

# U.S. Customs and Border Protection



## DEPARTMENT OF THE TREASURY

### 19 CFR PARTS 4 24

**Docket No. USCBP-2008-0085**

**RIN 1515-AD74**

#### **INTEREST ON UNTIMELY PAID VESSEL REPAIR DUTIES**

**AGENCY:** Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to amend title 19 of the Code of Federal Regulations (19 CFR) to provide that where an owner or master of a vessel documented under the laws of the United States fails to timely pay the duties determined to be due to Customs and Border Protection (CBP) that are associated with the purchase of equipment for, or repair to, the vessel while it is outside the United States, interest will accrue on the amounts owed to CBP and that person will be liable for interest. The purpose of this document is to ensure that title 19 of the CFR reflects that CBP collects interest as part of its inherent revenue collection functions in situations where an owner or master of a vessel fails to pay the vessel repair duties determined to be due within 30 days of CBP issuing the bill.

**DATES:** Comments must be received on or before May 31, 2011.

**ADDRESSES:** You may submit comments, identified by *docket number*, by one of the following methods:

- Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the instructions for submitting comments via docket number USCBP 2008-0085.
- Mail: Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, Customs and

Border Protection, 799 9<sup>th</sup> Street, N.W. (Mint Annex), Washington, D.C. 20229–1179.

Instructions: All submissions received must include the agency name and docket number for this proposed rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. For detailed instructions on submitting comments and additional information on the proposed rulemaking process, see the “Public Participation” heading of the SUPPLEMENTARY INFORMATION section of this document. Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. Submitted comments may also be inspected during regular business days between the hours of 9 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of International Trade, Customs and Border Protection, 799 9th Street, N.W., 5th Floor, Washington, D.C. Arrangements to inspect submitted comments should be made in advance by calling Joseph Clark at (202) 325–0118.

**FOR FURTHER INFORMATION CONTACT:** Carrie Owens, Chief, Entry Process and Duty Refunds, Regulations and Rulings, Office of International Trade, (202) 325–0266.

## **SUPPLEMENTARY INFORMATION:**

### **Public Participation**

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the proposed rule. Customs and Border Protection (CBP) also invites comments that relate to the economic, environmental, or federalism effects that might result from this proposed rule. If appropriate to a specific comment, the commenter should reference the specific portion of the proposed rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

### **Background**

Section 466 of the Tariff Act of 1930, as amended (19 U.S.C. 1466), and Subchapter XVIII, Chapter 98, Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), provide, in pertinent part, that equipment purchased for, or repairs made to, an American vessel in a foreign country are subject to entry and the payment of *ad valorem* duty on the first arrival of the affected vessel in any port of the United States.

Section 498 of the Tariff Act of 1930 (19 U.S.C. 1498) provides that the Secretary of the Treasury is authorized to prescribe rules and regulations for the declaration and entry of merchandise. Within that statute, paragraph (a)(10) provides, in pertinent part, that the Secretary may prescribe rules and regulations pertaining to the entry of merchandise within the provisions of section 1466 of this title (relating to vessel repairs and equipment purchases).

The Federal Claims Collection Act of 1966, codified at 31 U.S.C. 3701–3720A, as amended, establishes general federal claim and interest collection authority. Section 3717(a) directs the head of an executive, judicial, or legislative agency to charge interest on any outstanding debt to the United States Government. Sections 3737(b) and (d) provide that interest accrues from the date notice is mailed, however no interest will be charged if the amount on the claim is paid within 30 days from the mailing date.

Based on the authority conferred by these statutory provisions, this document proposes to amend title 19 of the Code of Federal Regulations (19 CFR) to provide that where an owner or master of a vessel documented under the laws of the United States fails to timely pay the duties determined to be due to Customs and Border Protection (CBP) that are associated with the purchase of equipment for, or repair to, the vessel while it is outside the United States, interest will accrue on the amounts owed to CBP and that person will be liable for interest. The purpose of this document is to ensure that title 19 of the CFR reflects that CBP collects interest as part of its inherent revenue collection functions in situations where an owner or master of the vessel fails to pay the vessel repair duties determined to be due within 30 days of CBP issuing the bill.

These proposed changes, other than those involving non-substantive editorial changes, are discussed below in more detail.

## **EXPLANATION OF AMENDMENTS**

### *Section 4.14*

Section 4.14 of title 19 of the Code of Federal Regulations (19 CFR 4.14) sets forth the regulatory provisions applicable to equipment purchases for, and repairs to, American vessels and provides that the costs associated with such expenditures are subject to declaration, entry and payment of *ad valorem* duty.

