

SUPPORTING STATEMENT
United States Patent and Trademark Office
Patent and Trademark Financial Transactions
OMB CONTROL NUMBER 0651-0043

A. JUSTIFICATION

1. Necessity of Information Collection

Under 35 U.S.C. § 41 and 15 U.S.C. § 1113, the United States Patent and Trademark Office (USPTO) charges fees for processing and other services related to patents, trademarks, and information products. Customers may submit payments to the USPTO by several methods, including credit card, deposit account, electronic funds transfer (EFT), and paper check transactions. The provisions of 35 U.S.C. § 41 and 15 U.S.C. § 1113 are implemented in 37 CFR 1.16-1.28, 2.6-2.7, and 2.206-2.209.

This information collection includes the Credit Card Payment Form (PTO-2038), which provides the public with a convenient way to submit a credit card payment for fees related to a patent, trademark, or information product. Customers may also submit credit card payments via the Electronic Credit Card Payment Form (PTO-2231) when using online systems through the USPTO Web site for paying fees related to patents, trademarks, or information products.

Customers may establish a deposit account for making fee payments by completing a Deposit Account Application Form (PTO-2232) and sending the required information, initial deposit, and service fee to the USPTO. Deposit accounts eliminate the need to submit a check, credit card information, or other form of payment for each transaction with the USPTO. Additionally, in the event that a fee amount due is miscalculated, customers may authorize the USPTO to charge any remaining balance to the deposit account and therefore avoid the potential consequences of underpayment. As customers use their deposit accounts to make payments, they may deposit funds to replenish their accounts by mailing a check to the USPTO or making a deposit online via EFT using the Electronic Deposit Account Replenishment Form (PTO-2233) available at the USPTO Web site. Replenishments may not be made by credit card. Customers may close their deposit accounts by submitting a written request or by using the Deposit Account Closure Request Form (PTO-2234). The remaining balance in the deposit account will be refunded after a six-week waiting period with no account activity to ensure that all outstanding charges have been applied before the account is closed.

In addition to credit cards and deposit accounts, customers may also use EFT to make online fee payments to the USPTO. Customers must first establish a user profile with their banking information by submitting the EFT User Profile Form (PTO-2236) through the USPTO Web site. Once their profile is created, customers may use their User ID and password to perform EFT transactions.

Under 37 CFR 1.26 and 2.209, the USPTO may refund fees paid by mistake or in excess of the required amount. In general, refunds of amounts larger than \$25 are returned to the customer automatically using the same method as the original payment. For refund amounts of \$25 or less, customers must submit a written request to the Refund Branch of the USPTO Office of Finance.

In order to access and manage their financial activity records online, customers may create a Financial Profile through the USPTO Web site. Customers create a profile by registering a username and password, providing contact information, and specifying the types of notifications and alerts they would like to receive. After establishing a Financial Profile, customers may then add the relevant account information to the profile in order to track their credit card, deposit account, and EFT transactions with the USPTO.

Table 1 provides the specific statutes and regulations authorizing the USPTO to collect the information discussed above:

Table 1: Information Requirements for Patent and Trademark Financial Transactions

Requirement	Statute	Rule
Credit Card Payment Form	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.23(b) and 2.207(b)
Electronic Credit Card Payment Form	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.23(b) and 2.207(b)
Deposit Account Application Form	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.21(b), 1.25, 2.6, and 2.208
Deposit Account Replenishment	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.21(b), 1.25, 2.6, and 2.208
Electronic Deposit Account Replenishment Form	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.21(b), 1.25, 2.6, and 2.208
Deposit Account Closure Request Form	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.25 and 2.208
EFT User Profile Form	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.23, 1.25, 2.207, and 2.208
Refund Request	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.26, 1.28, and 2.209
Financial Profiles	35 U.S.C. § 41, 15 U.S.C. § 1113	37 CFR 1.23, 1.25 and 2.206-2.208

2. Needs and Uses

This collection allows the public to pay for patent and trademark fees by credit card, establish and manage USPTO deposit accounts, request refunds, and set up user profiles. The USPTO uses this collection to process credit card payments, handle deposit account requests, issue refunds, and provide user accounts for EFT and other financial transactions.

