

# Bureau of Customs and Border Protection

## *General Notices*

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

**(No. 6 2008)**

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 June 2008. The last notice was published in the CUSTOMS BULLETIN on July 2, 2008.

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., Mint Annex, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Delois Johnson, Paralegal, Intellectual Property Rights Branch, (202) 572-8710.

Dated: July 2, 2008

GEORGE MCCRAY, ESQ.,  
*Chief,*  
*Intellectual Property Rights Branch.*

CBP IPR RECORDATION - JUNE 2008

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restrict
TMK 08-00371	6/6/2008	12/18/2017	FREESCALE SEMICONDUCTOR AND DESIGN	FREESCALE SEMICONDUCTOR, INC.	No
TMK 08-00374	6/16/2008	7/14/2010	VIRGINIA SLIMS	PHILIP MORRIS USA INC.	No
TMK 97-00466	6/16/2008	5/3/2018	TNT	AMERICAN PROMOTIONAL EVENTS, INC.	Yes
TMK 98-00532	6/16/2008	1/13/2018	M W AND DESIGN	FOSSIL, INC	No
TMK 98-00055	6/16/2008	10/28/2017	COLOR RED FOR CARBON STEEL HOOKS	THE CROSBY GROUP INC.	No
TMK 97-00877	6/16/2008	4/14/2018	MARLBORO	PHILIP MORRIS USA INC.	No
TMK 99-00181	6/16/2008	3/14/2018	JOKER AND DESIGN	ROBERT BURTON ASSOCIATES LTD.	Yes
TMK 99-00306	6/16/2008	3/31/2018	JOSE L. PIEDRA	JOSE L. PIEDRA	No
TMK 08-00372	6/16/2008	3/11/2018	MARLBORO VIRGINIA BLEND	PHILIP MORRIS USA INC.	No
TMK 05-00908	6/16/2008	6/9/2018	FOOTJOY	ACUSHNET COMPANY	No
TMK 00-00285	6/16/2008	8/30/2018	CAMEL	GMB, INC.	No
TMK 02-00856	6/16/2008	4/19/2018	ESPRIT (STYLIZED)	ESPRIT IP LIMITED	No
TMK 02-00859	6/16/2008	3/15/2018	ESPRIT (STYLIZED)	ESPRIT IP LIMITED	No
TMK 04-00527	6/16/2008	6/17/2013	UA DESIGN CONSISTING OF INTERLOCKING LETTER	UNDER ARMOUR, INC.	No
TMK 04-00398	6/16/2008	3/31/2018	PATRON BOTTLE SHAPE	CARIBBEAN DISTILLERS CORPORATION	No
TMK 05-00086	6/16/2008	5/17/2018	PRECISION BRAND	PRECISION STEEL WAREHOUSE INC.	No
TMK 05-00411	6/16/2008	5/27/2016	DOLCE	DOLCE, L.L.C.	No
TMK 89-00247	6/16/2008	5/17/2018	STRAWBERRY AND DESIGN	A & E STORES, INC.	No
TMK 06-01491	6/16/2008	3/10/2018	REQUIP	SMITHKLINE BEECHAM P.L.C.	No
TMK 08-00375	6/16/2008	8/22/2010	CELGENE	CELGENE CORPORATION	No
TMK 08-00376	6/16/2008	6/22/2013	OILITE	BEEMER PRECISION, INC.	No
TMK 08-00377	6/16/2008	1/1/2018	SIZZIX	ELLISON EDUCATIONAL EQUIPMENT, INC.	No
TMK 08-00378	6/16/2008	6/30/2018	ELLISON	ELLISON EDUCATIONAL EQUIPMENT, INC.	No
TMK 08-00380	6/16/2008	3/28/2010	MICROSEMI	MICROSEMI CORPORATION	No
TMK 08-00379	6/16/2008	10/16/2017	POWER UP	STANDARD CABLE, DBA CONDUCTIVE CABLE	No
TMK 08-00381	6/16/2008	9/1/2017	NORELCO N	PHILIPS ELECTRONICS NORTH AMERICA CORPORATION	No
TMK 08-00382	6/16/2008	6/26/2017	PROFOTO	MAMIYA AMERICA CORPORATION	No
TMK 08-00383	6/16/2008	9/22/2017	NORELCO N	PHILIPS ELECTRONICS NORTH AMERICA CORPORATION	No
TMK 08-00399	6/16/2008	5/31/2015	FLASHVIEW	FLARION TECHNOLOGIES, INC.	No

