

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE TO 0651-0035

The United States Patent and Trademark Office (USPTO) is submitting this change worksheet to add forms for associating USPTO Customer Numbers with international Patent Cooperation Treaty (PCT) applications into information collection 0651-0035 Representative and Address Provisions, which was previously approved by OMB on 12/27/2005. The currently approved collection includes forms that allow customers to associate their Customer Numbers with their U.S. patent applications, which is a requirement for customers who wish to access private information about their applications using the Patent Application Information Retrieval (PAIR) system on the USPTO web site. The PAIR system permits authorized individuals secure access to application status information over the Internet, but only for applications that are linked to a Customer Number. The USPTO is extending this practice to allow customers to associate Customer Numbers with international PCT applications as well as U.S. patent applications. In order to support this practice, the USPTO is developing a form to allow customers to associate a Customer Number with a single PCT application and a sample spreadsheet to allow customers to associate a Customer Number with multiple PCT applications at once. The USPTO requests that the proposed Form PTO-2248 Request to Update a PCT Application with a Customer Number and the Customer Number Upload Spreadsheet for PCT Applications be added to this collection.

Change in Burden

The USPTO estimates that it will receive approximately 22,500 responses per year for the proposed Form PTO-2248 for the two years remaining in the renewal period for this collection and that it will take the public approximately 15 minutes (0.25 hours) to prepare and submit the form, for an addition of 5,625 burden hours to this collection. The USPTO estimates that it will receive approximately 2,000 responses per year for the proposed Customer Number Upload Spreadsheet for PCT Applications and that it will take the public approximately 1 hour to prepare and submit the spreadsheet, depending upon how many applications are listed, for an addition of 2,000 burden hours to this collection. Therefore, the addition of these items will result in an increase of 24,500 annual responses and 7,625 burden hours for this collection as a program change.

The addition of these items will also increase the annual (non-hour) costs for this collection. Customers may incur postage costs for submitting the form or spreadsheet to the USPTO by mail. At this time, neither item may be submitted to the USPTO electronically. The USPTO estimates that the average first-class postage cost will be 39 cents for submitting Form PTO-2248 and 87 cents for submitting the PCT Customer Number Upload Spreadsheet, for a total addition of \$10,515 in postage costs for this collection. Customers may also incur capital start-up costs associated with the PCT Customer Number Upload Spreadsheet, which must be submitted to the USPTO on a CD or diskette along with a signed cover letter. This process requires additional supplies, including blank media and padded envelopes for shipping. The USPTO estimates that the cost of these supplies will be approximately \$2 per submission, for a total addition of \$4,000 in capital start-up costs for this collection. Therefore, the addition of these items will result in an increase of \$14,515 in annual (non-hour) costs for this collection as a program change.

Copies of the proposed Form PTO-2248 Request to Update a PCT Application with a Customer Number and the proposed Customer Number Upload Spreadsheet for PCT Applications have been attached to this submission.