

U.S. Customs and Border Protection



DEPARTMENT OF THE TREASURY

19 CFR PART 12

CBP DEC. 16-15

RIN 1515-AE12

NOTICE OF ARRIVAL FOR IMPORTATIONS OF PESTICIDES AND PESTICIDAL DEVICES

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

ACTION: Interim regulations; solicitation of comments.

SUMMARY: This document amends the U.S. Customs and Border Protection (CBP) regulations pertaining to the importation of pesticides and pesticidal devices into the United States subject to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Specifically, CBP is amending the regulations to permit the option of filing an electronic alternative to the U.S. Environmental Protection Agency's (EPA) "Notice of Arrival of Pesticides and Devices" (NOA) paper form, with entry documentation, via any CBP-authorized electronic data interchange system. This change will support modernization initiatives, including implementation of the International Trade Data System (ITDS). This document also makes non-substantive conforming and editorial changes to the CBP regulations.

DATES: This interim final rule is effective September 30, 2016. Comments must be submitted on or before October 31, 2016.

ADDRESSES: You may submit comments, identified by docket number USCBP-2016-0061, by *one* of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Trade and Commercial Regulations Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

Instructions: All submissions received must include the agency name and docket title for this rulemaking, and must reference docket number USCBP–2016–0061. 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 rulemaking process, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of the 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 business days between the hours of 9:00 a.m. and 4:30 p.m. at the Trade and Commercial Regulations Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, 90 K Street NE., 10th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 325–0118.

FOR FURTHER INFORMATION CONTACT: For questions related to the filing of EPA forms with CBP, contact William R. Scopa, Branch Chief, Partner Government Branch, Inter-Agency Collaboration Division, Office of Trade, U.S. Customs and Border Protection, at william.r.scopa.cbp.dhs.gov. For EPA-related questions, contact Ryne Yarger, Environmental Protection Specialist, Field and External Affairs Division, Office of Pesticide Programs, U.S. Environmental Protection Agency, at yarger.ryne@epa.gov, telephone (703) 605–1193.

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 interim rule. See **ADDRESSES** above for information on how to submit comments. U.S. Customs and Border Protection (CBP) also invites comments that relate to the economic, environmental, or federalism effects that might result from this interim rule. Comments that will provide the most assistance to CBP will reference a specific portion of the interim rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

Background

I. The Federal Insecticide, Fungicide and Rodenticide Act

The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136 *et seq.*), provides for federal regulation of pesticide distribution, sale, and use in the United States. Section 3 of the FIFRA, 7 U.S.C. 136a, requires that, with limited exceptions, all

pesticides distributed or sold in the United States must be registered (licensed) by the U.S. Environmental Protection Agency (EPA). Section 17(c)(1) of the FIFRA, 7 U.S.C. 136o(c)(1), provides for EPA review of pesticides and devices being imported into the United States and authorizes U.S. Customs and Border Protection (CBP), at the request of EPA, to delay or refuse admission of imports that appear, from examination, to be adulterated, or misbranded, or otherwise violate the provisions of the FIFRA or are injurious to human health or the environment. Section 17(e) of the FIFRA, 7 U.S.C. 136o(e), provides that CBP, in consultation with EPA, will prescribe regulations for the enforcement of section 17(c).

Under the FIFRA, EPA has authority to regulate the distribution or sale of registered and unregistered pesticides and pesticidal devices into the United States. In order to facilitate compliance with the FIFRA, the filing of EPA Form 3540-1 (“Notice of Arrival of Pesticides and Devices,” hereinafter referred to in this document as “NOA”) is required to notify EPA of the arrival of imported pesticides and devices and serves to assist EPA and CBP in fulfilling their statutory obligation under the FIFRA to regulate the importation, distribution, or sale of pesticides and devices in the United States. The NOA can be found in fillable .pdf format on EPA’s “Compliance” Web site at <https://www.epa.gov/compliance/epa-form-3540-1-notice-arrival-pesticides-and-devices>.

II. Current Pesticide and Device Importation Procedures

The statutory provisions set forth in section 17(c) of the FIFRA, 7 U.S.C. 136o(c), are implemented in the CBP regulations at §§ 12.110 through 12.117 of title 19 of the Code of Federal Regulations (19 CFR 12.110–12.117) and prescribe the administration of CBP’s pesticide and device import program.

Currently, when a pesticide or device is to be imported into the United States, the importer of record or its agent must submit, prior to arrival, a NOA to the EPA regional office with responsibility for the port of entry where the merchandise will be entered. EPA reviews and evaluates the information presented on the NOA and determines the disposition to be made of the shipment of the pesticides or devices upon their arrival in the United States. EPA may request additional information to make its determination on whether the pesticides or devices satisfy the requirements of the FIFRA. Upon review of the NOA, EPA will inform CBP of the action to be taken with respect to the shipment. The possible actions include release, detention, or refusal of entry of the shipment. The determination is indicated on the completed NOA form, which is signed by an EPA official and returned to the importer or its agent. The importer or the importer’s agent must submit the completed NOA form to CBP along with the

documentation required for the entry of merchandise. CBP will follow EPA's disposition instructions in the NOA and notify EPA when discrepancies exist between the NOA and the entry documents.

III. Explanation of Interim Amendments to CBP Regulations

CBP, in consultation with EPA, is amending the CBP regulations to permit the option of filing an electronic alternative to the NOA with the entry documentation, via any CBP-authorized electronic data interchange system. The NOA may still be filed in a paper format with the EPA prior to arrival of the shipment, and the completed NOA must be filed with CBP at the time of entry.

These changes liberalize filing procedures and implement modernization initiatives including the International Trade Data System (ITDS), as established by section 405 of the Security and Accountability for Every (SAFE) Port Act of 2006, Public Law 109-347, 120 Stat. 1884, by utilizing a single-window system for the collection and distribution of standard electronic import and export data required by participating Federal agencies. These amendments will allow electronic collection, processing, sharing, and review of requisite trade data and documents during the cargo import process.

A discussion of the amendments to 19 CFR 12.110-12.117, other than non-substantive editorial changes, is set forth below.

Section 12.111

Existing § 12.111 (19 CFR 12.111) provides that all imported pesticides are required to be registered under the provisions of section 3 of the FIFRA, and pursuant to 40 CFR 162.10, before being permitted entry into the United States. Devices, although not required to be registered, must not bear any statement, design, or graphic representation that is false or misleading in any particular.

CBP is amending this section to update an EPA regulatory citation and to conform to EPA regulations that allow certain pesticides to be imported without registration.

Section 12.112

Existing § 12.112(a) (19 CFR 12.112(a)) provides that prior to arrival of pesticides or devices into the United States, the importer must submit a NOA to the Administrator of the EPA. EPA will complete the NOA, indicating the disposition to be made of the shipment of pesticides or devices upon its arrival in the United States, and return it to the importer or its agent. Existing § 12.112(b) exempts importers of chemicals imported for use other than as pesticides from the requirement to submit a NOA.

This rule liberalizes the procedures set forth in 19 CFR 12.112(a) by permitting the option of filing an electronic alternative to the NOA, with the entry documentation, via any CBP-authorized electronic data interchange system. The NOA may still be filed in a paper format, however it must be submitted to the EPA prior to arrival of the shipment.

Section 12.113

Existing § 12.113 (19 CFR 12.113) prescribes the presentation of the NOA to CBP, and the ramifications of failure to do so. Specifically, paragraph (a) requires that upon arrival of a shipment of pesticides or devices into the United States, the importer or its agent must present the completed NOA to the CBP port director and the port director will notify EPA of any discrepancies between the entry documents for the shipment and the information contained in the NOA. Paragraph (b) provides that where a completed NOA is not presented to CBP upon arrival, the shipment will be detained by CBP at the importer's risk and expense until the completed NOA is presented or until other disposition is ordered by EPA. The detention may not exceed 30 days, unless extended by CBP for good cause for a period not to exceed an additional 30 days. The importer or his agent may also request CBP for an extension of the initial 30-day detention period. Paragraph (c) provides that a shipment that remains detained or undisposed of due to failure to present a completed NOA or non-receipt of the EPA shipment disposition order as to its disposition will be treated as a prohibited importation. CBP will cause the destruction of any such shipment not exported by the consignee within 90 days after the expiration of the detention period.