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TMK	IPR No.	Start Date	End Date	Class	Goods	Applicant	IPR No.
TMK 08-00397	6/16/2008	7/31/2017	DAB		DORTMUNDER ACTIEN-BRAUEREI GMBH	No	
TMK 08-00398	6/16/2008	1/8/2018	X		NOVESKE RIFLEWORK LLC	No	
TMK 08-00384	6/16/2008	5/14/2016	K2		K-2 CORPORATION	No	
TMK 08-00373	6/16/2008	12/25/2014	IZOD		PHILLIPS-VAN HEUSEN CORPORATION	No	
TMK 08-00385	6/16/2008	6/16/2014	EAGLE		PHILLIPS-VAN HEUSEN CORPORATION	No	
TMK 08-00386	6/16/2008	1/8/2018	MARLBORO		PHILIP MORRIS USA INC.	No	
TMK 08-00387	6/16/2008	7/25/2012	MARLBOROFILTER CIGARETTES		PHILIP MORRIS USA INC.	No	
TMK 08-00389	6/16/2008	6/4/2010	PARLIAMENT		PHILIP MORRIS USA INC.	No	
TMK 08-00391	6/16/2008	10/28/2008	MERIT		PHILIP MORRIS USA INC.	No	
TMK 08-00390	6/16/2008	5/11/2016	MARLBORO LIGHTS		PHILIP MORRIS USA INC.	No	
TMK 08-00392	6/16/2008	5/4/2016	MARLBORO LIGHTS FILTER CIGARETTES LOWERED TAR & NICOTINE VENT VICI		PHILIP MORRIS USA INC.	No	
TMK 08-00393	6/16/2008	7/13/2011	MARLBORO ULTRA LIGHTS AND DESIGN		PHILIP MORRIS USA INC.	No	
TMK 08-00394	6/16/2008	9/7/2014	L&M		TRADEMARKS LLC	No	
TMK 08-00388	6/16/2008	2/12/2012	BENSON & HEDGES 100'S AND DESIGN		PHILIP MORRIS USA INC.	No	
TMK 08-00395	6/16/2008	1/1/2012	PLAYER'S		PHILIP MORRIS USA INC.	No	
TMK 08-00396	6/16/2008	9/11/2017	MENTHOL PM USA MARLBORO SMOOTH UNIQUELY RICH & SMOOTH		PHILIP MORRIS USA INC.	No	
TMK 95-00598	6/17/2008	3/10/2018	JEAN-PAUL GAULTIER		BEAUTE' PRESTIGE INTERNATIONAL	No	
TMK 98-00782	6/18/2008	6/2/2018	VIAGRA		Pfizer, Inc.	No	
TMK 01-00443	6/18/2008	7/21/2018	TOTAL GYM		ENGINEERING FITNESS INT'L CORP.	No	
COP 08-00035	6/18/2008	6/18/2028	CORAZON DE LOS MUERTOS		LADISLAO LOERA	No	
TMK 08-00449	6/18/2008	3/8/2015	B/O U-STEER GAME		SOMA INTERNATIONAL, LTD.	No	
TMK 08-00438	6/18/2008	12/31/2016	LOS ANGELES		MEN'S PLACE, INCORPORATED	No	
COP 08-00034	6/18/2008	6/18/2028	TRU-CLOSE		D&D GROUP PTY LTD	No	
COP 08-00033	6/18/2008	6/18/2028	SNOW FLAKE F.		JIBBITZ, LLC	No	
TMK 07-01053	6/18/2008	2/17/2018	RED HIBISCUS FLOWER AND PALM		PARAMOUNT INTERNATIONAL EXPORT, LTD.	No	
TMK 07-01165	6/18/2008	3/1/2018	PATHINDER		PARAMOUNT INTERNATIONAL EXPORT, LTD.	No	
TMK 08-00436	6/18/2008	4/17/2017	APPLES & ORANGES		ALIFLEX USA INC.	No	
TMK 08-00437	6/18/2008	2/29/2017	DEVON & JONES BLUE		BRODER BROS., CO.	No	
TMK 08-00400	6/18/2008	10/31/2016	CLUB TATTOO		BRODER BROS., CO.	No	
TMK 08-00435	6/18/2008	10/23/2017	HARRITON		RHYTHM SECTION, INC.	No	
TMK 08-00434	6/18/2008	3/14/2016	DONNA KARAN		BRODER BROS. CO.	No	
TMK 08-00433	6/18/2008	11/9/2009	UTILI-KEY		GABRIELLE STUDIO, INC.	No	
TMK 08-00431	6/18/2008	7/10/2017	NON-INVASIVE TIME AND ATTENDANCE		CRESTWOOD PARTNERS, LLC	No	
TMK 08-00431	6/18/2008	7/10/2017	NON-INVASIVE TIME AND ATTENDANCE		VASTECH, INC.	No	

