

Revision of the Code of Federal Regulations.

The provisions 37 CFR 1.105(a)(1)(ix), 1.114(f), (g), and (h), 1.117, 1.142(c), 1.265, and 1.704(c)(11) as added by the Claims and Continuations Final Rule are not in effect as of August 7, 2008.

The USPTO anticipates that it will be some time before the litigation concerning the Claims and Continuations Final Rule is finally resolved. The USPTO is concerned that some applicants may be taking preparatory action anticipating the new requirements of 37 CFR 1.78(f)(1) and (2), as added by the Claims and Continuations Final Rule, due to the possibility that the injunction by the district court in *Tafas* will be removed. The purpose of this notice is to aid applicants who might otherwise feel the need to take such preparatory actions by identifying the applicability date of the provisions of 37 CFR 1.78(f) in the event that the injunction by the district court in *Tafas* is removed. Specifically, the changes in 37 CFR 1.78(f)(1) and (f)(2) will only apply to applications filed on or after any new effective date that would be published by the USPTO after the removal of the injunction. Thus, in the event the referenced injunction is lifted, applicants will only need to comply with the identification requirements of 37 CFR 1.78(f)(1) in applications having an actual filing date on or after this new effective date. Likewise applicants will only have to identify other commonly owned applications that satisfy the conditions set forth in 37 CFR 1.78(f)(1)(i) in applications that have a filing date on or after this new effective date. Similarly, the rebuttable presumption of 37 CFR 1.78(f)(2) will only apply to applications having an actual filing date on or after the effective date. Furthermore, the rebuttable presumption will only exist with respect to an application that satisfies the conditions set forth in 37 CFR 1.78(f)(2)(i) and also has a filing date on or after this new effective date.

Dated: August 1, 2008.

**Jon W. Dudas,**

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

[FR Doc. E8-18224 Filed 8-6-08; 8:45 am]

BILLING CODE 3510-16-P

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday, August 22, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

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

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**Sauntia S. Warfield,**  
*Staff Assistant.*

[FR Doc. E8-18323 Filed 8-5-08; 4:15 pm]

BILLING CODE 6351-01-P

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday August 8, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC., 9th Floor Commission Conference Room.

**STATUS:** Closed.

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

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**Sauntia S. Warfield,**  
*Staff Assistant.*

[FR Doc. E8-18329 Filed 8-5-08; 4:15 pm]

BILLING CODE 6351-01-P

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday August 15, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

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

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**Sauntia S. Warfield,**  
*Staff Assistant.*

[FR Doc. E8-18333 Filed 8-5-08; 4:15 pm]

BILLING CODE 6351-01-P

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 2 p.m., Wednesday August 20, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

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

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**Sauntia S. Warfield,**  
*Staff Assistant.*

[FR Doc. E8-18335 Filed 8-5-08; 4:15 pm]

BILLING CODE 6351-01-P

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## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** 11 a.m., Friday August 29, 2008.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

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

**CONTACT PERSON FOR MORE INFORMATION:** Sauntia S. Warfield, 202-418-5084.

**Sauntia S. Warfield,**  
*Staff Assistant.*

[FR Doc. E8-18347 Filed 8-5-08; 4:15 pm]

BILLING CODE 6351-01-P

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2506-144-MI]

### Upper Peninsula Power Company; Notice of Availability of Environmental Assessment

July 30, 2008.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47879), the Office of Energy Projects has reviewed Upper Peninsula Power Company's proposed shoreline management plan for the Escanaba Hydroelectric Project, located on the Middle Branch of the Escanaba River in Marquette County, Michigan, and has prepared an Environmental Assessment (EA).

A copy of the EA is on file with the Commission and is available for public inspection. The EA may also be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number (P-2506) excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at

*FERCOnlineSupport@ferc.gov* or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659.

Any comments on the EA should be filed by August 29, 2008, and should be addressed to the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Room 1-A, Washington, DC 20426. Please reference the project name and project number (P-2506) on all comments. Comments may be filed electronically via Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "eFiling" link. For further information, contact Jon Cofrancesco at (202) 502-8951.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-18060 Filed 8-6-08; 8:45 am]  
BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2482-078]

#### Erie Boulevard Hydropower, L.P.; Notice of Availability of Environmental Assessment

July 30, 2008.

