

made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal or written assurance that may have been received, there is no obligation on the part of DOC to cover Preaward costs.

#### VII. Classification

A notice of availability of financial assistance for this program will also appear in the Commerce Business Daily. This action has been determined to be not significant for purposes of E.O. 12866.

Applications under this program are subject to E.O. 12372, "Intergovernmental Review of Federal Programs."

The application mentioned in this notice is subject to the Paperwork Reduction Act. It has been approved by the Office of Management and Budget under control numbers 0348-0043, 0348-0044, and 0348-0046.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act, unless that collection displays a current valid OMB Control Number.

Authority: Public Law 104-91.

Dated: May 16, 1996.

Michael J. Nelson,

*Acting Director, Procurement, Grants and Administrative Services, Office of Finance and Administration.*

[FR Doc. 96-12768 Filed 5-17-96; 2:27 pm]

BILLING CODE 3510-12-U

#### National Oceanic and Atmospheric Administration

[I.D. 051396F]

#### Endangered Species; Permits

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

**ACTION:** Issuance of permit 988, amendment 1 to permit 942, and modification 2 to permit 962.

**SUMMARY:** Notice is hereby given that NMFS issued Permit 988, Amendment 1 to Permit 942, and Modification 2 to by Permit 962, permits to take listed sea turtles for the purpose of scientific research, subject to certain conditions set forth therein.

**ADDRESSES:** The applications, permits, and related documents are available for review by appointment in the following offices:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Hwy., Room 13307, Silver Spring, MD 20910-3226 (301-713-1401); and

Director, Southeast Region, NMFS, NOAA, 9721 Executive Center Drive, St. Petersburg, FL 33702-2432 (813-893-3141) for Permits 942 and 962

or

Director, Southwest Region, NMFS, NOAA, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213 (310-980-4016) for Permit 988.

**SUPPLEMENTARY INFORMATION:** Notice was published on January 23, 1996 (61 FR 1748) that an application had been filed by Dr. Peter Dutton of NMFS Southwest Fisheries Science Center and Donna McDonald of Ocean Planet Research, Inc. (P602) to take listed sea turtles for scientific research as authorized by the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-222). The applicants requested authorization to capture 50 green (*Chelonia mydas*), 5 olive ridley (*Lepidochelys olivacea*), and 5 loggerhead (*Caretta caretta*) sea turtles in San Diego Bay. The turtles would be measured, weighed, have blood and stomach samples taken, and have tags and transmitters attached. The purpose of the research is to reassess the status of sea turtles in San Diego Bay. The applicants requested a 5-year permit. On May 10, 1996, NMFS issued Permit 988 authorizing the above research.

Notice was published on February 29, 1996 (61 FR 7776) that a four-year extension to Permit 962 had been requested by Carlos Diez and Robert van Dam of the University of Central Florida (P509B) to take listed sea turtles for scientific research as authorized by the ESA. On May 10, 1996, NMFS issued Modification 2 to Permit 962, extending it until May 31, 2000. The applicants are authorized to capture listed sea turtles in Puerto Rico.

On April 25, 1996, as authorized by the ESA, NMFS issued Amendment 1 to Permit 942 held by Jane Anne Provancha of the Dynamac Corporation (P576). This amendment updated the permit conditions regarding netting to capture sea turtles, so as to avoid interaction with any species not authorized in the permit.

Issuance of this permit, modification, and amendment, as required by the ESA, was based on a finding that these actions: (1) Were applied for in good faith, (2) will not operate to the disadvantage of the listed species that are the subject of the actions, and (3) are consistent with the purposes and

policies set forth in section 2 of the ESA.

Dated: May 14, 1996.

Eric H. Ostrovsky,

*Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 96-12784 Filed 5-21-96; 8:45 am]

BILLING CODE 3510-22-F

[I.D. 050896A]

#### Marine Mammals; Permit No. 728 (P36C)

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

**ACTION:** Issuance of modification.

**SUMMARY:** Notice is hereby given that permit no. 728, issued to Dr. Bernd Würsig and Dr. Graham Worthy, Marine Mammal Research Program, Department of Marine Biology, Texas A&M University, P.O. Box 1675, Galveston, TX 77553-1675, to take Atlantic bottlenose dolphins (*Tursiops truncatus*) was extended until December 31, 1996.

**ADDRESSES:** The modification and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130 Silver Spring, MD 20910 (301/713-2289); and

Southeast Region, NMFS, 9721 Executive Center Drive, North, St. Petersburg, FL 33702-2532 (813/570-5301).

**SUPPLEMENTARY INFORMATION:** The subject modification has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the provisions of paragraphs (d) and (e) of § 216.33 of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Dated: May 13, 1996.