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TMK 08-00432	6/18/2008	10/24/2009	CHARISMA	OFFICIAL PILLOWTEX LLC	No
TMK 08-00439	6/18/2008	11/12/2016	AMBITEX	TRADEX INTERNATIONAL, INC.	No
TMK 08-00430	6/18/2008	3/19/2012	SCREWBALL	CRESTWOOD PARTNERS, LLC	No
TMK 08-00427	6/18/2008	10/23/2017	TRU-TWIST	TUROTEC PRODUCTS, INC.	No
TMK 08-00426	6/18/2008	4/16/2012	BEAUTY TREATS	BEAUTY TREATS INTERNATIONAL CO. INC.	No
TMK 08-00428	6/18/2008	1/8/2018	5150	LÉAL VINEYARDS, INC. DBA LÉAL ESTATE VINEYARDS	No
TMK 08-00421	6/18/2008	2/17/2018	TONY THE TIGER	KELLOGG NORTH AMERICA COMPANY	No
TMK 08-00420	6/18/2008	10/6/2013	BABY MAGIC	LANDER INTANGIBLES CORP	No
TMK 08-00423	6/18/2008	4/30/2012	VIDEObASICS	VIDEObASICS	No
TMK 08-00422	6/18/2008	2/10/2014	BLACK OPS	TAYLOR BRANDS, LLC	No
COP 08-00037	6/18/2008	6/18/2028	DESIGN EH-91172	TRENDTEX FABRICS, LTD.	No
TMK 08-00424	6/18/2008	10/22/2015	ROCKY MOUNTAIN RUM CAKES	THE DENVER PIE COMPANY, LLC.	No
TMK 08-00425	6/18/2008	3/4/2018			