An environmental assessment (EA) is available for public review. The EA was prepared for an application filed by Erie Boulevard Hydropower, L.P. on April 21, 2008, requesting the Commission's authorization to permit the Saratoga County Water Authority (SCWA) to withdraw water at a rate of 14 million gallons per day from the Sherman Island reservoir for municipal use.

The EA evaluates the environmental impacts that would result from permitting the SCWA to withdraw water from the Sherman Island reservoir. The proposal would include the construction of a screened intake facility placed on the bottom of the reservoir and a section of buried pipe that would extend to a pumping station located outside the project boundary. The EA finds that approval of the application would not constitute a major federal action significantly affecting the quality of the human environment.

A copy of the EA is attached to a Commission order titled "Order Approving Non-Project Use of Lands and Waters", issued July 30, 2008 and is available for review at the Commission in the Public Reference Room, or it may be viewed on the Commission's Web site at <http://www.ferc.gov>

[www.ferc.gov](http://www.ferc.gov) using the eLibrary link. Enter the docket number "P-2482" in the docket field to access the document. For assistance, call toll-free 1-(866)-208-3372 or (202) 502-8659 (for TTY).

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-18059 Filed 8-6-08; 8:45 am]  
BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. QF08-580-000]

#### Georgia-Pacific Brewton, LLC; Notice of Filing of Notice of Self-Certification of Qualifying Status of a Cogeneration Facility

July 30, 2008.

Take notice that on May 29, 2008, Georgia-Pacific Brewton LLC (GP), 32224 Highway 31, Brewton, Alabama 36426, filed with the Federal Energy Regulatory Commission a notice of self-certification of a facility as a qualifying cogeneration facility pursuant to 18 CFR 292.207(a) of the Commission's regulations.

GP states that the facility in question is a topping-cycle cogeneration facility with primary energy sources of black liquor and natural gas. The cogeneration facility consists of three recovery boilers, three power boilers, and three steam turbines to generate electricity and process heat to serve the resident paper mill. The facility is located in Brewton, Alabama.

GP further states that the facility is interconnected to Alabama Power Corporation (APC), and expects from time-to-time to sell energy to or purchase supplementary, standby, back-up, and maintenance power from APC.

A notice of self-certification does not institute a proceeding regarding qualifying facility status; a notice of self-certification provides notice that the entity making filing has determined the Facility meets the applicable criteria to be a qualifying facility. Any person seeking to challenge such qualifying facility status may do so by filing a motion pursuant to 18 CFR 292.207(d)(iii).

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed

docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

**Kimberly D. Bose,**  
*Secretary.*

[FR Doc. E8-18062 Filed 8-6-08; 8:45 am]  
BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. QF08-530-000]

#### Lowe's Home Improvement Centers, Inc.; Notice of Filing of Notice of Self-Certification of Qualifying Status of a Cogeneration Facility

July 30, 2008.

Take notice that on April 28, 2008, Lowe's Home Improvement Centers, Inc., Wilkesboro, North Carolina, filed with the Federal Energy Regulatory Commission a notice of self-certification of a facility as a qualifying cogeneration facility pursuant to 18 CFR 292.207(a) of the Commission's regulations.

This qualifying cogeneration facility consists of a 500 kW packaged diesel engine generator set operating on #2 fuel oil. The package is set on a concrete pad. The unit is self-contained, including all necessary switchgear and controls. The electricity is generated at 480 V, 3 phase, 60 Hz. The facility is located at 111 River Oaks Drive, Tarboro, NC 27886.

This qualifying facility interconnects with the Town of Tarboro's electric distribution system. The facility will provide standby power and occasionally supplementary power to Lowe's Home Improvement Center.

A notice of self-certification does not institute a proceeding regarding qualifying facility status; a notice of self-certification provides notice that the entity making the filing has determined the Facility meets the applicable criteria to be a qualifying facility. Any person seeking to challenge such qualifying facility status may do so by filing a motion pursuant to 18 CFR 292.207(d)(iii).

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC