

Supporting Statement

The National Women's Business Council (NWBC) Focus Group Study: Intellectual Property and Women Entrepreneurs (OMB Control Number 3245-XXXX).

A: JUSTIFICATION

1. Circumstances necessitating the collection of information

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The National Women's Business Council (NWBC) is a bi-partisan federal advisory council created to serve as an independent source of advice and counsel to the President, Congress and the US Small Business Administration on issues of importance to women business owners.

In order to provide solid policy advice, the Council is tasked in our statutory authority with conducting "such studies and other research relating to the award of Federal prime contracts and subcontracts to women-owned businesses, to access to credit and investment capital by women entrepreneurs, or to other issues relating to women-owned businesses, as the Council determines to be appropriate."

This statutory authority is cited from the Women's Business Ownership Act of 1988 (Public Law 100-533) section 409.

One of NWBC's current priorities is to examine in-depth the relationship between intellectual property and women-owned businesses. Very little has been studied in this area.

The overall study is both quantitative and qualitative. The quantitative study will use United States Patent and Trademark Office (USPTO) data on patents and trademarks to define the number of women entrepreneurs applying for and receiving patents and trademarks. The quantitative study will also analyze the differences in the number of women applying for and receiving patents and trademarks as compared to men, and will also analyze sub-groups of women.

The qualitative study will probe in-depth the questions raised by the quantitative study as well as those raised by NWBC.

2. How, by whom, and for what purpose information will be used

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The National Women's Business Council will use the information gathered from the focus groups to make recommendations in support of initiatives, policies and programs initiated by the Small Business Administration and by the President and Congress to encourage and facilitate the filing and obtaining of patents and trademarks women.

3. Technological collection techniques

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce the burden.

The collection of information will be through in-person focus groups. No automated, electronic, mechanical, or other technological collection techniques or other forms of information technology are involved. The proceedings of each of the focus groups will be documented using audio and/or visual media, transcribed and us

4. Avoidance of Duplication

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.

A detailed literature search shows that there have been no comparable previous focus group studies. This data is also not available from any current sources. Limited similar data was found, and all comparable data was decades old and as such would be of limited value for this study.

5. Impact on small businesses or other small entities

If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

To encourage participation from women entrepreneurs, the focus groups will be conducted after normal business hours.

6. Consequences if collection of information is not conducted

Describe the consequence to the Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The number of patents and trademarks obtained by women is an important indication of entrepreneurial innovation. Policy initiatives that facilitate increasing participation by women in Intellectual Property Development are important drivers of the engines of growth. The paucity of such data would hinder the formulation of effective strategies for increased participation by women in the technological growth of the economy based on innovation.

7. Existence of special circumstances

Explain any special circumstances that would cause an information collection to be conducted in a manner:

- requiring respondents to report information to the agency more often than quarterly;*
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*

- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use;
- requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The special circumstances do not apply to this study.

8. Solicitation of Public Comment

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize comments received. Describe efforts to consult with persons outside the agency to obtain their views...

The public comment notice required by 5 CFR 1320.8(d) was published in the Federal Register on October 21, 2011. The comment period ended on December 20, 2011. Only a single comment was received, from the Department of Labor, asking to learn more about the NWBC's project. A meeting took place explaining the NWBC's efforts. Labor had no concerns or suggestions, but was simply eager to learn more about the project.

Consultations were held with representatives from the USPTO on September 29, 2011 to discuss available data on patents and trademarks granted to women. Only one previous study relevant to the current project surfaced during the consultations (http://www.uspto.gov/web/offices/ac/ido/oeip/taf/wom_98.pdf) and it covered a quantitative analysis of patents granted to women in the 1976-1998 period. The data from the previous study will be folded into the current study.

9. Payment of gifts

Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

It is proposed to offer \$75 to each of the participants as an incentive to participate in the focus group study. This amount is in line with payments made to professionals in similar categories in past studies. In a recent study conducted for the Centers for Medicare and Medicaid Services,

focus group participants were offered \$75 for their participation in three of four locations (New York, Los Angeles, and West Palm Beach.) Participants were offered \$100 for their participation in the Greybull, WY location to compensate for their longer travel times to reach the facility. (Reference: Victor G. McVicker, Medicare Part D Payment Demonstration Focus Group Report, Final Report, Centers for Medicare and Medicaid Services, Baltimore, MD 21244-1850, Health, Social and Economic Research, RTI Project Number 02007964 023 006.