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TMK 08-00447	6/18/2008	5/2/2016	JAMAICA BAY	B/RJAND MATTERS, LLC	No
TMK 08-00448	6/18/2008	8/1/2016	COMFORT ZONE	HOWARD BERGER CO., INC.	No
TMK 08-00441	6/18/2008	5/25/2014	CARIBBEAN JOE	B/RJAND MATTERS, LLC	No
TMK 08-00444	6/18/2008	9/12/2016	HAVANA JACK'S CAFE	B/RJAND MATTERS, LLC	No
TMK 08-00402	6/18/2008	9/11/2017	MARLBORO SMOOTH	PHILIP MORRIS USA INC.	No
TMK 08-00442	6/18/2008	5/27/2018	BASE-X EXPEDITION SHELTERS AND DESIGN	BASE-X, INC.	No
TMK 08-00404	6/18/2008	5/7/2016	WORD MARK	MAD DOGG ATHLETICS, INC.	No
TMK 08-00445	6/18/2008	10/1/2016	SPINNING	MAD DOGG ATHLETICS, INC.	No
TMK 08-00443	6/18/2008	9/17/2012	ELITE	PACIFIC INDUSTRIES, INC.	No
TMK 08-00405	6/18/2008	3/27/2014	OMNIMOUNT	OMNIMOUNT SYSTEMS INC	No
TMK 08-00403	6/18/2008	9/24/2012	DESIGN ONLY	KIDDIE KORRAL COMPANY	No
TMK 08-00407	6/18/2008	1/12/2009	KIDDIE KORRAL	KIDDIE KORRAL COMPANY	No
TMK 08-00440	6/18/2008	5/27/2018	BASE-X	BASE-X, INC.	No
TMK 08-00406	6/18/2008	4/22/2018	IBIBLE	THE STORY BOX TIMOTHY TAN	No
TMK 08-00401	6/18/2008	3/11/2018	HARLEY-DAVIDSON	H-D MICHIGAN, INC.	No
TMK 08-00439	6/18/2008	1/12/2009	BABY KORRAL	KIDDIE KORRAL COMPANY	No
TMK 08-00461	6/19/2008	5/10/2015	TARCEVA	OSI PHARMACEUTICALS, INC.	No
TMK 08-00462	6/19/2008	2/27/2017	VISCERA STREET CONCEPTS	PRESTIGE AUTOTECH CORPORATION	No
TMK 08-00460	6/19/2008	3/12/2012	PLEASER	GOLDEN DELTA ENTERPRISES, INC.	No
TMK 08-00463	6/19/2008	9/22/2008	STACKER 2 AND DESIGN	N.V.E., INC.	No
TMK 08-00464	6/19/2008	7/17/2011	EVSU	BESTFORD (HONG KONG) LIMITED	No
COP 08-00038	6/19/2008	6/19/2008	LAS PALMAS	PREMIUM DENIM, LLC	No
TMK 08-00465	6/19/2008	10/2/2017	N NEPTUNE AND DESIGN	NEPTUNE TECHNOLOGY GROUP INC.	No
TMK 08-00466	6/19/2008	12/27/2015	R900	NEPTUNE TECHNOLOGY GROUP INC.	No
TMK 08-00467	6/19/2008	5/22/2017	GRIP POD	GRIP POD SYSTEMS, LLC	No
TMK 08-00469	6/19/2008	7/31/2017	QUADRIGA	BRUTOCAO CELLARS, LP	No
TMK 08-00468	6/19/2008	8/16/2015	DEVON & JONES	BRODER BROS., CO.	No
TMK 08-00470	6/19/2008	12/25/2017	SOYBU	COLORADO TRADING & CLOTHING COMPANY (COLORADO CORPORATION)	No
TMK 08-00471	6/19/2008	10/25/2015	WALKFIT	SYLMARK HOLDINGS LIMITED	No
TMK 08-00472	6/19/2008	10/2/2017	PIT-MASTER BAR-B-QUE	CACTUS JACKS RESTAURANTS INC.	No
TMK 08-00473	6/19/2008	1/29/2018	PRESIDENTIAL	PARAGON LUGGAGE, INC.	No
TMK 08-00474	6/19/2008	11/18/2016	UNCLE HENRY	TAYLOR BRANDS, LLC	No
COP 08-00039	6/19/2008	6/19/2008	TOSSSED LOGO	BEBE STUDIO, INC.	No
TMK 08-00501	6/19/2008	3/18/2018	DYNAKIT	AUTOMATED FLEXIBLE CONVEYOR, INC.	No
TMK 08-00508	6/19/2008	3/28/2010	FERRILL REED	PVH SUPERBA/INSIGNIA NECKWEAR, INC.	No
TMK 08-00503	6/19/2008	11/29/2015	DEXPAN	ARCHER COMPANY USA INC.	No
TMK 08-00502	6/19/2008	7/6/2014	LA CABANA	B/RJAND MATTERS, LLC	No

