

2023” and adding “January 17, 2024” in its place.

**Katherine K. Vidal,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

[FR Doc. 2023–11917 Filed 6–5–23; 8:45 am]

**BILLING CODE 3510–16–P**

## POSTAL SERVICE

### 39 CFR Part 111

#### New Mailing Standards for Domestic Mailing Services Products

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** On April 10, 2023, the Postal Service (USPS®) filed a notice of mailing services price adjustments with the Postal Regulatory Commission (PRC), effective July 9, 2023. This final rule contains the revisions to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) to implement the changes coincident with the price adjustments and other minor DMM changes.

**DATES:** Effective July 9, 2023.

**FOR FURTHER INFORMATION CONTACT:**

Doriane Harley at (202) 268–2537 or Dale Kennedy at (202) 268–6592.

**SUPPLEMENTARY INFORMATION:**

On May 31, 2023, the PRC favorably reviewed the price adjustments proposed by the Postal Service. The price adjustments and DMM revisions are scheduled to become effective on July 9, 2023. Final prices are available under Docket No. R2023–2 (Order No. 6526) on the Postal Regulatory Commission’s website at [www.prc.gov](http://www.prc.gov).

#### Marketing Mail Flat-Shaped—New Pricing Structure

Currently, the pricing structure for USPS Marketing Mail flat-shaped pieces uses a two-tier pricing approach. For pieces weighing 4 oz or less, only a per-piece price is charged. For pieces weighing over 4 oz but less than 16 oz, both a per-piece and per-pound rate is charged.

The Postal Service will change the way USPS Marketing Mail flats are priced. For each presort level, all pieces regardless of their weight will pay a piece price which will differ only by the entry level, *i.e.*, Origin, DNDC, DSCF, and DDU. The pound price would be applicable only to the weight above 4 ounces. For example, if the piece weighs 6 ounces, the pound price will be

charged only for the 2 ounces that are above 4 ounces.

#### Discount for USPS Marketing Mail Letter-Shaped Pieces on SCF Pallets

Currently, the Postal Service offers discounts for USPS Marketing Mail flat-shaped pieces on SCF pallets. This discount would now be extended to letter-shaped USPS Marketing Mail pieces on SCF Pallets. This discount will be applicable to Automation and Nonautomation (AADC, 3-Digit and 5-Digit Presort) Letters, Carrier Route Letters, High Density Letters, High Density Plus Letter and Saturation Letters on SCF Pallets regardless of the entry (None, DNDC, and DSCF).

#### Registered Mail Service Fees

The Postal Service is revising the fee structure for Registered Mail® service. Currently, the fee structure includes the combined cost of handling and insurance, which incrementally increases in accordance with an item’s declared value, up to \$50,000.00—the maximum available amount of insurance reimbursement. For items with declared value over \$50,000, there are incrementally increasing handling fees, although the maximum amount of insurance reimbursement remains capped at \$50,000. The Postal Service is revising the fee structure to eliminate the additional handling fees for items with declared value over \$50,000, and instead have a flat fee that will cover the cost of insurance (which remains capped at a maximum of \$50,000, regardless of the declared value) and handling on all items with declared values over \$50,000.00.

#### USPS Ground Advantage Insurance

Currently, the Postal Service does not include insurance coverage with USPS Ground Advantage—Retail and USPS Ground Advantage—Commercial (formerly First-Class Package Service—Retail and First-Class Package Service—Commercial) pieces against loss, damage, or missing contents. Additionally, the Postal Service does not include insurance with USPS Ground Advantage Return service (formerly First-Class Package Return Service) pieces.

The Postal Service will include insurance, limited to a maximum liability of \$100.00, with USPS Ground Advantage—Retail and USPS Ground Advantage—Commercial pieces.

In addition, the Postal Service will include the \$100.00 of insurance with USPS Ground Advantage Return service pieces. The inclusion of \$100.00 of insurance with USPS Ground Advantage Return service pieces, along

with Priority Mail Return service which already has insurance included, will eliminate the senders’ option to purchase insurance.

#### Elimination of Service Type Code Combinations

The Postal Service is eliminating certain service type code (STC)/extra service code (ESC) combinations. The decision is based on those product and extra service code combinations with low use or low demand, and those that do not follow Postal Service compliance with Intelligent Mail package barcode rules. Mailers can speak with a USPS representative for details.

#### Marriage Mail 2 oz Incentive Price

Marriage Mail is a form of marketing mail in which marketing service companies combine advertisements from multiple businesses into a single mailpiece to reduce the cost of the mailing for individual customers.

The Postal Service will provide marriage mailers an incentive price on Saturation USPS Marketing Mail letters and flats including EDDM (not EDDM Retail) that weigh 2 ounces or less, if they meet certain requirements.

