

*Frequency:* Annually.

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

*OMB Desk Officer:* Nicholas A. Fraser, email: [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov).

Once submitted, the request will be publicly available in electronic format through [reginfo.gov](http://reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Further information can be obtained by:

- Email: [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0061 copy request" in the subject line of the message.

- Mail: Marcie Lovett, Records Management Division Director, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before July 9, 2015 to Nicholas A. Fraser, OMB Desk Officer, via email to [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov), or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: June 1, 2015.

**Marcie Lovett,**

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

[FR Doc. 2015-14083 Filed 6-8-15; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Patent Review and Derivation Proceedings

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The United States Patent and Trademark Office (USPTO), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before August 10, 2015.

**ADDRESSES:** Written comments may be submitted by any of the following methods:

- *Email:* [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0069 comment" in the subject line of the message.

- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

- *Mail:* Marcie Lovett, Records Management Division Director, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Susan Mitchell, Lead Administrative Patent Judge, Patent Trial and Appeal Board, United States Patent and Trademark Office (USPTO), P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-8715; or by email at [susan.mitchell@uspto.gov](mailto:susan.mitchell@uspto.gov) with "0651-0069 comment" in the subject line. Additional information about this collection is also available at <http://www.reginfo.gov> under "Information Collection Review."

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The USPTO is required by 35 U.S.C. 131 and 151 to examine applications and, when appropriate, issue applications as patents. The Leahy-Smith America Invents Act, which was enacted into law on September 16, 2011, provided for many changes to the procedures of the Patent Trial and Appeal Board ("PTAB" or "Board", formerly the Board of Patent Appeals and Interference) procedures. See Public Law 112-29, 125 Stat. 284 (2011). These changes included the introduction of *inter partes* review, post-grant review, derivation proceedings, and the transitional program for covered business method patents. In 2012, six rulemaking actions were taken to propose and implement new rules of practice for the multiple reviews and proceedings impacted by the items contained within this information collection.

This renewal seeks to enable the continuation of the review and proceeding processes outlined in the information collection below. The public will use this information collection to petition the Board to initiate *inter partes* reviews, post-grant reviews, covered business method patent reviews, and derivation proceedings, as well as initiate other actions, and to ensure that the

associated fees and documentation are submitted to the USPTO.

## II. Method of Collection

Electronically if applicants submit the information using the Patent Review Processing System (PRPS). Applicants may be able to submit the information via email if PRPS is unavailable, or by Priority Mail Express® if both PRPS and the Board's email address are unavailable.

## III. Data

*OMB Number:* 0651-0069.

*IC Instruments and Forms:* The individual instruments in this collection, as well as their associated forms, are listed in the table below.

*Type of Review:* Revision of a Previously Existing Information Collection

*Affected Public:* Businesses or other for-profit organizations; individuals or households; not-for-profit institutions; Federal Government; and state, local, or tribal governments.

*Estimated Number of Respondents:* The USPTO estimates that this collection will generate approximately 11,349 responses per year. Of this total, the USPTO expects that 11,274 responses will be submitted through an electronic portal such as PRPS and 75 will be submitted on paper.

*Estimated Time per Response:* The USPTO estimates that it will take the public an average of 128.6 hours to complete an individual form in this collection, with estimated response times for individual forms ranging between approximately 6 minutes and approximately 165 hours and 18 minutes (0.10 hours to 165.3 hours) to complete, depending on the situation and collection tool used.

The time per response, estimated annual responses, and estimated annual hour burden associated with each instrument in this information collection is shown in the table below.

*Estimated Total Annual Respondent Burden Hours:* 1,459,184 hours.

*Estimated Total Annual Respondent (Hourly) Cost Burden:* \$567,622,576. The USPTO expects that attorneys will complete the instruments associated with this information collection. The professional hourly rate for an attorney is \$389. Using this hourly rate, the USPTO estimates \$567,622,576 per year for the total hourly costs associated with respondents.

