

described to minimize adverse effects on the availability of marine mammals for subsistence purposes, and the proposed mitigation and monitoring measures, NMFS has preliminarily determined for each proposed IHA that there will not be an unmitigable adverse impact on subsistence uses from the City of Kodiak's proposed activities.

Endangered Species Act

Section 7(a)(2) of the ESA of 1973 (16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensures that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally whenever we propose to authorize take for endangered or threatened species, in this case with Alaska Regional Office (AKRO).

NMFS Office of Protected Resources (OPR) is proposing to authorize take of humpback whales (Mexico-North Pacific and Western North Pacific), fin whales (Northeast Pacific), and Steller sea lions (Western DPS), which are listed under the ESA. OPR has requested initiation of section 7 consultation with the AKRO for the issuance of these IHAs. NMFS will conclude the ESA consultation prior to reaching a determination regarding the proposed issuance of the authorization.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue two consecutive IHAs to the City of Kodiak for the SHHIRP in St. Herman Harbor, Kodiak, Alaska provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. Drafts of the proposed IHAs can be found at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-construction-activities>.

Request for Public Comments

We request comment on our analyses, the proposed authorizations, and any other aspect of this notice. We also request comment on the potential renewal of these proposed IHAs as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform decisions on the request for these IHAs or a subsequent renewal IHAs.

On a case-by-case basis, NMFS may issue a one-time, 1-year renewal IHA

following notice to the public providing an additional 15 days for public comments when (1) up to another year of identical or nearly identical activities as described in the Description of Proposed Activity section of this notice is planned or (2) the activities as described in the Description of Proposed Activity section of this notice would not be completed by the time the IHA expires and a renewal would allow for completion of the activities beyond that described in the *Dates and Duration* section of this notice, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to the needed renewal IHA effective date (recognizing that the renewal IHA expiration date cannot extend beyond 1 year from expiration of the initial IHA).

- The request for renewal must include the following:

1. An explanation that the activities to be conducted under the requested renewal IHA are identical to the activities analyzed under the initial IHA, are a subset of the activities, or include changes so minor (*e.g.*, reduction in pile size) that the changes do not affect the previous analyses, mitigation and monitoring requirements, or take estimates (with the exception of reducing the type or amount of take).

2. A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

- Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures will remain the same and appropriate, and the findings in the initial IHA remain valid.

Dated: March 10, 2026.

Kimberly Damon-Randall,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2026-04885 Filed 3-12-26; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XF553]

Atlantic Highly Migratory Species; Pelagic Longline Monitoring Areas; Electronic Monitoring Vendor Certification

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; request for applications.

SUMMARY: NMFS is in the process of establishing two monitoring areas off the east coast of the United States within areas that are currently closed to pelagic longline fishing. Once effective, pelagic longline fishermen could fish in the monitoring areas, subject to, among other things, enhanced electronic monitoring (EM). In this notice, NMFS requests applications from EM vendors interested in providing EM services to any pelagic longline vessel that fishes in the newly established pelagic longline monitoring areas. EM vendors that are interested in being certified must submit a completed application to be considered. Once received, NMFS will review the application for completeness and possible approval and certification. Once certified, these EM vendors will be eligible to work directly with vessel owners to meet relevant monitoring area requirements. Additionally, certified vendors are required to submit quarterly reports to NMFS regarding vessel activities in the monitoring areas.

DATES: Application materials are accepted upon publication of this notice and will continue to be accepted until otherwise notified.

ADDRESSES: Please submit application materials via email to HMS.Monitoring@noaa.gov.

Required application materials can be found below under **SUPPLEMENTARY INFORMATION** and additional information is available on the Atlantic highly migratory species (HMS) website at <https://www.fisheries.noaa.gov/action/amendment-15-2006-consolidated-hms-fishery-management-plan-spatial-fisheries-management-and> and <https://www.fisheries.noaa.gov/pelagic-longline-monitoring-areas>. Please be advised that non-exempt information within these applications is subject to release if requested under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT: Steve Durkee or Larry Redd, Jr. at 301-427-8503 or HMS.Monitoring@noaa.gov.

SUPPLEMENTARY INFORMATION: Federal Atlantic HMS fisheries (tunas, billfish, swordfish, and sharks) are managed under the 2006 Consolidated HMS Fishery Management Plan (HMS FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635. Relevant to this notice and finalization of implementing regulations for Amendment 15 to the HMS FMP (91 FR 10696, March 4, 2026) the following provisions will be effective April 3, 2026: 50 CFR 635.2 defining the geographic coordinates of the monitoring areas, § 635.9(h) describing the various EM requirements for vendors and pelagic longline vessels related to vessels fishing in the monitoring areas, and § 635.35(d) describing the requirements in the monitoring areas for pelagic longline vessels.

