

**§ 641.827 What general nondiscrimination requirements apply to the use of SCSEP funds?**

\* \* \* \* \*

(b) Recipients and sub-recipients of SCSEP funds are required to comply with the nondiscrimination provisions codified in the Department's regulations at 29 CFR part 38 if:

(1) The recipient:

(i) Is a One-Stop partner listed in sec. 121(b) of WIOA, and

(ii) Operates programs and activities that are part of the One-Stop delivery system established under WIOA; or

(2) The recipient otherwise satisfies the definition of "recipient" in 29 CFR 38.4.

\* \* \* \* \*

■ 23. Amend § 641.833 by revising paragraph (a) to read as follows:

**§ 641.833 What policies govern political patronage?**

(a) A recipient or sub-recipient must not select, reject, promote, or terminate an individual based on political services provided by the individual or on the individual's political affiliations or beliefs. In addition, as provided in § 641.827(b), certain recipients and sub-recipients of SCSEP funds are required to comply with WIOA nondiscrimination regulations in 29 CFR part 38. These regulations prohibit discrimination on the basis of political affiliation or belief.

\* \* \* \* \*

■ 24. Amend § 641.850 by revising paragraph (d) to read as follows:

**§ 641.850 Are there other specific allowable and unallowable cost requirements for the SCSEP?**

\* \* \* \* \*

(d) *One-Stop costs.* Costs of participating as a required partner in the One-Stop delivery system established in accordance with sec. 121(e) of WIOA are allowable, provided that SCSEP services and funding are provided in accordance with the MOU required by WIOA and OAA sec. 502(b)(1)(O), and costs are determined in accordance with the applicable cost principles. The costs of services provided by the SCSEP, including those provided by participants/enrollees, may comprise a portion or the total of a SCSEP project's proportionate share of One-Stop costs.

\* \* \* \* \*

**Subpart I—Grievance Procedures and Appeals Process**

■ 25. Amend § 641.910 by revising paragraph (d) to read as follows:

**§ 641.910 What grievance procedures must grantees make available to applicants, employees, and participants?**

\* \* \* \* \*

(d) Questions about, or complaints alleging a violation of, the nondiscrimination requirements of title VI of the Civil Rights Act of 1964, sec. 504 of the Rehabilitation Act of 1973, sec. 188 of the Workforce Innovation and Opportunity Act (WIOA), or their implementing regulations, may be directed or mailed to the Director, Civil Rights Center, U.S. Department of Labor, Room N-4123, 200 Constitution Avenue NW., Washington, DC 20210. In the alternative, complaints alleging violations of WIOA sec. 188 may be filed initially at the grantee level. See 29 CFR 38.69, 38.72. In such cases, the grantee must use complaint processing procedures meeting the requirements of 29 CFR 38.69 through 38.76 to resolve the complaint.

■ 26. Amend § 641.920 by revising paragraph (b) to read as follows:

**§ 641.920 What actions of the Department may a grantee appeal and what procedures apply to those appeals?**

\* \* \* \* \*

(b) Appeals of suspension or termination actions taken on the grounds of discrimination are processed under 29 CFR part 31 or 29 CFR part 38, as appropriate.

\* \* \* \* \*

**Rosemary Lahasky,**

*Deputy Assistant Secretary for Employment and Training, Labor.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2017-0995]

**Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Albemarle and Chesapeake Canal, Chesapeake, VA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the S168/Great Bridge bridge, which carries SR168 (Battlefield Boulevard South) over the Atlantic Intracoastal Waterway (AICW), Albemarle and Chesapeake Canal, mile

12.0, at Chesapeake, VA. The deviation is necessary to facilitate the Annual Chesapeake Rotary Christmas Parade. This deviation allows the bridge to remain in the closed-to-navigation position.

**DATES:** The deviation is effective from 4 p.m. to 10 p.m., on Saturday, December 2, 2017.

**ADDRESSES:** The docket for this deviation, [USCG-2017-0995] is available at <http://www.regulations.gov>. Type the docket number in the "SEARCH" box and click "SEARCH". Click on Open Docket Folder on the line associated with this deviation.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Mr. Michael Thorogood, Bridge Administration Branch Fifth District, Coast Guard, telephone 757-398-6557, email [Michael.R.Thorogood@uscg.mil](mailto:Michael.R.Thorogood@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The City of Chesapeake, owner and operator of the S168/Great Bridge bridge that carries SR 168/Battlefield Boulevard South over the Atlantic Intracoastal Waterway (AICW), Albemarle and Chesapeake Canal, mile 12.0, at Chesapeake, VA, has requested a temporary deviation from the current operating regulations to ensure the safety of the increased volumes of spectators that will be participating in the Annual Chesapeake Rotary Christmas Parade on Saturday, December 2, 2017. This bridge is a double bascule drawbridge, with a vertical clearance of 8 feet above mean high water in the closed position and unlimited vertical clearance in the open position.

The current operating regulation is set out in 33 CFR 117.997(g). Under this temporary deviation, the bridge will be maintained in the closed-to-navigation position from 4 p.m. to 6 p.m. and from 8 p.m. to 10 p.m. on Saturday, December 2, 2017.