CBP is amending § 12.113 to clarify that CBP must be in receipt of the completed NOA at the time of entry, and not upon arrival, and that an electronic alternative to the NOA may be filed via any CBP-authorized electronic data interchange system with the filing of the entry documentation.

Section 12.115

Section 12.115 (19 CFR 12.115) prescribes the terms applicable to when a shipment of detained pesticides or devices may be released to the consignee under bond pending an examination by EPA as to whether the goods comply with the requirements of the FIFRA.

CBP is amending this section to conform to 19 CFR part 133 which permits the electronic filing of bonds.

Section 12.116

Section 12.116 (19 CFR 12.116) prescribes the manner by which CBP will deliver samples of the imported pesticides or devices, and any related information, to EPA.

CBP is amending this provision by removing the reference to “in writing” to reflect that CBP may notify the consignee electronically.

Inapplicability of Notice and Delayed Effective Date

The Administrative Procedure Act (APA) requirements in 5 U.S.C. 553 govern agency rulemaking procedures. Section 553(b) of the APA generally requires notice and public comment before issuance of a final rule. In addition, section 553(d) of the APA requires that a final rule have a 30-day delayed effective date. The APA, however, provides exceptions from the prior notice and public comment requirement and the delayed effective date requirements, when an agency for good cause finds that such procedures are impracticable, unnecessary, or contrary to the public interest.

Treasury and CBP find that prior notice and comment procedures are unnecessary and that good cause exists to issue these regulations effective upon publication. Prior procedures are unnecessary because the rule does not substantively alter the underlying rights or interests of importers or filers, but only expands the options available to filers in presenting required information to the agency.

Executive Orders 13563 and 12866

Executive Orders (E.O.) 13563 and 12866 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This interim rule is not a “significant regulatory action,” under section 3(f) of E.O. 12866. Accordingly, OMB has not reviewed this regulation.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement and Fairness Act of 1996, requires an agency to prepare and make available to the public a regulatory flexibility analysis that describes the effect of a proposed rule on small entities (*i.e.*, small businesses, small organizations, and small governmental jurisdictions) when the agency is required to publish a general notice of proposed rulemaking for a rule. Since a

general notice of proposed rulemaking is not necessary for this rule, CBP is not required to prepare a regulatory flexibility analysis for this rule.

Paperwork Reduction Act (PRA)

The information collection activities associated with the existing requirements related to the submission of a paper NOA under 19 CFR 12.110–12.117, are currently approved by OMB under OMB control number 2070–0020 (EPA ICR No. 0152.10). This rule adds an electronic filing option to the existing paper filing option, in which the information collection activities for the electronic filing of a NOA have been approved under OMB control number 2070–0020 (EPA ICR No. 0152.11). There is no change in burden hours as a result of this rule.

Signing Authority

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

List of Subjects in 19 CFR Part 12

Customs duties and inspection, Entry of merchandise, Imports, Pesticides and devices, Reporting and recordkeeping requirements.

Amendments to Part 12 of the CBP Regulations

For the reasons set forth in the preamble, 19 CFR part 12 is amended as set forth below.

PART 12—SPECIAL CLASSES OF MERCHANDISE

■ 1. The general authority citation for part 12, and the specific authority citations for sections 12.110 through 12.117, continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624.

* * * * *

Sections 12.110 through 12.117 also issued under 19 U.S.C. 1484 and 7 U.S.C. 136 *et seq.*

* * * * *

§ 12.110 [Amended]

■ 2. Section 12.110 is amended:

■ a. In the first sentence, by removing the word “shall”; and

- b. In the second sentence, by removing the words “shall mean” and adding in their place the word “means”.

§ 12.111 [Amended]

- 3. In § 12.111, the first sentence is amended by removing the word “All” and adding in its place the word “Certain”, and by removing the number “162.10” and adding in its place the language “part 152”.

- 4. Section 12.112 is amended by revising paragraph (a) to read as follows:

§ 12.112 Notice of Arrival of pesticides and devices filed with the Administrator.

(a) *General.* An importer or the importer’s agent desiring to import pesticides or devices into the United States must submit to the Administrator, prior to the arrival of the shipment in the United States, a Notice of Arrival of Pesticides and Devices (Notice of Arrival) on U.S. Environmental Protection Agency (EPA) Form 3540–1. The Administrator will complete the Notice of Arrival and provide notification to the importer or the importer’s agent indicating the disposition to be made of a pesticide or device upon its entry into the United States. In the alternative, the importer or the importer’s agent may file an electronic alternative to the Notice of Arrival, with the filing of the entry documentation, via any CBP-authorized electronic data interchange system.

* * * * *

- 5. Section 12.113 is revised to read as follows:

§ 12.113 Arrival and entry of shipment of pesticides and devices.

(a) *Notice of Arrival form filed with CBP.* Upon entry of a shipment of pesticides or devices into the United States, and concurrent with the filing of the entry documentation, CBP must be in receipt of a completed Notice of Arrival of Pesticides and Devices (Notice of Arrival) on U.S. Environmental Protection Agency (EPA) Form 3540–1 or its electronic alternative submitted via any CBP-authorized electronic data interchange system. A completed Notice of Arrival must have been signed by the Administrator and indicate any action to be taken by CBP with respect to the shipment. CBP will compare entry information for the shipment of pesticides or devices with the information in the Notice of Arrival and notify the Administrator of any discrepancies.

(b) *EPA Notice of Arrival declaration form not presented.* When a shipment of pesticides or devices arrives and entry is attempted in

the United States without a completed Notice of Arrival having been filed with CBP pursuant to paragraph (a) of this section, the shipment will be detained by CBP at the importer's risk and expense until the completed Notice of Arrival is presented to CBP or until other disposition is ordered by the Administrator. Such detention is not to exceed a period of 30-calendar days, or such additional extended 30-calendar day detention period as CBP may for good cause authorize. An importer or its agent may request an extension of the initial 30-calendar day detention period by filing a request with the director of the CBP port of entry.

(c) *Disposition of pesticides or devices remaining under detention.* A shipment of pesticides or devices that remains detained or undisposed of due to the failure to timely submit to CBP a completed Notice of Arrival will be treated as a prohibited importation. CBP will cause the destruction of any such shipment not exported by the consignee within 90-calendar days after the expiration of the detention period specified or authorized by paragraph (b) of this section.

■ 6. Section 12.114 is revised to read as follows:

§ 12.114 Release or refusal of delivery.

If the EPA directs the port director to release the shipment of pesticides or devices, the shipment will be released to the consignee. If the EPA directs the port director to refuse delivery of the shipment, the shipment will be refused delivery and treated as a prohibited importation. The port director will cause the destruction of any shipment refused delivery and not exported by the consignee within 90-calendar days after notice of such refusal of delivery.

■ 7. Section 12.115 is revised to read as follows:

§ 12.115 Release under bond of shipment detained for examination.

If the EPA so directs, a shipment of pesticides or devices will be detained at the importer's risk and expense by the port director pending an examination by the Administrator to determine whether the shipment complies with the requirements of the Act. However, a shipment detained for examination may be released to the consignee prior to a determination by the Administrator provided a bond is furnished on CBP Form 301, or its electronic equivalent, containing the bond conditions set forth in § 113.62 of this chapter, for the return of the merchandise to CBP custody, and upon entry of the merchandise and the satisfaction of all other applicable laws. The bond will be in an amount deemed appropriate by CBP. When a shipment of pesticides or devices is released to the consignee under bond, the

pesticides or devices must not be used or otherwise disposed of until the determination on compliance with the requirements of the Act is made by the Administrator.

