The Leahy-Smith America Invents Act (AIA), Public Law 112–29 § 32 (2011) directs the USPTO to work with and support intellectual property law associations across the country in the establishment of pro bono programs designed to assist financially under-resourced independent inventors and small businesses. In February 2014, President Obama issued an Executive Action calling on the USPTO to expand the existing patent pro bono programs to all 50 states in the country. In support of this Executive Action, the USPTO—in collaboration with various non-profit organizations—has established a series of autonomous regional hubs that act as matchmakers to help connect low-income inventors with volunteer patent attorneys across the United States. The regional hubs comprise law school IP clinics, bar associations, innovation/entrepreneurial organizations, and arts-focused lawyer referral services that are strategically located to provide access to patent pro bono services across all fifty states. This information will help the USPTO determine which regional hubs are operating efficiently and which programs need additional support.

This information collection will ascertain the effectiveness of each individual regional hub with respect to their matchmaking efforts. The USPTO has worked with the Pro Bono Advisory Council (PBAC) to determine what information is necessary to ascertain the effectiveness of each regional pro bono hub’s matchmaking operations. PBAC is a well-established group of patent practitioners and patent pro bono regional hub administrators who have committed to provide support and guidance to patent pro bono programs across the country. PBAC is responsible for the collection of this information, which is collected on a quarterly basis. The information, at its highest level, will allow PBAC and the USPTO to ascertain whether the regional hubs are matching qualified low income inventors with volunteer patent attorneys. It will also help establish the total economic benefit derived by low-income inventors in the form of donated legal services.
II. Method of Collection

This survey will be conducted electronically through a web form created to support this survey.

III. Data

OMB Number: 0651—New.

IC Instruments and Forms: The individual instrument in this collection, as well as its associated form, is listed in the table below.

Type of Review: New.

Affected Public: Not-for-profit institutions.

Estimated Number of Respondents: An estimated 20 respondents will provide quarterly responses, for a total of 80 responses per year.

Estimated Time per Response: The USPTO estimates that it will take two hours to complete the PBAC Administrator Survey, including time needed to gather the necessary information, enter it into the information collection instrument, and submit it.

Estimated Total Annual (Non-hour) Respondent Cost Burden: $0.00. There are no capital startup, maintenance, or operating fees associated with this collection, nor are there postage costs, filing fees, or processing fees.

IV. Request for Comments

Comments are invited on:

(a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;

(b) the accuracy of the agency’s estimate of the burden (including hours and cost) of the proposed collection of information;

(c) ways to enhance the quality, utility, and clarity of the information to be collected; and

(d) ways to minimize the burden of the collection of information on respondents, e.g., the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 4, 2015.

Marcie Lovett,
Records Management Division Director, USPTO, Office of the Chief Information Officer.

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Submission for OMB Review; Comment Request; “Rules for Patent Maintenance Fees”


Title: Rules for Patent Maintenance Fees.

OMB Control Number: 0651—0016.

Form Number(s):

• PTO/SB/45
• PTO/SB/47
• PTO/SB/66

Type of Request: Regular.

Number of Respondents: 525,309.

Average Hours per Response: The estimated response time for an average response to a single collection in this information collection totals 0.039 hours, with response times ranging from 0.0056 hours (20 seconds) to 8 hours, depending on the instrument(s) used.

Burden Hours: 18,123.42.

Cost Burden: $3,801.42.

Needs and Uses: This information collection is necessary so that patent owners can maintain a utility patent in force and to ensure that the USPTO can properly credit maintenance fee payments. The USPTO offers forms to assist the public with providing the information covered by this collection, including maintenance fee payments, petitions to accept delayed maintenance fee payments, and fee address changes.

The public uses the Maintenance Fee Transmittal Form (PTO/SB/45) to determine and pay the correct amount due for a maintenance fee transaction. Customers may submit maintenance fees and six-month grace period surcharges paid before patent expiration electronically over the Internet using the USPTO’s Office of Finance Online Shopping Page (hereinafter, the “Electronic Maintenance Fee Form”) provided through the USPTO Web site. To pay a maintenance fee after patent expiration, customers must submit the maintenance fee payment and the appropriate delayed payment surcharge together with a Petition to Accept Unintentionally Delayed Payment (PTO/SB/66). A petition to accept delayed payment of a maintenance fee under the unintentional standard may be filed online. To designate or change a fee address, the customer must submit a Fee Address Indication Form (PTO/SB/47).

This proposed collection of information results in information collected, maintained, and used consistent with all applicable OMB and USPTO Information Quality Guidelines. This includes the basic information quality standards established in the Paperwork Reduction Act (44 U.S.C. chapter 35) [PRA], in OMB Circular A–130, and in the OMB information quality guidelines. (See Ref. A, the USPTO Information Quality Guidelines.)

Frequency: On occasion.

Respondent’s Obligation: Required to Obtain or Retain Benefits.