SF-83 SUPPORTING STATEMENT
PAPERWORK REDUCTION ACT – OMB CONTROL NUMBER 0651-0038
CUSTOMER INPUT – PATENT AND TRADEMARK CUSTOMER SURVEYS

A. JUSTIFICATION

1. Necessity of Information Collection

This is a generic clearance for an undefined number of voluntary telephone and customer surveys and questionnaires that the United States Patent and Trademark Office (USPTO) may conduct over the next three years. The USPTO may use these voluntary surveys and questionnaires to implement E.O. 12862, Setting Customer Service Standards (Attachment A). These telephone and customer surveys and questionnaires are designed to obtain customer feedback regarding the products, services, and related service standards of the USPTO. The USPTO obtains feedback from corporations/businesses, law firms, educational institutions, and independent inventors.

There are no statutes or regulations requiring the USPTO to conduct these customer surveys. These voluntary surveys also support various business goals developed by the USPTO to fulfill customer service and performance goals, to assist the USPTO in strategic planning for future initiatives, to verify existing service standards, and to establish new ones.

The USPTO also conducts annual customer satisfaction surveys of the entire agency. These annual surveys can be mailed to the USPTO or respondents can choose to respond to them electronically. The results from these surveys are used to measure customer satisfaction with the USPTO's customer service standards in the various organizations. The results are also used to measure how well the USPTO is meeting these customer service standards.

These annual surveys were previously covered under this generic clearance. However since the 21st Century Strategic Plan changed the timing of these surveys from annually to biannually, these surveys will now be covered under a separate and distinct information collection. In addition, the face-to-face interviews, comment cards, and focus groups have also been deleted from the collection.

The USPTO cannot predict with certainty whether all of the survey methods discussed in this generic clearance will be used to gather customer feedback or how many of them will be conducted during the next three years. However, based on previous experience, the USPTO feels that the telephone and customer surveys and the questionnaires are the most likely types of surveys that will be conducted. Although the USPTO is uncertain of the number of surveys that will be conducted; the agency believes that the vast majority of surveys conducted over the next three years will be simple customer service types of surveys with similar methodologies. Because of this uncertainty and the fact that the majority of the surveys will be similar, the USPTO is requesting a generic clearance from the Office of Management and Budget (OMB) to cover the various types of surveys that may be conducted.

A brief description of the expected methodology for the telephone and customer surveys and the questionnaires will be provided under Section B. Collection of Information Employing Statistical Methods. Examples of the form in which these various surveys may be presented to the public are also included in this justification package. Please note that these descriptions and examples are proposed examples of these surveys, based on the USPTO's experience in conducting various surveys. When the USPTO decides to conduct a survey and determines which survey vehicle will be used, the full methodology and the actual survey vehicle will be submitted to OMB for review and approval following the guidelines for generic clearances.

2. Needs and Uses

The information obtained from these telephone and customer surveys and the questionnaires will be used by the USPTO for strategic planning, allocation of resources, the establishment of performance goals, and the verification and establishment of service standards. Additionally, the USPTO will use the data from these surveys to assess customer satisfaction with the agency's products and surveys, to assess customer priorities in service characteristics, and to identify areas where service levels differ from customer expectations.

The Information Quality Guidelines from Section 515 of Public Law 106-554, Treasury and General Government Appropriations Act for Fiscal Year 2001, apply to this information collection and comply with all applicable information quality guidelines, *i.e.,* the OMB and specific operating unit guidelines.

This proposed collection of information will result in information that will be collected, maintained, and used in a way consistent with all applicable OMB and USPTO Information Quality Guidelines. (See Attachment B, the *USPTO Information Quality Guidelines*.)

Table 1 outlines how these collections of information are used by the public and the USPTO:

Table 1: Needs and Uses of Information Collected From Customer Input

Form and Function	Needs and Uses
Telephone Surveys (Attachment C)	• Permits the customer to provide comments directly to the interviewer. • Permits the USPTO to interview the customer or attorney who handled a particular case or experienced the service in order to obtain direct impressions or comments. • Use of the telephone interview may increase response rates from the customer.

Questionnaires and Customer Surveys (Paper and Electronic) (Attachment D)	• Provides a forum for customers to express opinions anonymously and quickly. • Allows the USPTO to survey seminar and exhibition attendees, and users of the search facilities, patent and trademark assistance centers, and other services. • Provides the USPTO with a greater opportunity for collecting responses from the customer before they leave the site. • Provides the USPTO with a smaller subset of survey questions directed towards specific items and operations within the USPTO.