§ 12.116 [Amended]

■ 8. Section § 12.116 is amended: in the first and last sentences, by removing the word “shall” each place that it appears and adding in each place the word “will”; and, in the last sentence, by removing the phrase “, in writing,”.

§ 12.117 [Amended]

■ 9. Section 12.117 is amended by removing the word “shall” each place that it appears and adding in each place the word “will”.

Dated: Approved: September 26, 2016.

R. GIL KERLIKOWSKA,
*Commissioner,
U.S. Customs and Border Protection.*

TIMOTHY E. SKUD,
Deputy Assistant Secretary of the Treasury.

[Published in the Federal Register, September 30, 2016 (81 FR 67140)]

CBP Dec. No. 16-16

EXPANSION OF GLOBAL ENTRY TO NINE ADDITIONAL AIRPORTS

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

ACTION: General notice.

SUMMARY: Global Entry is a voluntary program that allows pre-approved participants dedicated U.S. Customs and Border Protection (CBP) processing into the United States using Global Entry kiosks located at designated airports. CBP previously announced in the **Federal Register** thirty-nine designated Global Entry airports. This document announces the expansion of the program to include nine additional designated Global Entry airports.

DATES: Global Entry will be available at all nine airport locations on or before April 3, 2017. The exact starting date for each airport location will be announced on the CBP Global Entry Web site, <http://www.globalentry.gov>.

FOR FURTHER INFORMATION CONTACT: Garret A. Conover, Office of Field Operations, (202) 325-4062, Garret.A.Conover@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

Global Entry Program

Global Entry is a voluntary program that allows for dedicated CBP processing of pre-approved travelers arriving in the United States at Global Entry kiosks located at designated airports. In a final rule published in the **Federal Register** (77 FR 5681) on February 6, 2012, CBP promulgated the regulation (8 CFR 235.12) to establish Global Entry as an ongoing voluntary regulatory program. Section 235.12 contains a description of the program, the eligibility criteria, the application and enrollment process, and redress procedures. Travelers who wish to participate in Global Entry must apply via the Global On-Line Enrollment System (GOES) Web site, <https://goes-app.cbp.dhs.gov>, and pay the applicable fee. Applications for Global Entry must be completed and submitted electronically.

In the above-referenced final rule that established the Global Entry program, Global Entry was initially limited to twenty airports. The rule provides that any expansion of the Global Entry program to new airports will be by publication in the **Federal Register** and by posting the information at <http://www.globalentry.gov>. See 8 CFR 235.12(c).

In a notice published in the **Federal Register** (77 FR 17492) on March 26, 2012, Global Entry was expanded to include four additional designated airports. In a notice published in the **Federal Register** (78 FR 38069) on June 25, 2013, Global Entry was expanded to include eight additional designated airports. Finally, in a notice published in the **Federal Register** (80 FR 1510) on January 12, 2015, Global Entry was expanded to include an additional seven airports.

The thirty-nine airports previously designated for Global Entry, listed alphabetically by state, and then city, include:

- Ted Stevens Anchorage International Airport, Anchorage, Alaska (ANC);
- Phoenix Sky Harbor International Airport, Phoenix, Arizona (PHX);
- Los Angeles International Airport, Los Angeles, California (LAX);
- San Diego International Airport, San Diego, California (SAN);

- San Francisco International Airport, San Francisco, California (SFO);
- John Wayne Airport, Santa Ana, California (SNA);
- Denver International Airport, Denver, Colorado (DEN);
- Ft. Lauderdale Hollywood International Airport, Fort Lauderdale, Florida (FLL), including the General Aviation Facility private aircraft terminal;
- Miami International Airport, Miami, Florida (MIA);
- Orlando International Airport, Orlando, Florida (MCO);
- Sanford-Orlando International Airport, Sanford, Florida (SFB);
- Tampa International Airport, Tampa, Florida (TPA);
- Hartsfield-Jackson Atlanta International Airport, Atlanta, Georgia (ATL);
- Honolulu International Airport, Honolulu, Hawaii (HNL);
- Chicago Midway International Airport, Chicago, Illinois (MDW);
- Chicago O'Hare International Airport, Chicago, Illinois (ORD);
- Cincinnati/Northern Kentucky International Airport, Hebron, Kentucky (CVG);
- Baltimore/Washington International Thurgood Marshall Airport, Baltimore, Maryland (BWI);
- Boston-Logan International Airport, Boston, Massachusetts (BOS);
- Detroit Metropolitan Wayne County Airport, Romulus, Michigan (DTW);
- Minneapolis-St. Paul International Airport, Minneapolis, Minnesota (MSP);
- Las Vegas-McCarran International Airport, Las Vegas, Nevada (LAS);
- Newark Liberty International Airport, Newark, New Jersey (EWR);
- John F. Kennedy International Airport, Jamaica, New York (JFK);

- Charlotte Douglas International Airport, Charlotte, North Carolina (CLT);
- Raleigh-Durham International Airport, Morrisville, North Carolina (RDU);
- Cleveland Hopkins International Airport, Cleveland, Ohio (CLE);
- Portland International Airport, Portland, Oregon (PDX);
- Philadelphia International Airport, Philadelphia, Pennsylvania (PHL);
- Pittsburgh International Airport, Pittsburgh, Pennsylvania (PIT);
- San Juan-Luis Munoz Marin International Airport, San Juan, Puerto Rico (SJU);
- Austin-Bergstrom International Airport, Austin, Texas (AUS);
- Dallas Fort Worth International Airport, Dallas, Texas (DFW);
- George Bush Intercontinental Airport, Houston, Texas (IAH);
- San Antonio International Airport, San Antonio, Texas (SAT);
- Salt Lake City International Airport, Salt Lake City, Utah (SLC);
- Washington Dulles International Airport, Sterling, Virginia (IAD);
- Seattle-Tacoma International Airport-SEATAC, Seattle, Washington (SEA);
- General Mitchell International Airport, Milwaukee, Wisconsin (MKE).

Expansion of Global Entry Program to Nine Additional Airports

CBP is designating nine additional Global Entry airports. Each of these airports will have Global Entry kiosks for the use of participants. The additional airports, listed alphabetically by state, and then city, are:

- Fairbanks International Airport, Fairbanks, Alaska (FAI);
- Oakland International Airport, Oakland, California (OAK);

- Sacramento International Airport, Sacramento, California (SMF);
- Norman Y. Mineta San Jose International Airport, San Jose, California (SJC);
- Louis Armstrong New Orleans International Airport, New Orleans, Louisiana (MSY);
- Kansas City International Airport, Kansas City, Missouri (MCI);
- Lambert-St. Louis International Airport, St. Louis, Missouri (STL);
- William P. Hobby International Airport, Houston, Texas (HOU);
- Burlington International Airport, Burlington, Vermont (BTV).

Global Entry will become operational at all nine airports on or before April 3, 2017. The exact starting dates of Global Entry at each airport location will be announced on the Web site, <http://www.globalentry.gov>.

Dated: September 29, 2016.

TODD C. OWEN,
*Executive Assistant Commissioner,
Office of Field Operations.*

[Published in the Federal Register, October 04, 2016 (81 FR 68441)]

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

(No. 9 2016)

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

SUMMARY: The following copyrights, trademarks, and trade names were recorded with U.S. Customs and Border Protection in September 2016. The last notice was published in the CUSTOMS BULLETIN on September 21, 2016.

Corrections or updates may be sent to: Intellectual Property Rights Branch, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection, 90 K Street, NE., 10th Floor, Washington, D.C. 20229-1177, or via email at iprrquestions@cbp.dhs.gov.