Section 4.14(i) sets forth the general procedures for seeking relief from the assessment of vessel repair duties and prescribes the manner by which an Application for Relief from such duties must be submitted to CBP. Within § 4.14(i), this document proposes to redess-

ignate existing paragraph (i)(3) as paragraph (i)(4) and to add a new paragraph (i)(3). Newly proposed § 4.14(i)(3), entitled “Application for Relief; failure to file or denial in whole or in part,” will provide that if no Application for Relief is filed, or if a timely filed Application for Relief is denied in whole or in part, the VRU (vessel repair unit) will determine the amount of duty due and issue a bill to the party who filed the vessel repair entry. If the bill is not timely paid, interest will accrue as provided in § 24.3a(b)(1) of this chapter.

It is also proposed to amend § 4.14(j)(1), which prescribes the penalties for failure to report, enter, or pay vessel repair duties, to state that the owner or master of the vessel who fails to timely pay the duty determined to be due will be liable for interest as provided in section 24.3a(b)(1) of this chapter.

### *Section 24.3a*

It is proposed to make conforming changes to §§ 24.3a(a) and (b) (19 CFR 24.3a(a) and (b)) which, respectively, prescribe the payment due date for CBP bills and provide for the assessment of interest charges if payment is not received by CBP on or before the late payment date appearing on the bill. The proposed changes to paragraph (a) specifically would include “vessel repair duties” as among the types of bills CBP issues. In paragraph (b), it is proposed to include “vessel repair duties” as among the types of bills for which CBP may assess interest charges from the date the bill is issued.

## **THE REGULATORY FLEXIBILITY ACT AND EXECUTIVE ORDER 12866**

Because these proposed amendments merely reflect the agency’s revenue collection functions and rights, and impose no additional regulatory burden on the importing public, pursuant to the provisions of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, it is certified that, if adopted, the proposed amendments will not have a significant economic impact on a substantial number of small entities. Further, these proposed amendments do not meet the criteria for a “significant regulatory action” as specified in Executive Order 12866.

## **PAPERWORK REDUCTION ACT**

As there are no new collections of information proposed in this document, the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) are inapplicable.

## SIGNING AUTHORITY

This proposed rulemaking is being issued in accordance with 19 CFR 0.1(a)(1), pertaining to the authority of the Secretary of the Treasury (or his/her delegate) to approve regulations related to certain CBP revenue functions.

## LIST OF SUBJECTS

### *19 CFR Part 4*

Administrative practice and procedure, Cargo vessels, Customs duties and inspection, Entry, Passenger vessels, Penalties, Repairs, Reporting and recordkeeping requirements, Shipping, Vessels.

### *19 CFR Part 24*

Accounting, Claims, Customs duties and inspection, Exports, Imports, Interest, Reporting and recordkeeping requirements, Taxes, User fees, Wages.

## PROPOSED AMENDMENTS TO THE REGULATIONS

For the reasons set forth in the preamble, parts 4 and 24 of title 19 of the CFR (19 CFR Parts 4 and 24) are proposed to be amended as set forth below.

### PART 4 – VESSELS IN FOREIGN AND DOMESTIC TRADE

1. The general authority citation for part 4 continues, and the specific authority citation for § 4.14 is revised, to read as follows:

**AUTHORITY:** 5 U.S.C. 301; 19 U.S.C. 66, 1431, 1433, 1434, 1624, 2071 note; 46 U.S.C. 501, 60105.

\* \* \* \* \*

Section 4.14 also issued under 19 U.S.C. 1466, 1498; 31 U.S.C. 9701.

\* \* \* \* \*

2. In § 4.14:

- a. The heading text is revised;
- b. Existing paragraph (i)(3) is redesignated as paragraph (i)(4) and a new paragraph (i)(3) is added; and
- c. Paragraph (j)(1) is amended by adding a new third sentence. The additions to § 4.14 read as follows:

**§ 4.14 Equipment purchases for, and repairs to, American vessels.**

\* \* \* \*

(i) \* \* \*

(3) *Application for Relief; failure to file or denial in whole or in part.* If no Application for Relief is filed, or if a timely filed Application for Relief is denied in whole or in part, the VRU will determine the amount of duty due and issue a bill to the party who filed the vessel repair entry. If the bill is not timely paid, interest will accrue as provided in § 24.3a(b)(1) of this chapter.

\* \* \*  
\* \* \*

**PART 24 - CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE**

3. The general authority citation for part 24 is revised to read as follows:

**AUTHORITY:** 5 U.S.C. 301; 19 U.S.C. 58a-58c, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States, 1505, 1520, 1624; 26 U.S.C. 4461, 4462; 31 U.S.C. 3717, 9701; Public Law 107-296, 116 Stat. 2135 (6 U.S.C. 1 *et. seq.*).