3. Use of Information Technology

The USPTO does use automated, electronic, mechanical, or other technological collection techniques to conduct the surveys covered in this generic clearance. The telephone surveys are conducted verbally over the telephone with the use of scripts which ensure that every respondent is asked the same question in the same manner. For the questionnaires and the customer surveys, the USPTO provides respondents with the option of either completing the survey in paper and mailing or handing in the survey to the USPTO or providing their survey responses electronically using a web-based survey instrument.

For the questionnaires and customer surveys that are mailed to the respondents, the USPTO mails the survey package containing the survey, a cover letter, and a self-addressed and stamped envelope to the respondents in the sample. The cover letter will contain all of the instructions needed for the survey. In some cases, the questionnaires and customer surveys are handed out to individuals. In these cases, the surveys are either handed back to USPTO personnel or deposited in drop-boxes.

For many of the customer surveys, the USPTO is also providing respondents with the option to respond electronically using a web-based survey instrument. The online surveys will mirror those in the paper format and will be available through the Internet. In order to keep the respondent's answers to the survey secure, the USPTO will assign each respondent a unique password and a unique user ID. In those cases where the confidentiality and security of the responses is critical, the electronic survey instrument will be hosted on a secure server. The unique password and user ID, the URL for the survey, and instructions for accessing and completing the web-based survey will be included in all of the correspondence that accompanies the paper-based surveys. Respondents who choose to complete the survey electronically are requested to discard the paper version of the survey so that it is not inadvertently submitted to the USPTO.

Although the USPTO does not believe that it is likely that online surveys will be used exclusively to collect responses to surveys, the USPTO may be able to conduct some surveys entirely over the Internet, as long as e-mail addresses are available for the entire sample. For these surveys, the respondents will receive an e-mail message announcing that the survey is being conducted. This e-mail will also contain a direct link to the web-based survey instrument, with instructions for accessing and completing the web-based survey and instructions for obtaining a paper-based survey and postage-paid return envelope from the USPTO.

While the USPTO is moving to an electronic environment and would prefer to administer the survey only via the web to coincide with other e-government initiatives, USPTO customers have expressed a desire for such surveys to also be made available in paper format. The reason for this is that the majority of USPTO customers are attorneys with significant demands on their time. Pilot tests and previous survey comments have indicated that the only time customers find to complete the surveys are during their commute, on planes, etc., where they do not have Internet access. The paper survey instrument is being used to accommodate all survey respondents and enhance response rates.

Based on customer preferences, the fact that the USPTO does not have e-mail addresses for the majority of its customers, and due to Section 508 compliance requirements, the USPTO does not believe that the online surveys will replace the paper surveys, but rather that the online surveys will be used in conjunction with the paper surveys.

The USPTO may make some of the information obtained through the customer surveys available to the public on the USPTO website, although the identity of the respondent will be kept confidential. For example, for a survey that the USPTO released to both patent and trademark customers, the USPTO posted a letter from the Director on the USPTO website which discussed the findings from the surveys. In most instances, when applicable, the USPTO will share summarized survey findings directly with respondents that participated in the survey through direct mailings.

4. Efforts to Identify Duplication

There are no currently available methods to gather the types of information proposed by these surveys directly from our customers. The survey questions relate specifically to the USPTO's products, services, and related service standards. Consequently, the information is generally not available from other sources. The USPTO's philosophy is to avoid duplication in anything we do. Therefore, no duplication of effort is imposed on respondents for these proposed surveys.

5. Minimizing the Burden to Small Entities

In an effort to minimize burden, sample sizes are kept small and the number of questions are limited to the minimum required to obtain useful information. All sizes of businesses and individual customers will participate in these various surveys to accurately portray customer requirements and service quality. It is important to include small businesses in these surveys because the USPTO wants to encourage their use of the patent and trademark systems.

6. Consequences of Less Frequent Collection

The information collected from these various surveys is needed for annual planning and resource allocation. Timely, valid information on customer requirements and assessment of the USPTO's performance is needed to establish program priorities and performance goals. Information collected less frequently could prevent the USPTO from responding to customer concerns in a timely manner.

7. Special Circumstances in the Conduct of Information Collection

There are no special circumstances associated with this collection of information.

8. Consultation Outside the Agency

The 60-Day Federal Register Notice was published on January 17, 2006 (Vol. 71, No. 10) (Attachment E). The public comment period ended on March 20, 2006. The USPTO received no public comments in response to the Notice. There have been no comments received from the corporations/businesses, law firms, educational institutions, and independent inventors frequently interviewed through these types of surveys concerning the time required to provide the information requested in the telephone and customer surveys and the questionnaires.

