

on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

■ For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.

■ 2. A new temporary § 165.T09–223 is added to read as follows:

##### § 165.T09–223 Safety Zone: Lake Michigan, Chicago, IL.

(a) *Location.* The following area is designated a safety zone: the waters of Lake Michigan within the arc of a circle with a 1000-foot radius with its center in the approximate position of 41°52'07" N, 087°35'65" W. (NAD 1983).

(b) *Effective period.* This section is effective from 9 p.m. (local) until 10 p.m. (local), on July 3, 2003.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port, Chicago, or the designated Patrol Commander.

Dated: June 12, 2003.

Lynn M. Henderson,  
Commander, U.S. Coast Guard, Acting  
Captain of the Port Chicago.

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#### DEPARTMENT OF COMMERCE

##### Patent and Trademark Office

##### 37 CFR Part 1

[Docket No.: 2003–P–007]

RIN 0651–AB59

##### Changes To Implement Electronic Maintenance of Official Patent Application Records

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

**ACTION:** Final rule.

**SUMMARY:** The United States Patent and Trademark Office (Office) is revising the rules of practice in patent cases as part of its 21st Century Strategic Plan to implement beginning-to-end electronic image processing of patent applications. Specifically, the changes adopted in this notice facilitate electronic image data capture and processing, streamline the patent application process, and simplify and clarify the pertinent provisions of the rules of practice.

**DATES:** *Effective Date:* July 30, 2003.

*Applicability Date:* The changes apply to any paper filed in the Office on or after July 30, 2003. Further, the revisions to §§ 1.3, 1.14(a) through (d) and (f) through (h), 1.59 and 1.99 apply to all patent applications filed before, on, or after July 30, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jay Lucas (703) 308–6868 or Robert Clarke (703) 305–9177, Senior Legal Advisors, or Robert J. Spar (703) 308–5107, Director, Office of Patent Legal Administration (OPLA), directly by phone. Questions may also be submitted in writing to Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313–1450; by electronic mail sent to [robert.clarke@uspto.gov](mailto:robert.clarke@uspto.gov); or by facsimile to (703) 872–9411.

**SUPPLEMENTARY INFORMATION:** The Office is increasing the integrity of its internal patent application record maintenance by adopting a new electronic data processing system for the storage and maintenance of all the records associated with patent applications. Because the system is consistent with the data processing system used by the European Patent Office (EPO), it will also improve information exchange among the intellectual property (IP) offices.

The system will use image technology to replace the standard paper processing of patent applications currently used in the Office. The paper components of the patent application file contents (including the specification, oath or declaration, drawings, information disclosure statements, amendments, Office actions, and file jacket notations) of pending applications will be scanned into electronic image files. Thereafter, all processing and examination by all Office personnel will be conducted with the electronic image files, instead of the paper source documents.

The system will affect applicants minimally during the patent application process, because the program affects internal operations and not external communications. Applicants may

continue to send and receive correspondence in paper form, although the Office encourages use of the existing alternative electronic filing system resources for application filings and certain information disclosure statement submissions. The changes to the rules of practice in title 37 of the Code of Federal Regulations (CFR) are designed to improve internal operation by the use of the electronic image format, primarily by easing the requirements upon applicants in amendment practice and information disclosure statement submissions. The electronic nature of patent records will permit their viewing by the public through the Patent Application Information Retrieval (PAIR) system, which has a number of advantages: (1) It provides notice to applicants of certain examination processing activities (e.g., mailing of Office actions); (2) it assures confidence in the integrity of the Office records; (3) it reduces the handling of the records; and (4) it allows parallel processing of the application by various parts of the Office.

The technology and procedures for the new system are similar to those used at the EPO, but adapted to the Office's legal requirements and existing computer systems. The Office announced a prototype program in December of 2002. See *USPTO Announces Prototype of Image Processing*, 1265 *Off. Gaz. Pat. Office* 87 (Dec. 17, 2002). The Office has incorporated the experience and lessons learned from this prototype program into a production system. See *Notification of United States Patent and Trademark Office Patent Application Records being Stored and Processed in Electronic Form*, 1271 *Off. Gaz. Pat. Office* 100 (June 17, 2003).

The electronic format of applications will reduce delays in moving information within the Office and between the Office, the applicant, other IP offices and other parties having authority to view the records. It will also reduce the potential for loss of records and misfiling, provide the capacity for multiple parties to access the records simultaneously, improve the efficiency of the publication process, and set the Office up for subsequent improvements in electronic communication related to applications between the Office, the applicant, and other parties.

It is also anticipated that the system will facilitate the sharing of information between the Office and other IP offices. The Office anticipates that agreements to electronically transmit priority documents to certain other IP offices as well as search results and other