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. 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.

Table 2 outlines how this collection of information is used by the public and the USPTO:

Table 2: Needs and Uses of Information Collected for Patent and Trademark Financial Transactions

Form and Function	Form #	Needs and Uses
Credit Card Payment Form	PTO-2038	<ul style="list-style-type: none"> Used by the public to pay fees using a credit card and to advise the USPTO of the purpose for which the fee is being submitted. Used by the USPTO to process the fee payment and determine whether the appropriate fee has been submitted.
Electronic Credit Card Payment Form	PTO-2231	<ul style="list-style-type: none"> Used by the public to pay fees online using a credit card. Used by the USPTO to process the fee payment and determine whether the appropriate fee has been submitted.
Deposit Account Application Form	PTO-2232	<ul style="list-style-type: none"> Used by the public to open a deposit account at the USPTO, make an initial deposit, and pay the setup fee. Used by the USPTO to establish a deposit account for the identified customer.
Deposit Account Replenishment	No form	<ul style="list-style-type: none"> Used by the public to submit additional funds for a deposit account by mail. Used by the USPTO to process additions of funds to a deposit account.
Electronic Deposit Account Replenishment Form	PTO-2233	<ul style="list-style-type: none"> Used by the public to submit additional funds for a deposit account online. Used by the USPTO to process additions of funds to a deposit account.
Deposit Account Closure Request Form	PTO-2234	<ul style="list-style-type: none"> Used by the public to close a deposit account and recover the remaining balance. Used by the USPTO to close a deposit account and return the remaining balance to the customer.
EFT User Profile Form	PTO-2236	<ul style="list-style-type: none"> Used by the public to set up a User ID and password for making online payments to the USPTO via electronic funds transfer. Used by the USPTO to collect the necessary banking information from customers to allow payments via electronic funds transfer.
Refund Request	No form	<ul style="list-style-type: none"> Used by the public to request refunds for overpayments of \$25 or less. Used by the USPTO to issue refunds of \$25 or less at the request of the customer.
Financial Profiles	No form number	<ul style="list-style-type: none"> Used by the public for online management of their financial transactions with the USPTO. Used by the USPTO to establish a financial profile to store account and transaction information for customers.

3. Use of Information Technology

The agency leverages information technology to support the ability of customers to use online systems provided by the USPTO for paying fees related to patents, trademarks, or information products. This information collection currently includes Web-based forms used to make credit card payments, replenish deposit accounts, and establish user profiles for EFT payments and other financial transactions.

After mailing in a Deposit Account Application to set up the account, customers may then use the Electronic Deposit Account Replenishment Form to add funds to the deposit account online through the USPTO web site. Customers wishing to make payments to the USPTO via EFT must first complete the online EFT User Profile Form with the required banking information and choose a unique User ID and password. After establishing an EFT User Profile, customers can then simply use their User ID and password to make EFT payments to the USPTO.

The payment portion of these online transactions is handled by an electronic revenue system maintained by the USPTO. The customer uses the web as an interface to the revenue system, which maintains a secure payment server. The online payment system uses Secure Sockets Layer (SSL) technology in order to encrypt the credit card data and transmit it securely over the Internet. The customer is presented with an electronic confirmation receipt after the payment is submitted and may print it out as a record of payment.

The information for Financial Profiles is collected electronically. Customers with a Financial Profile at the USPTO Web site may request to receive notifications and alerts. They also may add the relevant account information to their profile in order to track their credit card, deposit account, EFT, and paper check transactions with the USPTO. In addition to tracking this activity, customers who have added the appropriate deposit account and EFT information to their Financial Profiles may use them to add funds to a deposit account or transfer funds between two deposit accounts. In the future, customers may be able to use their Financial Profiles to perform other transactions with the USPTO by using their previously stored financial information, eliminating the need to enter a credit card or deposit account number each time a payment is made.