Once the surveys are developed, they will be tested with the representative customer groups relating to the specific topic of the survey.

Due to the relatively simple nature of these surveys, consultation outside of the agency is not expected. For significant efforts that do require outside consultation, we expect that the scope of the study would fall outside of this generic clearance and a separate clearance package would be required.

9. Payment or Gifts to Respondents

This information collection does not involve a payment or gift to any respondent. All of these surveys are voluntary, so respondents are not required to answer the questions.

10. Assurance of Confidentiality

Responses will be confidential and will be used to compile summary statistical reports only. Assurances will be included on each survey form and in the cover letter, if one is provided. Responses will be destroyed following statistical analysis of the data. These surveys are voluntary and are not mandated by law. For the web-based surveys that are available through the Internet, unique passwords and user IDs are assigned to each respondent. In cases where the confidentiality and security of the responses is critical, the online survey will be hosted on a secure server.

All surveys that will be conducted under this generic clearance will be protected under the "Confidential Information Protection and Statistical Efficiency Act of 2002."

11. Justification for Sensitive Questions

None of the required information is considered to be of a sensitive nature.

12. Estimate of Hour and Cost Burden to Respondents

The USPTO expects to conduct telephone and customer surveys and questionnaires over the next three years to collect customer comments. Respondents can mail the questionnaires and customer surveys to the USPTO or they can respond to them electronically. The exact number of different surveys, the length of each survey, and the number of respondents per survey is unknown at this time. The USPTO estimates that 400 surveys will be conducted over the telephone annually. The USPTO also estimates that 1,500 questionnaires and customer surveys will be completed annually, with half submitted in paper and the other half submitted electronically. The number of annual burden hours requested (220) is based on the number of surveys the agency estimates will be conducted during a one-year period. Based on previous experience, the agency believes that this is a reasonable ceiling.

Table 2 calculates the anticipated burden hours and costs of this information collection to the public, based on the following factors:

- **Respondent Calculation Factors**
  Based on previous survey experience and projections of surveys that may be conducted during the next three years, the USPTO estimates that it will receive the following number of responses to these various types of surveys:
  - 400 responses to telephone surveys
  - 750 responses to paper questionnaires and customer surveys
  - 750 responses to electronic questionnaires and customer surveys

- **Burden Hour Calculation Factors**
  Based on results from testing the various types of surveys with the representative customer groups and with internal test groups, the USPTO estimates that it will take the public 15 minutes (0.25 hours) to complete telephone surveys and five minutes (0.08 hours) to complete questionnaires and customer surveys, whether they are completed on paper and mailed to the USPTO or completed electronically. See Table 2, column (a).

- **Cost Burden Calculation Factors**
  The USPTO believes that both professionals and paraprofessionals will complete these surveys, at a rate of 75% of the current professional rate of $304 per hour and 25% of the para-professional rate of $90 per hour. The professional hourly rate used to calculate the respondent cost burden is the median rate for associate attorneys in private firms as published in the 2005 report of the Committee on Economics of Legal Practice of the American Intellectual Property Law Association. This report summarized the results of a survey with data on hourly billing rates. The para-professional hourly rate comes from the 2004 National Utilization and Compensation Survey, published in October 2004 by the National Association of Legal Assistants (NALA). The hourly rate for professionals, calculating 75% of $304, totals $228, while the hourly rate for the para-

professionals, calculating 25% of $90, totals $23, for a combined hourly rate of $251. The USPTO estimates that the respondent cost burden for this collection will be $55,220 per year. These are fully loaded hourly rates.

Table 2: Burden Hour/Burden Cost to Respondents

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate ($/hr) (d)	Total Cost ($/hr) (e) (c) x (d)
Telephone Surveys	0.25	400	100	$251.00	$25,100.00
Questionnaires and Customer Surveys (paper)	0.08	750	60	$251.00	$15,060.00
Electronic Questionnaires and Customer Surveys	0.08	750	60	$251.00	$15,060.00
Total	**- - - -**	**1,900**	**220**	**- - - -**	**$55,220.00**

13. Total Annualized Cost Burden

There are no capital start-up, maintenance, operation, or recordkeeping costs associated with these various surveys. There are no filing fees associated with this information collection. Although the USPTO conducts mail surveys, the USPTO provides self-addressed and stamped envelopes for them. Respondents incur no postage costs resulting from these surveys.

