

**OMB Clearance Request
for the
USPTO Electronic Business Center (EBC) Satisfaction Measurement Survey**

A. Survey Purpose

The United States Patent and Trademark Office's (USPTO's) Search and Information Resources Administration (SIRA) is conducting this survey. SIRA is involved in the development of e-Commerce initiatives, particularly the electronic filing and review of patent applications at the USPTO. Currently, approximately 65% of patent applications are being filed electronically. The USPTO plans to increase the number of patent applications filed electronically to over 75% within the next two years. SIRA has established the Electronic Business Center (EBC) to support the users of these e-Commerce initiatives.

SIRA plans to survey EBC users, including corporate patent filers, patent attorneys and their staff, and independent inventors to obtain feedback concerning their satisfaction with support from the EBC, to obtain suggestions concerning how the EBC can improve the usefulness of its current services, and to determine the design of new services that could be provided.

This survey will enable the USPTO's e-Commerce customers to provide feedback and comments. The USPTO will use the information for both EBC strategic and operational planning including design of services, allocation of resources, establishment of service standards and performance goals, tailoring of efficient and cost-effective customer satisfaction improvement strategies, and day-to-day management.

There are no statutes or regulations requiring the USPTO to conduct this usage and satisfaction measurement. The USPTO will use this questionnaire to implement Executive Order 12862 of September 11, 1993, *Setting Customer Service Standards*, published in the *Federal Register* on September 14, 1993 (Vol. 58, No. 176). This customer satisfaction measurement also supports various strategic plan initiatives developed by the USPTO to fulfill customer service and performance goals in response to the Presidential Electronic Filing Goals.

B. Survey Design

The EBC Satisfaction Measurement survey is a voluntary, electronic point of service survey. Customers will be asked via a recorded message prior to telephone contact with the EBC representative to participate in an online survey of their experience with the EBC and the services provided by the EBC. If the customer requests to the representative to take the online survey or if the customer agrees to take the survey based on the EBC representative's request to take the survey, the EBC representative will send the customer an e-mail invitation with a survey request shortly after completing the interaction. A voluntary request will be made, in the e-mail invitation, to the customer to access the survey site via the Internet and complete the survey. If the customer takes the survey, the customer may respond to any, all, or none of the survey

questions. At the completion of the survey the customer will need to agree to submit their responses to the USPTO. No information will be collected by the USPTO without the customer's agreement. A representative of SIRA may contact the customer based on the survey answers provided that the customer agrees within the survey to allow further communication. The customer will have five days to answer the survey from when they received the survey request before the opportunity expires. Once the customer accesses the survey the first time, the customer will have three days to go back in and finish the survey. Both of these design elements were included to provide the best data possible.

If a customer fails to complete a survey, there will be no further communication about the survey regarding that particular interaction. The customer will, however, remain in the survey pool and will have a survey opportunity corresponding to each interaction regardless of the survey response status of previous interactions.

All survey results will be confidential and reviewed only by USPTO management and contractor support. Survey results will be linked to information obtained and documented by the EBC during the interaction(s) between the customer and the EBC representative(s) that originated the survey request. Detailed data corresponding to each survey response and customer interaction with the USPTO will be maintained.

Customers will complete the survey online through a contractor's website. The survey will be designed to reflect only the USPTO's branding. The survey results and the information obtained and documented by the EBC during its interaction(s) with the customer will reside in a secured folder containing three files on the contractor's website. The survey's web server will be contractor managed and accessible by both the contractor and USPTO personnel. The file containing the combination of contact and survey data may also reside elsewhere within folder(s) on the USPTO server(s). Usernames and passwords will be needed to access this information.

The EBC Satisfaction Measurement survey will be available to all USPTO customers calling the EBC. Customers must agree to provide an e-mail address where the survey request can be sent. The survey contains nine questions.

C. Respondent Pool

At this time, the EBC performs approximately 10,000 separate communications per month with customers of 60,000 over a six-month period based on the most recent monthly volume. The entire pool of telephone communications will be used to establish the respondent pool.

D. Sampling Method

Each customer who telephones the EBC will be made aware of the survey opportunity. The customer will then have the option to participate.

