

**JUSTIFICATION FOR 9000-0096**  
**PATENTS**

**A. Justification.**

1. **Administrative requirements.** The patent coverage in FAR subpart 27.2 requires the contractor to report each notice of a claim of patent or copyright infringement that came to the contractor's attention in connection with performing a Government contract above a dollar value of \$25,000 (sections 27.202-1 and 52.227-2). The contractor is also required to report all royalties anticipated or paid in excess of \$250 for the use of patented inventions by furnishing the name and address of licensor, date of license agreement, patent number, brief description of item or component, percentage or dollar rate of royalty per unit, unit price of contract item, and number of units (sections 27.204-1, 52.227-6, and 52.227-9).

2. **Uses of information.** The information collected is to protect the rights of the patent holder and the interest of the Government.

3. **Consideration of information technology.** FAR 52.227-2 and 52.227-9 are GPEA compliant and the transaction may be completed electronically. FAR 52.227-6 must be submitted with a proposal, therefore, electronic transmission is dependent on e-authentication.

4. **Efforts to identify duplication.** This requirement is being issued under the Federal Acquisition Regulation (FAR) which has been developed to standardize Federal procurement practices and eliminate unnecessary duplication.

5. **If the collection of information impacts small businesses or other entities, describe methods used to minimize burden.** The burden applied to small businesses is the minimum consistent with applicable laws, Executive orders, regulations, and prudent business practices.

6. **Describe consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently.** Similar information is not already available to the contracting officer or buyer.

7. **Special circumstances for collection.** Collection of information on a basis other than solicitation-by-solicitation is

not practical. Collection is consistent with guidelines in 5 CFR 1320.6.

8. **Efforts to consult with persons outside the agency.** Under the procedures established for development of the FAR, agency and public comments were solicited and each comment addressed before finalization of the text. A notice in the July 19, 2006 Federal Register made this requirement available to the public and requested comments.

9. **Explanation of any decision to provide any payment or gift to respondents, other than reenumeration of contractors or guarantees.** Not applicable.

10. **Describe assurance of confidentiality provided to respondents.** This information is disclosed only to the extent consistent with prudent business practices and current regulations.

11. **Additional justification for questions of a sensitive nature.** No sensitive questions are involved.

12 & 13. **Estimated total annual public hour and cost burden.** Time required to read and prepare information is estimated at .5 hr. per completion.

Estimated respondents/yr.....		30
Responses annually per respondent.....	X	<u>1</u>
Total annual responses.....		30
Estimated hrs/response.....	X	<u>.5</u>
Estimated total burden/hrs.....		15
Average wages + overhead (\$40 + 75% OH)	.	X <u>\$70</u>
Estimated cost to public.....		\$1,050

14. **Estimated cost to the Government.** Time required for Governmentwide review is estimated at 1 hour per response.

Annual Reporting Burden and Cost

Reviewing time/hr.....		1
Responses/yr.....	X	<u>30</u>
Review time/yr.....		30
Average wages + overhead (\$30/hr. + 100% OH).....	X	<u>\$60</u>
Total Government cost.....		\$1,800

**15. Explain reasons for program changes or adjustments reported in Item 13 and 14.** This submission requests an extension of OMB approval of an information collection requirement in the FAR. The information collection requirement in the FAR remains unchanged.

**16. Outline plans for published results of information collections.** Results will not be tabulated or published.

**17. Approval not to display expiration date.** Not applicable.

**18. Explanation of exception to certification statement.** Not applicable.

**B. Collections of Information Employing Statistical Methods.**

Statistical methods are not used in this information collection.