\* \* \* \*

4. Section 24.3a is amended:

a. In the heading text, by adding after the word “assessment” the words “on bills”;

b. In paragraph (a): by adding after the word “reliquidation)” the language “, or vessel repair duties,”; and by removing the words “shall be” and adding in their place the word “are”;

c. In the heading text to paragraph (b)(1), by adding after the word “for” the words “vessel repair duties,”;

d. In paragraph (b)(2)(i), introductory text, by removing the word “shall” and adding in its place the word “will”;

e. In paragraph (b)(2)(i)(A), by removing the word “shall” and adding in its place the word “will”;

f. In paragraph (b)(2)(i)(B), introductory text, by removing the word “shall”;

g. In paragraph (b)(2)(i)(B)(1), by removing the word “shall” and adding in its place the word “will”;

h. In paragraph (b)(2)(i)(B)(2), by removing the word “shall” and adding in its place the word “will”;

- i. In paragraph (b)(2)(i)(B)(3), by removing the word “shall” where it appears and adding in each place the word “will”;
- j. In paragraph (b)(2)(i)(B)(4), by removing the word “shall” and adding in its place the word “will”;
- k. In paragraph (b)(2)(i)(C), by removing the word “shall” and adding in its place the word “will”;
- l. In paragraph (b)(2)(ii), by removing the word “shall” where it appears and adding in each place the word “will”; and
- m. In paragraph (c)(1), by removing the words “CBP Office of Finance, Indianapolis, Indiana” and adding in their place the language “CBP’s Revenue Division, Office of Administration”.

Dated: March 29, 2011

ALAN BERSIN  
*Commissioner*  
*U.S. Customs and Border Protection*

Timothy E. Skud  
Deputy Assistant Secretary of the Treasury

[Published in the Federal Register, April 1, 2011 (76 FR 18132)]



## DEPARTMENT OF HOMELAND SECURITY

**Docket No. USCBP-2011-0009**

### ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS OF CUSTOMS AND BORDER PROTECTION (COAC)

**AGENCY:** U. S. Customs and Border Protection

**ACTION:** Committee Management; Notice of Federal Advisory Committee Meeting.

**SUMMARY:** The Advisory Committee on Commercial Operations of Customs and Border Protection (COAC) will meet on April 12, 2011 in Washington, DC. The meeting will be open to the public.

**DATES:** COAC will meet on Tuesday, April 12, 2011, from 1:00 p.m. to 5:00 p.m. Please note that the meeting may close early if the committee has completed its business. If you plan on attending, please register either online at [https://apps.cbp.gov/te\\_registration/?w=47](https://apps.cbp.gov/te_registration/?w=47), or by e-mail to [tradeevents@dhs.gov](mailto:tradeevents@dhs.gov) by close-of-business on April 6, 2011.

**ADDRESSES:** The meeting will be held at the Ronald Reagan Building in the Polaris Room, at 1300 Pennsylvania Avenue, NW, Washington, DC 20229. All visitors to the Ronald Reagan Building

must show a state-issued ID or Passport to proceed through the security checkpoint to be admitted to the building.

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Ms. Wanda Tate as soon as possible.

To facilitate public participation, we are inviting public comment on the issues to be considered by the committee as listed in the “Summary” section below. Comments must be submitted in writing no later than April 6, 2011 and must be identified by **USCBP-2011-0009** and may be submitted by *one* of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **E-mail:** [Tradeevents@dhs.gov](mailto:Tradeevents@dhs.gov). Include the docket number in the subject line of the message.
- **Fax:** 202-325-4290
- **Mail:** Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW, Room 5.2A, Washington, DC 20229.

*Instructions:* All submissions received must include the words “Department of Homeland Security” and the docket number for this action. Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received by the COAC, go to <http://www.regulations.gov>.

A public comment period will be held during the meeting on April 12, 2011 from 4:25 pm to 4:55 pm, and speakers are requested to limit their comments to 3 minutes. Please note that the public comment period may end before the time indicated, following the last call for comments. Contact the individual listed below to register as a speaker.

**FOR FURTHER INFORMATION CONTACT:** Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, Department of Homeland Security, 1300 Pennsylvania Avenue, NW, Room 5.2A, Washington, DC 20229; telephone 202-344-1440; facsimile 202-325-4290.

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is given under the Federal Advisory Committee Act, 5 U.S.C. App. (Pub. L. 92-463). The COAC provides advice to the Secretary of Homeland



Security, the Secretary of the Treasury, and the Commissioner of U.S. Customs and Border Protection (CBP) on matters pertaining to the commercial operations of CBP and related functions within DHS or the Department of the Treasury.

### *Agenda*

The COAC will meet to review and discuss next steps on the following issues:

1. Managing by Account: Center of Excellence and Expertise (CEE) and Account Executive Pilots
2. The Role of the Broker, A Broker Revision Project
3. One U.S. Government at the Border – Interagency Issues
4. Automation/International Trade Data System
5. Enhancing Air Cargo Security
6. National Strategy Global Supply Chain Security and the Secretary's work to foster international standards and cooperation
7. Enhancing Intellectual Property Rights Enforcement Efforts
8. Risk Based Bonding and Risk Factors

Dated: March 22, 2011

MARIA LUISA O'CONNELL  
*Senior Advisor for Trade and  
Public Engagement  
Office of Trade Relations*

[Published in the Federal Register, March 28, 2011 (76 FR 17143)]



## **COPYRIGHT, TRADEMARK, AND TRADE NAME RECORDATIONS**

**(No. 3 2011)**

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security.