Ann D. Terbush,

*Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 96-12782 Filed 5-21-96; 8:45 am]

BILLING CODE 3510-22-F

#### Patent and Trademark Office

#### Notice of Two Year Exclusivity Period; DAYPRO® Oxaprozin

**AGENCY:** Patent and Trademark Office, Commerce.

**ACTION:** Notice of Receipt of Notice of Entitlement under section 2105 of the FDA Export Reform and Enhancement Act of 1996 (Chapter 1A of Pub. L. No. 104-134).

**SUMMARY:** The Patent and Trademark Office has received notification from G. D. Searle & Co. that it claims entitlement under section 2105 of the FDA Export Reform and Enhancement Act of 1996 (Chapter 1A of Pub. L. No. 104-134) for its drug product DAYPRO—oxaprozin.

**FOR FURTHER INFORMATION CONTACT:** Karin Tyson by telephone at (703) 305-9285; by mail marked to her attention and addressed to the Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231; or by fax marked to her attention at (703) 308-6916.

**SUPPLEMENTARY INFORMATION:** On April 25, 1996, the FDA Export Reform and Enhancement Act of 1996 (Act) (Chapter 1A of Pub. L. No. 104-134) was enacted. Section 2105 thereof grants specified exclusive rights to the owner of the right to market a specified nonsteroidal anti-inflammatory drug who has complied with the Act. The text of Section 2105 is as follows:

(a) In General.—Any owner on the date of enactment of this Act of the right to market a nonsteroidal antiinflammatory drug that—

(1) contains a previously patented active agent;

(2) has been reviewed by the Federal Food and Drug Administration for a period of more than 120 months as a new drug application; and

(3) was approved as safe and effective by the Federal Food and Drug Administration on October 29, 1992, shall be entitled, for the 2-year period beginning on October 29, 1997, to exclude others from making, using, offering for sale, selling, or importing into the United States such active agent, in accordance with section 154(a)(1) of title 35, United States Code.

(b) Infringement.—Section 271 of title 35, United States Code shall apply to the infringement of the entitlement provided under subsection (a). No application described in section 271(e)(2)(A) of title 35, United States Code, regardless of purpose, may be submitted prior to the expiration of the entitlement provided under subsection (a).

(c) Notification.—Not later than 30 days after the date of enactment of this Act, any owner granted an entitlement under subsection (a) shall notify the Commissioner of Patents and Trademarks and the Secretary of Health and Human Services of such

entitlement. Not later than 7 days after receipt of such notice, the Commissioner and Secretary shall publish an appropriate notice of the receipt of such notice.

On May 15, 1996, G. D. Searle & Co., filed a notice with the Commissioner of Patents and Trademarks of its claim for entitlement pursuant to Section 2105(c) of the Act. The notice states that G. D. Searle & Co. was the owner of the right to market the nonsteroidal antiinflammatory drug oxaprozin on April 25, 1996, the date of enactment of the Act. Further, the notice states: that oxaprozin contains an agent that was patented and covered by U.S. Patent No. 3,578,671; that a New Drug Application (NDA) was filed on August 10, 1982 for oxaprozin and was reviewed for a period of more than 120 months; and that oxaprozin was approved as safe and effective by the Federal Food and Drug Administration on October 29, 1992.

Dated: May 16, 1996.

Bruce A. Lehman,

*Assistant Secretary of Commerce and  
Commissioner of Patents and Trademarks.*

[FR Doc. 96-12882 Filed 5-21-96; 8:45 am]

BILLING CODE 3510-16-U

## COMMODITY FUTURES TRADING COMMISSION

### Chicago Mercantile Exchange Proposed Futures and Option Contracts on the Taiwan Stock Index

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice of availability of the terms and conditions of proposed commodity futures contract.

**SUMMARY:** The Chicago Mercantile Exchange (CME or Exchange) has applied for designation as a contract market in futures and futures options on the Taiwan Stock Index. The Acting Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposal for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

**DATES:** Comments must be received on or before June 21, 1996.

**ADDRESSES:** Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st St., NW.,

Washington, DC 20581. Reference should be made to the Chicago Mercantile Exchange Taiwan Stock Index futures and option contracts.

**FOR FURTHER INFORMATION CONTACT:** Please contact Stephen Sherrod of the Division of Economic Analysis, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st St., NW., Washington, DC 20581, telephone 202-418-5277.

**SUPPLEMENTARY INFORMATION:** Copies of the terms and conditions will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st St., NW., Washington, DC 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 418-5097.

Other materials submitted by the CME in support of the application for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposed terms and conditions, or with respect to other materials submitted by the CME, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st St., NW., Washington, DC 20581 by the specified date.

Issued in Washington, DC, on May 16, 1996.

Blake Imel,

*Acting Director.*

[FR Doc. 96-12820 Filed 5-21-96; 8:45 am]

BILLING CODE 6351-01-P

## Meetings; Sunshine Act

**AGENCY HOLDING THE MEETING:** Commodity Futures Trading Commission.

**TIME AND DATE:** 11:00 a.m., Friday, June 7, 1996.

**PLACE:** 1155 21st St. N.W., Washington, D.C. 9th Floor Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.