Among the requirements to be eligible to claim the incentive price are that qualifying Marriage Mail pieces must include at least 4 advertisers and must be mailed at minimum 10 times every 12 months (starting with the month of first claiming the incentive price).

Information on the requirements to claim the Marriage Mail Incentive price will be posted on PostalPro at [postalpro.usps.com](http://postalpro.usps.com).

#### 2024 Mailing Promotions

The Postal Service has been incenting mailers to integrate mobile technology and use innovative print techniques in commercial mail since 2012. These promotions have become an integral way for industry to try new things and innovate their mail campaigns. A 2024 Promotions Calendar is planned with opportunities for mailers to receive a postage discount by applying treatments or integrating technology in their mail campaigns.

These revisions will provide consistency within postal products and add value for customers.

Market Dominant comments on Proposed changes and USPS responses.

*The Postal Service did not receive any formal comments on the April 2023 proposed rule (88 FR 22973–22975).*

\* \* \* \* \*

The Postal Service adopts the described changes to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM),

incorporated by reference in the Code of Federal Regulations. We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes.

**List of Subjects in 39 CFR Part 111**

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 111 is amended as follows:

**PART 111—[AMENDED]**

■ 1. The authority citation for 39 CFR part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 13 U.S.C. 301–307; 18 U.S.C. 1692–1737; 39 U.S.C. 101, 401–404, 414, 416, 3001–3018, 3201–3220, 3401–3406, 3621, 3622, 3626, 3629, 3631–3633, 3641, 3681–3685, and 5001.

■ 2. Revise the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM) as follows:

**Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)**

\* \* \* \* \*

**240 Commercial Mail USPS Marketing Mail**

**243 Prices and Eligibility**

**1.0 Prices and Fees**

\* \* \* \* \*

**1.2 USPS Marketing Mail Prices**

\* \* \* \* \*

*[ReNUMBER item (c) as (d) then add a new item (c) to read as follows:]*

c. For USPS Marketing Mail flats that weigh over 4 ounces, the pound price is applicable only to the weight above 4 ounces. For example, if the piece weighs 6 ounces, the pound price will apply only to the 2 ounces that are above 4 ounces.

\* \* \* \* \*

**1.5 Computing Postage for USPS Marketing Mail**

\* \* \* \* \*

**1.5.4 Per Piece and Per Pound Charges**

*[Add a sentence at the end of the paragraph to read as follows:]*

\* \* \* For USPS Marketing Mail flats that weigh over 4 ounces, the pound price is applicable only to the weight above 4 ounces.

**1.5.5 Computing Affixed Postage for Piece/Pound Price Mailpieces**

*[Revise the text of 1.5.5 to read as follows:]*

To compute postage to be affixed to each piece/pound price piece, multiply the weight of the piece (in pounds) by the applicable price per pound (For USPS Marketing Mail flats, multiply the weight of the piece that exceeds 4 ounces by the applicable price per pound); add the applicable per piece charge and any surcharge; and round the sum up to the next tenth of a cent. See 244.2.0 for affixing postage.

\* \* \* \* \*

**4.0 Price Eligibility for USPS Marketing Mail**

\* \* \* \* \*

**4.3 Piece/Pound Prices**

*[Revise the last sentence of 4.3 to read as follows:]*

Flats that exceed 4 ounces are subject to a two-part piece/pound price that includes a fixed charge per piece and a variable pound charge based on the weight above 4 ounces.

\* \* \* \* \*

**500 Additional Mailing Services**

**503 Extra Services**

\* \* \* \* \*

**1.0 Basic Standards for All Extra Services**

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**1.4 Eligibility for Extra Services**

\* \* \* \* \*

**1.4.1 Eligibility—Domestic Mail**

*[Revise the text of 1.4.1 to read as follows:]*

Exhibit 1.4.1 provides the eligibility of each extra service for domestic mail. The exhibit also provides the additional extra services that may be combined with each extra service. The combined extra services are subject to the eligibility of the mail listed for each extra service. Certain eligible extra service combinations may not be available for purchase (Mailers can speak with a USPS representative for details.). The following extra services or additional extra services may be added at the time of mailing, if available, when the standards for the services are met and the applicable fees are paid.

\* \* \* \* \*

**Exhibit 1.4.1 Eligibility—Domestic Mail**

EXTRA SERVICE  
ELIGIBLE MAIL  
ADDITIONAL COMBINED EXTRA  
SERVICES

\* \* \* \* \*

Insurance  
Insurance Restricted Delivery

*[Revise the “Note:” under “Insurance” to read as follows:]*

Note: Priority Mail Express, Priority Mail, and USPS Ground Advantage includes \$100.00 of insurance; see 503.4.0.