4. Efforts to Identify Duplication

This information is collected only when a customer makes a credit card payment, establishes or maintains a deposit account, sets up a user profile, or requests a refund from the USPTO. This information is not collected elsewhere and does not result in a duplication of effort.

5. Minimizing Burden to Small Entities

The collection does not impose a significant economic burden on small entities or small businesses. The same information is required from every customer and is not available from any other source.

6. Consequences of Less Frequent Collection

This information is collected only when a customer makes a credit card payment, establishes or maintains a deposit account, sets up a user profile, or requests a refund from the USPTO. This information is collected only when a customer makes the relevant transaction with the USPTO and could not be conducted less frequently. If the information were not collected, the USPTO would not be able to accept payments using credit cards, deposit accounts, or EFT and process related requests.

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 Notice was published in the *Federal Register* on August 21, 2008 (Volume 73, Number 163). The comment period ended on October 20, 2008. No public comments were received.

The USPTO has long-standing relationships with groups from whom patent application data is collected, such as the American Intellectual Property Law Association (AIPLA), as well as patent bar associations, independent inventor groups, and users of our public facilities. Their views are expressed in regularly scheduled meetings and considered in developing proposals for information collection requirements. There have been no comments or concerns expressed by these or similar organizations concerning the time required to provide the information required under this program.

9. Payment or Gifts to Respondents

This information collection does not involve a payment or gift to any respondent.

10. Assurance of Confidentiality

This collection contains personal information that is subject to the Privacy Act. This information, such as credit card numbers and personal information associated with deposit accounts and EFT profiles, will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. § 552) and the Privacy Act (5 U.S.C. § 552a).

The Credit Card Payment Form includes a statement advising the cardholder that if a credit card number is included on any form or document other than the Credit Card Payment Form, the USPTO will not be liable in the event that the credit card number becomes public knowledge. The USPTO originally included this warning statement on the form because patent and trademark applicants may submit fees on other forms or documents other than the Credit Card Payment Form. These other forms and documents also contain this warning and directions to use the official Credit Card Payment Form for submitting credit card payment information.

This warning statement is necessary because of the different confidentiality requirements for patents and trademarks. Confidentiality of information concerning patent applications is governed by statute (35 U.S.C. § 122) and regulation (37 CFR 1.14). Upon publication of an application or issuance of a patent, the entire patent application file is available to the public, subject to the provisions for providing only a redacted copy of the file contents. Trademark applications and registrations are also open to public inspection. Confidentiality is not required in the processing of trademark applications.

In order to protect confidentiality, the USPTO will not include the credit card information submitted using the provided credit card payment forms among the patent or trademark records open to public inspection. If a customer supplies credit card information on a form or document (e.g. in correspondence related to a patent or trademark) other than a credit card payment form provided by the USPTO, the credit card information may become part of a patent or trademark file that is open to public inspection. In such cases, the USPTO will not be liable if the credit card information becomes public knowledge.

Credit card and deposit account records are kept under a variety of administrative controls to ensure that the information is kept confidential. Systems are maintained in areas that are only accessible by authorized personnel and in buildings protected by security systems after business hours. The USPTO maintains paper records in lockable file cabinets or in file cabinets in secure areas. Electronic records are stored in secured premises with appropriate measures taken to limit electronic access to authorized personnel who require access for the performance of their official duties.

11. Justification for Sensitive Questions

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

12. Estimate of Hour and Cost Burden to Respondents

Table 3 calculates the burden hours and costs of this information collection to the public, based on the following factors:

- Respondent Calculation Factors**
 The USPTO estimates that it will receive approximately 1,647,133 total responses per year for this collection, as shown in Table 3 below.
- Burden Hour Calculation Factors**
 The USPTO estimates that it will take the public approximately two to six minutes (0.03 to 0.10 hours) to gather the necessary information, prepare, and submit the items in this collection.
- Cost Burden Calculation Factors**
 The USPTO expects that approximately 75% of the submissions for this information collection will be prepared by fee administrators/coordinators and that 25% of the submissions will be prepared by paraprofessionals. Using those proportions and the estimated rates of \$30 per hour for fee administrators/coordinators and \$100 per hour for paraprofessionals, the USPTO estimates that the average rate for all respondents will be approximately \$48 per hour. This is a fully-loaded hourly rate.

