

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division, 703-308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313, Attn: CPK 3 Suite 310; or by e-mail at susan.brown@uspto.gov.

Written comments and recommendations for the proposed information collection should be sent on or before October 9, 2003 to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: September 2, 2003.

Susan K. Brown,

Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.

[FR Doc. 03-22878 Filed 9-8-03; 8:45 am]

BILLING CODE 3510-16-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: United States Patent and Trademark Office (USPTO).

Title: Secrecy and License to Export.

Form Number(s): None.

Agency Approval Number: 0651-0034.

Type of Request: Revision of a currently approved collection.

Burden: 1,524 hours annually.

Number of Respondents: 2,195 responses per year.

Avg. Hours Per Response: The USPTO estimates that it will take the public approximately 30 minutes (0.5 hours) to 4 hours to gather the necessary information, prepare the appropriate petition, and submit the completed request.

Needs and Uses: This collection of information is required by 35 U.S.C. 181-188 and administered through 37 CFR 5.1-5.33. In the interest of national

security, patent laws and rules place certain limitations on the disclosure of information contained in patents and patent applications and on the filing of applications in foreign countries. When disclosure of an invention is determined to be detrimental to national security, the Director of the USPTO must issue a secrecy order and withhold the grant of a patent for such period as the national interest requires. The USPTO collects information to determine whether the patent laws and rules have been complied with, and to grant or revoke licenses to file abroad when appropriate. The USPTO is submitting this collection in support of a proposed rulemaking "Changes to Support Implementation of the USPTO 21st Century Strategic Plan" (RIN 0651-AB64), which would support the use of electronic signatures on documents and increase the filing fees for petitions related to foreign licenses. The Petition for Changing the Scope of a License is also being added to this collection, but no forms are provided for this petition.

Affected Public: Individuals or households, businesses or other for-profits, not-for-profit institutions, farms, the Federal Government, and State, local or tribal governments.

Frequency: On occasion.

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Dated: September 2, 2003.

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Agency: United States Patent and Trademark Office (USPTO).

Title: Post Allowance and Refiling.
Form Number(s): PTO/SB/44/50/51/51S/52/53/56/57/58 and PTOL-85B.

Agency Approval Number: 0651-0033.

Type of Request: Revision of a currently approved collection.

Burden: 63,635 hours annually.

Number of Respondents: 205,385 responses per year.

Avg. Hours Per Response: The USPTO estimates that it will take the public approximately 1.8 minutes (0.03 hours) to 2 hours to gather the necessary information, prepare the forms, and submit the completed request.

Needs and Uses: The USPTO is required by 35 U.S.C. 131 and 151 to examine applications and, when appropriate, allow applications and issue them as patents. The USPTO can also correct errors in patents, reissue patents as appropriate, and participate in reexamination proceedings initiated by the patent owner or by third parties. The public uses the information in this collection to request corrections in issued patents, to request reissue patents, to request reexamination proceedings, and to ensure that the necessary information and fees are submitted to the USPTO. The USPTO in turn reissues patents, determines whether the requested corrections can be made, and approves reexaminations. The USPTO is submitting this collection in support of a proposed rulemaking, "Changes to Support Implementation of the USPTO 21st Century Strategic Plan" (RIN 0651-AB64), which would allow the use of electronic signatures on documents and also eliminate the requirement to surrender a copy of the original patent in a reissue application. With the elimination of this requirement, the associated Form PTO/SB/55 is also being deleted.

Affected Public: Individuals or households, businesses or other for-profits, not-for-profit institutions, farms, the Federal Government, and state, local or tribal governments.