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TMK 08-00509	6/19/2008	10/7/2016	AMERICAN TRADITIONS	PVH SUPERBA/INSIGNIA NECKWEAR INC.	No
TMK 08-00506	6/19/2008	6/6/2016	JAMAICA BAY	B/RJAND MATTERS, LLC	No
TMK 08-00488	6/19/2008	3/18/2018	CARIBBEAN JOE	B/RJAND MATTERS, LLC	No
TMK 08-00507	6/19/2008	4/18/2016	DISCOVER PARADISE	B/RJAND MATTERS, LLC	No
TMK 08-00504	6/19/2008	11/21/2016	IN FOCUS	B/RJAND MATTERS, LLC	No
TMK 08-00493	6/19/2008	12/18/2017	IBIE	INTERNATIONAL BAKING INDUSTRY EXPOSITION, LLC	No
TMK 08-00491	6/19/2008	1/23/2017	OMNIMOUNT	OMNIMOUNT SYSTEMS INC.	No
TMK 08-00492	6/19/2008	1/28/2018	GEMACO	GEMACO INC.	No
TMK 08-00487	6/19/2008	1/17/2009	BRIONI	BRIONI - ROMAN STYLE, S.P.A.	No
TMK 08-00490	6/19/2008	7/5/2016	CONFIGURATION OF A SAFETY HOOK	THE CROSBY GROUP INC.	No
TMK 08-00489	6/19/2008	3/25/2018	WORKSPACE	OMNIMOUNT SYSTEMS INC.	No
TMK 08-00495	6/19/2008	12/18/2017	INTERNATIONAL BAKING INDUSTRY EXPOSITION	INTERNATIONAL BAKING INDUSTRY EXPOSITION, LLC	No
TMK 08-00498	6/19/2008	12/18/2017	IBIE INTERNATIONAL BAKING INDUSTRY EXPOSITION AND DESIGN	INTERNATIONAL BAKING INDUSTRY EXPOSITION, LLC	No
TMK 08-00497	6/19/2008	11/25/2008	BRIONI	BRIONI - ROMAN STYLE S.P.A.	No
TMK 08-00505	6/19/2008	6/24/2017	DCSHOECOUSA	DC SHOES INC.	No
TMK 08-00494	6/19/2008	2/7/2016	LA CABANA (DESIGN)	B/RJAND MATTERS, LLC	No
TMK 08-00499	6/19/2008	5/23/2016	LA CABANA DESIGN	B/RJAND MATTERS, LLC	No
TMK 08-00486	6/19/2008	3/29/2015	PERISCOPE	B/RJAND MATTERS, LLC	No
TMK 08-00496	6/19/2008	1/16/2017	OMNIMOUNT	OMNIMOUNT SYSTEMS INC.	No
TMK 08-00485	6/19/2008	7/6/2014	FRESITAS	MONTES Y CIA., S.A. DE C.V.	No
TMK 08-00484	6/19/2008	7/9/2011	SUPER NATILLA	MONTES Y CIA., S.A. DE C.V.	No
TMK 08-00478	6/19/2008	8/8/2016	OMNIMOUNT	OMNIMOUNT SYSTEMS INC.	No
TMK 08-00480	6/19/2008	7/14/2008	SPIN	MONTES Y CIA., S.A. DE C.V.	No
TMK 08-00483	6/19/2008	9/7/2013	TOFICOS	MAD DOGS ATHLETICS, INC.	No
TMK 08-00477	6/19/2008	9/4/2017	STREAMLINE	GOOD FOOD GROUP A/S	No
TMK 08-00500	6/19/2008	5/25/2011	F	FUJITSU LIMITED	No
TMK 08-00482	6/19/2008	7/18/2016	ZORBITIVE & DESIGN	ARES TRADING S.A.	No
TMK 08-00481	6/19/2008	5/6/2018	BALL FAMILY RESERVE	ERNIE-BALL, INC.	No
TMK 08-00476	6/19/2008	4/22/2018	ST-246	SIGA TECHNOLOGIES, INC.	No
TMK 08-00479	6/19/2008	6/15/2011	TOBE	DIAL BRANDS, INC.	No
TMK 08-00479	6/19/2008	7/10/2017	HIBORE	ROGER CLEVELAND GOLF COMPANY, INC.	No

Total Records: 168  
Date as of: 7/1/2008

**QUARTERLY IRS INTEREST RATES USED IN  
CALCULATING INTEREST ON OVERDUE ACCOUNTS AND  
REFUNDS ON CUSTOMS DUTIES**

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

**ACTION:** General notice.

**SUMMARY:** This notice advises the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties. For the calendar quarter beginning July 1, 2008, the interest rates for overpayments will be 4 percent for corporations and 5 percent for non-corporations, and the interest rate for underpayments will be 5 percent. This notice is published for the convenience of the importing public and Customs and Border Protection personnel.