The AICW, Albemarle and Chesapeake Canal, is used by a variety of vessels including U.S. government vessels, small commercial vessels, recreational vessels and tug and barge traffic. The Coast Guard has carefully coordinated the restrictions with waterway users in publishing this temporary deviation.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at anytime. The bridge will be able to open for emergencies and there is no immediate alternative route for vessels unable to pass through the bridge in the closed position. The Coast Guard will also inform the users of the waterway through our Local and Broadcast

Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: November 28, 2017.

**Hal R. Pitts,**

*Bridge Program Manager, Fifth Coast Guard District.*

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## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Part 6

[Docket No. PTO-T-2017-0040]

RIN 0651-AD27

#### International Trademark Classification Changes

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) issues a final rule to incorporate classification changes adopted by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Agreement). These changes are effective January 1, 2018, and are listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (11th ed., ver. 2018), which is published by the World Intellectual Property Organization (WIPO).

**DATES:** This rule is effective on January 1, 2018.

**FOR FURTHER INFORMATION CONTACT:** Catherine Cain, Office of the Deputy Commissioner for Trademark Examination Policy, at (571) 272-8946 or [TMFRNotices@uspto.gov](mailto:TMFRNotices@uspto.gov).

**SUPPLEMENTARY INFORMATION:**

*Purpose:* As noted above, this final rule incorporates classification changes adopted by the Nice Agreement that will become effective on January 1, 2018. This rule benefits the public by providing notice regarding these changes.

*Summary of Major Provisions:* The USPTO is revising § 6.1 in part 6 of title

37 of the Code of Federal Regulations to incorporate classification changes and modifications that will become effective January 1, 2018, as listed in the International Classification of Goods and Services for the Purposes of the Registration of Marks (11th ed., 2018) (Nice Classification), published by WIPO.

The Nice Agreement is a multilateral treaty, administered by WIPO, which establishes the international classification of goods and services for the purposes of registering trademarks and service marks. As of September 1, 1973, this international classification system is the controlling system used by the United States, and it applies to all applications filed on or after September 1, 1973, and their resulting registrations, for all statutory purposes. See 37 CFR 2.85(a). Every signatory to the Nice Agreement must utilize the international classification system.

Each state party to the Nice Agreement is represented in the Committee of Experts of the Nice Union (Committee of Experts), which meets annually to vote on proposed changes to the Nice Classification. Any state that is a party to the Nice Agreement may submit proposals for consideration by the other members in accordance with agreed-upon rules of procedure. Proposals are currently submitted on an annual basis to an electronic forum on the WIPO Web site, commented upon, modified, and compiled by WIPO for further discussion and voting at the annual Committee of Experts meeting.

In 2013, the Committee of Experts began annual revisions to the Nice Classification. The annual revisions, which are published electronically and enter into force on January 1 each year, are referred to as versions and identified by edition number and year of the effective date (e.g., “Nice Classification, 10th edition, version 2013” or “NCL 10-2013”). Each annual version includes all changes adopted by the Committee of Experts since the adoption of the previous version. The changes consist of the addition of new goods and services to, and deletion of goods and services from, the Alphabetical List, and any modifications to the wording in the Alphabetical List, the class headings, and the explanatory notes that do not involve the transfer of goods or services from one class to another. New editions of the Nice Classification continue to be published electronically and include all changes adopted annually since the previous version, as well as goods or services transferred from one class to another or new classes that are created.

The annual revisions contained in this final rule consist of modifications to

the class headings that have been incorporated into the Nice Agreement by the Committee of Experts. Under the Nice Classification, there are 34 classes of goods and 11 classes of services, each with a class heading. Class headings generally indicate the fields to which goods and services belong. Specifically, this rule adds new, or deletes existing, goods and services from 10 class headings. The changes to the class headings further define the types of goods and/or services appropriate to the class. As a signatory to the Nice Agreement, the United States adopts these revisions pursuant to Article 1.

*Costs and Benefits:* This rulemaking is not economically significant under Executive Order 12866 (Sept. 30, 1993).

#### Discussion of Regulatory Changes

The USPTO is revising § 6.1 as follows:

In Class 1, the wording “Chemicals used in industry, science and photography” is amended to “Chemicals for use in industry, science and photography.” “Manures;” is deleted where it appears as a separate clause. The wording “fire extinguishing compositions” is amended to “fire extinguishing and fire prevention compositions.” “Chemical substances for preserving foodstuffs;” is deleted. The wording “tanning substances” is amended to “substances for tanning animal skins and hides.” The wording “adhesives used in industry” is amended to “adhesives for use in industry;” and “putties and other paste fillers; compost, manures, fertilizers; biological preparations for use in industry and science” is added thereafter.

In Class 2, a comma is inserted after “colorants,” the term “dyes” is added, and the wording and punctuation “inks for printing, marking and engraving;” is added thereafter. “Mordants;” is deleted.

“Non-medicated cosmetics and toiletry preparations; non-medicated dentifrices; perfumery, essential oils;” is added to the beginning of Class 3, and the capital letter in “Bleaching” is changed to lower case. A semi-colon is deleted after “abrasive preparations” and the wording “non-medicated soaps; perfumery, essential oils, non-medicated cosmetics, non-medicated hair lotions; non-medicated dentifrices” is also deleted from the end of Class 3.

In Class 4, a comma is inserted after “greases” and the term “wax” is added thereafter. The wording and parentheses “(including motor spirit)” is deleted.

In Class 7, “Machines and machine tools” is amended to “Machines, machine tools, power-operated tools.” A