

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping Methodologies for Proceedings that Involve Significant Cost Changes Throughout the Period of Investigation (POI)/Period of Review (POR) that May Require Using Shorter Cost Averaging Periods; Request for Comment and Proposed Methodology for Identifying and Analyzing Targeted Dumping in Antidumping Investigations; Request for Comment**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Extension of Comment Periods.

**SUMMARY:** On May 9, 2008, the Department ("the Department") published notices in the **Federal Register** requesting comments regarding methodologies for proceedings that involve significant cost changes throughout the POI/POR that may require using shorter cost averaging periods (73 FR 26364), and proposed methodologies for identifying and analyzing targeted dumping in antidumping investigations (73 FR 26371). The Department is extending the comment periods, making the new deadlines for the submission of public comments June 23, 2008.

**DATES:** To be assured of consideration, written comments must be received no later than June 23, 2008.

**ADDRESS:** Written comments (original and six copies) should be sent to the Secretary of Commerce, Attn: Import Administration, Office of Accounting, APO/Dockets Unit, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Ave., NW, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Neal M. Halper, Director, Office of Accounting, Taija A. Slaughter, Lead Accountant, Office of Accounting, Anthony Hill, International Economist, Office of Policy, or Mike Rill, Director, Antidumping Policy, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-2989, (202) 482-

3563, (202) 482-1843 or (202) 482-3058, respectively.

**SUPPLEMENTARY INFORMATION:**

**Submission of Comments**

The Department is extending the deadlines for submitting rebuttal comments by ten business days, to June 23, 2008. The Department will consider all comments received before the close of the comment periods. Consideration of comments received after the end of the comment periods cannot be assured.

Persons wishing to comment should file a signed original and six copies of each set of comments by the date specified above. The Department will not accept comments accompanied by a request that a part or all of the material be treated confidentially due to business proprietary concerns or for any other reason. The Department will return such comments and materials to the persons submitting the comments and will not consider them in its development of a methodology for when it is appropriate to deviate from the annual average cost reporting method to shorter cost averaging periods, or when considering proposed methodologies for identifying and analyzing targeted dumping in antidumping investigations. The Department requires that comments be submitted in written form. The Department also requests submission of comments in electronic form to accompany the required paper copies. Comments filed in electronic form should be submitted either by e-mail to the webmaster below, or on CD-ROM, as comments submitted on diskettes are likely to be damaged by postal radiation treatment.

Comments received in electronic form will be made available to the public in Portable Document Format (PDF) on the Internet at the Import Administration website at the following address: <http://ia.ita.doc.gov>.

Any questions concerning file formatting, document conversion, access on the Internet, or other electronic filing issues should be addressed to Andrew Lee Beller, Import Administration Webmaster, at (202) 482-0866, email address: [webmaster-support@ita.doc.gov](mailto:webmaster-support@ita.doc.gov).

Dated: June 4, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

[FR Doc. E8-12987 Filed 6-6-08; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**FOR FURTHER INFORMATION CONTACT:** Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-4697.

**SUPPLEMENTARY INFORMATION:**

**Background**

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with section 351.213 (2007) of the Department of Commerce (the Department) Regulations,

that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

**OPPORTUNITY TO REQUEST A REVIEW:**

Not later than the last day of June 2008<sup>1</sup>, interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in June for the following periods:

Antidumping Duty Proceedings	Period
THE PEOPLE'S REPUBLIC OF CHINA: Apple Juice Concentrate, Non-Frozen. A-570-855 .....	6/1/07 - 5/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Artist Canvas. A-570-899 .....	6/1/07 - 5/31/08
THE PEOPLE'S REPUBLIC OF CHINA: Chlorinated Isocyanurates.	

<sup>1</sup> Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when the Department is closed.