14. Annual Cost to the Federal Government

The USPTO uses a variety of methods for conducting the telephone surveys and the mail and electronic questionnaires and customer surveys. These surveys will be conducted by USPTO personnel. Processing costs for the surveys can vary widely depending on the methodology selected for the survey and the size of the population being surveyed. The USPTO expects to process the telephone surveys and the paper and electronic questionnaires and customer surveys.

The USPTO believes that it will take two staff members to handle all of the tasks associated with a single survey response. Depending on the survey, either a GS-7 or a GS-9 (step 1) processes the survey correspondence and performs the data entry tasks (or collects the data in response to a telephone interview). In the case of all of the surveys, a GS-13, step 1, prepares the sampling, performs the analysis, and prepares a report on the findings.

In order to determine the hourly labor rate for this collection, the USPTO multiplied the hourly labor rate for the GS rating that performs the task by the total number of minutes that are allocated to that staff position to complete the task at hand and then added 30% to that total to account for a fully loaded hourly rate (benefits and overhead). This adjusted hourly rate is used to calculate the USPTO's total costs for conducting and processing these surveys. It is this adjusted hourly rate that is multiplied by the actual amount of time that it takes USPTO employees to process each survey response to obtain the total burden hours. Further details are provided below.

In the case of the telephone surveys, the USPTO estimates that it takes a total of 40 minutes (0.67 hours) to process them. Out of this 40 minutes, the USPTO estimates that it takes a GS-9, step 1, approximately 20 minutes (0.33 hours) to collect the data and that it takes a GS-13, step 1, approximately 20 minutes (0.33 hours) to perform the program set-up, analysis, and reporting tasks associated with telephone surveys. The hourly rate for a GS-9, step 1 is $21.49. When 30% is added to account for a fully loaded hourly rate (benefits and overhead), the combined cost per hour for a GS-9, step 1 is $21.49 + $6.45 = $27.94. The hourly rate for a GS-13, step 1 is $37.06. When 30% is added to account for a fully loaded hourly rate, the combined cost per hour for a GS-13, step 1 is $37.06 +$11.12 =$48.18. The USPTO has allocated 30 minutes (0.50 hours) for each position to complete the associated tasks. Multiplying the hourly rate of the GS-9, step 1 by 0.50 hours results in an adjusted hourly rate of $13.97, while multiplying the hourly rate of the GS-13, step 1 results in an adjusted hourly rate of $24.09. These two adjusted hourly rates are combined for the total adjusted, fully loaded, hourly rate of $38.06.

For the mail questionnaires and customer surveys, the USPTO estimates that it takes a total of 25 minutes (0.42 hours) to process them. Out of this 25 minutes, the USPTO estimates that it takes a GS-7, step 1, approximately 5 minutes (0.08 hours) to process the survey correspondence and perform the data entry tasks (including validation) and that it takes a GS-13, step 1, approximately 20 minutes (0.33 hours) to perform the sampling, analysis, and reporting tasks associated with each questionnaire and customer survey. The hourly rate for a GS-7, step 1 is $17.57. When 30% is added to account for a fully loaded hourly rate (benefits and overhead), the combined cost per hour for a GS-7, step 1 is $17.57 + $5.27 = $22.84. The fully loaded hourly rate for a GS-13, step 1 is $48.18. The USPTO has allocated 12 minutes (0.20 hours) for the GS-7 and 48 minutes (0.80 hours) for the GS-13 to complete the associated tasks. Multiplying the hourly rate of the GS-7, step 1 by 0.20 hours results in an adjusted hourly rate of $4.57, while multiplying the hourly rate of the GS-13, step 1 by 0.80 hours results in an adjusted hourly rate of $38.54. These two adjusted hourly rates are combined for the total adjusted, fully loaded, hourly rate of $43.11.

For the electronic questionnaires and customer surveys, the USPTO estimates that it takes a total of 23 minutes (0.38 hours) to process them. Out of this 23 minutes, the USPTO estimates that it takes a GS-7, step 1, approximately 3 minutes (0.05 hours) to process the survey correspondence and perform the data entry tasks (including validation) and that it takes a GS-13, step 1, approximately 20 minutes (0.33 hours) to perform the sampling, analysis, and reporting tasks associated with each electronic-based questionnaire and customer survey. The fully loaded hourly rates for a GS-7, step 1 and a GS-13, step 1 are $22.84 and $48.18, respectively. The USPTO has allocated 8 minutes (0.13 hours) for the GS-7 and 52 minutes (0.87) for the GS-13 to complete the associated tasks for the electronic-based questionnaires and customer surveys. Multiplying the hourly rate of the GS-7, step 1 by 0.13 hours results in an adjusted hourly rate of $2.97, while multiplying the hourly rate of the GS-13, step 1 by 0.87 hours results in an adjusted hourly rate of $41.92. These two adjusted hourly rates are combined for the total adjusted, fully loaded, hourly rate of $44.89.