Table 3: Burden Hour/Burden Cost to Respondents for Patent and Trademark Financial Transactions

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate (\$/hr) (d)	Total Cost (\$/yr) (e) (c) x (d)
Credit Card Payment Form	0.03	251,727	7,552	\$48.00	\$362,496.00
Electronic Credit Card Payment Form	0.03	1,321,921	39,658	\$48.00	\$1,903,584.00
Deposit Account Application Form	0.03	305	9	\$48.00	\$432.00
Deposit Account Replenishment	0.03	32,179	965	\$48.00	\$46,320.00
Electronic Deposit Account Replenishment Form	0.03	29,009	870	\$48.00	\$41,760.00
Deposit Account Closure Request Form	0.07	168	12	\$48.00	\$576.00
EFT User Profile Form	0.03	2,850	86	\$48.00	\$4,128.00
Refund Request	0.07	8,474	593	\$48.00	\$28,464.00
Financial Profiles	0.10	500	50	\$48.00	\$2,400.00
Totals	-----	1,647,133	49,795	-----	\$2,390,160.00

The USPTO estimates that approximately 82% of the total responses for this collection will be submitted electronically using the Electronic Credit Card Payment Form, Electronic Deposit Account Replenishment Form, the EFT User Profile Form, and the Financial Profiles, which customers may access through the USPTO Web site.

13. Total Annualized (Non-hour) Cost Burden

There are no capital start-up costs or maintenance costs associated with this information collection. However, this collection does have associated service fees for deposit accounts and returned payments, postage costs for mailing submissions to the

USPTO, and recordkeeping costs related to electronic credit card payments and electronic deposit account replenishments.

There are service fees for setting up a deposit account at the USPTO, for not maintaining the minimum balance required for the deposit account, and for returned payments. The service charge to establish a deposit account is \$10, and the USPTO estimates that it processes 305 Deposit Account Application Forms annually, for a total of \$3,050 per year. There is also a \$25 service charge for deposit accounts that are below the minimum balance (\$1,000 minimum balance for an unrestricted deposit account or \$300 minimum balance for a restricted deposit account) at the end of the month. The USPTO estimates that it assesses 3,940 of these low balance charges annually, for a total of \$98,500 per year. There is a \$50 service charge for processing a payment refused (including a check returned “unpaid”) or charged back by a financial institution. The USPTO estimates that it assesses 345 of these returned payment charges annually, for a total of \$17,250 per year. The total estimated service fees for this collection are \$118,800 per year.

Customers may incur postage costs when submitting the Credit Card Payment Form and other paper forms or requests to the USPTO by mail. Customers generally send the Credit Card Payment Form to the USPTO along with other documents related to the fee or service being paid for by credit card, but some customers may submit just the Credit Card Payment Form without additional supporting documents. The USPTO estimates that roughly 5 percent of the 251,727 paper Credit Card Payment Forms submitted annually may be mailed in by themselves, approximately 12,586 per year. The USPTO estimates that it will receive an additional 41,126 submissions per year that may be mailed, including Deposit Account Application Forms, Deposit Account Replenishments, Deposit Account Closure Requests, and Refund Requests, for a total of 53,712 mailed submissions per year. The USPTO estimates that the first-class postage cost for a mailed submission will be 42 cents, for a total postage cost of approximately \$22,559 per year.

251,727 responses x 5% (responses mailed in alone not accompanied by other documents) = 12,586 mailed Credit Card Payment Forms per year.

12,586 mailed Credit Card Payment Forms + 41,126 additional mailed responses for Deposit Account Application Forms, Deposit Account Replenishments, Deposit Account Closure Requests, and Refund Requests = 53,712 total mailed responses per year.

53,712 mailed responses x \$0.42 postage = \$22,559 postage costs per year.