In the final rule implementing Amendment 15 NMFS establishes two east coast monitoring areas inside areas that are currently closed to pelagic longline fishing. These monitoring areas will allow for the collection of commercial data that should inform future analyses on the effectiveness of the areas in meeting conservation and management needs. Specifically, once the final rule is effective, the Charleston Bump and East Florida Coast Monitoring Areas will allow commercial pelagic longline fishing, subject to strict effort controls, increased reporting requirements, and enhanced EM monitoring. To meet enhanced EM requirements, vessel owners who choose to fish in the monitoring areas must arrange for EM video review from NMFS-certified vendors before they fish in the monitoring areas. This requirement is separate from the EM requirements of the Individual Bluefin Tuna Quota program. Vessel owners choosing to fish in the monitoring areas can work with any EM vendor from the NMFS-certified vendor list, subject to a mutually acceptable agreement between the vessel owner and EM vendor.

At this time, NMFS is requesting applications from entities interested in providing EM services to pelagic longline vessels fishing in the newly established pelagic longline monitoring areas. Once received, NMFS will review the application for completeness and possible approval and certification. Once certified by NMFS, EM vendors will be eligible to work directly with vessel owners to meet relevant

monitoring area requirements. Additionally, once certified, EM vendors will remain on the certified vendor list unless removal is requested by the vendor or determined to be necessary by NMFS as detailed below.

EM Vendor Requirements

Certified EM vendors must be able to provide or support Atlantic HMS pelagic longline vessel owners and/or operators with the development and implementation of a vessel monitoring plan (VMP) that meets the requirements needed to fish in the monitoring areas and with the installation and maintenance of an EM system consistent with the VMP. Additionally, certified EM vendors must meet data integrity and storage requirements including the ability to receive, assess, and store the video and metadata for a minimum of 2 years after the date the data is received. Lastly, the certified EM vendor must review the video data received, including trips fished wholly or partially in a monitoring area, and submit quarterly reports for which the vendor has existing, signed contracts to NMFS. For the video review, the EM vendor must ensure that all EM data processing staff have been trained in species identification.

Specific to the quarterly reports, EM vendors must receive on a quarterly basis all electronic data, including video and metadata and, if applicable, sensor data, collected by the EM systems on all vessels for which the EM vendor has a contract for EM services. Once all data are received, the EM vendor must review EM video data from 50 percent of all sets deployed on trips that fished in a monitoring area, with at least one set reviewed from each vessel that fished in a monitoring area. At the end of the subsequent quarter, the EM vendor must provide a report to NMFS that includes: a list of vessels that submitted or did not submit EM data for review; the location, date, and time of gear retrieval of all sets submitted for review; identification of the sets reviewed; the species caught and amounts, including disposition information; information on any technical difficulties that were experienced/addressed on the vessel and during the video review process; and any questions video reviewers may have about whether the vessel's fishing practices are compliant with the regulations. The metadata from all submitted trips and sets must accompany these quarterly reports. As appropriate, NMFS may respond to questions about fishing practices or possible regulatory violations to assist video reviewers and EM vendors in

understanding the regulations and the EM program. More detailed information about EM vendor responsibilities can be found at § 635.9(h)(3) and in the compliance guide on the website under **ADDRESSES**.

Application Requirements

There is no formal application form to submit to be a certified EM vendor. Instead, interested entities must submit all of the following information to NMFS through the email under **ADDRESSES**. NMFS will consider an application to be complete when all requested information and supporting documentation has been received. The application shall include, but is not limited to:

- Identification of the management, organizational structure, and ownership structure of the applicant's business including identification by name and general function of all controlling management interests in the company, including but not limited to owners, board members, officers, authorized agents, and staff. If the applicant is a corporation, the articles of incorporation must be provided. If the applicant is a partnership, the partnership agreement must be provided.

- List of all physical and electronic mailing addresses and any relevant phone or fax numbers where the owner(s) can be contacted for correspondence.

- Current physical location for each office.

- Description of the applicant's ability to carry out responsibilities and duties of EM vendors as described fully at § 635.9(h)(3) and summarized above.

- A statement signed under penalty of perjury by an authorized agent of the applicant EM vendor that each owner, board member, officer, and employee of the EM vendor has no conflict of interest. An absence of a conflict of interest requires that, other than providing EM services to vessel owners and/or operators in the fishery, a certified EM vendor and its employees must not: have a direct or indirect interest in a fishery managed under Federal regulations, including, but not limited to, a fishing vessel, fish dealer, and/or fishery advocacy group; or solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of monetary value from anyone who conducts fishing or fishing related activities that are regulated by NMFS, or who has interests that may be substantially affected by the performance or non-performance of the responsibilities and duties of an EM vendor.

- Procedures for hiring and training of competent program staff to carry out EM field services and data services, including procedures to train, and maintain the skills of, EM data processing staff in: use of data processing software; species identification; metadata reporting requirements; data processing procedures; data tracking; and reporting and data upload procedures.

More detailed information about EM vendor responsibilities can be found at § 635.9(h)(2)(i) and in the compliance guide on the website under **ADDRESSES**.