Antidumping Duty Proceedings	Period
A-570-898 ..... THE PEOPLE'S REPUBLIC OF CHINA: Color Television Receivers.	6/1/07 - 5/31/08
A-570-884 ..... THE PEOPLE'S REPUBLIC OF CHINA: Folding Metal Tables and Chairs.	6/1/07 - 5/31/08
A-570-877 ..... THE PEOPLE'S REPUBLIC OF CHINA: Furfuryl Alcohol.	6/1/07 - 5/31/08
A-570-835 ..... THE PEOPLE'S REPUBLIC OF CHINA: Lawn and Garden Fence Posts.	6/1/07 - 5/31/08
A-570-877 ..... THE PEOPLE'S REPUBLIC OF CHINA: Polyester Staple Fiber.	6/1/07 - 5/31/08
A-570-905 ..... THE PEOPLE'S REPUBLIC OF CHINA: Silicon Metal.	12/26/06 - 5/31/08
A-570-806 ..... THE PEOPLE'S REPUBLIC OF CHINA: Sparklers.	6/1/07 - 5/31/08
A-570-804 ..... THE PEOPLE'S REPUBLIC OF CHINA: Tapered Roller Bearings.	6/1/07 - 5/31/08
A-570-601 ..... JAPAN: Carbon and Alloy Seamless Standard, Line Pressure.	6/1/07 - 5/31/08
A-588-850 Pipe (Over 4 ½ Inches) ..... JAPAN: Carbon and Alloy Seamless Standard, Line Pressure.	6/1/07 - 5/31/08
A-588-851 Pipe (Under 4 ½ Inches) ..... JAPAN: Hot-Rolled Carbon Steel Flat Products.	6/1/07 - 5/31/08
A-588-846 ..... SOUTH KOREA: Polyethylene Terephthalate (PET) Film.	6/1/07 - 5/31/08
A-580-807 ..... SPAIN: Chlorinated Isocyanurates.	6/1/07 - 5/31/08
A-469-814 ..... TAIWAN: Helical Spring Lock Washers.	6/1/07 - 5/31/08
A-583-820 ..... TAIWAN: Stainless Steel Butt-Weld Pipe Fittings.	6/1/07 - 5/31/08
A-583-816 ..... <b>Countervailing Duty Proceedings.</b>	6/1/07 - 5/31/08
None.	
<b>Suspension Agreements.</b>	
RUSSIA: Ammonium Nitrate.	
A-821-811 ..... <b>Countervailing Duty Proceedings.</b>	6/1/07 - 5/31/08

In accordance with section 351.213(b) of the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters.<sup>2</sup> If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state

<sup>2</sup> If the review request involves a non-market economy and the parties subject to the review request do not qualify for separate rates, all other exporters of subject merchandise from the non-market economy country who do not have a separate rate will be covered by the review as part of the single entity of which the named firms are a part.

specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Please note that, for any party the Department was unable to locate in prior segments, the Department will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003), the Department has clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to

request an administrative review of merchandise subject to antidumping findings and orders. See also the Import Administration web site at <http://ia.ita.doc.gov>.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Operations, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of June 2008. If the Department does not receive, by the last day of June 2008, a request for review

of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct the U.S. Customs and Border Protection to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute but is published as a service to the international trading community.

Dated: June 3, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E8-12860 Filed 6-6-08; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Board of Patent Appeals and Interferences Actions

**ACTION:** New collection; comment request.

**SUMMARY:** The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on this new information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before August 8, 2008.

**ADDRESSES:** You may submit comments by any of the following methods:

*E-mail:* [Susan.Fawcett@uspto.gov](mailto:Susan.Fawcett@uspto.gov).

Include "0651-00xx Board of Patent Appeals and Interferences Actions comment" in the subject line of the message.

*Fax:* 571-273-0112, marked to the attention of Susan K. Fawcett.