FOR FURTHER INFORMATION CONTACT: LaVerne Watkins, Paralegal Specialist, Intellectual Property Rights Branch, Regulations & Rulings, Office of Trade at (202) 325-0095.

CHARLES R. STEUART

Chief,

*Intellectual Property Rights Branch
Regulations & Rulings Office of Trade*

CBP IPR RECORDATION — SEPTEMBER 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
COP 09-00216	09/15/2016	09/24/2029	Tony & the Folks	Beachbody, LLC	No
COP 09-00216	09/15/2016	09/24/2029	Tony & the Folks	Beachbody, LLC	No
COP 16-00148	09/15/2016	09/15/2036	CFA Program Curriculum 2016 Level II Volume 1 Ethical and Professional Standards, Quantitative Methods, and Economics Volume 2 Financial Reporting and Analysis Volume 3 Corporate Finance Volume 4 Equity Volume 5 Alternative Investments and Fixed Income Volume 6 Derivatives and Portfolio Management.	CFA Institute	No
COP 16-00149	09/15/2016	09/15/2036	CFA Program Curriculum 2015 Level III Volume 1 Ethical and Professional Standards Volume 2 Behavioral Finance, Individual Investors, and Institutional Investors Volume 3 Economic Analysis and Asset Allocation Volume 4 Fixed Income and Equity Portfolio Management Volume 5 Alternative Investments, Risk Management, and the Application of Derivatives Volume 6 Trading and Rebalancing, Performance Evaluation, and Global Investment Performance Standards	CFA Institute	No

CBP IPR RECORDATION — SEPTEMBER 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
COP 16-00150	09/15/2016	09/15/2036	CFA Program Curriculum 2015 Level II Volume 1 Ethical and Professional Standards, Quantitative Methods, and Economics Volume 2 Financial Reporting and Analysis Volume 3 Corporate Finance Volume 4 Equity Volume 5 Alternative Investments and Fixed Income Volume 6 Derivatives and Portfolio Management	CFA Institute	No
COP 16-00151	09/15/2016	09/15/2036	CFA Program Curriculum 2015 Level I Volume 1 Ethical and Professional Standards and Quantitative Methods Volume 2 Economics Volume 3 Financial Reporting and Analysis Volume 4 Corporate Finance and Portfolio Management Volume 5 Equity and Fixed Income Volume 6 Derivatives and Alternative Investments	CFA Institute	No

CBP IPR RECORDATION — SEPTEMBER 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
COP 16-00152	09/15/2016	09/15/2036	CFA Program Curriculum 2016 Level III Volume 1 Ethical and Professional Standards Volume 2 Behavioral Finance, Individual Investors, and Institutional Investors Volume 3 Economic Analysis and Asset Allocation Volume 4 Fixed Income and Equity Portfolio Management Volume 5 Alternative Investments, Risk Management, and the Application of Derivatives Volume 6 Trading and Rebalancing, Performance Evaluation, and Global Investment Performance Standards.	CFA Institute	No
COP 16-00153	09/20/2016	09/20/2036	CFA Program Curriculum 2016 Level IV Volume 1 Ethical and Professional Standards and Quantitative Methods Volume 2 Economics Volume 3 Financial Reporting and Analysis Volume 4 Corporate Finance and Portfolio Management Volume 5 Equity and Fixed Income Volume 6 Derivatives and Alternative Investments.	CFA Institute	No
COP 16-00154	09/28/2016	09/28/2036	Melvin You’re Different.	Georgia H. Gray	No
TMK 06-01008	09/28/2016	09/28/2026	GG & DESIGN	Gucci America, Inc.	No
TMK 06-01008	09/28/2016	09/28/2026	GG & DESIGN	Gucci America, Inc.	No
TMK 06-01012	09/28/2016	09/28/2026	GG and Design	Gucci America, Inc.	No
TMK 06-01012	09/28/2016	09/28/2026	GG and Design	Gucci America, Inc.	No

