DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Privacy Act of 1974; System of Records


ACTION: Notice of amendment of Privacy Act system of records.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974, as amended, the United States Patent and Trademark Office (USPTO) is amending the system of records currently listed under “COMMERCE/PAT–TM–6 Parties Involved in Patent Interference Proceedings.” This action is being taken to update the Privacy Act notice. We invite the public to comment on the amendments noted in this publication.

DATES: Written comments must be received no later than April 29, 2013. The amendments will become effective as proposed on April 29, 2013, unless the USPTO receives comments that would result in a contrary determination.

ADRESSES: You may submit written comments by any of the following methods:

- Email: Kurt.Brown@uspto.gov. Include “Privacy Act PAT–TM–6 comment” in the subject line of the message.
- Fax: (571) 273–0053, marked to the attention of Kurt Brown.
- Federal Rulemaking Portal: http://www.regulations.gov. All comments received will be available for public inspection at the Federal rulemaking portal located at www.regulations.gov.


SUPPLEMENTARY INFORMATION: The United States Patent and Trademark Office (USPTO) is giving notice of an amendment to a system of records that is subject to the Privacy Act of 1974. This system of records maintains information on patent applicants and patentees who become involved in a conflict involving the question of priority of invention. The Privacy Act notice is being updated with the current information for the system location and system manager. The description of the routine uses of records maintained in the system has been revised to clarify which records may be open to public inspection and to include use in law enforcement, audits and oversight activities, and distribution to contractors, all uses commonly published in other agency system of records notices. The storage and safeguard information has been updated to include electronic records. The description of retrievability has been revised to clarify that records may be indexed by the names of applicants or patentees, but not witnesses. The rule references for the notification procedure, contesting record procedures, and exemptions have been updated to correspond to the current statutes and rules for those items as related to the USPTO.


COMMERCE/PAT–TM–6

SYSTEM NAME:

SECURITY CLASSIFICATION:
Unclassified.

SYSTEM LOCATION:

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:
Applicants for patent and patentees who become involved in a conflict involving the question of priority of invention.

CATEGORIES OF RECORDS IN THE SYSTEM:
All records relating to the declaration, conduct, and termination of interference proceedings, including, but not limited to: Preliminary statements, motions, testimony, and settlement agreements. The data contained in the records may include information relating to an applicant’s, a patentee’s or a witness’s name, age, citizenship, residence, educational and work background, physical and mental health, activities relating to conception and reduction to practice of the contested subject matter, and other matters which may arise during the conduct of the interference proceeding or in connection with any agreements made by the parties relative to the interference proceeding.
The Committee is proposing to add a service to the Procurement List that will be provided by nonprofit agencies employing persons who are blind or have other severe disabilities.