

*Form Number(s)*: There are no forms in this information collection.

*Type of Request*: Revision of a currently approved information collection.

*Number of Respondents*: 650 respondents per year.

*Average Hours per Response*: The USPTO estimates that it will take the public 1 hour to gather the necessary information, prepare the appropriate document, and submit the information to the USPTO. Approximately 99% of the total responses for this information collection will be submitted electronically.

*Burden Hours*: 650 hours.

*Hourly Cost Burden*: \$284,700.

*Annual (non-hourly) Cost*: \$1,130,054.

*Needs and Uses*: The public uses this information collection to seek restoration of the right of priority to a prior-filed foreign application or of the right to the benefit of a prior-filed provisional application.

The information in this information collection can be submitted electronically through EFS-Web (Electronic Filing System), the USPTO's Web-based electronic filing system, as well as on paper. The USPTO is therefore accounting for both electronic and paper submissions in this information collection.

The information collected, maintained, and used in this information collection is based on OMB and USPTO guidelines. This includes the basic information quality standards established in the Paperwork Reduction Act of 1995, in OMB Circular A-130, and in the OMB information quality guidelines.

*Affected Public*: Individuals or households; businesses or other for profits; and not-for-profit institutions.

*Frequency*: On occasion.

*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 information collections currently under review by OMB.

Further information can be obtained by:

- *Email*: [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0073 information request" in the subject line of the message.

- *Mail*: Kimberly Hardy, Information Collections Officer, Office of the Chief Administrative 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 March 2, 2020 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.

**Marcie Lovett,**

*Chief, Records and Information Governance Branch, Office of the Chief Administrative Officer, Office of Administrative Services, Strategic and Data Transport Division.*

[FR Doc. 2020-01850 Filed 1-30-20; 8:45 am]

**BILLING CODE 1410-30-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request; Post Allowance and Refiling

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for a collection of information under the provisions of the Paperwork Reduction Act of 1995.

*Agency*: United States Patent and Trademark Office, Department of Commerce.

*Title*: Post Allowance and Refiling.

*OMB Control Number*: 0651-0033.

*Form Numbers*: (AIA= American Invents Act, SB = Specimen Book).

- *PTO/AIA/05*: (Reissue Application Declaration by the Inventor)
- *PTO/AIA/06*: (Reissue Application Declaration by the Assignee)
- *PTO/AIA/07*: (Substitute Statement in Lieu of an Oath or Declaration for Reissue Patent Application (35 U.S.C. 115(d) and 37 CFR 1.64))
- *PTO/SB/44*: (Certificate of Correction)
- *PTO/AIA/50*: (Reissue Patent Application Transmittal)
- *PTO/SB/50*: (Reissue Patent Application Transmittal)
- *PTO/SB/51*: (Reissue Application Declaration by the Inventor)
- *PTO/SB/52*: (Reissue Application Declaration by the Assignee)
- *PTO/SB/51S*: (Supplemental Declaration for Reissue Patent Application to Correct "Errors" Statement)
- *PTO/AIA/53*: (Reissue Application: Consent of Assignee; Statement of Non-Assignment)
- *PTO/SB/53*: (Reissue Application: Consent of Assignee; Statement of Non-Assignment)
- *PTO/SB/56*: (Reissue Application Fee Transmittal Form)
- *PTOL-85B*: (Issue Fee Transmittal)

- *PTO/SB/141*: (Petition to Correct Assignee After Payment of Issue Fee)

*Type of Request*: Revision of a currently approved information collection.

*Number of Respondents*: 388,249 respondents and 392,149 responses per year. The USPTO estimates that approximately 25% of these respondents will be small entities.

*Average Hours per Response*: The USPTO estimates that it will take the public from 30 minutes (0.50 hours) to 5.3 hours to gather the necessary information, prepare the appropriate form or document, and submit the information to the USPTO.

*Burden Hours*: 331,434 hours.

*Hourly Cost Burden*: \$145,168,092.

*Annual (non-hour) Cost*: \$306,268,779.

*Needs and Uses*: The public uses this information collection to request corrections of errors in issued patents, to submit applications for reissue patents, and to submit issue fee payments. The information in this information collection can be submitted using the USPTO's electronic filing system (EFS-Web) for patent applications and related documents. The information collected, maintained, and used in this information collection is based on OMB and USPTO guidelines. This includes the basic information quality standards established in the Paperwork Reduction Act of 1995, in OMB Circular A-130, and in the USPTO OMB quality guidelines.

*Affected Public*: Individuals or households; businesses or other for profits; and not-for-profit institutions.

*Frequency*: On occasion.

*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 information collections currently under review by OMB.

Further information can be obtained by:

- *Email*: [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0033 information request" in the subject line of the message.

- *Mail*: Kimberly Hardy, Office of the Chief Administrative 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 March 2, 2020 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.