CBP IPR RECORDATION — SEPTEMBER 2016

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 06-01268	09/23/2016	08/30/2026	POKER CHIP DESIGN	Madelaine Chocolate Novelties, Inc.	No
TMK 06-01268	09/23/2016	08/30/2026	POKER CHIP DESIGN	Madelaine Chocolate Novelties, Inc.	No
TMK 06-01377	09/20/2016	10/04/2026	ELLEN TRACY	BRAND MATTER, LLC	No
TMK 06-01377	09/20/2016	10/04/2026	ELLEN TRACY	BRAND MATTER, LLC	No
TMK 07-00001	09/01/2016	11/29/2026	POCKET - FISH Pocket Design	Abercrombie & Fitch Trading Co.	No
TMK 07-00001	09/01/2016	11/29/2026	POCKET - FISH Pocket Design	Abercrombie & Fitch Trading Co.	No
TMK 07-00067	09/14/2016	06/16/2026	General GE Electric	GENERAL ELECTRIC COMPANY	No
TMK 07-00067	09/14/2016	06/16/2026	General GE Electric	GENERAL ELECTRIC COMPANY	No
TMK 07-00200	09/23/2016	03/19/2027	BLISS	Brutocao Vineyards, Inc.	No
TMK 07-00200	09/23/2016	03/19/2027	BLISS	Brutocao Vineyards, Inc.	No
TMK 07-00558	09/01/2016	08/27/2017	PYRAMID	BOEHRINGER INGELHEIM VET-MEDICA, INC.	No
TMK 07-00558	09/01/2016	08/27/2017	PYRAMID	BOEHRINGER INGELHEIM VET-MEDICA, INC.	No
TMK 07-00573	09/21/2016	11/04/2020	Yamaha Crossed Tuning Forks Logo	YAMAHA HATSUDOKI KABU-SHIKI KAISHA	No
TMK 07-00573	09/21/2016	11/04/2020	Yamaha Crossed Tuning Forks Logo	YAMAHA HATSUDOKI KABU-SHIKI KAISHA	No
TMK 07-00854	09/28/2016	09/27/2026	PANASONIC (STYLIZED)	PANASONIC CORPORATION	No
TMK 07-00854	09/28/2016	09/27/2026	PANASONIC (STYLIZED)	PANASONIC CORPORATION	No
TMK 07-01252	09/20/2016	01/24/2027	VERY IRRESISTIBLE GIVENCHY	LVMH FRAGRANCE BRANDS	No
TMK 07-01252	09/20/2016	01/24/2027	VERY IRRESISTIBLE GIVENCHY	LVMH FRAGRANCE BRANDS	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 07-01258	09/20/2016	11/15/2026	ORCHIDEE IMPERIALE	Guerlain S.A.	No
TMK 07-01258	09/20/2016	11/15/2026	ORCHIDEE IMPERIALE	Guerlain S.A.	No
TMK 07-01263	09/20/2016	01/24/2017	L'OR DE VIE	Parfums Christian Dior	No
TMK 07-01263	09/20/2016	01/24/2017	L'OR DE VIE	Parfums Christian Dior	No
TMK 07-01265	09/20/2016	11/24/2026	Shalimar (STYLIZED)	GUERLAIN, INC.	No
TMK 07-01265	09/20/2016	11/24/2026	Shalimar (STYLIZED)	GUERLAIN, INC.	No
TMK 07-01273	09/15/2016	09/20/2026	KENZOAMOUR	KENZO	No
TMK 07-01273	09/15/2016	09/20/2026	KENZOAMOUR	KENZO	No
TMK 08-00047	09/20/2016	09/13/2026	POISON	PARFUMS CHRISTIAN DIOR	No
TMK 08-00047	09/20/2016	09/13/2026	POISON	PARFUMS CHRISTIAN DIOR	No
TMK 08-00057	09/20/2016	07/25/2026	MISS DIOR CHERIE (STYLIZED)	PARFUMS CHRISTIAN DIOR	No
TMK 08-00057	09/20/2016	07/25/2026	MISS DIOR CHERIE (STYLIZED)	PARFUMS CHRISTIAN DIOR	No
TMK 08-00178	09/14/2016	09/20/2026	DESIGN (Blackberry Emblem)	BLACKBERRY LIMITED	No
TMK 08-00178	09/14/2016	09/20/2026	DESIGN (Blackberry Emblem)	BLACKBERRY LIMITED	No
TMK 08-00263	09/15/2016	08/07/2026	BATH AND BODY WORKS and Design	BATH & BODY WORKS BRAND MANAGEMENT, INC.	No
TMK 08-00263	09/15/2016	08/07/2026	BATH AND BODY WORKS and Design	BATH & BODY WORKS BRAND MANAGEMENT, INC.	No
TMK 08-00342	09/20/2016	09/20/2026	EXAFAST	TRADEMARK HOLDINGS OF ILLINOIS LLC	No
TMK 08-00342	09/20/2016	09/20/2026	EXAFAST	TRADEMARK HOLDINGS OF ILLINOIS LLC	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tm	Owner Name	GM Restricted
TMK 08-00346	09/20/2016	09/27/2026	EXAMIX	TRADEMARK HOLDINGS OF ILLI-NOIS LLC	No
TMK 08-00346	09/20/2016	09/27/2026	EXAMIX	TRADEMARK HOLDINGS OF ILLI-NOIS LLC	No
TMK 08-00425	09/15/2016	02/19/2027	KENZO JUNGLE	KENZO SOCIT ANONYME (SA)	No
TMK 08-00425	09/15/2016	02/19/2027	KENZO JUNGLE	KENZO SOCIT ANONYME (SA)	No
TMK 08-00533	09/29/2016	02/14/2027	THALOMID and Design	Celgene Corporation	No
TMK 08-00533	09/29/2016	02/14/2027	THALOMID and Design	Celgene Corporation	No
TMK 08-00629	09/29/2016	04/17/2026	Shilton Tuna Fish In Oil and Design	K & K DISTRIBUTION, INC.	No
TMK 08-00629	09/29/2016	04/17/2026	Shilton Tuna Fish In Oil and Design	K & K DISTRIBUTION, INC.	No
TMK 08-00927	09/14/2016	09/20/2026	Design Only (Configuration of a Chair)	HERMAN MILLER, INC.	No
TMK 08-00927	09/14/2016	09/20/2026	Design Only (Configuration of a Chair)	HERMAN MILLER, INC.	No
TMK 09-00784	09/28/2016	02/07/2027	REVLIMID & Design	Celgene Corporation	No
TMK 09-00784	09/28/2016	02/07/2027	REVLIMID & Design	Celgene Corporation	No
TMK 10-00684	09/27/2016	12/12/2026	LYSOL	RECKITT BENCKISER LLC	No
TMK 10-00684	09/27/2016	12/12/2026	LYSOL	RECKITT BENCKISER LLC	No
TMK 10-00885	09/02/2016	09/29/2019	Stylized CODA design	CODABOW INTERNATIONAL, LLC	No
TMK 10-00885	09/02/2016	09/29/2019	Stylized CODA design	CODABOW INTERNATIONAL, LLC	No
TMK 10-00886	09/02/2016	04/28/2017	CODABOW	CODABOW INTERNATIONAL, LLC	No
TMK 10-00886	09/02/2016	04/28/2017	CODABOW	CODABOW INTERNATIONAL, LLC	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tm/Trn	Owner Name	GM Restricted
TMK 11-00993	09/20/2016	09/30/2026	NSK	NAKANISHI INC.	No
TMK 11-00993	09/20/2016	09/30/2026	NSK	NAKANISHI INC.	No
TMK 11-01001	09/29/2016	01/02/2017	ZOTOS (Stylized)	SHISEIDO CO., LTD.	No
TMK 11-01001	09/29/2016	01/02/2017	ZOTOS (Stylized)	SHISEIDO CO., LTD.	No
TMK 11-01288	09/16/2016	03/12/2027	DESIGN ONLY (Pink Label)	Viet Huong Fishsauce Co. Inc.	No
TMK 11-01288	09/16/2016	03/12/2027	DESIGN ONLY (Pink Label)	Viet Huong Fishsauce Co. Inc.	No
TMK 12-00355	09/27/2016	08/09/2026	HI-SPEED CERTIFIED USB and Design	USB IMPLEMENTERS FORUM, INC.	No
TMK 12-00355	09/27/2016	08/09/2026	HI-SPEED CERTIFIED USB and Design	USB IMPLEMENTERS FORUM, INC.	No
TMK 12-00762	09/13/2016	05/28/2026	SLATKIN & CO.	BATH & BODY WORKS BRAND MANAGEMENT, INC.	No
TMK 12-00762	09/13/2016	05/28/2026	SLATKIN & CO.	BATH & BODY WORKS BRAND MANAGEMENT, INC.	No
TMK 13-00427	09/20/2016	11/13/2026	BANANA BOAT & Design	EDGEWELL PERSONAL CARE BRANDS, LLC	No
TMK 13-00427	09/20/2016	11/13/2026	BANANA BOAT & Design	EDGEWELL PERSONAL CARE BRANDS, LLC	No
TMK 14-00867	09/20/2016	11/04/2026	ACDELCO and Design	GENERAL MOTORS LLC	No
TMK 14-00867	09/20/2016	11/04/2026	ACDELCO and Design	GENERAL MOTORS LLC	No
TMK 14-01236	09/16/2016	09/21/2026	A. LANGE & SÖHNE (Stylized)	Lange Uhren GmbH G.M.B.H.	No
TMK 14-01236	09/16/2016	09/21/2026	A. LANGE & SÖHNE (Stylized)	Lange Uhren GmbH G.M.B.H.	No
TMK 15-00678	09/01/2016	09/06/2026	CALIFORNIA EXOTIC NOVELTIES	California Exotic Novelties LLC	No

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TMK 15-00678	09/01/2016	09/06/2026	CALIFORNIA EXOTIC NOVELTIES	California Exotic Novelties LLC	No
TMK 16-00991	09/01/2016	09/15/2020	HTH & Design	Arch Chemicals, Inc.	No
TMK 16-00992	09/01/2016	04/26/2026	PACIFIC BREEZE PRODUCTS	Pacific Breeze Products LLC AKA Pacific Breeze LIMITED	No
TMK 16-00993	09/01/2016	09/23/2025	SHOES 18	GO IN STYLE INC.	No
TMK 16-00994	09/01/2016	06/27/2020	Outsole Design	CONVERSE INC.	No
TMK 16-00995	09/01/2016	10/03/2017	Outsole Design	Converse Inc.	No
TMK 16-00996	09/01/2016	09/15/2020	HTH	Arch Chemicals, Inc.	No
TMK 16-00997	09/06/2016	04/06/2019	EPIFIX	MIMEDX TISSUE SERVICES, LLC	No
TMK 16-00998	09/06/2016	11/23/2021	AMNIOFIX	MiMedx Group, Inc.	No
TMK 16-00999	09/06/2016	11/23/2026	DESIGN (CABLE BRACELET)	David Yurman IP LLC	No
TMK 16-01000	09/06/2016	03/08/2019	VICTORY	POLARIS INDUSTRIES PARTNERS L.P.	No
TMK 16-01001	09/06/2016	01/31/2027	GNARLY HEAD	DELICATO VINEYARDS CORPO-RATION	No
TMK 16-01002	09/06/2016	01/21/2019	BOTA BOX	Delicato Vineyards	No
TMK 16-01003	09/07/2016	11/07/2022	BLACK STALLION	Delicato Vineyards	No
TMK 16-01004	09/07/2016	10/26/2026	GOFER RACING and Design	Mason Distributing Company, Incorporated	No
TMK 16-01005	09/07/2016	02/22/2024	ZEGNA	Ermeneildo Zegna Corporation	No
TMK 16-01006	09/14/2016	08/31/2026	MORPHE	Morphe, Inc.	No
TMK 16-01007	09/14/2016	05/17/2025	SteamQ (Stylized)	ATTIED CO., LTD.	No