Table 4 calculates the processing hours and costs of this information collection to the Federal Government:

Table 4: Burden Hour/Burden Cost to the Federal Government

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate ($/hr) (d)	Total Cost ($/hr) (e) (c) x (d)
Telephone Surveys	0.67	400	268	$38.06	$10,200.00
Questionnaires and Customer Surveys – Mail	0.42	750	315	$43.11	$13,580.00
Questionnaires and Customer Surveys – Electronic	0.38	750	285	$44.89	$12,794.00
Total	**- - - - -**	**1,900**	**868**	**- - - - -**	**$36,574.00**

15. Reason for Changes in the Annual Burden

Summary of Changes Since the Previous Renewal

The OMB approved the reinstatement of this information collection on May 10, 2003, with 8,100 responses, 3,100 burden hours, and $0 in annualized (non-hour) costs.

With this renewal, the USPTO estimates that the total burden and annualized (non-hour) costs for this collection will be 1,900 responses, 220 burden hours, and $0 in annualized costs. This is a reduction of 6,200 hours and 2,880 burden hours. The annualized costs for this collection have not changed. The reductions in the responses and burden hours are due to program changes.

Changes in Burden Estimates Since the 60-Day Federal Register Notice

In the 60-Day Federal Register Notice published on January 17, 2006 for this renewal, the estimated time for response for the telephone surveys was misprinted. The time shown in the Notice is 5 minutes, but it should have been printed as 15 minutes. This misprint did not affect the total burden estimates reported in the Notice, which correspond to those discussed in this submission.

Changes in Respondent Cost Burden

The respondent cost burden has decreased from the costs reported in the previous submission despite an increase in the hourly rate. This is due to the fact that the face-to-face interviews, the mail surveys (Annual Patent and Trademark Customer Satisfaction Surveys) and the electronic option for these surveys, the comment cards, and the focus groups have been removed from the collection. The USPTO expects that there will be no change in the estimated number of responses for the telephone and customer surveys, and the questionnaires.

In the previous submission, the USPTO estimated that the various surveys would be completed by both professionals and para-professionals, at a ratio of 75% professional and 25% para-professional. At that time, based on figures provided by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association, the hourly rate for a professional was estimated at $252. The hourly rate for para-professionals was estimated at $30. Based on the ratios, the estimated hourly rate used to calculate the total respondent cost burden was $196.50.

Since that submission, the Committee on Economics of Legal Practice of the American Intellectual Property Law Association adjusted its estimate for the professional hourly rate to $304. The USPTO also discovered a source for the hourly rate for the para-professionals. The National Association of Legal Assistants (NALA) publishes a National Utilization and Compensation Survey. The hourly rate of $90 estimated for the para-professionals comes from this survey. The USPTO still expects that the surveys will be completed by both professionals and para-professionals, at a ratio of 75% professional and 25% para-professional. Based on the new hourly rates, the estimated hourly rate used to calculate the total respondent cost burden is $251. The USPTO has adjusted its estimates accordingly.

The total respondent cost burden for the currently approved information collection is $609,151. With this renewal, the USPTO estimates that the total respondent cost burden will decrease by $553,931, to $55,220 per year.

<u>Changes in Responses and Burden Hours</u>

The USPTO estimates that the number of responses submitted annually for this collection will decrease, by 6,200 responses, from 8,100 to 1,900 responses. Consequently, the USPTO estimates that the total burden hours for this collection will decrease 2,880 hours, from 3,100 to 220 burden hours per year. These changes are due to program changes, as follows:

- Previously, the USPTO conducted face-to-face interviews as a way of gathering feedback from its customers concerning the USPTO's products, services, and related service standards. The USPTO estimated that 100 interviews would be conducted and it would take 15 minutes to conduct an interview, for a total burden of 25 hours per year. The face-to-face interviews have a high burden and cost associated with them, so the USPTO has determined that it is no longer cost effective to use this as a means of collecting customer satisfaction feedback. As a result, the face-to-face interviews have been removed from this collection. **Therefore, this collection takes a burden decrease of 25 hours as a program change.**

- The USPTO conducts a survey that gathers feedback from the customers of all of the agency's organizations concerning the USPTO's products, services, and related service standards. This survey, called the Annual Patent and Trademark Customer Satisfaction Survey, was conducted annually. However, the USPTO's Strategic Plan now dictates that the Patent and Trademark Customer Surveys be conducted biannually, instead of annually. Because of this change and the complexity of the survey, it was determined that this survey should be covered in a separate and distinct information collection and it has been deleted from this generic clearance information collection. The USPTO estimates that this mail survey takes 30 minutes to complete and that 2,000 surveys would be completed, for a total burden of 1,000 hours. **Therefore, this collection takes a burden decrease of 1,000 hours as a program change**.