**SUMMARY:** Presented herein are the copyrights, trademarks, and trade names recorded with U.S. Customs and Border Protection during the month of March 2011. The last notice was published in the CUSTOMS BULLETIN on March 24, 2011.

Corrections or updates may be sent to: Department of Homeland Security, U.S. Customs and Border Protection, Office of Regulations and Rulings, IPR Branch, 1300 Pennsylvania Avenue, N.W., Mail Stop 1179, Washington, D.C. 20229-1179

**FOR FURTHER INFORMATION CONTACT:** Delois Johnson,  
Paralegal, Intellectual Property Rights Branch, (202) 325-0088.

Dated: April 5, 2011

CHARLES R. STEUART  
*Chief,*  
*Intellectual Property Rights & Restricted*  
*Merchandise Branch*

## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 05-01051	3/23/2011	3/13/2021	EXPLORER SPORT TRAC	FORD MOTOR COMPANY	No
TMK 02-00218	3/23/2011	8/17/2021	SOREL	SOREL CORPORATION	No
TMK 02-00860	3/23/2011	5/6/2012	BERNINA	BERNINA INTERNATIONAL AG	No
TMK 03-00231	3/23/2011	1/23/2021	NC AND DESIGN	NAUTICA APPAREL	No
TMK 03-00759	3/31/2011	1/15/2021	CONFIGURATION OF A PET SHELTER	DOSKOCIL MANUFACTURING COMPANY	No
TMK 06-00937	3/31/2011	3/9/2021	ANHEUSER-BUSCH	ANHEUSER-BUSCH, INCORPORATED	No
TMK 06-01223	3/23/2011	8/21/2021	OMNI-GRIP	COLUMBIA SPORTSWEAR COMPANY	No
TMK 11-00307	3/31/2011	8/14/2014	DEB AND DESIGN	D.B. ROYALTY, INC.	No
TMK 11-00308	3/31/2011	3/18/2017	DESIGN	DIXON TICONDEROGA COMPANY	No
TMK 07-00147	3/23/2011	7/31/2021	OVER THE TOP	LINEAR TECHNOLOGY CORPORATION	No
TMK 11-00309	3/31/2011	5/25/2012	MAVERICK	LORILLARD LICENSING COMPANY, LLC	No
TMK 11-00310	3/31/2011	10/13/2019	PORTO ALEGRE AND DESIG	SERVI INDUSTRIAS DEL NOROESTE, S.A. DE C.V. (MEXICO CORPORATION)	No
TMK 08-00084	3/23/2011	2/13/2021	HOT COUTURE	PARFUMS GIVENCHY	No
TMK 11-00285	3/24/2011	10/5/2020	JANIE AND JACK	GYM-MARK, INC.	No
TMK 08-00960	3/24/2011	4/20/2016	LASER	KARAYA (JERSEY) LIMITED	No
TMK 11-00239	3/3/2011	3/2/2020	REV ABS	PRODUCT PARTNERS, LLC	No
TMK 10-00369	3/24/2011	12/15/2020	MOTRIN	JOHNSON & JOHNSON	No
TMK 10-01117	3/23/2011	3/10/2021	BABYLISS	CONAIR CORPORATION	No

## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00282	3/23/2011	9/18/2017	MELONA	BINGRAE CO., LTD.	No
TMK 11-00272	3/23/2011	9/29/2012	MILLENNIUM	ASHLEY FURNITURE INDUSTRIES, INC.	No
COP 11-00027	3/23/2011	3/23/2031	GAL 0902	GALLIANA CREATIONS CO. LTD.	No
COP 11-00029	3/24/2011	3/24/2031	GAL 1127	GALLIANA CREATIONS CO. LTD.	No
TMK 11-00277	3/23/2011	12/13/2015	NEW YORK & COMPANY	LERNCO, INC.	No
TMK 11-00286	3/24/2011	5/24/2014	URBAN ZEN	DONNA KARAN, AN INDIVIDUAL	No
TMK 11-00281	3/23/2011	2/1/2021	INCHWORM	INNOVATION FIRST, INC.	No
TMK 11-00275	3/23/2011	6/16/2019	MELONA	BINGRAE CO., LTD.	No
TMK 11-00283	3/23/2011	4/12/2015	INNOVATION FIRST	INNOVATION FIRST, INC.	No
TMK 11-00322	3/31/2011	6/16/2019	ASHLEY FURNITURE HOMESTORE OUTLET	ASHLEY FURNITURE INDUSTRIES, INC.	No
TMK 11-00288	3/24/2011	2/16/2020	EASY-LITE	GUO, LILY LIJUN	No
TMK 11-00279	3/23/2011	8/27/2015	DESIGN (HEN & ROOSTER DESIGN)	JAMES A. FROST, DBA FROST CUTLERY	No
TMK 11-00274	3/23/2011	9/24/2014	CONAIR	CONAIR CORPORATION	No
TMK 11-00265	3/23/2011	9/1/2018	DESIGN	JUST BORN, INC.	No
TMK 11-00273	3/23/2011	4/11/2020	FROST CUTLERY	JAMES A. FROST, DBA FROST CUTLERY	No
TMK 11-00261	3/23/2011	4/4/2019	HEN & ROOSTER	JAMES A. FROST, DBA FROST CUTLERY	No
TMK 11-00262	3/23/2011	12/12/2020	A SMARTER VISION	GENTEX CORPORATION	No
TMK 11-00302	3/24/2011	11/19/2014	DESIGN (WAVE)	GSM (OPERATIONS) PTY LTD	No

## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00263	3/23/2011	7/8/2013	LONGCHAMP	S.A.S. JEAN CASSEGRAIN CORPORATION	No
TMK 11-00287	3/24/2011	3/22/2018	LONGCHAMP AND DESIGN	S.A.S. JEAN CASSEGRAIN CORPORATION	No
TMK 11-00264	3/23/2011	7/10/2017	LE PLAGIAGE	S.A.S. JEAN CASSEGRAIN CORPORATION	No
TMK 11-00267	3/23/2011	11/10/2019	LONGCHAMP	S.A.S. JEAN CASSEGRAIN CORPORATION	No
TMK 11-00266	3/23/2011	10/8/2012	LONGCHAMP AND DESIGN	S.A.S. JEAN CASSEGRAIN CORPORATION	No
TMK 11-00269	3/23/2011	8/22/2020	LOUIS VUITTON PARIS AND DESIGN	LOUIS VUITTON MALLETTIER	No
TMK 11-00268	3/23/2011	5/29/2014	LONGCHAMP & DESIGN	S.A.S. JEAN CASSEGRAIN CORPORATION	No
COP 11-00028	3/23/2011	3/23/2031	COACH 70TH ANNIVERSARY SNAP-HEAD PRINT.	COACH, INC.	No
COP 11-00026	3/23/2011	3/23/2031	COACH 70TH ANNIVERSARY SNAP-HEAD PRINT -ADDITIONAL COLORS	COACH, INC.	No
TMK 11-00278	3/23/2011	1/11/2021	FLEETWOOD RV	FLEETWOOD RV, INC.	No
TMK 11-00289	3/24/2011	12/14/2020	LVB (STYLIZED)	GARY SOLOMON	No

## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00299	3/24/2011	9/14/2020	THE ARGONAUT TIRE TRACTION RUNNER	SPONGEZZ INC.	No
TMK 11-00301	3/24/2011	5/12/2019	DURABLEND	ASHLEY FURNITURE INDUSTRIES, INC.	No
COP 11-00032	3/24/2011	3/24/2031	GAL 0533	GALLIANA CREATIONS CO. LTD.	No
TMK 11-00284	3/23/2011	2/22/2021	SUN CALI	SUN CALI, INC.	No
TMK 11-00270	3/23/2011	10/26/2014	ANADIGICS & DESIGN	ANADIGICS, INC.	No
TMK 11-00306	3/24/2011	2/22/2021	THERMAL 3HT	THERMAL BUILDING CONCEPTS, LLC	No
TMK 11-00271	3/23/2011	4/6/2020	SMARTBEAM	GENTEX CORPORATION	No
TMK 11-00300	3/24/2011	10/12/2020	MIRACUBE	MIRACUBE INC	No
TMK 11-00320	3/31/2011	7/20/2021	HERSHEY'S AND DESIGN	HERSHEY CHOCOLATE & CONFEC-TIONERY CORPORATION	No
TMK 11-00305	3/24/2011	9/7/2014	DURAPELLA	ASHLEY FURNITURE INDUSTRIES, INC.	No
TMK 11-00303	3/24/2011	6/1/2019	CONAIR	CONAIR CORPORATION	No
TMK 11-00304	3/24/2011	5/22/2017	FLAP AND HANDLE DESIGN	S.A.S. JEAN CASSEGRAIN CORPORA-TION	No
TMK 11-00255	3/23/2011	5/26/2018	AMORETTI	JAMARA LICENSING, LLC	No
TMK 11-00256	3/23/2011	10/30/2017	LE PLAGIE	S.A.S JEAN CASSEGRAIN CORPORA-TION	No

## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00254	3/23/2011	10/12/2020	BEATS	BEATS ELECTRONICS, LLC	No
TMK 11-00257	3/23/2011	5/8/2014	BILLABONG	GSM (OPERATIONS) PTY LTD	No
TMK 11-00258	3/23/2011	3/1/2021	SEX AND THE CITY	HOME BOX OFFICE, INC.	No
TMK 11-00259	3/23/2011	9/28/2020	RED CAP	NATIONAL TOBACCO COMPANY, L.P.	No
TMK 11-00296	3/24/2011	7/26/2015	URBAN ZEN	DONNA KARAN, AN INDIVIDUAL	No
COP 11-00025	3/23/2011	3/23/2031	GAL 0632	GALLIANA CREATIONS CO. LTD.	No
COP 11-00024	3/23/2011	3/23/2031	GAL 0644	GALLIANA CREATIONS CO. LTD.	No
COP 11-00030	3/24/2011	3/24/2031	GAL 0937	GALLIANA CREATIONS CO. LTD.	No
TMK 11-00260	3/23/2011	11/23/2020	B	BEATS ELECTRONICS, LLC	No
COP 11-00031	3/24/2011	3/24/2031	GAL 1669	GALLIANA CREATIONS CO. LTD.	No
TMK 11-00295	3/24/2011	8/12/2013	SUN CALI	SUN CALI, INC.	No
TMK 11-00280	3/23/2011	12/21/2020	ETISIS	DEVRA WATHEN	No
TMK 11-00290	3/24/2011	11/9/2020	ESCAPING THE SUN IN STYLE	DEVRA WATHEN	No
TMK 11-00294	3/24/2011	12/21/2020	DESIGN (WOMEN'S HEAD ON A BACK-GROUND OF A STYLIZED SUN)	DEVRA WATHEN	No
TMK 11-00297	3/24/2011	7/12/2015	URBAN ZEN	DONNA KARAN, AN INDIVIDUAL	No
TMK 11-00292	3/24/2011	5/11/2014	URBAN ZEN	DONNA KARAN, AN INDIVIDUAL	No
TMK 11-00291	3/24/2011	6/13/2016	DESIGN	ADIDAS AG	No
TMK 11-00293	3/24/2011	1/25/2021	GREENSHIELD	GREENOLOGY PRODUCTS, INC.	No
TMK 11-00298	3/24/2011	3/31/2019	URBAN ZEN	DONNA KARAN	No

## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 11-00240	3/23/2011	12/17/2013	MALTESER	HERSHEY CHOCOLATE & CONFEC-TIONERY CORPORATION	No
TMK 11-00241	3/23/2011	3/8/2021	G25	NISSAN JIDOSHA KABUSHIKI KAISHA	No
TMK 11-00242	3/23/2011	11/9/2018	GOG GOVALI (STYLIZED)	GEORGE VERANO USA LLC	No
TMK 11-00243	3/23/2011	3/30/2020	GG GOVALI	GEORGE VERANO USA LLC	No
TMK 11-00244	3/23/2011	6/12/2020	ASHLEY	ASHLEY FURNITURE INDUSTRIES, INC.	No
TMK 11-00245	3/23/2011	5/25/2014	URBAN ZEN	DONNA KARAN, AN INDIVIDUAL	No
TMK 11-00248	3/23/2011	9/22/2019	EASYTONE	REEBOK INTERNATIONAL LTD.	No
TMK 11-00246	3/23/2011	3/8/2021	ZIGTECH	REEBOK INTERNATIONAL LTD.	No
COP 11-00022	3/23/2011	3/23/2031	HEXBUG NANO	INNOVATION FIRST, INC.	No
TMK 11-00247	3/23/2011	10/26/2020	DESIGN	AMGEN INC.	No
TMK 11-00249	3/23/2011	11/11/2018	SMART MOM	SMART MOM, LLC	No
COP 11-00023	3/23/2011	3/23/2031	GAL-0517	GALLIANA CREATIONS CO. LTD.	No
TMK 11-00250	3/23/2011	5/25/2013	CCM	CCM HOLDINGS INC	No
TMK 11-00251	3/23/2011	7/13/2020	GREENSHIELD ORGANIC AND DE-SIGN	GREENOLOGY PRODUCTS, INC.	No
TMK 11-00252	3/23/2011	1/4/2021	GREENSHIELD ORGANIC AND DE-SIGN	GREENOLOGY PRODUCTS, INC.	No
TMK 11-00276	3/23/2011	2/15/2021	XGEVA	AMGEN INC.	No



