

Dated: October 14, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

## Appendix I

### Scope of the Investigation

The phosphate salts covered by this investigation include Sodium Tripolyphosphate (STPP), whether anhydrous or in solution, anhydrous Monopotassium Phosphate (MKP), anhydrous Dipotassium Phosphate (DKP) and Tetrapotassium Pyrophosphate (TKPP), whether anhydrous or in solution (collectively "phosphate salts"). STPP, also known as Sodium triphosphate, Tripoly or Pentasodium triphosphate, is a sodium polyphosphate with the formula  $\text{Na}_5\text{O}_{10}\text{P}_3$ . The American Chemical Society, Chemical Abstract Service ("CAS") registry number for STPP is 7758-29-4. STPP is typically 25% phosphorus, 31% sodium and 57% diphosphorus pentoxide (P<sub>2</sub>O<sub>5</sub>). STPP is classified under heading 2835.31.0000, HTSUS. TKPP, also known as normal potassium pyrophosphate, Diphosphoric acid or Tetrapotassium salt, is a potassium salt with the formula  $\text{K}_4\text{P}_2\text{O}_7$ . The CAS registry number for TKPP is 7320-34-5. TKPP is typically 18.7% phosphorus and 47.3% potassium. It is generally greater than or equal to 43.0% P<sub>2</sub>O<sub>5</sub> content. TKPP is classified under heading 2835.39.1000, HTSUS. MKP, also known as Potassium dihydrogen phosphate, KDP, or Monobasic potassium phosphate, is a potassium salt with the formula  $\text{KH}_2\text{PO}_4$ . The CAS registry number for MKP is 7778-77-0. MKP is typically 22.7% phosphorus, 28.7% potassium and 52% P<sub>2</sub>O<sub>5</sub>. MKP is classified under heading 2835.24.0000, HTSUS. DKP, also known as Dipotassium salt, Dipotassium hydrogen orthophosphate or Potassium phosphate, dibasic, has a chemical formula of  $\text{K}_2\text{HPO}_4$ . The CAS registry number for DKP is 7758-11-4. DKP is typically 17.8% phosphorus, 44.8% potassium and 40% P<sub>2</sub>O<sub>5</sub> content. DKP is classified under heading 2835.24.0000, HTSUS. The products covered by this investigation include the foregoing phosphate salts in all grades, whether food grade or technical grade. The product covered by this investigation includes anhydrous MKP and DKP without regard to the physical form, whether crushed, granule, powder or fines. Also covered are all forms of STPP and TKPP, whether crushed, granule, powder, fines or solution. For purposes of the investigation, the narrative description is dispositive, not

the tariff heading, American Chemical Society, CAS registry number or CAS name, or the specific percentage chemical composition identified above. [FR Doc. E9-25340 Filed 10-20-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. [PTO-P-2009-0039]]

#### Request for Comments and Notice of Roundtable on Work Sharing for Patent Applications

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Notice of public meeting; request for comments.

**SUMMARY:** In an effort to avoid duplication of work and to expedite the patent examination process, the United States Patent and Trademark Office (USPTO) has been developing work-sharing initiatives in which an office uses, to the maximum extent practicable, the work already done by another office. The USPTO is conducting a roundtable to obtain input from diverse sources in the patent community and/or the public sector to evaluate views on work sharing. The roundtable is open to the public. The USPTO plans to invite a number of roundtable participants from patent user groups, practitioners, industry, independent inventor organizations, academia, and Government. To ensure that the USPTO is receiving a balanced array of views on work sharing, the USPTO also plans to have a few "at-large" participants based upon requests received in response to this notice. To ensure that all who are speaking will have a meaningful chance to do so, the number of participants in the roundtable is limited. Those who wish to participate in the roundtable must do so by written request. Members of the public who wish solely to attend and observe the roundtable need not submit a request.

In addition, any member of the public may submit written comments on issues raised at the roundtable or on any issue pertaining to work sharing.

**Dates and Times:** The public meeting will be held on Wednesday, November 18, 2009, from 8:30 a.m. to 1 p.m. The deadline for receipt of requests to participate in the roundtable is 5 p.m. on Wednesday, November 4, 2009.

The deadline for receipt of written comments for consideration by the

USPTO on issues raised at the roundtable or on any issue pertaining to work sharing is December 11, 2009.

**ADDRESSES:** The roundtable will be held at the USPTO, Madison Auditorium, Concourse Level, Madison Building, 600 Dulany Street, Alexandria, Virginia 22314.

Requests to participate at the roundtable are required and must be submitted by electronic mail message through the Internet to [elizabeth.shaw2@uspto.gov](mailto:elizabeth.shaw2@uspto.gov). Requests to participate at the roundtable should indicate the following information: (1) The name of the person desiring to participate and the person's contact information (telephone number and electronic mail address); and (2) the organization(s) the person represents, if any.

Written comments should be sent by electronic mail message over the Internet addressed to [IP.Policy@uspto.gov](mailto:IP.Policy@uspto.gov). Comments may also be submitted by mail addressed to: Mail Stop OIPPE, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, ATTN: Elizabeth Shaw. Although comments may be submitted by mail, the USPTO prefers to receive comments via the Internet.

