

**PART 133—TRADEMARKS, TRADE NAMES, AND COPYRIGHTS**

1. The general authority citation for part 133 would continue to read as follows:

**Authority:** 17 U.S.C. 101, 601, 602, 603; 19 U.S.C. 66, 1624; 31 U.S.C. 9701.

2. It is proposed to amend § 133.22 by revising the section heading; adding a new paragraph (b); redesignating current paragraphs (b) and (c) as paragraphs (c) and (d); and revising the heading of new paragraph (c). The addition and revision to read as follows:

**§ 133.22 Procedure on detention of articles subject to restriction.**

\* \* \* \* \*

(b) *Notice of detention and disclosure of information.* When merchandise is detained, in order to obtain assistance in determining whether the item bears an infringing mark, Customs officers shall disclose to the owner of the trademark that merchandise has been detained and provide the following information regarding the detained merchandise, if available, within thirty days, excluding weekends and holidays, of the date of detention:

- (1) a sample of the item bearing a suspected mark;
- (2) the quantity involved;
- (3) the name and address of the manufacturer; and
- (4) the country of origin of the merchandise if known.

(c) *Form of notice.* \* \* \*

\* \* \* \* \*

3. It is proposed to amend § 133.23a by adding a new paragraph (c); redesignating current paragraph (c) as paragraph (d); and revising the section heading of and removing the first sentence in newly designated paragraph (d). The addition and revision to read as follows:

**§ 133.23a Articles bearing counterfeit trademarks.**

\* \* \* \* \*

(c) *Notice to trademark owner.* When merchandise is seized, Customs officers shall disclose to the owner of the trademark that merchandise has been seized and provide the following information regarding the seized merchandise within thirty days, excluding weekends and holidays, of the date of seizure:

- (1) a sample of the item bearing the counterfeit mark;
- (2) the quantity involved;
- (3) the name and address of the manufacturer;
- (4) the country of origin of the merchandise if known;
- (5) the name and address of the exporter; and

(6) the name and address of the importer.

(d) *Failure to make appropriate disposition.* \* \* \*

\* \* \* \* \*

4. It is proposed to amend § 133.42 by adding a new paragraph (d); and by redesignating current paragraph (d) as new paragraph (e). The revision to read as follows:

**§ 133.42 Infringing copies or phonorecords.**

\* \* \* \* \*

(d) *Disclosure.* When merchandise is seized under this section, Customs officers shall disclose to the owner of the copyright that merchandise has been seized and provide the following information within thirty days, excluding weekends and holidays, of the date of seizure:

- (1) a sample of the piratical copy;
- (2) the quantity involved;
- (3) the name and address of the manufacturer;
- (4) the country of origin of the merchandise if known;
- (5) the name and address of the exporter; and
- (6) the name and address of the importer.

\* \* \* \* \*

5. It is proposed to amend paragraph (b) of § 133.43 by revising the introductory text of paragraph (b); by adding new subparagraphs (b)(1) through (b)(4); and by redesignating current subparagraphs (b)(1) and (b)(2) as (b)(4)(i) and (b)(4)(ii). The addition and revision to read as follows:

**§ 133.43 Procedure on suspicion of infringing copies.**

\* \* \* \* \*

(b) *Notice to copyright owner.* If the importer of the suspected infringing copies or phonorecords files a denial as provided in paragraph (a) of this section, the district director shall furnish to the copyright owner within thirty days, excluding weekends and holidays, of the receipt of the importer's denial:

- (1) a sample of the suspected piratical item;
- (2) the quantity involved;
- (3) the name and address of the importer; and
- (4) notice that the imported article will be released to the importer unless, within thirty days from the date of the

notice, the copyright owner files with the district director: \* \* \*

\* \* \* \* \*

**George J. Weise,**  
*Commissioner of Customs.*

Approved: June 20, 1995.

**John P. Simpson,**  
*Deputy Assistant Secretary of the Treasury.*  
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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[CA 144-5-7100b; FRL-5256-4]

**Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District and Santa Barbara County Air Pollution Control District**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from marine coating operations, coating of metal parts and products, motor vehicle assembly line coating operations, solvent cleaning operations, architectural coatings, and motor vehicle and mobile equipment coating operations.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.