- In addition to the mail survey, the USPTO also collected responses to the Annual Patent and Trademark Customer Satisfaction Survey electronically. This option needs to be deleted from this generic clearance information collection as well. The USPTO estimates that 1,500 surveys would be submitted electronically and that it takes 20 minutes to complete this survey, for a total burden of 495 hours. **Therefore, this collection takes a burden decrease of 495 hours as a program change.**

- Previously, the USPTO mailed comment cards to customers as a way to gather feedback from them concerning the USPTO's products, services, and related service standards. The USPTO estimated that 2,000 comment cards would be mailed and that it would take 5 minutes to complete them, for a total burden of 160 hours. However, the USPTO has decided to discontinue the use of comment cards due to the lack of response and because they did not allow customers to provide detailed information. Consequently, the comment cards have been removed from this collection. **Therefore, this collection takes a burden decrease of 160 hours as a program change.**

- Previously, the USPTO conducted focus groups as a means to obtain immediate feedback from customers concerning the USPTO's products, services, and related service standards. The focus groups allowed customers a way to receive information about the USPTO's products, services, and related service standards from USPTO first hand. The USPTO estimated that it would receive 600 responses from the focus groups, and that it would take 2 hours to complete them, for a total burden of 1,200 hours. However, conducting these focus groups incurred a high burden and costs, so the USPTO determined that it was no longer cost effective to use this method for collecting customer satisfaction feedback. As a result, the focus groups have been removed from this collection. **Therefore, this collection takes a burden decrease of 1,200 hours as a program change.**

The USPTO estimates that a net total of 2,880 burden hours will be reduced from this collection, from 3,100 to 220 burden hours per year. The USPTO believes that this reduction will be due to program changes. **Therefore, this information collection has a net burden reduction of 2,880 hours per year due to program changes.**

<u>Changes in Annual (Non-Hour) Costs</u>

There are no capital start-up, maintenance, operation, or recordkeeping costs associated with this information collection. The surveys in this collection do not have filing fees. Although the questionnaires and customer surveys are mailed to the USPTO, the agency provides self-addressed and stamped envelopes with the survey, so this collection does not have postage costs resulting from the survey. This has not changed from the previous submission.

16. Project Schedule

The USPTO does not publish the results from every survey that is conducted by the USPTO. While the USPTO may reference summarized survey findings in various press releases, actual reports that address surveys findings are typically limited to sharing only with survey respondents as a token of appreciation for participation.

For the miscellaneous external customer surveys and other data collection efforts conducted by the USPTO staff, the decision to publish the survey findings is dependent upon the needs and goals of the organization sponsoring the data collection effort. Enumeration periods vary based on the delivery method and customer group being surveyed. As a general rule of thumb, customer surveys are enumerated for about four weeks. On average, data are tabulated and summary reports are prepared for the sponsoring organization within six weeks of the close of data collection. Quantitative analyses are conducted using SPSS® software. Summary and analysis programs are performed in batch mode using SPSS® command syntax created prior to the close of data collection to ensure timely release of survey data. Ad-hoc and exploratory analyses are performed as needed throughout the analysis and reporting period. The summary reports contain descriptive statistics, trend analysis, correlation and regression analysis to identify key drivers of satisfaction, and qualitative content analysis, when applicable. The data collection effort and analysis/reporting tasks generally cover a 10-week period.

17. Display of Expiration Date of OMB Approval

These surveys do not have USPTO form numbers associated with them. Once these various types of surveys are approved, they will display the OMB Control Number and the expiration date.

18. Exception to the Certificate Statement

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Universe and Respondent Selection

Random sampling is the primary method used when conducting the various types of surveys. The primary groups surveyed include corporations/businesses, law firms, educational institutions, and independent inventors. Computerized databases of these major groups of USPTO customers are maintained and are used for random selection. The USPTO pulls this information from the Patent Application Locating and Monitoring (PALM) system and the Trademark Reporting and Monitoring (TRAM) system.