**Marcie Lovett,**

*Chief, Records and Information Governance Branch, Office of the Chief Administrative Officer, Office of Administrative Services, Strategic and Data Transport Division, United States Patent and Trademark Office.*

[FR Doc. 2020-01851 Filed 1-30-20; 8:45 am]

**BILLING CODE 3510-16-P**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Submission for OMB Review; Comment Request; Patent Term Extension**

The United States Patent and Trademark Office (USPTO) will submit to the Office of Management and Budget (OMB) for clearance the following proposal for an information collection under the provisions of the Paperwork Reduction Act of 1995.

*Agency:* United States Patent and Trademark Office, Department of Commerce.

*Title:* Patent Term Extension.

*OMB Control Number:* 0651-0020.

*Form Number(s):* There are no forms in this information collection.

*Type of Request:* Revision of a currently approved information collection.

*Number of Respondents:* 620 respondents.

*Average Hours per Response:* The USPTO estimates that it will take the public from 1 hour to 25 hours to gather the necessary information, prepare the appropriate form or document, and submit the information to the USPTO.

*Burden Hours:* 4,102 hours.

*Hourly Cost Burden:* \$1,796,676.

*Non Hourly Cost Burden:* \$209,889.

*Needs and Uses:* The patent term restoration portion of the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417), which is codified at 35 U.S.C. 156, permits the United States Patent and Trademark Office (USPTO) to extend the term of protection under a patent to compensate for delay during regulatory review and approval by the Food and Drug Administration (FDA) or United States Department of Agriculture (USDA). Only patents for drug products, medical devices, food additives, or color additives are potentially eligible for extension. The maximum length that a patent may be extended under 35 U.S.C.

156 is 5 years. The USPTO administers 35 U.S.C. 156 through 37 CFR 1.710-1.791. Separate from the extension provisions of 35 U.S.C. 156, the USPTO may in some cases extend the term of an original patent due to certain delays in the prosecution of the patent application, including delays caused by interference proceedings, secrecy orders, or appellate review by the Patent Trial and Appeal Board or a Federal court in which the patent is issued pursuant to a decision reversing an adverse determination of patentability. The patent term provisions of 35 U.S.C. 154(b), as amended by Title IV, Subtitle D of the Intellectual Property and Communications Omnibus Reform Act of 1999, require the USPTO to notify the applicant of the patent term adjustment in the notice of allowance and give the applicant an opportunity to request reconsideration of the USPTO's patent term adjustment determination.

The public uses this information collection to file requests related to patent term extensions and reconsideration or reinstatement of patent term adjustments. The information in this information collection is used by the USPTO to consider whether an applicant is eligible for a patent term extension or reconsideration of a patent term adjustment and, if so, to determine the length of the patent term extension or adjustment.

*Affected Public:* Businesses or other for-profits; not-for-profit institutions.

*Frequency:* On occasion.

*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 information collections currently under review by OMB.

Further information can be obtained by:

- *Email:* [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0020 information request" in the subject line of the message.
- *Mail:* Kimberly Hardy, Office of the Chief Administrative 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 March 2, 2020 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.

**Marcie Lovett,**

*Chief, Records and Information Governance Branch, Office of the Chief Administrative Officer, Office of Administrative Services, Strategic and Data Transport Division.*

[FR Doc. 2020-01849 Filed 1-30-20; 8:45 am]

**BILLING CODE 3510-16-P**

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**Submission for OMB Review; Comment Request; Deposit of Biological Materials**

The United States Patent and Trademark Office (USPTO) will submit 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 of 1995.

*Agency:* United States Patent and Trademark Office, Department of Commerce.

*Title:* Deposit of Biological Materials.

*OMB Control Number:* 0651-0022.

*Form Number(s):* There are no forms in this information collection.

*Type of Request:* Revision of a currently approved information collection.

*Number of Respondents:* 951 respondents.

*Average Hours per Response:* The USPTO estimates that it will take the public 1 hour to gather the necessary information, prepare the appropriate documents, and submit the information to the USPTO for a deposit of biological materials. The USPTO estimates that it will take 5 hours to collect and submit the information required to become a depository.

*Burden Hours:* 955 hours.

*Hourly Cost Burden:* \$42,914.

*Annual (non-hourly) Cost:* \$2,823,237.

*Needs and Uses:* Information on the deposit of biological materials in depositories is required for (a) the USPTO determination of compliance with 35 U.S.C. 2(b)(2) and 112, and 37 CFR 1.801-1.809 and 1.14, where inventions sought to be patented rely on biological material subject to the deposit requirement, including notification to the interested public about where to obtain samples of deposits; and (b) in compliance with 37 CFR 1.803 to demonstrate that the depositories are qualified to store and test the biological material submitted to them. This information collection is used by the USPTO to determine whether or not the applicant has met the requirements of