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TMK 16-01008	09/14/2016	10/04/2026	OBSESSION	KAUTZ VINEYARDS, INC.	No
TMK 16-01009	09/14/2016	09/07/2026	DD (STYLIZED) & Design	Resonance, Inc.	No
TMK 16-01010	09/15/2016	11/30/2026	RADICO	RADICO	No
TMK 16-01011	09/15/2016	01/23/2023	COLOUR ME ORGANIC	Bhatt, Sanjeev	No
TMK 16-01012	09/15/2016	10/12/2026	KURTZON	Kurtzon Lighting	No
TMK 16-01013	09/15/2016	10/12/2026	K (Stylized)	Kurtzon Lighting	No
TMK 16-01014	09/15/2016	11/23/2026	KIKKA	ITO INCORPORATED	No
TMK 16-01015	09/15/2016	03/23/2018	CELEBRATION	SIERRA NEVADA BREWING CO.	No
TMK 16-01016	09/15/2016	06/24/2019	TORPEDO	Sierra Nevada Brewing Co.	No
TMK 16-01017	09/15/2016	06/01/2026	PINK (Stylized)	Victoria's Secret Stores Brand Management, Inc.	No
TMK 16-01018	09/15/2016	08/24/2026	PINK NATION	Victoria's Secret Stores Brand Management, Inc.	No
TMK 16-01019	09/15/2016	08/31/2026	LOVE PINK and Design	Victoria's Secret Stores Brand Management, Inc.	No
TMK 16-01020	09/15/2016	07/15/2024	HOP HUNTER	SIERRA NEVADA BREWING CO.	No
TMK 16-01021	09/15/2016	05/02/2026	OTRA VEZ	Sierra Nevada Brewing Co.	No
TMK 16-01022	09/15/2016	10/12/2021	VICTORIA'S SECRET PINK	Victoria's Secret Stores Brand Management, Inc.	No
TMK 16-01023	09/15/2016	11/05/2018	VICTORIA'S SECRET	Victoria's Secret Stores Brand Management, Inc.	No
TMK 16-01024	09/15/2016	07/14/2025	BATH & BODY WORKS	Bath & Body Works Brand Management, Inc.	No

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TMK 16-01025	09/15/2016	09/28/2018	BIGFOOT	SIERRA NEVADA BREWING CO.	No
TMK 16-01026	09/15/2016	11/07/2022	VOIT	VOIT CORPORATION	No
TMK 16-01027	09/15/2016	11/07/2022	VOIT	VOIT CORPORATION	No
TMK 16-01028	09/15/2016	11/06/2025	VOIT	VOIT CORPORATION	No
TMK 16-01029	09/16/2016	02/10/2026	HASPORT	Hasport Performance, Inc.	No
TMK 16-01030	09/16/2016	08/22/2024	SIERRA NEVADA	SIERRA NEVADA BREWING CO.	No
TMK 16-01031	09/16/2016	12/25/2022	TT & Design	River Light V. L.P. CRB, LLC,	No
TMK 16-01032	09/16/2016	02/20/2023	SIERRA NEVADA banner logo	SIERRA NEVADA BREWING CO.	No
TMK 16-01033	09/20/2016	11/28/2017	THE FIRST NAME IN TRAILERS	Utility Trailer Manufacturing Co.	No
TMK 16-01034	09/20/2016	04/09/2021	3000R	UTILITY TRAILER MANUFAC-TURING CO.	No
TMK 16-01035	09/20/2016	08/12/2019	BATH & BODY WORKS	Bath & Body Works Brand Management, Inc.	No
TMK 16-01036	09/20/2016	11/23/2026	ARIEL AIRE	Russell Capital Venture Inc. DBA Russell Capital Ventures Inc.	No
TMK 16-01037	09/20/2016	10/05/2025	4000D-X (STYLIZED)	Utility Trailer Manufacturing Co.	No
TMK 16-01038	09/20/2016	10/28/2018	Utility Globe Logo plus design	UTILITY TRAILER MANUFAC-TURING COMPANY	No
TMK 16-01039	09/20/2016	09/13/2020	DELICATO	Delicato Vineyards	No
TMK 16-01040	09/20/2016	12/27/2021	SKIMMIES	Jockey International, Inc.	No
TMK 16-01041	09/20/2016	08/24/2026	OLYMPUS EDGE plus design	Olympus Edge LLC	No
TMK 16-01042	09/20/2016	09/07/2026	SLOW-CRAFTED	Kiobassa Provision Company	No

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TMK 16-01043	09/20/2016	08/24/2026	JELLYPOP MEMORY FOAM plus design	Evolution Design Lab, Inc.	No
TMK 16-01044	09/20/2016	08/31/2026	CLOUD NINJAS	Cloud Ninjas LLC	No
TMK 16-01045	09/20/2016	08/24/2026	INFINITY WEST	Lanewood Holdings, LLC	No
TMK 16-01046	09/20/2016	08/03/2026	CONSTRUCTAGONS	Plow & Hearth, LLC	No
TMK 16-01047	09/20/2016	08/17/2026	NORTH CASTLE PARTNERS	North Castle Partners, LLC	No
TMK 16-01048	09/20/2016	08/24/2026	PARK CITY MULTIPLE LISTING SERVICE, INC. plus design	Park City Multiple Listing Service, Inc.	No
TMK 16-01049	09/20/2016	08/17/2026	3DU	Fisher/Unitech, LLC	No
TMK 16-01050	09/20/2016	08/24/2026	Joost Vapor (stylized)	Joost Vapor, Inc.	No
TMK 16-01051	09/20/2016	07/07/2025	MAGWORLD!	RUX International Co., LTD	No
TMK 16-01052	09/20/2016	06/29/2026	Pimacott and Design	Divatex Home Fashion, Inc.	No
TMK 16-01053	09/20/2016	09/07/2026	I LOVE TO READ plus design	Pioneer Valley Educational Press, Inc.	No
TMK 16-01054	09/20/2016	08/31/2026	CONTEXT RELEVANT plus design	Context Relevant, Inc.	No
TMK 16-01055	09/20/2016	08/31/2026	DJ KO	DJ KO L.L.C.	No
TMK 16-01056	09/20/2016	09/07/2026	PHOTOS UNLIMITED	Photos Unlimited Processing, LLC	No
TMK 16-01057	09/20/2016	08/31/2026	AGILITY. INTEGRITY. EXPER-TISE.	Gulf Manufacturing LLC	No
TMK 16-01058	09/20/2016	08/24/2026	ROCK 2 ROYAL	Rock 2 Royal, LLC	No
TMK 16-01059	09/20/2016	09/07/2026	SNACKTIVIST FOODS	Snacktivist Foods LLC	No
TMK 16-01060	09/20/2016	09/21/2026	THEO	Fortis Capital Management LLC	No

