

the Office of Management and Budget (OMB) under OMB Control Number 1105-0008.

This information collection was previously approved by OMB in March 2001 in conjunction with a proposed rulemaking by the USPTO entitled "Legal Processes," published in the **Federal Register** on December 22, 2000 (Vol. 65, No. 247). The final rule notice was published in the **Federal Register** on September 12, 2001 (Vol. 66, No. 177).

## II. Method of Collection

By mail or hand delivery to the USPTO.

## III. Data

OMB Number: 0651-0046.

Form Number(s): None.

Type of Review: Extension of a currently approved collection.

**Affected Public:** Individuals or households; businesses or other for-profits; not-for-profit institutions; farms; the Federal Government; and State, local or tribal governments.

**Estimated Number of Respondents:** 157 responses per year.

**Estimated Time Per Response:** The USPTO estimates that it will take the public from 5 minutes (0.08 hours) to 1 hour to gather the necessary information, prepare the appropriate documents, and submit the information required for the legal processes in this collection.

**Estimated Total Annual Respondent Burden Hours:** 29 hours per year.

**Estimated Total Annual Respondent Cost Burden:** \$8,054 per year. The USPTO expects that the information in this collection will be prepared by attorneys and former employees, except

for the requests for employee indemnification, which generally come from professional and supervisory staff. Since many of the former employees affected by this collection are attorneys, the attorney rate will be used for former employees as well. Using the professional rate of \$286 per hour for associate attorneys in private firms, the USPTO estimates that the respondent cost burden for attorneys and former employees submitting the information in this collection will be \$8,008 per year. Using the estimate of \$45.99 per hour for professional and supervisory staff, the USPTO expects that the respondent cost burden for submitting requests for employee indemnification will be \$46 per year. Therefore, the respondent cost burden for this collection will be \$8,054 per year.

Item	Estimated time for response	Estimated annual responses	Estimated annual burden hours
Petition to Waive Rules .....	30 minutes .....	5	3
Service of Process .....	5 minutes .....	120	10
Forwarding Service .....	10 minutes .....	5	1
Employee Testimony and Production of Documents in Legal Proceedings .....	30 minutes .....	15	8
Forwarding Demands .....	10 minutes .....	5	1
Report of Unauthorized Testimony .....	30 minutes .....	1	1
Report of Possible Indemnification Cases .....	30 minutes .....	3	2
Employee Indemnification .....	30 minutes .....	1	1
Tort Claims .....	1 hour .....	2	2
Total .....	.....	157	29

**Estimated Total Annual Non-hour Respondent Cost Burden:** \$727 per year. There are no capital start-up, maintenance, or recordkeeping costs associated with this information collection. However, this collection does have annual (non-hour) costs in the form of filing fees and postage costs.

This collection has filing fees associated with the petition to waive or suspend the legal process rules under 37 CFR 104.3. The filing fee for this petition is \$130. There are no other filing fees associated with this information collection. The USPTO estimates that the total filing costs associated with this collection will be \$650 per year.

Customers may incur postage costs when submitting the information in this collection to the USPTO by mail. The USPTO estimates that the average first-class postage cost for a mailed submission will be 49 cents and that up to 157 submissions will be mailed to the USPTO per year. The total estimated postage cost for this collection is \$77 per year.

The total non-hour respondent cost burden for this collection in the form of filing fees and postage costs is \$727 per year.

## IV. Request for Comments

**Comments are invited on:** (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: October 30, 2003.

**Susan K. Brown,**

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[FR Doc. 03-27793 Filed 11-4-03; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

### Proposed Collection; Comment Request

**AGENCY:** Headquarters, Air Force Reserve Officer Training Corps (AFROTC), Maxwell Air Force Base, Alabama.

**ACTION:** Notice.

In compliance with section 3503(c)(2)(A) of the Paperwork Reduction Act of 1995, Headquarters Air Force Reserve Officer Training Corps announces the proposed reinstatement of a public information