IC No.	Item	Hours (a)	Estimated Annual Responses (b)	Burden (hrs/yr) (a) × (b) = (c)	Rate (\$/hr)
1	Petition for <i>Inter Partes</i> Review	124.0	1,685	208,940	\$389.00
2	Petition for Post-Grant Review or Covered Business Method Patent Review.	165.3	181	29,919.3	389.00
3	Petition for Derivation	165.3	3	495.9	389.00
4	Patent Owner Preliminary Response to Petition for Initial <i>Inter Partes</i> Review.	91.6	1,109	101,584.4	389.00
5	Patent Owner Preliminary Response to Petition for Initial Post-Grant Review or Covered Business Method Patent Review.	91.6	134	12,274.4	389.00
6	Request for Rehearing	80.0	272	21,760	389.00
7	Motions, Replies and Oppositions After Institution in <i>Inter Partes</i> Review.	158.0	5,901	932,358	389.00
8	Motions, Replies and Oppositions After Institution in Post-Grant Review or Covered Business Method Review.	148.0	665	98,420	389.00
9	Motions, Replies and Oppositions in Derivation Proceeding.	120.0	7	840	389.00
10	Request for Oral Hearing	18.3	392	7,173.6	389.00
11	Request to Treat a Settlement as Business Confidential Settlement	2.0	397	794	389.00
12	Arbitration Agreement and Award	100.0	446	44,600	389.00
13	Request to Make a Settlement Agreement Available	4.0	2	8	389.00
14	Notice of Judicial Review of a Board Decision (e.g., Notice of Appeal Under 35 U.S.C. § 142).	1.0	1	1	389.00
15		0.1	154	15.4	389.00
Totals			11,349	1,459,184	

**Estimated Total Annual (Non-hour) Respondent Cost Burden:**  
 \$60,404,425.50. There are no capital start-up or maintenance costs associated with this information collection. However, this collection does have

annual (non-hour) costs in the form of filing fees and postage costs. The total annual (non-hour) costs for this collection are calculated in the accompanying tables.

**Filing Fees**

The IC items in this collection that contain filing fees are listed in the table below.

IC No.	Item	Responses (yr) (a)	Filing fees (b)	Total cost (yr) (a) × (b) = (c)
1	Petition for <i>Inter Partes</i> Review	1,685	\$31,400.00 (average)	\$52,909,000.00
2	Petition for Post-Grant Review or Covered Business Method Patent Review.	181	41,400.00 (average)	7,493,400.00
3	Petition for Derivation	3	400.00	1,200.00
14	Request to Make a Settlement Agreement Available	1	400.00	400.00
Totals		1,870		60,404,000.00

**Postage Costs**

Customers may incur postage costs when submitting two of the Information Collection instruments covered by this collection to the USPTO by mail. Only the Petition for *Inter Partes* Review and the Motions, Replies, and Oppositions After Institution in *Inter Partes* Review are eligible for paper filings, and only if authorized by the PTAB. The USPTO expects that approximately 99 percent of the responses to those two items will be submitted electronically. Of the remaining 1 percent, the vast majority—98 percent—will be submitted by mail, for a total of 74 mailed submissions. The

average first class USPS postage cost for a one-pound mailed submission in a flat rate envelope is \$5.75. Therefore, the USPTO estimates that the postage costs for the mailed submissions in this collection will total \$425.50.

The USPTO estimates that the total annual (non-hour) cost burden for this collection, in the form of filing fees (\$60,404,000.00) and postage costs (\$425.50), is \$60,404,425.50 per year.

**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, including the validity of the methodology and assumptions used;

(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, including through the use of automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

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

Dated: June 1, 2015.

**Marcie Lovett,**

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

[FR Doc. 2015-14094 Filed 6-8-15; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### National Commission on the Future of the Army; Notice of Federal Advisory Committee Meeting

**AGENCY:** Department of Defense (DoD), Deputy Chief Management Officer.

**ACTION:** Notice of Federal Advisory Committee Meeting.

**SUMMARY:** The DoD is publishing this notice to announce two days of meetings of the National Commission on the Future of the Army (“the Commission”). The meetings will be partially closed to the public.

**DATES:** Date of the Closed Meetings: Wednesday, June 17, 2015, from 1:00 p.m. to 6:45 p.m. Date of the Open Meeting: Thursday, June 18, 2015, from 8:30 a.m. to 12:50 p.m.

**ADDRESSES:** Address of Closed Meeting, June 17: Rm 5133, Zachary Taylor Building, 2530 Crystal Dr., Arlington, VA 22202.

Address of Open Meeting, June 18: Polk Conference Room, Room 12158, James Polk Building 2521 S. Clark St., Arlington, VA 22202.