E. Collection Procedures

The EBC Satisfaction Measurement survey will only be available online and can be accessed through the URL that will be provided to users via e-mail. The e-mail invitation will provide an introduction to the survey, explain the purpose of the survey, and provide instructions for the survey. The instructions will explain that the USPTO is sponsoring a voluntary survey and that all responses will remain confidential.

F. Expected Response Rate

The USPTO anticipates that 10% of those requested to take the survey will agree to do so, for an estimated 6,000 completed surveys over a 12-month period. Since the survey is completed electronically, the USPTO estimates that it will take approximately six (6) minutes (0.10 hours) to complete the survey. Because these users will be familiar with the topics, the use of e-mail, and with the use of Internet-based applications, they should be able to answer the proposed questions with ease. Therefore, the USPTO believes that it has minimized the burden on respondents to the survey.

The USPTO believes that both professionals and para-professionals will respond to the survey. Based on recent focus groups, the USPTO is calculating the burden hours and costs using a rate that is 30% professional and 70% para-professional. The professional hourly rate of \$304 used to calculate the rate for this survey 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. The para-professional hourly rate (\$90) used for this survey 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 30% of \$304, is \$91.20, while the hourly rate for the para-professionals, calculating 70% of \$90, is \$63. Adding these two rates together provides the total hourly rate of \$154.20. This is a fully loaded hourly rate. This rate is used to determine the burden hour cost to the respondents for this information collection.

Based on the estimated number of responses and the completion time for these surveys, the USPTO estimates that a total of 600 burden hours per year will be associated with this survey (0.10 hours X 6,000 responses = 600 hours). Multiplying that against the hourly rate of \$154.20 gives a total annual respondent cost burden of \$92,520 (600 hours X \$154.20 = \$92,520).

G. Follow-up Procedures Employed

Follow-up communication by the USPTO is at the option of the respondent. The main incentive for users to respond to the survey is the fact that all responses, suggestions, and comments will be taken into consideration by the SIRA development team in managing and making improvements to the EBC.

An attempt will also be made to contact customers with unresolved questions or problems and/or to discuss service issues based on customer response within the surveys. Action will be taken to resolve service issues that have been identified.

H. Assurance of Confidentiality

Data collected from this survey will be confidential and will only be available to employees and designated contractors of the USPTO.

The EBC Satisfaction Measurement survey will be completed online. Respondents will need the URL for the survey site to enter the survey, which will be provided in an e-mail to the respondent. The URL for the survey site that is sent to each respondent will contain a unique embedded number. The unique embedded number will be the only means by which the survey results and the details of the customer interaction with the EBC that initiated the survey can be linked.

The electronic version of the survey will be in HTML format and will be hosted on the contractor's website. The survey, survey results, and the details of the customer interactions with the EBC that initiated the survey will reside in three different files in a secured folder on the contractor's website. One file will contain contact information that describes the interaction between customers and the EBC, including the customers' names, phone numbers, and e-mail addresses. The second file will contain survey results, which will be created from the customers' responses. The third file will identify which customers were sent an e-mail with a survey link. This information will be accessible by both the contractor and USPTO personnel, although the file containing both the contact and survey data may also be accessible on the USPTO's servers.

Because a SIRA representative may contact customers to discuss their survey responses and the surveys are being sent to customers who have interacted with the EBC and therefore have service records in the USPTO's call center system, the USPTO drafted a Privacy Act System of Records Notice entitled, "Customer Call Center, Assistance and Satisfaction Survey Records" which was published in the *Federal Register* on August 1, 2007 (72 FR 42060). The system may include names of individuals, addresses, phone numbers, fax numbers, e-mail addresses, and customer numbers. The USPTO believes that the records will be accessed using the individual's name. Only authorized personnel will have access to the records, which will be password protected. The e-mail invitation will contain the associated Privacy Act Statement for this survey.

I. Analysis Plan

Results from each individual survey will be reviewed to determine whether the question(s) or problem(s) that initiated the original communications from the customer was resolved and whether an acceptable level of service was provided by the EBC during the customer contact. An attempt will be made to contact customers with unresolved questions or problems and/or to discuss service issues that were reported. Action will be taken to resolve service issues that can be substantiated. Ongoing

statistical analysis will be undertaken to review the adequacy of EBC services and the level of customer satisfaction associated with the performance of these services. Suggestions will be reviewed in order to improve existing services and to define needed additional services.