Customers using the Electronic Credit Card Payment Form or the Electronic Deposit Account Replenishment Form may incur recordkeeping costs from printing a copy of the electronic receipt confirming their successful online transaction. The USPTO estimates that it will take 5 seconds (0.001 hours) to print a copy of the confirmation receipt and that approximately 1,350,930 submissions per year will use the Electronic Credit Card Payment Form or the Electronic Deposit Account Replenishment Form, for a total

recordkeeping burden of 1,351 hours per year. Using the paraprofessional rate of \$100 per hour, the USPTO estimates that the recordkeeping cost associated with this collection will be approximately \$135,100 per year.

The total annual (non-hour) cost burden for this collection in the form of service fees (\$118,800), postage costs (\$22,559), and recordkeeping costs (\$135,100) is estimated to be \$276,459 per year.

14. Annual Cost to the Federal Government

The USPTO estimates that it takes a GS-7, step 1 employee approximately 12 minutes (0.2 hours) to process a paper Credit Card Payment Form or Refund Request. The hourly rate for a GS-7, step 1 is currently \$18.85. When 30% is added to account for a full-loaded hourly rate (benefits and overhead), the hourly rate for processing these items is \$24.51 (\$18.85 + \$5.66).

The USPTO estimates that it takes a GS-9, step 1 employee approximately 12 minutes (0.2 hours) to process a Deposit Account Application Form, a Deposit Account Replenishment, or a Deposit Account Closure Request Form. The hourly rate for a GS-9, step 1 is currently \$23.05. When 30% is added to account for a full-loaded hourly rate (benefits and overhead), the hourly rate for processing these items is \$29.97 (\$23.05 + \$6.92).

When a customer makes an online submission using the Electronic Credit Card Payment Form or the Electronic Deposit Account Replenishment Form, the transaction is processed electronically and recorded directly into the revenue system with no staff time required. Similarly, when a customer creates an EFT User Profile or Financial Profile online through the USPTO Web site, the information is processed electronically and the profile established with no staff time required.

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

Table 4: Burden Hour/Burden Cost to the Federal Government for Patent and Trademark Financial Transactions

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate (\$/hr) (d)	Total Cost (\$/yr) (e) (c) x (d)
Credit Card Payment Form	0.2	251,727	50,345	\$24.51	\$1,233,956.00
Electronic Credit Card Payment Form	0.0	1,321,921	0	N/A	\$0.00
Deposit Account Application Form	0.2	305	61	\$29.97	\$1,828.00
Deposit Account Replenishment	0.2	32,179	6,436	\$29.97	\$192,887.00
Electronic Deposit Account Replenishment Form	0.0	29,009	0	N/A	\$0.00
Deposit Account Closure Request Form	0.2	168	34	\$29.97	\$1,019.00

EFT User Profile Form	0.0	2,850	0	N/A	\$0.00
Refund Request	0.2	8,474	1,695	\$24.51	\$41,544.00
Financial Profiles	0.0	500	0	N/A	\$0.00
Totals	-----	1,647,133	58,571	-----	\$1,471,234.00

The USPTO estimates that the cost of providing and maintaining the systems to process these transactions is approximately \$1,777,700 annually, including costs for associated hardware, software, licensing, and support. Therefore, this information collection has a total government processing cost of approximately \$3,248,934 per year.

15. Reason for Change in Burden

Summary of Changes Since the Previous Renewal

- February 2006: Renewal approved by OMB with a total of 1,928,705 responses and 58,116 burden hours per year.
- November 2007: OMB approved the addition of Financial Profiles to this collection, which increased the total burden by 500 responses and 50 hours.
- Currently: Approved with a total of 1,929,205 responses and 58,166 burden hours per year.

For this renewal, the USPTO estimates that the total annual responses will be 1,647,133 and the total burden hours will be 49,795, which is a decrease of 282,072 responses and 8,371 hours from the currently approved burden for this collection. The decrease in burden hours is due to administrative adjustments.

The total annual (non-hour) cost burden for this renewal of \$276,459 is an increase of \$39,291 from the current approved total of \$237,168 in annual costs for this collection. This increase in annual costs is due to administrative adjustments.