The PALM and TRAM systems keep detailed information on transactions conducted by customers. Surveys are always geared towards a specific transaction and time frame. Once the two criteria are established, all records in the PALM and TRAM systems that meet the specific criteria are extracted to identify the universe. The transactions are limited to those that deal with a particular organization or function within the USPTO, e.g., an appeal, a petition, or other office-specific transaction. The time frame from which the universe is selected is dependent on the expected universe size, the frequency of the data collection effort, and time sensitivity of the questions to be asked. With most of the customer surveys, the time frame usually includes transactions that occurred within the previous 12 months. The universe can be as small as 1,000 records for a 12-month period. Historically, 12-month periods have proved sufficient for decision-making purposes. Longer periods introduce memory biases and overlapping with previous collection efforts. Shorter time reference periods are desired when the customer surveys are focused on time-sensitive issues, such as a recent change in procedure or policy.

Since the majority of customer surveys use a customer, and not the transaction, as a sampling unit, the initial file extracted from PALM and/or TRAM may contain a single customer that is associated with over 100 transactions. When customers are the desired sampling unit, file-cleaning procedures are performed to collapse duplicate records and generate a single record for each individual at an establishment. When records are collapsed, the number of total transactions that customer accounts for are maintained. This value is then used for stratifying the sample and/or weighting the final data set when desired.

Once the universe has been prepared, records are randomly selected by computer program to obtain the desired sample size. Sample sizes are dependent on expected response rates, desired statistical confidence and analyses to be performed, and budgetary constraints. As a general rule of thumb, and given historic response rates, goal sample sizes for USPTO customer surveys are 1,000 units for every level of reporting desired. For an office-specific survey, where there is no need for further breakdown of data, a sample size of 1,000 is used as the starting point, with budgetary and specific analytical needs dictating deviations.

Response rates for voluntary customer surveys are usually between 25 and 50 percent. This rate is typical for USPTO customer surveys and is considered adequate for making product and service improvement decisions. In general, it provides us with 300 to 500 records to analyze.

2. Procedures for Collecting Information

Although the USPTO is requesting that this generic clearance cover telephone and customer surveys and questionnaires, the USPTO believes that the majority of the surveys that will be conducted during the next three years will either be questionnaires or customer surveys. But since the USPTO cannot predict with certainty exactly which or how many of these surveys will ultimately be conducted, the agency is requesting an extension of this generic clearance to cover all of these customer satisfaction surveys. As part of the generic clearance guidelines, the USPTO is including general descriptions and examples of the proposed survey vehicles. When the USPTO determines that a survey is necessary and decides on the specific type of survey to be used, the specific plans, methodology, scripts and copies of the survey will be provided to OMB for review and approval under the generic clearance before the survey is conducted.

- Telephone surveys. The USPTO calls the respondent and either surveys the respondent or schedules an appointment and faxes the survey questions to the respondent. In addition, a script is prepared for the actual telephone interview so that each telephone survey is conducted in the same manner.

- Questionnaires and Customer Surveys. The USPTO envisions that these surveys will be conducted in both a paper and electronic format. When the surveys are available in paper, they can be mailed to respondents with a cover letter or they can be handed out to users of the USPTO's various services or attendees at various conferences.

  In the case of the mail surveys, the USPTO will mail the surveys with a cover letter. The cover letters generally explain why the survey is being conducted and request that the customer take the time to complete the survey because the data gathered from the surveys will be used for future planning and enhancements to current initiatives. Additionally, the cover letter may provide mailing instructions, such as using the self-addressed and stamped envelope included with the survey to return it to the USPTO. In general, the USPTO follows-up on non-responses by mailing reminders to the respondents and through phone contact. Mail surveys allow the USPTO to ask questions about different areas, such as customer perceptions and customer satisfaction with the services and processes. These surveys are primarily designed in a multiple-choice format, with space provided for any additional comments that the customer may wish to add.

  Questionnaires and customer surveys are also used to survey users of the USPTO's various services or to survey attendees at various conferences. In these cases, the survey forms are either handed to the respondents by the staff or left for attendees to pick up as they enter or exit from various functions. If the completed surveys are not handed directly back to a staff member, the respondents are instructed to drop off their surveys or mail them to the USPTO. These questionnaires are a mix of fill-in-the blank, multiple choice, or check boxes and also provide the customer with the opportunity to provide comments.

In many cases, the USPTO will offer respondents the option to respond to a mail survey through an electronic, web-based option. In some cases, the USPTO may conduct a totally electronic survey, although the agency does not foresee electronic, web-based surveys being used as the sole method for data collection, since many customers have expressed a desire for the surveys to be available in a paper format. The USPTO expects that the electronic, web-based surveys will always be used in conjunction with the paper-based surveys.