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TMK 16-01061	09/20/2016	09/21/2026	MIYA MODEL	Miyazaki, Doug	No
TMK 16-01062	09/20/2016	07/19/2025	EPIONCE	Epi Sciences, Inc.	No
TMK 16-01063	09/21/2016	12/06/2026	POLARIS GENERAL	Polaris Industries Inc.	No
TMK 16-01064	09/21/2016	06/03/2025	GREAT EXPECTATIONS	Jones & Daughter	No
TMK 16-01065	09/21/2016	02/01/2022	RZR	Polaris Industries Inc.	No
TMK 16-01066	09/21/2016	08/06/2018	VICTORY MOTORCYCLES	Polaris Industries Inc.	No
TMK 16-01067	09/21/2016	03/01/2019	VICTORY MOTORCYCLES	Polaris Industries, L.P.	No
TMK 16-01068	09/21/2016	06/02/2024	SPORTSMAN	Polaris Industries Inc.	No
TMK 16-01069	09/21/2016	12/23/2024	SLINGSHOT AND DESIGN	Polaris Industries Inc.	No
TMK 16-01070	09/22/2016	12/23/2024	SLINGSHOT	Polaris Industries Inc.	No
TMK 16-01071	09/22/2016	01/13/2026	POLARIS ACE	Polaris Industries Inc.	No
TMK 16-01072	09/22/2016	09/12/2022	HAMMERHEAD OFF-ROAD sand DESIGN	POLARIS INDUSTRIES INC.	No
TMK 16-01073	09/22/2016	07/12/2026	HAMMERHEAD	Polaris Industries Inc.	No
TMK 16-01074	09/22/2016	10/05/2026	PROARMOR	Polaris Industries Inc.	No
TMK 16-01075	09/22/2016	08/31/2026	TIMBERSLED	Polaris Industries Inc.	No
TMK 16-01076	09/22/2016	04/16/2017	TAYLOR-DUNN	Taylor-Dunn Manufacturing Co.	No
TMK 16-01077	09/22/2016	07/22/2018	RANGER	Polaris Industries Inc.	No
TMK 16-01078	09/22/2016	01/10/2020	Y-FRONT	JOCKEY INTERNATIONAL, INC.	No
TMK 16-01079	09/22/2016	12/23/2024	SLINGSHOT	Polaris Industries Inc.	No
TMK 16-01080	09/22/2016	12/30/2024	SLINGSHOT AND DESIGN	Polaris Industries Inc.	No

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Recordation No.	Effective Date	Expiration Date	Name of Cop/Tm/Tm	Owner Name	GM Restricted
TMK 16-01081	09/22/2016	03/04/2023	INDIAN AND DESIGN	Indian Motorcycle International, LLC	No
TMK 16-01082	09/22/2016	11/28/2022	INDIAN STYLIZED	Indian Motorcycle International, LLC	No
TMK 16-01083	09/22/2016	06/25/2024	INDIAN AND DESIGN	Indian Motorcycle International, LLC	No
TMK 16-01084	09/22/2016	02/11/2025	SCOUT	INDIAN MOTORCYCLE INTERNATIONAL, LLC	No
TMK 16-01085	09/22/2016	06/20/2021	GEM	POLARIS INDUSTRIES INC.	No
TMK 16-01086	09/22/2016	12/17/2022	KOLPIN	KOLPIN OUTDOORS, INC.	No
TMK 16-01087	09/22/2016	11/04/2019	PRO ARMOR AND DESIGN	POLARIS INDUSTRIES INC.	No
TMK 16-01088	09/22/2016	03/25/2018	PRO ARMOR AND DESIGN	POLARIS INDUSTRIES INC.	No
TMK 16-01089	09/22/2016	02/27/2018	NO PANTY LINE PROMISE	Jockey International, Inc.	No
TMK 16-01090	09/23/2016	11/09/2026	PROFORCE PUMPS	Green Leaf, Inc.	No
TMK 16-01091	09/23/2016	03/01/2026	STAYNEW	Jockey International, Inc.	No
TMK 16-01092	09/26/2016	12/13/2026	CYPHY	CyPhy Works, Inc.	No
TMK 16-01093	09/26/2016	12/13/2026	PINK (Stylized)	Victoria's Secret Stores Brand Management, Inc.	No
TMK 16-01094	09/26/2016	04/21/2024	DESIGN ONLY	Jockey International, Inc.	No
TMK 16-01095	09/26/2016	06/08/2026	FLOW	Flowbee Australia Pty Ltd	No
TMK 16-01096	09/26/2016	10/19/2026	SIGNATUREPLATE	Supreme Indiana Operations, Inc.	No
TMK 16-01097	09/26/2016	03/12/2027	SOLO-JEC	Boehringer Ingelheim Vetmedica, Inc.	No

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TMK 16-01098	09/26/2016	10/08/2018	CHOP WIZARD	NATIONAL EXPRESS, INC.	No
TMK 16-01099	09/26/2016	08/03/2025	Multi-Triangle Hollow logo	ORAFOL AMERICAS INC.	No
TMK 16-01100	09/26/2016	11/26/2026	BASIC-CHECK	DFT INC.	No
TMK 16-01101	09/27/2016	01/30/2018	YETI	YETI COOLERS, LLC	No
TMK 16-01102	09/27/2016	05/14/2022	YETI and Design	YETI COOLERS, LLC	No
TMK 16-01103	09/27/2016	08/20/2024	RÁMURI	Sergio Michel Lopez Marin	No
TMK 16-01104	09/27/2016	05/27/2020	ELANCE	JOCKEY INTERNATIONAL, INC.	No
TMK 16-01105	09/28/2016	09/28/2026	X (Stylized)	Xilinx, Inc.	No
TMK 16-01106	09/28/2016	06/11/2024	KUTTING WEIGHT	Kutting Weight LLC	No
TMK 16-01107	09/28/2016	12/18/2022	OCEANSPA	WEXFORD INDUSTRIAL CORPORATION DBA WEXFORD CORPORATION	No
TMK 16-01108	09/28/2016	08/28/2023	ECO ESSENCE	Wexford Industrial Corporation	No
TMK 16-01109	09/28/2016	04/24/2026	DESIGN ONLY	GI SPORTZ DIRECT LLC	No
TMK 16-01110	09/29/2016	03/30/2019	Kutting Weight (Stylized) & Design	Kutting Weight LLC	No
TMK 16-01111	09/29/2016	11/11/2025	KW (Stylized) & Design	Kutting Weight LLC	No
TMK 16-01112	09/29/2016	09/22/2020	SUN RICE and Design	Ricegrowers Limited	No
TMK 16-01113	09/29/2016	01/26/2021	SUN RICE	Ricegrowers Limited	No
TMK 87-00176	09/26/2016	09/17/2026	LEE KUM KEE	LEE KUM KEE COMPANY	No
TMK 87-00176	09/26/2016	09/17/2026	LEE KUM KEE	LEE KUM KEE COMPANY	No
TMK 89-00044	09/01/2016	12/09/2026	A and Design	ANGELS BASEBALL L.P.	No
TMK 89-00044	09/01/2016	12/09/2026	A and Design	ANGELS BASEBALL L.P.	No

**DELAY OF EFFECTIVE DATE FOR THE AUTOMATED
COMMERCIAL ENVIRONMENT (ACE) BECOMING THE
SOLE CBP-AUTHORIZED ELECTRONIC DATA
INTERCHANGE (EDI) SYSTEM FOR PROCESSING
ELECTRONIC DRAWBACK AND DUTY DEFERRAL ENTRY
AND ENTRY SUMMARY FILINGS**

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

ACTION: Delay of effective date.

SUMMARY: On August 30, 2016, U.S. Customs and Border Protection (CBP) published a notice in the **Federal Register** announcing plans to make the Automated Commercial Environment (ACE) the sole electronic data interchange (EDI) system authorized by the Commissioner of U.S. Customs and Border Protection (CBP) for processing electronic drawback and duty deferral entry and entry summary filings. The changes announced in that notice were to have been effective on October 1, 2016. This notice announces that the effective date for the transition to ACE as the sole CBP-authorized EDI system for electronic drawback and duty deferral entry and entry summary filings is delayed until further notice.

DATES: *The effective date is delayed until further notice:* CBP will publish a subsequent notice announcing the effective date when ACE will be the sole CBP-authorized EDI system for processing electronic drawback and duty deferral entry and entry summary filings, and ACS will no longer be a CBP-authorized EDI system for purposes of processing these filings.