Changes from the 60-Day Notice

The 60-Day Notice for this renewal reported an estimated burden of 1,929,205 responses and 58,166 hours per year for this collection. The USPTO has since revised the estimated annual responses for several items in this collection to better reflect expected filings. These revised estimates result in a total estimated burden for this collection of 1,647,133 responses and 49,795 hours per year.

The 60-Day Notice for this renewal reported an estimated respondent cost burden of \$2,617,470 per year. Since the 60-Day Notice was published, the USPTO has revised its estimated rate for respondents to this collection from \$45 to \$48 per hour. The USPTO has also revised the estimated total burden hours of this collection from 58,166

to 49,795. As a result, the estimated total respondent cost burden has decreased to the revised \$2,390,160 now submitted with this renewal.

The 60-Day Notice for this renewal reported an estimated annual (non-hour) cost burden of \$248,603. Since the 60-Day Notice was published, the USPTO has revised its estimated rate for paraprofessionals maintaining acknowledgment receipts from online transactions from \$90 to \$100 per hour. The USPTO has also revised the estimated annual responses for this collection from 1,929,205 to 1,647,133, which in turn affects the annual (non-hour) cost estimates that are based on expected filings. As a result, the estimated total annual cost burden has increased to the revised \$276,459 being submitted with this renewal.

Change in Respondent Cost Burden

The previous submission for this collection was approved in November 2007 with an estimated total respondent cost burden of \$2,617,470 per year. The 2007 submission used an estimated rate of \$45 per hour for respondents to this collection, which was based on the expectation that 75% of submissions will be prepared by fee administrators/coordinators at an estimated rate of \$30 per hour and that 25% will be prepared by paraprofessionals at a rate of \$90 per hour.

For this renewal, the USPTO has revised the estimated rate for respondents to \$48 per hour to reflect the expectation that 75% of submissions will be prepared by fee administrators/coordinators at an estimated rate of \$30 per hour and that 25% will be prepared by paraprofessionals at an updated rate of \$100 per hour. At the revised rate of \$48 per hour, the 49,795 burden hours for this renewal yield a respondent cost burden of \$2,390,160, which is a decrease of \$227,310 from the total respondent cost burden reported in the 2007 submission. This decrease is due to the expected decrease in total filings, which is partially offset by the increase in the estimated hourly rate for respondents.

Changes in Responses and Burden Hours

For this renewal, the USPTO estimates that the annual responses for this collection will decrease by 282,072, from 1,929,205 to 1,647,133 responses per year. The USPTO also estimates that the total burden hours for this collection will decrease by 8,371, from 58,166 to 49,795 hours per year. This decrease is due to administrative adjustments, as follows:

- The USPTO estimates that the annual responses for the Credit Card Payment Form will decrease by 611,662, from 863,389 to 251,727, due to adjustments in the number of expected filings of the form. **Therefore, this collection takes a burden decrease of 18,350 hours as an administrative adjustment.**
- The USPTO estimates that the annual responses for the Electronic Credit Card

Payment Form will increase by 304,599, from 1,017,322 to 1,321,921, due to an increase in the expected number of electronic filings. **Therefore, this collection takes a burden increase of 9,138 hours as an administrative adjustment.**

- The USPTO estimates that the annual responses for the Deposit Account Application Form will increase by 7, from 298 to 305, due to an increase in the expected number of filings. This minor increase does not result in an increase of total burden hours for this collection.
- The USPTO estimates that the annual responses for Deposit Account Replenishments will increase by 11,342, from 20,837 to 32,179, due to an increase in the expected number of filings. **Therefore, this collection takes a burden increase of 340 hours as an administrative adjustment.**
- The USPTO estimates that the annual responses for Electronic Deposit Account Replenishment Forms will increase by 11,345, from 17,664 to 29,009, due to an increase in the expected number of filings. **Therefore, this collection takes a burden increase of 340 hours as an administrative adjustment.**
- The USPTO estimates that the annual responses for the Deposit Account Closure Request Forms will increase by 36, from 132 to 168, due to an increase in the expected number of filings. **Therefore, this collection takes a burden increase of 3 hours as an administrative adjustment.**
- The USPTO estimates that the annual responses and burden hours for the EFT User Profile Forms will remain the same for this renewal.
- The USPTO estimates that the annual responses for Refund Requests will increase by 2,261, from 6,213 to 8,474, due to an increase in the expected number of filings. **Therefore, this collection takes a burden increase of 158 hours as an administrative adjustment.**
- The USPTO estimates that the annual responses and burden hours for the Financial Profiles will remain the same for this renewal.