*Mail:* Susan K. Fawcett, Records Officer, Office of the Chief Information Officer, Customer Information Services Group, Public Information Services Division, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. *Federal e-Rulemaking Portal:* <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Requests for additional information should be directed to the attention of Kimberly Jordan, Chief Trial Administrator, Board of Patent Appeals

and Interferences, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-9797; or by e-mail at [BPAI.Rules@uspto.gov](mailto:BPAI.Rules@uspto.gov) with "Paperwork" in the subject line.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

The United States Patent and Trademark Office (USPTO) established the Board of Patent Appeals and Interferences (BPAI or Board) under 35 U.S.C. 6(b). This statute directs BPAI to "on written appeal of an applicant, review adverse decisions of examiners upon applications for patent and shall determine priority and patentability of invention in interferences." BPAI has the authority under 35 U.S.C. 134, 135, 306, and 315 to review ex parte and inter partes appeals and interferences. In addition, 35 U.S.C. 6 establishes the membership of BPAI as the Director, the Deputy Director, the Commissioner for Patents, the Commissioner for Trademarks, and the Administrative Patent Judges, one of which serves as the Chief Judge and another as the Vice Chief Judge. Each appeal and interference is decided by a merits panel of at least three members of the Board.

The Board's two main responsibilities under the statute include the review of ex parte appeals from adverse decisions of examiners in those situations where a written appeal is taken by a dissatisfied applicant, and the administration of interferences to "determine priority" (or decide who is the first inventor) whenever an applicant claims the same patentable invention that is already claimed by another applicant or patentee. In inter partes reexamination appeals, BPAI reviews decisions adverse to a patent owner or a third-party requestor.

The USPTO published a notice of proposed rule making, "Rules of Practice Before the Board of Patent Appeals and Interferences in Ex Parte Appeals (RIN 0651-AC12)" in the **Federal Register** on July 30, 2007. The public comment period ended on September 28, 2007. In this proposed rule making, the USPTO proposed changes to information submitted to the agency by practitioners in order to process ex parte appeals before the BPAI.

The agency received comments from the public concerning the burden of these rules on the public, in particular the new requirements that allow the agency to structure the information being received. In order to ensure that the public has opportunity to comment on the burden impact of the proposed rule making, the USPTO is submitting a

new information collection request to the OMB to review these changes as subject to the PRA and to incorporate the new information collection into the agency's information collection inventory.

The USPTO is asking that a new collection of information, entitled "Board of Patent Appeals and Interferences Actions" be established. This collection will contain the following items:

- Appeal Brief (41.37).
- Petition for Extension of Time for Filing Paper After Appeal Brief (41.3 and 41.20).
- Petition to Increase Page Limit (41.3 and 41.20).
- Reply Brief (41.41).
- Request for Rehearing Before the BPAI (41.52).

Additionally, there are two items related to BPAI activities that are currently covered in 0651-0031 Patent Processing (Updating). This collection is currently under review at OMB. It is the USPTO's intention to move these items out of 0651-0031 into this new collection once this collection is established and OMB's review of 0651-0031 is concluded. The following items will be moved out of 0651-0031:

- Notice of Appeal (41.31).
- Request for Oral Hearing Before the BPAI (41.47).

BPAI's opinions and decisions for publicly available files are published on the USPTO Web site.

There are no forms associated with these items. However, they are governed by rules in Part 41. Failure to comply with the appropriate rule may result in dismissal of the appeal or denial of entry of the paper.

## II. Method of Collection

By mail, hand delivery, or fax when applicant files the briefs, petitions, and requests. These papers can also be filed as attachments through EFS-Web.

## III. Data

*OMB Number:* 0651-00xx.

*Form Number(s):* No forms.

*Type of Review:* New information collection.

*Affected Public:* Primarily business or other for-profit organizations.

*Estimated Number of Respondents:* 31,828 responses per year. In the future, once this proposed collection and 0651-0031 are approved by OMB, the USPTO expects to move the notices of appeal and requests for oral hearing before the BPAI into this collection. The USPTO estimates that this will add a minimum of 28,595 responses to this collection.

*Estimated Time Per Response:* The USPTO estimates that it takes the public