## CBP IPR RECORDATION — MARCH 2011

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TNK 11-00253	3/23/2011	8/2/2015	A ASHLEY FURNITURE HOMESTORE AND DESIGN	ASHLEY FURNITURE INDUSTRIES, INC.	No
TMK 11-00312	3/31/2011	2/15/2021	AMERICAN BLUE RIBBON HOLDINGS, LLC	AMERICAN BLUE RIBBON HOLDINGS, LLC	No
TMK 11-00311	3/31/2011	6/29/2020	DESIGN OF A CROWN	LORILLARD LICENSING COMPANY, LLC	No
TMK 03-00230	3/24/2011	12/18/2020	DESIGN (NAUTICA SAILBOAT)	NAUTICA APPAREL, INC.	No
TMK 11-00313	3/31/2011	12/12/2018	KENT	LORILLARD LICENSING COMPANY, LLC	No
TMK 11-00315	3/31/2011	4/6/2020	TRUE	LORILLARD LICENSING COMPANY, LLC	No
TMK 11-00316	3/31/2011	12/12/2018	OLD GOLD	LORILLARD LICENSING COMPANY, LLC	No
TMK 11-00317	3/31/2011	11/26/2015	WAHL	WAHL CLIPPER CORPORATION	No
COP 11-00033	3/31/2011	3/31/2031	ALGENIST	SOLAZYME, INC.	No
TMK 11-00314	3/31/2011	11/23/2020	RODIER	RODIER	No
TMK 11-00318	3/31/2011	1/11/2021	WISY	RAINWATER MANAGEMENT SOLUTIONS, INC.	No
TMK 11-00319	3/31/2011	1/26/2012	DESIGN (CASTLE)	LORILLARD LICENSING COMPANY, LLC	No
TMK 11-00321	3/31/2011	6/15/2012	TRUE AND TRIANGLE DESIGN	LORILLARD LICENSING COMPANY, LLC	No

Total Records: 109

Date as of: 4/1/2011

**AGENCY INFORMATION COLLECTION ACTIVITIES:****Certificate of Origin**

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651–0016.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Certificate of Origin (CBP Form 3229). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104–13).

**DATES:** Written comments should be received on or before June 6, 2011, to be assured of consideration.

**ADDRESSES:** Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229–1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229–1177, at 202–325–0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104–13). The comments should address: (a) whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of

Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** Certificate of Origin

**OMB Number:** 1651-0016

**Form Number:** CBP Form 3229

**Abstract:** CBP Form 3229, Certificate of Origin, is used by shippers to declare that goods being imported into the United States are produced or manufactured in a U.S. insular possession from materials grown, produced or manufactured in such possession, and to list the foreign materials included in the goods, including their description and value. CBP Form 3229 is used as documentation for goods entitled to enter the U.S. free of duty. This form is authorized by General Note 3(a)(iv) of The Harmonized Tariff Schedule of the United States (19 U.S.C. 1202) and is provided for by 19 CFR Part 7.3 CBP Form 3229 is accessible at [http://forms.cbp.gov/pdf/CBP\\_Form\\_3229.pdf](http://forms.cbp.gov/pdf/CBP_Form_3229.pdf)

**Current Actions:** CBP proposes to extend the expiration date of this information collection with a change to the burden hours based on revised estimates by CBP of the number of forms filed annually. There is no change to the information being collected.

**Type of Review:** Extension (with change)

**Affected Public:** Businesses

**Estimated Number of Respondents:** 113

**Estimated Number of Responses per Respondent:** 20

**Estimated Number of Total Annual Responses:** 2,260

**Estimated Time per Response:** 22 minutes

**Estimated Total Annual Burden Hours:** 814

Dated: March 31, 2011

TRACEY DENNING  
*Agency Clearance Officer*  
*U.S. Customs and Border Protection*

[Published in the Federal Register, April 6, 2011 (76 FR 19119)]

## AGENCY INFORMATION COLLECTION ACTIVITIES:

### Automated Clearinghouse

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0078.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Automated Clearinghouse (CBP Form 400). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104–13).

**DATES:** Written comments should be received on or before June 6, 2011, to be assured of consideration.

**ADDRESSES:** Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229–1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229–1177, at 202–325–0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104–13). The comments should address: (a) whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** Automated Clearinghouse

**OMB Number:** 1651–0078

**Form Number:** CBP Form 400

**Abstract:** The Automated Clearinghouse (ACH) allows participants in the Automated Broker Interface (ABI) to transmit

daily statements, deferred tax, and bill payments electronically through a financial institution directly to a CBP account. ACH debit allows the payer to exercise more control over the payment process. In order to participate in ACH debit, companies must complete CBP Form 400, *ACH Application*. Participants also use this form to notify CBP of changes to bank information or contact information. The ACH procedure is authorized by 19 U.S.C. 1202, and provided for by 19 CFR 24.24 (b). CBP Form 400 is accessible at <http://www.cbp.gov/xp/cgov/toolbox/forms/>

**Current Actions:** This submission is being made to extend the expiration date of this information collection with a change to the burden hours due to updated estimates by CBP. There is no change to the information being collected.

**Type of Review:** Extension (without change)

**Affected Public:** Businesses

**Estimated Number of Respondents:** 1,443

**Estimated Number of Responses per Respondent:** 2

**Estimated Number of Total Annual Responses:** 2,886

**Estimated Time per Response:** 5 minutes

**Estimated Total Annual Burden Hours:** 240

Dated: March 31, 2011

TRACEY DENNING  
*Agency Clearance Officer*  
*U.S. Customs and Border Protection*

[Published in the Federal Register, April 6, 2011 (76 FR 19121)]

## **AGENCY INFORMATION COLLECTION ACTIVITIES:**

### **Drawback Process Regulations**

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0075.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Drawback Process Regulations (CBP Forms 7551, 7552 and 7553). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13).