\* \* \* \* \*

**1.4.3 Eligibility—Domestic Returns**

\* \* \* \* \*

**Exhibit 1.4.3 Eligibility—Domestic Returns**

\* \* \* \* \*

*[Delete the ≤\$500 and >\$500 insurance options columns under the “Eligible Extra Services (Paid by Sender) section of the table.]”*

*[Delete the [Delete footnote #4 in its entirety.]*

\* \* \* \* \*

**2.0 Registered Mail**

**2.1 Basic Standards**

**2.1.1 Description**

*[Revise the ninth sentence in the introductory text of 2.1.1 to read as follows:]*

\* \* \* Registered Mail articles valued over \$50,000.00 are charged a flat fee that includes insurance up to \$50,000.00 maximum insurance limit, and the handling cost.\* \* \*

**4.0 Insured Mail**

\* \* \* \* \*

*[Revise the heading of 4.2 to read as follows:]*

**4.2 Insurance Coverage Priority Mail, USPS Ground Advantage—Retail and USPS Ground Advantage—Commercial**

*[Revise the introductory text of 4.2 to read as follows:]*

Priority Mail pieces (including Priority Mail Return service) and USPS Ground Advantage—Retail and USPS Ground Advantage—Commercial (including USPS Ground Advantage Return service), are insured against loss, damage, or missing contents, up to a maximum of \$100.00, subject to the following:

*[Revise the text of items a through c to read as follows:]*

a. Insurance coverage is provided against loss, damage, or missing contents and is limited to a maximum liability of \$100.00 when the pieces bear an Intelligent Mail package barcode (IMpb) or USPS retail tracking barcode (see 4.3.4) and the mailer pays retail or commercial prices.

b. In addition to the insurance coverage under 4.2a, additional insurance may be purchased up to a maximum coverage of \$5,000.00.

c. Pieces meeting the requirements under 4.2, but not supported by a Shipping Services file must have a full acceptance scan in order to qualify for automatic insurance coverage.

\* \* \* \* \*

*[Revise the first sentence of item e to read as follows:]*

e. Customers may file claims online for insured domestic items at [www.usps.com/domestic-claims](http://www.usps.com/domestic-claims). \* \* \*

\* \* \* \* \*

**505 Return Services**

\* \* \* \* \*

**3.0 USPS Returns Service**

**3.1 Basic Standards**

\* \* \* \* \*

**3.1.3 Postage and Prices**

Postage and prices are subject to the following:

\* \* \* \* \*

c. The account holder or mailer may obtain extra and additional services as follows:

*[Revise the text of item c1 to read as follows:]*

1. Insurance is available for USPS Returns service (see 503.4). Insurance is included with the postage for Priority Mail Return service and USPS Ground Advantage Return service (see 503.4.2). Additional insurance for Priority Mail Return service and USPS Ground Advantage Return service is available to the account holder for a fee on packages that have the applicable STC imbedded into the IMpb on the label, and for which the account holder has provided electronic data

that supports the value of the merchandise (see 503.4.3.1a). Only the account holder may file a claim (see 609). Mailers returning a USPS Returns service package may not obtain insurance at their own expense.

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**705 Advanced Preparation and Special Postage Payment Systems**

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**8.0 Preparing Pallets**

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**8.10 Pallet Presort and Labeling**

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**8.10.3 USPS Marketing Mail or Parcel Select Lightweight—Bundles, Sacks, or Trays**

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*[Revise the text 8.10.3c to read as follows]*  
c. 5-digit carrier routes, required except for trays, permitted for bundles, sacks, trays, and cartons. Allowed with no weight minimum for bundles. Pallet must contain only carrier route mail for the same 5-digit ZIP Code. The SCF Pallet discount applies to 5-digit carrier routes USPS Marketing Mail letter trays on an SCF pallet entered at an Origin (None), DNDC, or DSCF entry. Labeling: \* \* \*

\* \* \* \* \*

*[Revise the last two sentences of 8.10.3d to read as follows]*

\* \* \* The SCF Pallet discount applies to 5-digit/5-digit scheme USPS Marketing Mail letter trays and flat shaped bundles on an SCF pallet entered at an Origin (None), DNDC, or DSCF entry. SCF pallet discount does not apply to USPS Marketing Mail parcels. Labeling: \* \* \*

\* \* \* \* \*

*[Revise the last two sentences of 8.10.3e to read as follows]*

\* \* \* The SCF Pallet discount applies to 3-digit, AADC, ADC, 5-digit, 5-digit scheme, Carrier Route, High Density, High Density Plus, and Saturation (including EDDM flats—Not Retail) USPS Marketing Mail letter trays and flat shaped bundles on an SCF pallet entered at an Origin (None), DNDC, or DSCF entry. SCF pallet discount does not apply to USPS Marketing Mail parcels. Labeling: \* \* \*

