

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
United States Patent and Trademark Office
Representative and Address Provisions
OMB CONTROL NUMBER 0651-0035
(August 2010)

Background

The United States Patent and Trademark Office (USPTO) is submitting this request to update information collection 0651-0035 Representative and Address Provisions. The USPTO is revising two of the forms in this collection related to customer numbers, the Request for Customer Number Data Change (PTO/SB/124) and the Request for Customer Number (PTO/SB/125).

The USPTO allows customers to file patent applications and related documents electronically through the Web-based Electronic Filing System (EFS-Web) and to access their applications online through the Private Patent Application Information Retrieval (PAIR) system. In order to take full advantage of the online patent application systems offered by the USPTO, users must obtain a public key infrastructure (PKI) certificate and then associate the PKI certificate with a USPTO customer number.

The USPTO is streamlining the procedure for associating a PKI certificate with a customer number. Typically, practitioners or *pro se* inventors would submit a Certificate Action Form (PTO-2042), which is approved under OMB Control Number 0651-0045, to the USPTO in order to associate their PKI certificates with a customer number. Under the revised procedure, practitioners or inventors listed on the Request for Customer Number forms would automatically have their existing PKI certificates associated with the indicated customer number (or deleted from the customer number, in the case of deleted practitioners) without having to submit a separate Certificate Action Form.

The revised procedure will have the following effects:

- When a practitioner submits a Request for Customer Number (PTO/SB/125), the practitioner provides a list of practitioners (indicated by registration numbers) to be associated with the new customer number. The USPTO will then automatically associate any existing PKI certificates belonging to the listed practitioners with the new customer number. Similarly, if the Request for Customer Number is submitted by a *pro se* inventor, then the USPTO will automatically associate any existing PKI certificate belonging to the inventor with the new customer number. The revised procedure eliminates the need for practitioners or inventors to submit a subsequent Certificate Action Form (PTO-2042) to associate their PKI certificates with the new customer number.
- Users may add a practitioner to an existing customer number by submitting a Request for Customer Number Data Change (PTO/SB/124). The USPTO will

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(continued)**

then automatically associate the practitioner's existing PKI certificate with the customer number, which eliminates the need for the practitioner to submit a separate Certificate Action Form (PTO-2042) to associate the PKI certificate with the customer number. If a user submits a Request for Customer Number Data Change (PTO/SB/124) in order to delete a practitioner from a customer number, the USPTO will also disassociate the deleted practitioner's PKI certificate from the customer number.

- Users may request a new PKI certificate and a new customer number at the same time by submitting both a Request for Customer Number (PTO/SB/125) and a Certificate Action Form (PTO-2042). The USPTO will automatically associate the new PKI certificate with the new customer number.

Summary of Changes

In order to accommodate the revised procedure, the forms in this information collection will be revised as follows:

- The USPTO is revising the text on the Request for Customer Number Data Change (PTO/SB/124) to indicate that (1) practitioners being added to the listed customer number will also have any existing PKI certificates belonging to those practitioners associated with that customer number; and (2) practitioners being deleted from the listed customer number will no longer have Private PAIR access to that customer number.
- The USPTO is revising the text on the Request for Customer Number (PTO/SB/125) to indicate that (1) practitioners being added to the newly requested customer number will also have any existing PKI certificates belonging to those practitioners associated with the new customer number; and (2) the request must be submitted by a registered practitioner or *pro se* inventor listed on the form.

Changes in Burden

The proposed revisions to these two forms will not result in a substantive change in the burden for this collection. The proposed revisions clarify the new procedure for users of the forms and do not change the information being collected.