**DATES:** Written comments should be received on or before June 6, 2011, to be assured of consideration.

**ADDRESSES:** Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13). The comments should address: (a) whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** Drawback Process Regulations

**OMB Number:** 1651-0075

**Form Number:** CBP Forms 7551, 7552 and 7553

**Abstract:** The collections of information related to the drawback process are required to implement provisions of 19 CFR, Part 191, which provides for a refund of duty for certain merchandise that is imported into the United States and subsequently exported. If the requirements set forth in Part 191 are met, claimants may file for a refund of duties using CBP Form 7551, *Drawback Entry*. CBP Form 7552, *Delivery Certificate for Purposes of Drawback*, is used to record a transfer of

merchandise from a company other than the importer of record and is also used each time a change to the imported merchandise occurs as a result of a manufacturing operation. CBP Form 7553, *Notice of Intent to Export, Destroy or Return Merchandise for Purposes of Drawback*, is used to notify CBP if an exportation, destruction, or return of the imported merchandise will take place. The information collected on these forms is authorized by 19 U.S.C. 1313(l). The drawback forms are accessible at <http://www.cbp.gov/xp/cgov/toolbox/forms/>.

**Current Actions:** This submission is being made to extend the expiration date of this information collection with no change to the burden hours or to the information being collected.

**Type of Review:** Extension (without change)

**Affected Public:** Businesses

***CBP Form 7551, Drawback Entry***

**Estimated Number of Respondents:** 6,000

**Estimated Number of Responses per Respondent:** 20

**Estimated Number of Total Annual Responses:** 120,000

**Estimated Time per Response:** 35 minutes

**Estimated Total Annual Burden Hours:** 70,000

***CBP Form 7552, Delivery Certificate for Drawback***

**Estimated Number of Respondents:** 2,000

**Estimated Number of Responses per Respondent:** 20

**Estimated Number of Total Annual Responses:** 40,000

**Estimated Time per Response:** 33 minutes

**Estimated Total Annual Burden Hours:** 22,000

***CBP Form 7553, Notice of Intent to Export, Destroy or Return Merchandise for Purposes of Drawback***

**Estimated Number of Respondents:** 150

**Estimated Number of Responses per Respondent:** 20

**Estimated Number of Total Annual Responses:** 3,000

**Estimated Time per Response:** 33 minutes

**Estimated Total Annual Burden Hours:** 1,650

Dated: April 1, 2011

TRACEY DENNING  
*Agency Clearance Officer*  
*U.S. Customs and Border Protection*

[Published in the Federal Register, April 6, 2011 (76 FR 19120)]

## **AGENCY INFORMATION COLLECTION ACTIVITIES:**

### **Report of Diversion**

**AGENCY:** U.S. Customs and Border Protection (CBP), Department of Homeland Security

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0025.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Report of Diversion (CBP Form 26). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13).

**DATES:** Written comments should be received on or before June 6, 2011, to be assured of consideration.

**ADDRESSES:** Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9<sup>th</sup> Street, NW, 5<sup>th</sup> Floor, Washington, DC. 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13). The comments should address: (a) whether the 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 estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of



the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

**Title:** Report of Diversion

**OMB Number:** 1651-0025

**Form Number:** CBP Form 26

**Abstract:** CBP Form 26, *Report of Diversion*, is used to track vessels traveling coastwise from U.S. ports to other U.S. ports when a change occurs in scheduled itineraries. This form is initiated by the vessel owner or agent to notify and request approval by CBP for a vessel to divert while traveling coastwise from one U.S. port to another U.S. port, or a vessel cleared to a foreign port or place having to divert to another U.S. port when a change occurs in the vessel itinerary. CBP Form 26 collects information such as the name and nationality of the vessel, the expected port and date of arrival, and information about any related penalty cases, if applicable. This information collection is authorized by the Jones Act (46 U.S.C. App. 883) and is provided for 19 CFR 4.91. CBP Form 26 is accessible at [http://forms.cbp.gov/pdf/CBP\\_Form\\_26.pdf](http://forms.cbp.gov/pdf/CBP_Form_26.pdf)

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information being collected.

**Type of Review:** Extension (without change)

**Affected Public:** Businesses

**Estimated Number of Respondents:** 1,400

**Estimated Number of Responses per Respondent:** 2

**Estimated Total Annual Responses:** 2,800

**Estimated Time per Response:** 5 minutes

**Estimated Total Annual Burden Hours:** 233

Dated: April 1, 2011

TRACEY DENNING  
*Agency Clearance Officer*  
*U.S. Customs and Border Protection*

[Published in the Federal Register, April 6, 2011 (76 FR 19119)]