**FOR FURTHER INFORMATION CONTACT:** Mr. Don Tison, Designated Federal Officer, National Commission on the Future of the Army, 700 Army Pentagon, Room 3E406, Washington, DC 20310-0700, Email: [dfo.public@ncfa.ncr.gov](mailto:dfo.public@ncfa.ncr.gov) Desk (703) 692-9099. Facsimile (703) 697-8242.

**SUPPLEMENTARY INFORMATION:** Due to circumstances beyond the control of the Designated Federal Officer and the Department of Defense, the National Commission on the Future of the Army was unable to provide public notification of its meeting of June 17-18, 2015, as required by 41 CFR 102-3.150(a). Accordingly, the Advisory Committee Management Officer for the Department of Defense, pursuant to 41 CFR 102-3.150(b), waives the 15-calendar day notification requirement.

This meeting will be held under the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.150.

#### Purpose of Meetings

During the closed meeting on Wednesday, June 17, 2015, the Commission will hear classified testimony from individual witnesses and engage in discussion on Meeting War Plans and Defense Scenario Demands for Strategic Transport and Mobility, Threats to the Homeland, and Homeland Threat Responses.

During the open meeting on Thursday, June 18, 2015, the Commission will hear comments from several organizations, the Public will have the opportunity to provide verbal comments, and immediately afterwards the Commission will discuss topics raised during the organizational and public comment session.

#### Agendas

June 17, 2015—Closed Hearing: The Commission will hear comments from various Government organizations at the closed hearing on June 17, 2015, and the organizations have been asked to address: Meeting force requirements from the Defense Planning Guidance; guidance for employment of the Force; global force integration matrix; combatant command integrated priorities lists; operational plans and contingency plans; studies, analysis, assessments, and evaluations of plans, programs, and strategies for strategic mobility of Army forces from all three components; current threats to the homeland; regular and reserve components of the Army support current and anticipated homeland defense and disaster assistance missions in the United States; and Current and projected readiness (training levels, equipment status, and manning levels).

Speakers include, but are not limited to, representatives from these Government organizations: United States Transportation Command, Office of the Secretary of Defense’s Cost Assessment and Program Evaluation Office (CAPE), the Federal Bureau of Investigation’s National Counterterrorism Center, US Northern Command, Fifth U.S. Army, the Deputy Assistant Secretary of Homeland Defense Integration and Defense Support to Civil Authorities, and the Director, Army National Guard. All presentations and resulting discussion are classified.

June 18, 2015—Open Hearing: The Commission will hear verbal comments from Military Associations, not to exceed thirty minutes, and Public, not to exceed five minutes and immediately afterwards the Commission will discuss topics raised during the Organizational and public comments session.

#### Meeting Accessibility

In accordance with applicable law, 5 U.S.C. 552b(c), and 41 CFR 102-3.155, the DoD has determined that the portion of the meeting scheduled for Wednesday, June 17, 2015, from 1:00 p.m. to 6:45 p.m. will be closed to the public. Specifically, the Assistant Deputy Chief Management Officer, with the coordination of the DoD FACA Attorney, has determined in writing that this portion of the meeting will be closed to the public because it will discuss matters covered by 5 U.S.C. 552b(c)(1).

Pursuant to 41 CFR 102-3.140 through 102-3.165 and the availability of space, the meeting scheduled for June 18, 2015 from 8:30 a.m. to 12:50 p.m. at the James Polk Building is open to the public. Seating is limited and pre-registration is strongly encouraged. Media representatives are also encouraged to register. Members of the media must comply with the rules of photography and video filming in the James Polk Building. The closest public parking facility is located in the basement and along the streets. Visitors will be required to present one form of photograph identification. Visitors to the James Polk Office Building will be screened by a magnetometer, and all items that are permitted inside the building will be screened by an x-ray device. Visitors should keep their belongings with them at all times. The following items are strictly prohibited in the James Polk Office Building: Any pointed object, *e.g.*, knitting needles and letter openers (pens and pencils are permitted.); any bag larger than 18” wide x 14” high x 8.5” deep; electric stun guns, martial arts weapons or devices; guns, replica guns, ammunition and fireworks; knives of any size; mace and pepper spray; razors and box cutters.

#### Written Comments

Pursuant to section 10(a)(3) of the FACA and 41 CFR 102-3.105(j) and 102-3.140, the public or interested organizations may submit written comments to the Commission in response to the stated agenda of the open and/or closed meeting or the Commission’s mission. The Designated Federal Officer (DFO) will review all submitted written statements. Written