

management, linking research, education, training, and stewardship functions to address high-priority issues, including the impact of climate change on estuarine ecosystems; connections between watershed land use and water quality; assessment of ecosystem response to natural variability and human impacts; and understanding and enhancing ecosystem services of coastal habitats. Since the last management plan, the reserve implemented its core programs, expanded its monitoring infrastructure to establish a groundwater monitoring program and a Salt Marsh Observatory; enhanced its facilities with energy efficiency installations, campus building improvements, and updated educational exhibits; and furthered land conservation in the reserve's watershed.

This management plan includes a boundary expansion of 23 acres. The lands consist of the 11.4-acre Caleb Pond parcel on the northeast corner of Waquoit Bay as well as the addition of 12.4 acres to the Quashnet River lands. The Caleb Pond parcel is the largest single undeveloped parcel on Waquoit Bay and contains an upland coastal pine-oak forest habitat with fringing salt marsh and a connecting stream that contains diadromous fish runs of American eel and has historically supported an anadromous river herring run. The parcel is especially suitable for educational purposes and creates 40 acres of contiguous protected lands across the head of Waquoit Bay. The Quashnet River land parcel expands important contiguous and unfragmented habitat that is valuable as wildlife habitat and corridor, as well as increases protection of terrestrial, groundwater, and aquatic systems. This parcel is appropriate for education, recreation, and upland research purposes.

The revised management plan will serve as the guiding document for the 2,804 acre Waquoit Bay National Estuarine Research Reserve for the next five years. The Waquoit Bay National Estuarine Research Reserve Management Plan revision can be viewed at <http://www.waquoitbayreserve.org/about/management-plan/>. Comments can be provided to the reserve manager at waquoit.bay@state.ma.us.

FOR FURTHER INFORMATION CONTACT: Alison Krepp at (301) 563-7105 or Erica Seiden at (301) 563-1172 of NOAA's National Ocean Service, Estuarine Reserves Division, 1305 East-West Highway, N/ORM5, 10th Floor, Silver Spring, MD 20910.

Dated: September 16, 2014.

Donna Rivelli,

Deputy Chief Financial Officer, National Ocean Service, National Oceanic and Atmospheric Administration.

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO-P-2014-0031]

Extension of Period for Comments on Trial Proceedings Under the America Invents Act Before the Patent Trial and Appeal Board

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Request for comments; extension of comment period.

SUMMARY: The Leahy-Smith America Invents Act (AIA) provided for new administrative trial proceedings before the Patent Trial and Appeal Board (Board). The United States Patent and Trademark Office (USPTO) issued a number of final rules and a trial practice guide in August and September of 2012 to implement the new administrative trial provisions of the AIA. The USPTO published a request for comments in the **Federal Register** on June 27, 2014, seeking public comment on all aspects of the new administrative trial proceedings, including the administrative trial proceeding rules and trial practice guide. The USPTO is now extending the period for public comment until October 16, 2014.

DATES: *Comment Deadline Date:* Written comments must be received on or before October 16, 2014.

ADDRESSES: Comments must be sent by electronic mail message over the Internet addressed to: TrialsRFC2014@uspto.gov.

Electronic comments submitted in plain text are preferred, but also may be submitted in ADOBE® portable document format or Microsoft Word® format. The comments will be available for viewing via the USPTO's Internet Web site (<http://www.uspto.gov>). Because comments will be made available for public inspection, information that the submitter does not desire to make public, such as an address or phone number, should not be included in the comments.

FOR FURTHER INFORMATION CONTACT: Scott R. Boalick, Vice Chief Administrative Patent Judge, Patent Trial and Appeal Board, at 571-272-8138.

SUPPLEMENTARY INFORMATION: Sections 3, 6, and 18 of the AIA provided for the following new Board administrative trial proceedings: (1) *Inter partes* review; (2) post-grant review; (3) covered business method patents review; and (4) derivation proceedings. Pub. L. 112-29, 125 Stat. 284 (2011). The USPTO issued a number of final rules and a trial practice guide in August and September of 2012 to implement the new administrative trial provisions of the AIA. *See Rules of Practice for Trials Before the Patent Trial and Appeal Board and Judicial Review of Patent Trial and Appeal Board Decisions*, 77 FR 48612 (Aug. 14, 2012) (final rule); *Changes to Implement Inter Partes Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents*, 77 FR 48680 (Aug. 14, 2012) (final rule); *Transitional Program for Covered Business Method Patents—Definitions of Covered Business Method Patent and Technological Invention*, 77 FR 48734 (Aug. 14, 2012) (final rule); *Changes to Implement Derivation Proceedings*, 77 FR 56068 (Sept. 11, 2012) (final rule); and *Office Patent Trial Practice Guide*, 77 FR 48756 (Aug. 14, 2012).