\* \* \* \* \*

*[Revise the last two sentences of 8.10.3f to read as follows]*

\* \* \* The SCF Pallet discount applies to 3-digit, AADC, ADC, 5-digit, 5-digit scheme, Carrier Route, High Density, High Density Plus, and Saturation (including EDDM flats—Not Retail) USPS Marketing Mail letter trays and flat shaped bundles on an SCF pallet entered at an Origin (None), DNDC, or DSCF entry. SCF pallet discount does not apply to USPS Marketing Mail parcels. Labeling: \* \* \*

\* \* \* \* \*

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**Notice 123 (Price List)**

*[Revise prices as applicable.]*

\* \* \* \* \*

**Tram T. Pham,**

*Attorney, Ethics and Legal Compliance.*

[FR Doc. 2023–11892 Filed 6–5–23; 8:45 am]

**BILLING CODE P**

**POSTAL SERVICE**

**39 CFR Part 241**

**Relocating Retail Services; Adding New Retail Service Facilities**

**AGENCY:** Postal Service™

**ACTION:** Interim final rule.

**SUMMARY:** This interim rule revises regulations concerning public notification and solicitation of comments regarding the relocation or addition of retail service facilities. It establishes written notice as the standard method for notifying the public of plans to add or relocate a retail service facility, rather than in-person meetings. In addition, the interim rule revises the scope of relocations subject to public notice and solicitation of community comments to exclude relocations within a single development of buildings that share access points from a public right of way. The interim rule also removes a duplicative requirement to inform the community of potential construction when adding a retail service facility and makes minor technical changes.

**DATES:** Effective June 6, 2023. Comments must be received by August 7, 2023.

**ADDRESSES:** Please submit written comments by email to [USPSFAC@usps.gov](mailto:USPSFAC@usps.gov), with the subject heading “241.4 Rulemaking,” or by mail to Joseph B. Fray, United States Postal Service, 475 L’Enfant Plaza SW, Room 6127, Washington, DC 20260–1127.

All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure. You may inspect and photocopy all written comments, by appointment only, at USPS® Headquarters Library, 475 L’Enfant Plaza SW, 11th Floor North, Washington, DC 20260. These records are available for review on Monday through Friday, 9:00 a.m.–4:00 p.m., by calling 202–268–2906.

**FOR FURTHER INFORMATION CONTACT:** David P. Rouse, Director of Real Estate & Assets, United States Postal Service, at [David.P.Rouse@usps.gov](mailto:David.P.Rouse@usps.gov), (202) 210–3559.

**SUPPLEMENTARY INFORMATION:** When the Postal Service makes a tentative decision to relocate all retail services from a retail service facility to a separate physical building, or to add a new retail service facility for a community, it provides advance notification to the community and solicits community comments. 39 CFR 241.4(a)(1). The Postal Service considers community comments before reaching a final decision to proceed with, modify, or cancel the proposed relocation or addition. *Id.* 241.4(c)(4). Exceptions to the general notification requirement apply to certain temporary or emergency relocations. 39 CFR 241.4(a)(2). The purpose of the regulation is to notify members of the community and their elected officials of retail service facility relocations and additions, and to provide them the opportunity to comment on why the Postal Service’s tentative decision and proposal may not be the optimal solution for the Postal Service’s identified need. 39 CFR 241.4(c)(4). To obtain this community input, prior to the exceptional circumstances of the COVID–19 pandemic, the Postal Service notified the community through a news release and a public presentation, either as part of the agenda at a regularly scheduled public meeting of local officials or at a separately scheduled Postal Service public meeting addressing the proposal. 39 CFR 241.4(c)(2). The regulation presently allows for an alternate method of notifying the community under exceptional circumstances that would prevent a Postal Service representative from attending or conducting a public meeting . . . the Postal Service, in lieu of a public meeting, will mail written notification of the tentative decision and the proposal to customers within the community . . . seeking their written input on the proposal and providing an address to which the community and local officials may send written appeals of the tentative decision and comments on the proposal. 39 CFR 241.4(c)(3).

During the effectiveness of the Secretary of Health and Human Services’ Determination of a Public Health Emergency related to COVID–19, the Postal Service has mailed postcards to communities affected by relocations and additions of retail service facilities to provide notice and solicit comments, rather than holding public meetings. This written notification proved to be a more effective means of communicating and provided community members with a more accessible method of providing comments. Because written notification and solicitation of comments more effectively and accessibly engages