Application Evaluation and Certification

NMFS will review and evaluate each complete application and approve or deny an application within 90 business days of receipt of the complete application by NMFS. Approval as an EM vendor will be based on applicant's ability to perform the responsibilities and duties, as demonstrated in the application information, and an absence of conflict of interest.

If the application is not complete, NMFS will notify the applicant of any missing information. If the applicant fails to supplement the application with the information within 30 days of the date of notification, NMFS will consider the application to be abandoned.

If the application is complete and approved, NMFS will notify the vendor that they are certified and will provide any information pertinent to its participation in the EM program. NMFS will then add the EM vendor's name to the list of certified EM vendor list found on the NMFS website and in any outreach information to the industry.

If NMFS determines that the applicant is unable to perform the responsibilities and duties or has conflicts of interest, NMFS shall deny the application. If the application is denied, NMFS will notify the applicant of the reason for denial. Within 30 days of the applicant's receipt of the denial notification, an applicant may request reconsideration by submitting additional information to rectify any deficiencies specified in the written denial. Applicants that do not submit additional information within the 30-day period must resubmit a new application containing all required information to be reconsidered for the list of certified vendors.

If NMFS determines that an EM vendor should be removed from the list of certified EM vendors, NMFS will notify the EM vendor of the specific reasons for removal. Within 30 days of receiving such notification, an EM vendor may submit written evidence to rebut the reasons for removal from the

list and within 30 days of receiving any rebuttal, NMFS shall notify the EM vendor of its decision. If no rebuttal is received by NMFS within the first 30-day period, the EM vendor shall be automatically removed from the list of certified EM vendors. The decision to remove an EM vendor from the list, either after reviewing a rebuttal or if no rebuttal is submitted, shall be the final decision of NMFS and the Department of Commerce. Removal from the list of approved EM vendors does not necessarily prevent an EM vendor from obtaining an approval in the future if a new application demonstrates the reasons for removal are remedied. Additionally, an EM vendor can request to be removed from the list of certified EM vendors. More detailed information about EM vendor responsibilities can be found at § 635.9(h)(2)(ii) and in the compliance guide on the website under **ADDRESSES**.

There is no deadline for submission of an application to become a certified EM vendor. Unless superseded by a future notice, interested parties can submit an application at any time and NMFS shall review and evaluate each complete application.

Dated: March 11, 2026.

David R. Blankinship,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2026-04976 Filed 3-11-26; 4:15 pm]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

[Docket No.: PTO-P-2026-0133]

Supplemental Guidance for Examination of Design Patent Applications Related to Computer-Generated Interfaces and Icons

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Examination guidance.

SUMMARY: The United States Patent and Trademark Office (USPTO) has recently received feedback that previously-issued guidance may unnecessarily limit flexibility for design applicants in the field of computer-generated interfaces and icons. Upon review, the USPTO has decided to update its guidance for determining whether a design claim including a computer-generated electronic image constitutes statutory subject matter. The USPTO is issuing this updated supplemental guidance to provide design patent applicants with more flexibility in

choosing how to present a new, original, and ornamental design for a computer-generated interface or icon when filing a design patent application with the USPTO.

DATES: This supplemental guidance for examination of design patent applications related to computer-generated interfaces and icons is effective on March 13, 2026 and applies to all design patent applications or proceedings under Chapter 30, 31 or 32 filed before, on or after March 13, 2026.

Comment Deadline Date: Comments must be received by May 12, 2026 to ensure consideration.

ADDRESSES: Written comments must be submitted through the Federal eRulemaking Portal at www.regulations.gov. To submit comments via the portal, enter docket number PTO-P-2026-0133 on the homepage and select the "Search" Button. The site will provide a search results page listing all documents associated with this docket. Commenters can find a reference to this document and select the "Comment" button, complete the required fields, and enter or attach your comments. Attachments to electronic comments will be accepted in Adobe® portable document format or Microsoft Word® format. Because comments will be made available for public inspection, information that the submitter does not desire to make public, such as an address or phone number, should not be included in the comments.

Visit the Federal eRulemaking Portal for additional instructions on providing comments via the portal. If electronic submission of comments is not feasible due to a lack of access to a computer and/or the internet, please contact the USPTO using the contact information in the **FOR FURTHER INFORMATION CONTACT** section of this notice for special instructions.

FOR FURTHER INFORMATION CONTACT: Erin Harriman, Senior Legal Advisor, Office of Patent Legal Administration at (571) 272-7747 or Parikha Solanki, Senior Legal Advisor, Office of Patent Legal Administration, at (571) 272-3248.

SUPPLEMENTARY INFORMATION: With this supplemental guidance, the USPTO (1) removes the requirement in Manual of Patent Examining Procedure (MPEP) (9th Edition, Rev. 01.2024, November 2024) 1504.01(a) that the drawing depict the article of manufacture (*e.g.*, computer or a portion thereof) in either solid or broken lines for design patent applications drawn to computer-generated interfaces or icons where both the title and claim properly identify an