**EFFECTIVE DATE:** July 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Ron Wyman, Revenue Division, Collection and Refunds Branch, 6650 Telecom Drive, Suite #100, Indianapolis, Indiana 46278; telephone (317) 614-4516.

**SUPPLEMENTARY INFORMATION:**

**Background**

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 was amended (at paragraph (a)(1)(B) by the Internal Revenue Service Restructuring and Reform Act of 1998, Pub. L. 105-206, 112 Stat. 685) to provide different interest rates applicable to overpayments: one for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2008-27, the IRS determined the rates of interest for the calendar quarter beginning July 1, 2008, and ending on September 30, 2008. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (2%) plus three percentage points (3%) for a total of five percent (5%). For corporate overpayments, the rate is the Federal short-term rate (2%) plus two percentage points (2%) for a total of four percent (4%). For overpayments made by non-corporations, the rate is the Federal short-term rate (2%) plus three percentage points (3%) for a total of five percent



(5%). These interest rates are subject to change for the calendar quarter beginning October 1, 2008, and ending December 31, 2008.

For the convenience of the importing public and Customs and Border Protection personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.

<u>Beginning Date</u>	<u>Ending Date</u>	<u>Under- payments (percent)</u>	<u>Over- payments (percent)</u>	<u>Corporate Overpayments (Eff. 1-1-99) (percent)</u>
070174	063075	6 %	6%	
070175	013176	9 %	9 %	
020176	013178	7 %	7 %	
020178	013180	6 %	6 %	
020180	013182	12 %	12 %	
020182	123182	20 %	20 %	
010183	063083	16 %	16 %	
070183	123184	11 %	11 %	
010185	063085	13 %	13 %	
070185	123185	11 %	11 %	
010186	063086	10 %	10 %	
070186	123186	9 %	9 %	
010187	093087	9 %	8 %	
100187	123187	10 %	9 %	
010188	033188	11 %	10 %	
040188	093088	10 %	9 %	
100188	033189	11 %	10 %	
040189	093089	12 %	11 %	
100189	033191	11 %	10 %	
040191	123191	10 %	9 %	
010192	033192	9 %	8 %	
040192	093092	8 %	7 %	
100192	063094	7 %	6 %	
070194	093094	8 %	7 %	
100194	033195	9 %	8 %	
040195	063095	10 %	9 %	
070195	033196	9 %	8 %	
040196	063096	8 %	7 %	
070196	033198	9 %	8 %	
040198	123198	8%	7%	
010199	033199	7%	7%	6%
040199	033100	8%	8%	7%
040100	033101	9%	9%	8%
040101	063001	8%	8%	7%
070101	123101	7%	7%	6%
010102	123102	6%	6%	5%



<u>Beginning Date</u>	<u>Ending Date</u>	<u>Under- payments (percent)</u>	<u>Over- payments (percent)</u>	<u>Corporate Overpayments (Eff. 1-1-99) (percent)</u>
010103	093003	5%	5%	4%
100103	033104	4%	4%	3%
040104	063004	5%	5%	4%
070104	093004	4%	4%	3%
100104	033105	5%	5%	4%
040105	093005	6%	6%	5%
100105	063006	7%	7%	6%
070106	123107	8%	8%	7%
010108	033108	7%	7%	6%
040108	063008	6%	6%	5%
070108	093008	5%	5%	4%

Dated: June 30, 2008

JAYSON P. AHERN,  
*Acting Commissioner,*  
*U.S. Customs and Border Protection.*

[Published in the Federal Register, July 3, 2008 (73 FR 38240)]

**Automated Commercial Environment (ACE): Change to the  
Terms and Conditions for Account Portal Access of the ACE Secure  
Data Portal**