In issuing the administrative trial proceeding rules and trial practice guide, the USPTO committed to revisiting the rules and practice guide once the Board and public had operated under the rules and practice guide for some period and had gained experience with the new administrative trial proceedings. The USPTO began the process of revisiting the AIA administrative trial proceeding rules and trial practice guide by engaging in a nation-wide listening tour. The USPTO conducted a series of roundtables in April and May of 2014, held in Alexandria, New York City, Chicago, Detroit, Silicon Valley, Seattle, Dallas, and Denver, to share information concerning the AIA administrative trial proceedings with the public and obtain public feedback on these proceedings. The USPTO also published a request for comments in the **Federal Register** on June 27, 2014, seeking public comment on all aspects of the new administrative trial proceedings, including the administrative trial proceeding rules and trial practice guide. *See Request for Comments on Trial Proceedings Under the America Invents Act Before the Patent Trial and Appeal Board*, 79 FR 36474-77 (June 27, 2014). The request for comments indicated that written comments must be received on or before September 16, 2014. *See id.* at 36474. In view of stakeholder requests for

additional time to submit comments on the new administrative trial proceedings, the USPTO is now extending the period for public comment until October 16, 2014.

Dated: September 17, 2014.

Michelle K. Lee,

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

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BILLING CODE 3510-16-P

CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2012-0048]

Request for Information Regarding Passenger Use of ATVs

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: The Consumer Product Safety Commission (CPSC or Commission) is issuing a notice seeking information from the public on the prevalence of carrying passengers on all-terrain vehicles (ATVs) and the feasibility of a performance requirement that would prevent passengers from being carried on ATVs.

DATES: Written comments must be submitted by November 24, 2014.

ADDRESSES: You may submit comments, identified by Docket No. CPSC-2012-0048 by any of the following methods:

Electronic Submissions: Submit electronic comments in the following way:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (email) except through <http://www.regulations.gov>.

Written Submissions: Submit written submissions in the following way:

Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions) preferably in five copies, to: Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change to <http://www.regulations.gov>, including any personal information provided. Do not submit confidential business

information, trade secret information, or other sensitive or protected information (such as a Social Security Number) electronically; if furnished at all, such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Hope Nesteruk, Project Manager, Directorate for Engineering Sciences, U.S. Consumer Product Safety Commission, National Product Testing and Evaluation Center, 5 Research Place, Rockville, MD 20850, 301-987-2579; email: hnesteruk@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

Since the 1980s, the CPSC has addressed ATV safety through various activities, including rulemaking, recalls, consumer education, media outreach following fatal incidents, and litigation. Despite these activities, ATV-related fatalities continue to be one of the largest categories of consumer product-related deaths. ATV safety, therefore, remains an ongoing Commission concern. Most recently, to assess the impact of passenger use of ATVs, the Commission Fiscal Year 2014 Operating Plan tasked CPSC staff with “assessing the inclusion of a performance standard related to preventing passengers on ATVs” in the Commission’s open rulemaking on ATVs. Accordingly, this request for information (RFI) seeks information from stakeholders related to passenger use of ATVs. CPSC staff will use information gathered from this RFI to assist in developing recommended courses of action for Commission consideration as to whether a performance requirement to prevent passenger use of ATVs is appropriate. Interested parties may provide information on the prevalence of passenger use and the reasons why passengers ride on ATVs; potential means of preventing passengers from being carried on ATVs not intended for that purpose; and potential impacts of these requirements on the utility of ATVs. Interested parties also may provide information on possible changes to ATV design that may prevent passenger use, and information on whether these changes could be translated into a performance standard.

II. Background

A. ATV-Related Activities Since 2006

In October 2005, the Commission published in the **Federal Register** an advance notice of proposed rulemaking

(ANPR) for ATVs under the Consumer Product Safety Act (CPSA) and the Federal Hazardous Substances Act (FHSA). Subsequently, in August 2006, the Commission issued a notice of proposed rulemaking (NPR) that proposed:

- Informational and training requirements for four-wheeled, adult, single-rider and tandem ATVs;
- Technical performance requirements for four-wheeled, adult, single-rider and tandem ATVs;
- Technical requirements for four-wheeled, youth ATVs; and
- A ban of three-wheeled ATVs.

The 2006 NPR also directed staff to address eight questions concerning youth ATVs and four questions concerning ATVs generally.

Since the 2006 NPR on ATVs was issued, the U.S. Congress, the Commission, and the Specialty Vehicle Institute of America (SVIA), have all been actively involved in ATV safety efforts. For example, SVIA revised the voluntary standard twice, and CPSC staff conducted research and completed studies to respond to the Commission’s questions in the NPR. Most significantly, Congress passed the Consumer Product Safety Improvement Act of 2008 (CPSIA) in August 2008. Among other things, section 232 of the CPSIA:

- Required the Commission to make mandatory the voluntary standard for ATVs, the American National Standard for Four Wheel All-Terrain Vehicles Equipment Configuration, and Performance Requirements, developed by the SVIA (ANSI/SVIA-1-2007);
- Made it unlawful for a manufacturer or distributor to import or distribute an ATV that did not comply with the mandated ATV standard and with action plans required by the CPSIA;
- Banned three-wheel ATVs until a mandatory standard is promulgated; and
- Required the Commission to issue a final rule on ATVs stemming from the 2006 NPR.

The Commission adopted the voluntary standard as a mandatory standard in a final rule on ATVs in the **Federal Register** on November 14, 2008 (73 FR 67385). The Commission’s ATV regulation is codified at 16 CFR part 1420 (part 1420) and became effective on April 13, 2009.

In 2011, Congress directed¹ the Commission to issue a final rule by August 12, 2012, stemming from the 2006 NPR. However, six years had passed since the NPR. Furthermore,

¹ Section 9 of Public Law 112-28 (August 12, 2011).