When an electronic, web-based option is also available for a paper survey, the web-based survey will mirror the paper survey and will be hosted on the Internet. A URL and instructions (including password and user IDs) for completing the web-based survey will be included in the correspondence that accompanies the paper-based surveys. When needed, the electronic survey instrument will be hosted on a secure server. In the few instances where web-based surveys would be the primary data collection method, customers will receive a survey announcement via an e-mail message with a direct link to the web-based instrument. The e-mail will include instructions for accessing and completing the web-based survey and will also contain information on obtaining a paper-based survey and postage-paid return envelope from the USPTO.

The USPTO envisions conducting both probability and non-probability surveys. For mail and electronic surveys where the universe can be finitely defined, stratified random samples will be selected using a computer program. Depending upon the analysis and weighting needs, stratification will be based on the frequency of usage (how many transactions they conducted in the given time period), affiliation (law firm, educational institution, independent inventor, etc.), USPTO-related function (technology center, discipline, etc.) or any combination of these factors. Based on the review of the extracted universe, strata will be defined to provide sufficient cases for meaningful comparison among groups or group-level estimates. Once the universe is stratified, the random sample generator will be applied, based on total desired sample size, to provide a representative sample. Since response rates typically vary among stratum, data weighting will take place in the analysis phase to maintain representativeness. Optimal sample allocation techniques may be employed if the variance within strata (based on previous data collection efforts) dictate that simple random sampling is insufficient to produce strata-level estimates. Again, weighting would be applied in the analysis phase to ensure population representation.

Sample sizes will be dependent on expected response rates, resource constraints, and desired statistical confidence. When estimates of the entire customer population are desired, samples will be selected to provide error margins of +/-5% at 95% confidence. Confidence levels may be lowered to 90% if 95% appears prohibitive. Furthermore, if group comparisons, trend analysis, and/or models are required, sample sizes will be constructed to provide sufficient cases per variable or stratum. Significance testing will be performed at the p=0.05 level and data variance (estimated from previous surveys) will be used to ensure sample sizes are sufficient.

Non-probability surveys cover data efforts where respondents self-select themselves to participate. The USPTO would simply offer a data collection instrument and let those who choose to participate do so. Surveys placed in common areas are data collection efforts where the USPTO would employ non-parametric analyses, but not make inferences to the entire USPTO customer population. Specific sampling techniques would not be used, and enumeration would remain open until sufficient responses for meaningful indications were obtained.

For probability surveys where estimates can be made for the population as a whole, base weights will be constructed at the time of sample selection. The base weight will simply be the inverse of the sampling rate for each stratum. The final weight for each responding customer is the product of the base weight times a nonresponse adjustment. The nonresponse adjustment will take into account the response rate for each stratum. The final weights will be incorporated into the data set and used in relevant analyses to provide unbiased estimates for stratum-level estimates and the selected customer population as a whole.

3. Methods to Maximize Responses

In an effort to enhance response rates, the various types of surveys are tested or reviewed to ensure that questions and instructions are clear, relevant, and unambiguous. Sending an additional survey is the most common method for maximizing responses in surveys employing follow-up procedures. Furthermore, for surveys where the USPTO expects at least 100 responses, customers will be provided the option of completing the survey via paper and mail or via a web-based survey on the Internet. All survey correspondence will identify a USPTO employee that the customer can contact for questions or a specific survey need.

All sample surveys are expected to generate sufficient response that will produce reliable data that can be generalized to the universe studied.

4. Testing of Procedures

The various types of surveys (and any associated instructions) are reviewed by USPTO employees who use or are familiar with the product or service under study. In some cases, the USPTO may pretest the various types of surveys with up to nine external customers. The surveys are tested the first time that they are conducted.

5. Contact for Statistical Aspects and Data Collection

The USPTO Office of Corporate Planning is responsible for coordinating and administering the customer surveys and related data collection efforts. Jack Buie, Director, Office of Corporate Planning, can be reached via phone at 571-272-6283. Martin Rater is the agency resource for customer surveys and statistical projects, and can be reached via phone at 571-272-5966 or via e-mail at Martin.Rater@uspto.gov.

LIST OF ATTACHMENTS

A. E.O. 12862 Setting Customer Service Standards
B. USPTO Information Quality Guidelines
C. Telephone Surveys
D. Questionnaires and Customer Surveys (Paper and Electronic)
E. 60-Day Federal Register Notice published on January 17, 2006 (Vol. 71, No. 10)