provides for the United States and other members of the World Trade Organization that believe imports of Chinese origin textile and apparel products are, due to market disruption, threatening to impede the orderly development of trade in these products to request consultations with China with a view to easing or avoiding the disruption. Pursuant to this provision, if the United States requests consultations with China, it must, at the time of the request, provide China with a detailed factual statement showing "(1) the existence or threat of market disruption; and (2) the role of products of Chinese origin in that disruption." Beginning on the date that it receives such a request, China must restrict its shipments to the United States to a level no greater than 7.5 percent (6 percent for wool product categories) above the amount entered during the first 12 months of the most recent 14 months preceding the month in which the request was made. If exports from China exceed that amount, the United States may enforce the restriction.

The Committee has published procedures (the Procedures) it follows in considering requests for Accession Agreement textile and apparel safeguard actions (68 FR 27787, May 21, 2003; 68 FR 49440, August 18, 2003), including the information that must be included in such requests in order for the Committee to consider them.

On October 8, 2004, the Requestors asked the Committee to impose an Accession Agreement textile and apparel safeguard action on imports from China of cotton trousers (Category 347/348) on the ground that an anticipated increase in cotton trouser imports after January 1, 2005, threatens to disrupt the U.S. market for cotton trousers. The request is available at <http://otexa.ita.doc.gov>. In light of the considerations set forth in the Procedures, the Committee has determined that the Requestors have provided the information necessary for the Committee to consider the request.

The Committee is soliciting public comments on the request, in particular with regard to whether there is a threat of disruption to the U.S. market for cotton trousers and, if so, the role of Chinese-origin cotton trousers in that disruption. To this end, the Committee seeks relevant information addressing factors such as the following, which may be relevant in the particular circumstances of this case, involving a product under a quota that will be

removed on January 1, 2005: (1) Whether cotton trouser imports from China are entering, or are expected to enter, the United States at prices that are substantially below prices of the like or directly competitive U.S. product, and whether those imports are likely to have a significant depressing or suppressing effect on domestic prices of the like or directly competitive U.S. product or are likely to increase demand for further imports from China; (2) Whether exports of Chinese-origin cotton trousers to the United States are likely to increase substantially and imminently (due to existing unused production capacity, due to capacity that can easily be shifted from the production of other products to the production of cotton trousers, or due to an imminent and substantial increase in production capacity or investment in production capacity), taking into account the availability of other markets to absorb any additional exports; (3) Whether Chinese-origin cotton trousers that are presently sold in the Chinese market or in third-country markets will be diverted to the U.S. market in the imminent future (for example, due to more favorable pricing in the U.S. market or to existing or imminent import restraints into third country markets); (4) The level and the extent of any recent change in inventories of cotton trousers in China or in U.S. bonded warehouses; (5) Whether conditions of the domestic industry of the like or directly competitive product demonstrate that market disruption is likely (as may be evident from any anticipated factory closures or decline in investment in the production of cotton trousers), and whether actual or anticipated imports of Chinese-origin cotton trousers are likely to affect the development and production efforts of the U.S. cotton trouser industry; and (6) Whether U.S. managers, retailers, purchasers, importers, or other market participants have recognized Chinese producers of cotton trousers as potential suppliers (for example, through pre-qualification procedures or framework agreements).

Comments may be submitted by any interested person. Comments must be received no later than December 3, 2004. Interested persons are invited to submit ten copies of such comments to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, U.S. Department of Commerce, 14th and Constitution Avenue N.W., Washington, DC 20230.

The Committee will protect any business confidential information that is marked "business confidential" from disclosure to the full extent permitted by law. To the extent that business

confidential information is provided, two copies of a non-confidential version must also be provided in which business confidential information is summarized or, if necessary, deleted. Comments received, with the exception of information marked "business confidential", will be available for inspection between Monday - Friday, 8:30 a.m and 5:30 p.m in the Trade Reference and Assistance Center Help Desk, Suite 800M, USA Trade Information Center, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW, Washington, DC, (202) 482-3433.

The Committee will make a determination within 60 calendar days of the close of the comment period as to whether the United States will request consultations with China. If the Committee is unable to make a determination within 60 calendar days, it will cause to be published a notice in the **Federal Register**, including the date by which it will make a determination. If the Committee makes a negative determination, it will cause this determination and the reasons therefore to be published in the Federal Register. If the Committee makes an affirmative determination that imports of Chinese origin cotton trousers threaten to disrupt the U.S. market, the United States will request consultations with China with a view to easing or avoiding the disruption.

**James C. Leonard III**,  
*Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc. 04-24653 Filed 11-1-04; 1:31 pm]

**BILLING CODE 3510-DS-S**

## CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 05-C0003]

### **Dynacraft BSC, Inc., a Massachusetts Corporation, Formally Known as Dynacraft Industries, Inc., Provisional Acceptance of a Settlement Agreement and Order**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20. Published below is a provisionally-accepted Settlement Agreement with Dynacraft BSC, Inc., a Massachusetts corporation, formally known as Dynacraft Industries,

Inc., containing a civil penalty of \$1,400,000.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by November 18, 2004.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 05-C0003, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Kacoyanis, Trial Attorney, Office of Compliance, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-7587.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: October 28, 2004.

**Todd A. Stevenson**,  
*Secretary.*

### **Settlement Agreement and Order**

1. This Settlement Agreement is made by and between the staff ("the staff") of the U.S. Consumer Product Safety Commission ("the Commission") and Dynacraft BSC, Inc., formally known as Dynacraft Industries, Inc. ("Dynacraft" or "Respondent"), a corporation, in accordance with 16 CFR 1118.20 of the Commission's Procedures for Investigations, Inspections, and Inquiries under the Consumer Product Safety Act ("CPSA"). This Settlement Agreement and the incorporated attached Order settle the staff's allegations set forth below.

#### **I. The Parties**

2. The Commission is an independent federal regulatory agency responsible for the enforcement of the Consumer Product Safety Act, 15 U.S.C. 2051 *et seq.*

3. Dynacraft is a corporation organized and existing under the laws of the Commonwealth of Massachusetts with its principal corporate offices located at 2550 Kerner Boulevard, San Rafael, CA 94901. Dynacraft imports bicycle products from China for sale in the United States.

#### **II. Allegations of the Staff**

##### **A. Vertical XL2 Mountain Bicycle**

4. In July 1999, Respondent manufactured for nationwide distribution 3,562 Vertical XL2, 26" Mountain Bicycles, Model Number 8526-26. Respondent also manufactured