FOR FURTHER INFORMATION CONTACT: Questions related to this notice may be emailed to ASKACE@cbp.dhs.gov with the subject line identifier reading “ACS to ACE Drawback and Duty Deferral Entry and Entry Summary Filings transition”.

SUPPLEMENTARY INFORMATION: On August 30, 2016, U.S. Customs and Border Protection (CBP) published a notice in the **Federal Register** (81 FR 59644) announcing plans to make the Automated Commercial Environment (ACE) the sole electronic data interchange (EDI) system authorized by the Commissioner of U.S. Customs and Border Protection (CBP) for processing electronic drawback and duty deferral entry and entry summary filings, effective on October 1, 2016. The document also announced that, on October 1, 2016, the Automated Commercial System (ACS) would no longer be a CBP-authorized EDI system for purposes of processing these electronic filings. Finally, the notice announced a name change for the ACE filing code for duty deferral and the

creation of a new ACE filing code for all electronic drawback filings, replacing the six distinct drawback codes previously filed in ACS.

CBP has been assessing stakeholder readiness for the mandatory transition of post-release capabilities in ACE, including the transition of electronic drawback and duty deferral entry and entry summary filings from ACS to ACE. CBP has determined that industry partners need additional time to prepare for the transition to electronic post-release capabilities in ACE. Accordingly, the effective date for all that was announced in the August 30, 2016 **Federal Register** notice, including the transition to ACE as the sole CBP-authorized EDI system for electronic drawback and duty deferral entry and entry summary filings, is delayed until further notice. CBP will publish a subsequent notice announcing the effective date.

Dated: September 28, 2016.

KEVIN K. MCALEENAN,
Deputy Commissioner,
U.S. Customs and Border Protection.

[Published in the Federal Register, October 03, 2016 (81 FR 68023)]



AGENCY INFORMATION COLLECTION ACTIVITIES:

NAFTA Regulations and Certificate of Origin

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

ACTION: 30-Day notice and request for comments; Extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: NAFTA Regulations and Certificate of Origin (CBP Forms 434, 446, and 447). CBP is proposing that this information collection be extended with a change to the burden hours. There is no change to the information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before November 4, 2016 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and

Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Regulations and Rulings, Office of Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, or via email (*CBP_PRA@cbp.dhs.gov*). Please note contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs please contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP Web site at <https://www.cbp.gov/>. For additional help: <https://help.cbp.gov/app/home/search/1>.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** (81 FR 33541) on May 26, 2016, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. 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 (44 U.S.C. 3507). 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 to respondents or record keepers from the collection of information (total capital/ startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: NAFTA Regulations and Certificate of Origin.

OMB Number: 1651-0098.

Form Number: CBP Forms 434, 446, and 447.

Abstract: On December 17, 1992, the U.S., Mexico and Canada entered into an agreement, "The North American Free Trade Agreement" (NAFTA). The provisions of NAFTA were adopted by

the U.S. with the enactment of the North American Free Trade Agreement Implementation Act of 1993 (PL. 103–182).

CBP Form 434, *North American Free Trade Certificate of Origin*, is used to certify that a good being exported either from the United States into Canada or Mexico or from Canada or Mexico into the United States qualifies as an originating good for purposes of preferential tariff treatment under NAFTA. This form is completed by exporters and/or producers and furnished to CBP upon request. CBP Form 434 is provided for by 19 CFR 181.11 and is accessible at: <https://www.cbp.gov/newsroom/publications/forms>.

CBP Form 446, *NAFTA Verification of Origin Questionnaire*, is a questionnaire that CBP personnel use to gather sufficient information from exporters and/or producers to determine whether goods imported into the United States qualify as originating goods for the purposes of preferential tariff treatment under NAFTA. CBP Form 446 is provided for by 19 CFR 181.72 and is accessible at: <https://www.cbp.gov/newsroom/publications/forms>.

CBP Form 447, *North American Free Trade Agreement Motor Vehicle Averaging Election*, is used to gather information required by 19 CFR 181 Appendix, Section 11, (2) “Information Required When Producer Chooses to Average for Motor Vehicles”. This form is provided to CBP when a manufacturer chooses to average motor vehicles for the purpose of obtaining NAFTA preference. CBP Form 447 is accessible at: <https://www.cbp.gov/newsroom/publications/forms>.

Current Actions: This submission is being made to extend the expiration date for CBP Forms 434, 446, and 447 and to revise the burden hours as a result of updated estimates for the time per response for CBP Forms 434 and 446. There are no changes to the forms or the information collected.

Type of Review: Extension with a change to the burden hours.

Affected Public: Businesses.

Form 434, NAFTA Certificate of Origin:

Estimated Number of Respondents: 40,000.

Estimated Number of Responses per Respondent: 3.

Estimated Time per Response: 2 hours.

Estimated Total Annual Burden Hours: 240,000.

Form 446, NAFTA Questionnaire:

Estimated Number of Respondents: 400.

Estimated Number of Responses per Respondent: 1.

Estimated Time per Response: 2 hours.

Estimated Total Annual Burden Hours: 800.

Form 447, NAFTA Motor Vehicle Averaging Election:

Estimated Number of Respondents: 11.

Estimated Number of Responses per Respondent: 1.28.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 14.

Dated: September 29, 2016.

SETH RENKEMA,
Branch Chief,
Economic Impact Analysis Branch,
U.S. Customs and Border Protection.

[Published in the Federal Register, October 05, 2016 (81 FR 69071)]

AGENCY INFORMATION COLLECTION ACTIVITIES:

**United States-Caribbean Basin Trade Partnership Act
(CBTPA)**

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

ACTION: 30-Day notice and request for comments; Extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: United States-Caribbean Basin Trade Partnership Act (CBTPA) (Form 450). CBP is proposing that this information collection be extended with a change to the burden hours. There is no change to the information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before November 4, 2016 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Paperwork Reduction Act Clearance Officer, U.S. Customs and Border Protection, Regulations and Rulings, Office of Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, or via email (CBP_PRA@cbp.dhs.gov). Please note contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs please contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP Web site at <https://www.cbp.gov/>. For additional help: <https://help.cbp.gov/app/home/search/1>.

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** (81 FR 43615) on July 5, 2016, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. 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 (44 U.S.C. 3507). 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 to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: United States-Caribbean Basin Trade Partnership Act.

OMB Number: 1651-0083.

Form Number: CBP Form 450.

Abstract: The provisions of the United States-Caribbean Basin Trade Partnership Act (CBTPA) were adopted by the U.S. with the enactment of the Trade and Development Act of 2000 (PL.106-200). The objective of the CBTPA is to expand trade benefits to countries in the Caribbean Basin. For preferential duty treatment under CBTPA, importers are required to have a CBTPA Certification of Origin (CBP Form 450) in their possession at the time of the claim, and to provide it to CBP upon

request. CBP Form 450 collects data such as contact information for the exporter, importer and producer, and information about the goods being claimed.

This collection of information is provided for by 19 CFR 10.224. CBP Form 450 is accessible at: http://forms.cbp.gov/pdf/CBP_Form_450.pdf.

Current Actions: This submission is being made to extend the expiration date and to revise the burden hours as a result of an increase in time estimated per response from 15 minutes to 2 hours. There are no changes to CBP Form 450 or to the data collected on this form.

Type of Review: Extension with a change to the burden hours.

Affected Public: Businesses.

Estimated Number of Respondents: 15.

Estimated Number of Responses per Respondent: 286.13.

Estimated Total Annual Responses: 4,292.

Estimated Time per Response: 2 hours.

Estimated Total Annual Burden Hours: 8,584.

Dated: September 29, 2016.

SETH RENKEMA,
Branch Chief,
Economic Impact Analysis Branch,
U.S. Customs and Border Protection.