In sum, this information collection has a total net burden decrease of 8,371 hours due to administrative adjustments.

Changes in Annual (Non-hour) Costs

For this renewal, the USPTO estimates that the total annual (non-hour) costs for this collection will increase by \$39,291, from \$237,168 to \$276,459 per year. The increase in total annual (non-hour) costs is due to administrative adjustments, as follows:

- This collection is currently approved with a total of \$125,780 in service fees

associated with setting up deposit accounts, not maintaining the required minimum balance for deposit accounts, and returned payments. For this renewal, the USPTO estimates that total service fees will decrease to \$118,800, primarily due to expected decreases in total fees collected for below-minimum balances and returned payments. **Therefore, this collection takes a burden decrease of \$6,980 in service fees as an administrative adjustment.**

- This collection is currently approved with a total of \$27,553 in postage costs associated with mailing responses to the USPTO. For this renewal, the USPTO estimates that the postage costs for mailed items will decrease to \$22,559, primarily due to expected decreases in the number of Credit Card Payment forms submitted by mail. This decrease is only partially offset by increases in postage rates and expected filings for other paper submissions. **Therefore, this collection takes a burden decrease of \$4,994 in postage costs as an administrative adjustment.**
- This collection is currently approved with a total of \$83,835 in recordkeeping costs associated with the Electronic Credit Card Payment Form and the Electronic Deposit Account Replenishment Form. For this renewal, the USPTO estimates that the recordkeeping costs for printing the confirmation receipt for this transaction will increase to \$135,100 due to increases in the expected filings for these items and the estimated hourly rate for paraprofessionals printing the receipts. **Therefore, this collection takes a burden increase of \$51,265 in recordkeeping costs as an administrative adjustment.**

In sum, this collection has an annual (non-hour) cost burden of \$276,459, with \$118,800 in the form of fees, \$22,559 in the form of postage costs, and \$135,100 in the form of recordkeeping costs. **Therefore, this collection has a total net increase in annual (non-hour) cost burden of \$39,291 due to administrative adjustments.**

[Note: The previously approved estimate of \$237,168 in annual costs for this collection is listed as \$237,000 in the current inventory system. The \$168 difference is due to rounding the estimate to the nearest thousand dollars in order to accommodate the legacy inventory system. This rounded figure was carried over when the legacy data was migrated to the current inventory system. Consequently, the annual cost burden increase of \$39,291 for this collection that is due to administrative adjustments is displayed as an increase of \$39,459 in the current inventory system in order to compensate for the previously rounded figure and to result in the new annual cost burden of \$276,459 for this collection as described above.]

16. Project Schedule

The USPTO does not intend to publish this information for statistical use.

17. Display of Expiration Date of OMB Approval

The forms in this information collection will display the OMB Control Number and the expiration date.

18. Exceptions to the Certificate Statement

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

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.

REFERENCES

- A. The USPTO Information Quality Guidelines
- B. Credit Card Payment Form (PTO-2038)
- C. Electronic Credit Card Payment Form (PTO-2231)
- D. Deposit Account Application Form (PTO-2232)
- E. Electronic Deposit Account Replenishment Form (PTO-2233)
- F. Deposit Account Closure Request Form (PTO-2234)
- G. EFT User Profile Form (PTO-2236)
- H. Financial Profiles
- I. 60-Day Notice published in the *Federal Register* on August 21, 2008 (Volume 73, Number 163)