

# U.S. Customs and Border Protection



## DEPARTMENT OF THE TREASURY

### 19 CFR Part 133

#### TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

##### *CFR Correction*

In Title 19 of the Code of Federal Regulations, Parts 0 to 140, revised as of April 1, 2013, on page 882, the general authority to part 133 is correctly revised to read “**Authority:** 15 U.S.C. 1124, 1125, 1127; 17 U.S.C. 101, 601, 602, 603; 19 U.S.C. 66, 1202, 1499, 1526, 1624; 31 U.S.C. 9701;”

[Published in the Federal Register, March 14, 2014 (79 FR 14399)]



#### GRANT OF “LEVER-RULE” PROTECTION

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

**ACTION:** Notice of grant of “Lever-rule” protection.

**SUMMARY:** Pursuant to 19 CFR §133.2(f), this notice advises interested parties that CBP has granted “Lever-rule” protection to Vilore Foods Company’s “La Costeña & Design” trademark. Notice of the receipt of an application for “Lever-rule” protection was published in the July 3, 2013 issue of the *Customs Bulletin*.

**FOR FURTHER INFORMATION CONTACT:** G. Gharib, Intellectual Property Rights Branch, Regulations & Rulings, (202) 325–0216.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Pursuant to 19 CFR §133.2(f), this notice advises interested parties that CBP has granted “Lever-rule” protection for the following products, intended for sale in the United States, bearing the “La Costeña & Design” trademark (CBP Rec. No. TMK 03–00521): green pickled jalapeño peppers, green pickled jalapeño sliced peppers, and green pickled serrano peppers.

In accordance with the holding of *Lever Bros. Co. v. United States*, 981 F.2d 1330 (D.C. Cir. 1993), CBP has determined that the gray market green pickled pepper products differ physically and materially from their correlating green pickled pepper products authorized for sale in the United States with respect to the following product characteristics: language, labeling, nutrition information, ingredients, bar codes, and contact information.

### **Enforcement**

Importation of the above referenced green pickled peppers, intended for sale in other countries is restricted, *unless* the labeling requirements of 19 CFR §133.23(b) are satisfied.

Dated: March 14, 2014

CHARLES R. STEUART,  
*Chief*  
*Intellectual Property Rights Branch*



### **RECEIPT OF APPLICATION FOR “LEVER-RULE” PROTECTION**

**AGENCY:** Customs & Border Protection, Department of Homeland Security.

**ACTION:** Notice of receipt of application for “Lever-rule” protection.

**SUMMARY:** Pursuant to 19 CFR §133.2(f), this notice advises interested parties that Customs & Border Protection (CBP) has received an application from Philip Stein Holding, Inc. (hereinafter “Philip Stein”) seeking “Lever-rule” protection for a federally registered and recorded “Philip Stein” trademark.

**FOR FURTHER INFORMATION CONTACT:** John Rhea, Intellectual Property Rights & Restricted Merchandise Branch, Regulations & Rulings, Office of International Trade (202) 325-0035.

### **SUPPLEMENTARY INFORMATION:**

#### **Background**

Pursuant to 19 CFR §133.2(f), this notice advises interested parties that CBP has received an application from Philip Stein seeking “Lever-rule” protection. Protection is sought against the importation of certain watches that bear the Philip Stein trademark, (U.S. Trademark Registration No. 3,187,112; CBP Recordation No. TMK 13-00224). In the event that CBP determines the watches under

consideration are physically and materially different from the watches authorized for sale in the United States, CBP will publish notice in the *Customs Bulletin*, pursuant to 19 CFR §133.2(f), indicating that the above-referenced trademark is entitled to “Lever-rule” protection with respect to those physically and materially different watches that bear the Philip Stein trademark.

Dated: March 14, 2014

CHARLES R. STEUART,  
*Chief*  
*Intellectual Property Rights Branch Regula-*  
*tions & Rulings Office of International Trade*



### **AGENCY INFORMATION COLLECTION ACTIVITIES:**

#### **Documents Required Aboard Private Aircraft**

**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: Documents Required Aboard Private Aircraft. This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours. This document is published to obtain comments from the public and affected agencies.

**DATES:** Written comments should be received on or before April 17, 2014 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 [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) or faxed to (202) 395-5806.

**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, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** This proposed information collection was previously published in the **Federal Register** (78 FR 77484) on December 23, 2013, 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 (Pub. L. 104-13; 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 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:** Documents Required Aboard Private Aircraft.

**OMB Number:** 1651-0058.

**Form Number:** None.

**Abstract:** In accordance with 19 CFR 122.27, a commander of a private aircraft arriving in the U.S. must present several documents to CBP officers for inspection. These documents include: (1) A pilot certificate/license; (2) a medical certificate; and (3) a certificate of registration, which is also called a "pink slip" and is a duplicate copy of the Aircraft Registration Application (FAA Form AC 8050-1). The information on these documents is used by CBP officers as an essential part of the inspection process for private aircraft arriving from a foreign country. These requirements are authorized by 19 U.S.C. 1433, as amended by Public Law 99-570.

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

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

**Affected Public:** Individuals.

**Estimated Number of Respondents:** 120,000.

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

**Estimated Time per Response:** 1 minute.

**Estimated Total Annual Burden Hours:** 1,992.

Dated: March 12, 2014.

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

[Published in the Federal Register, March 18, 2014 (79 FR 15137)]