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

**ACTION:** General notice.

**SUMMARY:** On May 16, 2007, U.S. Customs and Border Protection (CBP) published a General Notice in the **Federal Register** announcing the terms and conditions that must be followed as a condition for access to the Automated Commercial Environment (ACE) Secure Data Portal (ACE Portal). This document revises those terms and conditions regarding the period of Portal inactivity which will result in termination of access to the ACE Portal. This notice provides that if forty-five (45) consecutive days elapse without an Account Owner, Proxy Account Owner, or an Account user accessing the ACE Portal, access to the Portal will be terminated. The time period for allowable Portal activity previously was ninety (90) days. Except for the expansion of the types of Portal Accounts in ACE announced in a General Notice published in the **Federal Register** on October 18, 2007, all other provisions in the May 16, 2007, Terms and Conditions document remain unchanged and in effect.

**EFFECTIVE DATE:** The terms and conditions set forth in this document must be followed as a condition for access to the ACE Portal effective immediately.

**ADDRESSES:** Comments concerning this notice should be submitted to Byron Kissane via e-mail at [stuart.b.kissane@dhs.gov](mailto:stuart.b.kissane@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Byron Kissane at [stuart.b.kissane@dhs.gov](mailto:stuart.b.kissane@dhs.gov) or (703) 650-3460.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On May 16, 2007, U.S. Customs and Border Protection (CBP) published a General Notice in the **Federal Register** (72 FR 27632) announcing a revision of the terms and conditions that must be followed as a condition for access to the ACE Portal. The notice specified that no further action would be required by ACE Portal Trade Account Owners for those ACE Portal Accounts already established with CBP with the proper Account Owner listed.

The principal changes to the ACE terms and conditions included a revised definition of "Account Owner" to permit either an individual or a legal entity to serve in this capacity, new requirements relating to providing notice to CBP when there has been a material change in the status of the Account and/or Trade Account Owner, and explanatory provisions as to how the information from a particular account may be accessed through the ACE Portal when that account is transferred to a new owner.

##### Terms and Conditions Document

The purpose of the Terms and Conditions document is to set forth the obligations and responsibilities of those parties accessing an ACE Portal account on behalf of an Account. An ACE Portal account, as described in that document, referred to a party who had volunteered to participate in any ACE test and has an ACE Portal account.

At the time of publication of the Terms and Conditions document in the **Federal Register** on May 16, 2007, the business categories that could establish ACE Portal accounts consisted of importers, brokers, and carriers. However, CBP published a subsequent General Notice in the **Federal Register** on October 18, 2007 (72 FR 59105), announcing, among other things, enhanced Portal functionality and an expansion of the business categories that may establish ACE Portal accounts. A complete list of the Portal Account types is set forth below with the requirements that must be met or the information that is required. It is noted that Internet accessibility is a requirement for all categories.

1. Importer:
  - Possesses one or more Importer of Record (IR) numbers; and
2. Broker:
  - Possesses the ability to make periodic payment via Automated Clearinghouse (ACH) Credit or ACH Debit;
  - Possesses the ability to file entry/entry summary via Automated Broker Interface (ABI); and
3. Carrier (All Modes: Air, Rail, and Sea):
  - Possesses a SCAC, International Air Transport Association (IATA), or International Civil Aviation Organization (ICAO) designator (as applicable); and
  - Method of transportation (i.e., air, rail, vessel).
4. Cartman or Lighterman
  - Employer Identification Number (EIN) or Social Security Number (SSN); and
  - CBP issued license number.
5. Driver/Crew
  - Drivers/Crew who are interested in having their information entered into ACE are encouraged to contact: (1) A truck carrier with Electronic Data Interchange (EDI) or an ACE Portal Account; or (2) a third party provider (this includes importers, brokers, and service centers) with an ACE Portal Account.
  - Drivers/Crew who elect to have their own ACE Portal Account with a Driver/Crew view will be required to submit the following information:
    - a. Name;
    - b. Date of Birth; and
    - c. Commercial Driver's License (CDL).
6. Bonded Warehouse, Container Freight Station (CFS), and Container Examination Station (CES) Facility Operator
  - EIN or SSN;
  - Facilities Information and Resources Management System (FIRMS) code; and
  - Bond number.
7. Filer
  - Filer Code

#### 8. Foreign Trade Zone (FTZ) Operator

- EIN or SSN;
- FIRMS code;
- Zone Number;
- Sub-zone Number (if applicable);
- Site Number; and
- Bond Number.