A decision to offer this incentive was made to increase the participation rate of women entrepreneurs to at least 50%. Although there is limited information available on response rates to focus groups, the Office of Management and Budget, in 2006, released guidance suggesting that internet surveys could have as low as a 9% response rate.

10. Assurance of Confidentiality

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Maintaining confidentiality requires special precautions and emphasis in focus groups. For this reason, participants' names will not be used during the focus group. A system of name substitution using numbers and letters will be used for the participants as well as for the moderator and note taker. An assurance of confidentiality will be drafted and provided to the participants.

To maintain confidentiality, Sections 7.2, 7.2.1 and 7.2.2 from Office of Management and Budget, Standards and Guidelines for Statistical Surveys, September 2006 will be followed during the data collection process.

11. Questions of a sensitive nature

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Questions of a sensitive nature involving sexual behavior and attitudes, religious beliefs and other similar matters are not included in the scope of the current study.

12. Estimate the hourly burden of the collection of information

Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated...

Total number of initial contacts =120

Total number of respondents=60

Estimated time to complete response to invitation=10 minutes

Focus Group Duration = 1 hour 30 minutes

Annual hour burden=100 hours

Labor rate for labor category 30086, \$43.51. (Source: U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Washington, DC 20210, Wage Determination No. 2005-2051).

Annualized cost to respondents= \$ 4,351.00

13. Estimate the total annual cost burden for submission

Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information...

The annual cost burdens to respondents are those shown in items 12 and 14. There is no additional cost burden under item 13.

14. Annualized Cost to the Federal Government

Provide estimates of annualized costs to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

A detailed breakdown of the total annualized cost to the Federal Government is submitted below. The work will be performed by the researcher contracted by the NWBC.

Cost of running a focus group- includes documentation and analysis
 Two sessions in each location in the evenings- 10 participants each session
 Total of 6 Focus Groups

	Palo Alto, CA	Chicago, IL	NY-NJ Metro area
Moderator, 10 hours/focus group, including prep and management	\$1,477.60	\$1,477.60	\$1,477.60
Respondent Recruiting, \$105/head	\$2,100.00	\$2,100.00	\$2,100.00
Incentives- \$75/person	\$1,500.00	\$1,500.00	\$1,500.00
Room	\$400.00	\$400.00	\$400.00
Equipment rental	\$856.00	\$900.00	\$900.00
Transportation and lodging for moderator	\$ 0.00	\$1,360.78	\$1,740.10
Transcription -8 hrs /session	\$709.28	\$709.28	\$709.28
Labor-Principal Investigator, 20 hrs/focus group	\$2,955.20	\$2,955.20	\$2,955.20
Labor -Researcher, 10 hrs/focus group	\$886.60	\$886.60	\$886.60

Administrative support			
	\$165.52	\$165.52	\$165.52
Total			
	\$10,884.68	\$12,289.46	\$12,668.78
Total Cost of Focus Group Studies (6 groups)		\$35,842.92	

15. Explanation of program changes in Items 13 or 14 on OMB Form 83-I

Explain reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I

This is a new collection; question is therefore inapplicable.

16. Collection of information whose results will be published.

For collection of information whose results will be published, outline plans for tabulation and publication. Address complex analytical techniques... Provide time schedules for the entire project...

A basic time line of the focus group piece of the project is as follows:

October: Determine composition of focus groups.

October-April: Prepare PRA package and receive OMB approval

October-December: Create focus group guide (questionnaire) for focus groups.

April: Conduct six focus groups

May: Analyze findings. Draft report and powerpoint presentation based upon results. Edit as needed.

June 30: Final report and final powerpoint completed

After completion, the report will be published on the NWBC's website. Since this data will be qualitative, there will be no complex analytical methods or tabulations.

17. Expiration date for collection of information

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why the display would be inappropriate.

We are not seeking this approval. We will disclose the OMB control number and expiration date to the participants and also inform them that their participation is voluntary. This information will be provided in the invitation and at the start of the focus groups.

18. Exceptions to certification in block 19 on OMB Form 83-I

Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB Form 83-I

Not applicable. No exceptions to the certification statement are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent select

B. Collection of Information Employing Statistical Methods

Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used.

No sampling or advanced statistical methods will be used since these are focus groups and not surveys. The audience of women entrepreneurs in the United States is about 7.8 million, according to the U.S. Census, as of 2007. In just the past three years, approximately 60,000 patents were granted to women. (This data comes from our own research as part of this project.)