



**Homeland
Security**

The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
703-235-0780, pia@dhs.gov
www.dhs.gov/privacy

Privacy Threshold Analysis

Version date: June 10, 2010

Page 1 of 6

PRIVACY THRESHOLD ANALYSIS (PTA)

**This form is used to determine whether
a Privacy Impact Assessment is required.**

Please use the attached form to determine whether a Privacy Impact Assessment (PIA) is required under the E-Government Act of 2002 and the Homeland Security Act of 2002.

Please complete this form and send it to your component Privacy Office. If you do not have a component Privacy Office, please send the PTA to the DHS Privacy Office:

Rebecca J. Richards
Director of Privacy Compliance
The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
Tel: 703-235-0780

PIA@dhs.gov

Upon receipt from the component Privacy Office, the DHS Privacy Office will review this form. If a PIA is required, the DHS Privacy Office will send you a copy of the Official Privacy Impact Assessment Guide and accompanying Template to complete and return.

A copy of the Guide and Template is available on the DHS Privacy Office website, www.dhs.gov/privacy, on DHSConnect and directly from the DHS Privacy Office via email: pia@dhs.gov, phone: 703-235-0780.



PRIVACY THRESHOLD ANALYSIS (PTA)

SUMMARY INFORMATION

Date Submitted for Review: September 02, 2010

Name of Project: Intellectual Property Rights e-Recordation application (IPRR)

System Name in TAFISMA: Intellectual Property Rights e-Recordation (IPRR)

Name of Component: Rules and Regulations, Office of International Trade

Name of Project Manager: Glenn Corcoran

Email for Project Manager: GLENN.A.CORCORAN@CBP.DHS.GOV

-

Phone Number for Project Manager: (571) 468-6131

Type of Project:

Information Technology and/or System.*

A Notice of Proposed Rule Making or a Final Rule.

Form or other Information Collection.

Other: <Please describe the type of project including paper based Privacy Act system of records.>

* The E-Government Act of 2002 defines these terms by reference to the definition sections of Titles 40 and 44 of the United States Code. The following is a summary of those definitions:

•“Information Technology” means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. See 40 U.S.C. § 11101(6).

•“Information System” means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information. See: 44. U.S.C. § 3502(8).

Note: for purposes of this form, there is no distinction made between national security systems or technologies/systems managed by contractors. All technologies/systems should be initially reviewed for potential privacy impact.



SPECIFIC QUESTIONS

1. Describe the project and its purpose:

Border enforcement of copyright and trademark rights is primarily concentrated on registered marks that have been recorded with CBP. In order to facilitate CBP's mission as it relates to prohibiting the importation of infringing marks, CBP maintains an on-line system for filing trademark and copyright recordation applications. That system, the Intellectual Property Rights e-Recordation (IPRR), allows rights owners to electronically record their trademarks and copyrights with CBP, and facilitates IPR seizures by making IPR recordation information readily available to CBP personnel, thus providing more timely protection and enforcement of domestic intellectual property rights.

2. Status of Project:

This is a new development effort.

This is an existing project.

Date first developed: February 2005

Date last updated: June 2010

Category for "gray market protection" added.

3. From whom do you collect, process, or retain information on: (Please check all that apply)

DHS Employees.

Contractors working on behalf of DHS.

The Public.

The System does not contain any such information.

4. Do you use or collect Social Security Numbers (SSNs)? (This includes truncated SSNs)

No.

Yes. Why does the program collect SSNs? Provide the function of the SSN and the legal authority to do so:

<Please provide the function of the SSN and the legal authority to do so.>



Privacy Threshold Analysis

Version date: June 10, 2010

Page 4 of 6

5. What information about individuals could be collected, generated or retained?

The IPRR system collects and retains contact information, including the name, address, and phone number of a rights holder and their representative, as well as the name of persons, foreign and domestic, who are known to have used the mark (licensed or otherwise). The contact information regarding rights holders and their representatives is maintained in a publicly searchable section of the system.

The system will also maintain a copy of the financial information submitted pursuant to a required processing fee (i.e. credit card information) and may contain personally identifiable information in the form of the mark itself (for example, the trademark may include a picture of a person).

6. If this project is a technology/system, does it relate solely to infrastructure? [For example, is the system a Local Area Network (LAN) or Wide Area Network (WAN)]?

No. Please continue to the next question.

Yes. Is there a log kept of communication traffic?

No. Please continue to the next question.

Yes. What type of data is recorded in the log? (Please choose all that apply.)

Header.

Payload Please describe the data that is logged.

Data is retained in an Oracle database.

7. Does the system connect, receive, or share Personally Identifiable Information with any other DHS systems¹?

No.

Yes.

Please list:

8. Is there a Certification & Accreditation record within OCIO's FISMA tracking system?

Unknown.

¹ PII may be shared, received, or connected to other DHS systems directly, automatically, or by manual processes. Often, these systems are listed as "interconnected systems" in TAFISMA.



No.

Yes. Please indicate the determinations for each of the following:

Confidentiality: Low Moderate High Undefined

Integrity: Low Moderate High Undefined

Availability: Low Moderate High Undefined



PRIVACY THRESHOLD REVIEW

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

Date reviewed by the DHS Privacy Office: November 9, 2010

Name of the DHS Privacy Office Reviewer: Rebecca J. Richards

DESIGNATION

This is NOT a Privacy Sensitive System – the system contains no Personally Identifiable Information.

This IS a Privacy Sensitive System

Category of System

- IT System.
- National Security System.
- Legacy System.
- HR System.
- Rule.
- Other:

Determination

- PTA sufficient at this time.
- Privacy compliance documentation determination in progress.
- PIA is not required at this time.
- PIA is required.
 - System covered by existing PIA:
 - New PIA is required.
 - PIA update is required.
- SORN not required at this time.
- SORN is required.
 - System covered by existing SORN:
 - New SORN is required.

DHS PRIVACY OFFICE COMMENTS