The written comments will be available for public inspection by appointment only at the Office of Intellectual Property Policy and Enforcement in the Executive Library located in Madison West, Tenth Floor, 600 Dulany Street, Alexandria, Virginia 22314. Contact: Elizabeth Shaw at [elizabeth.shaw2@uspto.gov](mailto:elizabeth.shaw2@uspto.gov) or 571-272-8494.

Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number, should not be included in the comments.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Shaw, Office of Intellectual Property Policy and Enforcement, by phone 571-272-8494, by facsimile to 571-273-0121, by e-mail at [elizabeth.shaw2@uspto.gov](mailto:elizabeth.shaw2@uspto.gov) or by mail addressed to: Mail Stop OIPPE, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450, ATTN: Elizabeth Shaw.

**SUPPLEMENTARY INFORMATION:** Inventors and companies are increasingly seeking intellectual property protection for their inventions domestically and in multiple international markets. Because of the fractured nature of the global patent system, applicants must file different applications for their inventions in each country leading to multiple searches

and examinations. This redundancy not only creates inefficiencies and additional costs for applicants, but also results in the offices around the world duplicating a substantial amount of work. The USPTO and many offices around the world now face a growing backlog of pending applications, and applicants must wait longer times for an application to receive an examination. Through work sharing, an office eliminates the redundancy by utilizing the work of another office thereby expediting patent prosecution.

The USPTO is conducting a roundtable to evaluate the patent community and/or the public sector's views on work sharing, including current work-sharing efforts, as well as suggestions for future work-sharing opportunities. The USPTO plans to invite a number of roundtable participants from patent user groups, practitioners, industry, independent inventor organizations, academia, and Government. To ensure that the USPTO is receiving a balanced array of views on work sharing, the USPTO also plans to have a few "at-large" participants based upon requests received in response to this notice. To ensure that all who are speaking will have a meaningful chance to do so, the number of participants in the roundtable is limited. Those who wish to participate in the roundtable must do so by written request. Members of the public who wish solely to attend and observe the roundtable need not submit a request.

Any member of the public, however, may submit written comments for consideration by the USPTO on issues raised at the roundtable or on any other issues pertaining to work sharing. Persons submitting written comments should note that the USPTO does not plan to provide a "comment and response" analysis of such comments as this notice does not constitute a notice of proposed rule making.

The USPTO plans to make the roundtable available via Web cast. Web cast information will be available on the USPTO's Internet Web site before the roundtable. The written comments and list of the roundtable participants and their associations will be posted on the USPTO's Internet Web site.

Dated: October 14, 2009.

**David J. Kappos,**

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

[FR Doc. E9-25262 Filed 10-20-09; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-831]

#### **Fresh Garlic from the People's Republic of China: Partial Rescission of Antidumping Duty Administrative Review**

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

**FOR FURTHER INFORMATION CONTACT:** Martha Douthit or Summer Avery, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482-5050 or (202) 482-4052, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On December 24, 2008, the Department published a notice of initiation of an administrative review of fresh garlic from the People's Republic of China (PRC), covering the period November 1, 2007 through October 31, 2008. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 73 FR 79055 (December 24, 2008) (*Initiation Notice*).

On April 3, 2009, the Fresh Garlic Producers Association (FGPA) and its individual members<sup>1</sup> (collectively, Petitioners) withdrew their request of review of certain companies in this administrative review. On April 28, 2009, Shenzhen Xinboda Industrial Co., Ltd. (Xinboda), also withdrew its own review request. *See* the Attachment to this notice for the list of companies for which the Department is rescinding its review.

##### **Partial Rescission**

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party that requested the review withdraws the request within 90 days of the date of publication of the initiation notice of the requested review. Further, pursuant to 19 CFR 351.213(d)(1), the Department is permitted to extend this time limit if it is reasonable to do so. On March 24, 2009, at the request of Petitioners, the Department extended the deadline for the withdrawal of review requests to March 31, 2009. On March 31, 2009, the Department further extended the

deadline for the withdrawal of review requests to April 3, 2009.

For all but one of the companies listed in the Attachment, Petitioners were the only party that requested the review. In addition to Petitioners' request for a review of Xinboda, the company itself requested a review. Although Xinboda's withdrawal of its request for a review was beyond the April 3 deadline, the Department has decided to accept its withdrawal given that Petitioners timely withdrew their request for review of Xinboda.

Therefore, in accordance with 19 CFR 351.213(d)(1), we are rescinding this review with respect to all companies named in the Attachment to this notice.

##### **Assessment Rates**

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For those companies for which this review has been rescinded and which have a separate rate, antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2). The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice. For those companies for which this review has been rescinded, but which do not have a separate rate at this time (and thus remain part of the PRC-wide entity), the Department will issue assessment instructions upon the completion of this administrative review.

##### **Notification to Importers**

This notice serves as a final reminder to importers for whom this review is being rescinded of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

##### **Notification Regarding Administrative Protective Orders**

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance

<sup>1</sup> The individual members of the FGPA are Christopher Ranch L.L.C., The Garlic Company, Valley Garlic, and Vessey and Company, Inc.