#### 9. Service Provider

- Software Vendor: Filer Code and/or SCAC;
- Service Bureau/Center: Filer code and/or SCAC;
- Port Authority: SCAC;
- Preparer: SCAC; and
- Surety agent: Filer code.

#### 10. Surety

- Surety Code; and
- EIN.

### **Security Policy**

Provision V of the May 16, 2007, Terms and Conditions document addresses Failure to Access the Portal. Specifically, this provision states that failure of an Account Owner to access the ACE Portal for a period of ninety (90) days consecutively will result in the termination of access to the ACE Portal. Access may be restored by calling the Help Desk or by following the “forgot your password” prompt found on the ACE Portal log-in page. The failure of a Proxy Account Owner or an Account User to access the ACE Portal for a period of ninety (90) days consecutively will result in the termination of access to the ACE Portal for the Proxy Account Owner or Account User. Access may only be restored upon re-authorization by the Account Owner.

### **Change in Security Policy**

To meet security guidelines established by the Department of Homeland Security, CBP is implementing a new policy as it relates to account access that changes the period of allowable inactivity from ninety (90) days to forty-five (45) days. As such, if forty-five (45) consecutive days elapse without an Account owner accessing the ACE Portal, access to the Portal will be terminated. Access may only be restored by calling the Help Desk. Similarly, if forty-five (45) con-

secutive days elapse without a Proxy Account Owner or an Account User accessing the ACE portal, access to the Portal will also be terminated for the Proxy Account Owner or Account User. Access may only be restored by calling the Help Desk. The Account Owner may no longer re-authorize access for the Proxy Account Owner or the Account User.

Any party seeking access to the ACE Portal will be required to accept those terms and conditions as set forth on the ACE Portal screen and in this General Notice.

All other provisions in the May 16, 2007, Terms and Conditions document not specifically mentioned as being revised, remain unchanged and in effect.

Dated: June 30, 2008

DANIEL BALDWIN,  
*Assistant Commissioner,  
Office of International Trade.*

[Published in the Federal Register, July 3, 2008 (73 FR 38240)]

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## AGENCY INFORMATION COLLECTION ACTIVITIES:

### Line Release Regulations

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

**ACTION:** 30-Day Notice and request for comments; Extension of an existing information collection: 1651-0075

**SUMMARY:** U.S. Customs and Border Protection (CBP) of the Department of Homeland Security has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995: Line Release Regulations. 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. This proposed information collection was previously published in the **Federal Register** (73 FR 22161) on April 24, 2008, 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.

**DATES:** Written comments should be received on or before August 4, 2008.

**ADDRESSES:** Interested persons are invited to submit written comments on the 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) 395-6974.

**SUPPLEMENTARY INFORMATION:**

CBP encourages the general public and affected Federal agencies to submit written comments and suggestions on proposed and/or continuing information collection requests pursuant to the Paperwork Reduction Act of 1995 (Pub. L.104-13). Your comments should address one of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency/component, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agencies/components estimate of the burden of The proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collections of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Title:** Line Release Regulations

**OMB Number:** 1651-0060

**Form Number:** N/A

**Abstract:** Line release was developed to release and track high volume and repetitive shipments using bar code technology and PCS. An application is submitted to CBP by the filer and a common commodity classification code (C4) is assigned to the application.

**Current Actions:** There are no changes to the information collection. This submission is being submitted to extend the expiration date.

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

**Affected Public:** Business or other for-profit institutions

**Estimated Number of Respondents:** 25,700

**Estimated Time Per Response:** 15 minutes

**Estimated Total Annual Burden Hours:** 6,425

If additional information is required contact: Tracey Denning, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Room 3.2.C, Washington, D.C. 20229, at 202-344-1429.

Dated: June 26, 2008

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

[Published in the Federal Register, July 3, 2008 (73 FR 38240)]





