

**SUPPORTING STATEMENT**  
**United States Patent and Trademark Office**  
**Initial Patent Applications**  
**OMB CONTROL NO. 0651-0032**  
**(September 2010)**

**A. JUSTIFICATION**

**1. Necessity of Information Collection**

The USPTO is required by Title 35 of the United States Code, including 35 U.S.C. 131, to examine applications for patents. The USPTO administers the patent statutes through various rules in Chapter 37 of the Code of Federal Regulations, such as, for example, 37 CFR 1.16 through 1.84. Each patent applicant must provide sufficient information to allow the USPTO to properly examine the application to determine whether it meets the criteria set forth in the patent statutes and regulations for issuance as a patent. For example, the patent statutes and regulations require that an application for patent include the following information:

- (1) a specification containing a description of the invention and at least one claim defining the property right sought by the applicant;
- (2) a drawing(s) or photographs, where necessary, for an understanding of the invention;
- (3) an oath or declaration signed by the applicant; and
- (4) a filing fee.

Various types of patent applications are covered under the instant information collection:

- New original utility, plant, design, and provisional applications,
- Continuation/divisional applications of international applications,
- Continued prosecution applications (design), and
- Continuations/divisionals and continuation-in-part applications of utility, plant, and design applications

In addition to the foregoing types of patent applications, the instant collection also covers petitions to accept a filing by other than all of the inventors or a person not the inventor, and petitions requesting that applications filed under 37 CFR 1.495(b) be accorded a receipt date

Most applications for patent, including new utility, design, and provisional applications, can be submitted to the USPTO through EFS-Web. EFS-Web is the USPTO's system for electronic filing of patent correspondence and is accessible via the Internet on the USPTO Web site. The Legal Framework for EFS-Web, available at <http://www.uspto.gov/patents/process/file/efs/guidance/Newlegalframework.jsp>, provides a listing of patent applications and documents permitted to be filed via EFS-Web and those that cannot be filed via EFS-Web.

Since the last renewal of this collection, the USPTO has identified additional applications that can be filed electronically in addition to the electronic submission of the new original utility, new original design, and provisional applications already covered in this collection. The USPTO is taking this opportunity to add the following applications into this collection: continuations/divisionals of international applications, utility continuations/divisional, design continuations/divisional, continued prosecution applications (design), utility continuations-in-part, and design continuations-in-part.

In addition, the USPTO has determined that the papers filed under 37 CFR 1.41, 1.48, and 1.53 (c)(2), which have been overlooked in previous submissions, should be submitted for OMB review. To this end, the USPTO is including these papers – papers filed under 37 CFR 1.41 to supply the name or names of the inventor or inventors after the filing date without a cover sheet as prescribed by 37 CFR 1.51(c)(1) in a provisional application, under 37 CFR 1.48 for correction of inventorship in a provisional application, and under 37 CFR 1.53(c)(2) to convert a nonprovisional application filed under 37 CFR 1.53(b) to a provisional application under 37 CFR 1.53(c) – in the renewal of this collection.

The papers filed under 37 CFR 1.41, 1.48 and 1.53(c)(2) have a \$50 processing fee associated with them. The \$50 processing fee is being added into this renewal request as part of the annualized, non-hour cost calculations.

In order to get a more specific accounting of the additional fees and surcharges that can be applied to the various applications, additional application subcategories have been created in this renewal request beyond the subcategories presented in the previous renewal. The USPTO determined that while the previous subcategories of the utility, design, and plant application groupings helped in the calculation of the filing, search, and examination fees, they did not help in calculating the additional fees and surcharges. The USPTO has created subcategories for some of the application groupings under the additional fee and surcharge burden calculations in this renewal to aid in the calculations.

Table 1 provides the specific statutes and regulations requiring the USPTO to collect the patent application and petition information covered by the instant collection:

**Table 1: Information Requirements to Determine Patentability**

Requirement	Statute	Rule
Specification and claim	35 U.S.C. 111 and 112	37 CFR 1.51 through 1.53, 1.57 and 1.58, and 1.71 through 1.78
Drawing(s)	35 U.S.C. 113	37 CFR 1.51 through 1.53, 1.58, and 1.81 through 1.84
Declaration	35 U.S.C. 25, 115, 117, and 118	37 CFR 1.41 through 1.43, 1.45 through 1.48, 1.51 through 1.53, and 1.63 through 1.69
Filing Fee	35 U.S.C. 41 and 111	37 CFR 1.16 and 1.53
Continued Prosecution Application – Design (Request Transmittal and Receipt)	35 U.S.C. 111,120, and 121	37 CFR 1.53(d) and 1.78
Petition to Accept Unintentionally Delayed Priority/Benefit Claim	35 U.S.C. 119(b)(2), 119(e), and 120	37 CFR 1.55 and 1.78
Petition to Accept a Filing by Other Than All the Inventors or a Person Not the Inventor	35 U.S.C. 116 through 118	37 CFR 1.42, 1.43, and 1.47
Petition under 37 CFR 1.6(g) to Accord National Stage Correspondence Required by 37 CFR 1.495(b) a Receipt Date	35 U.S.C. 371	37 CFR 1.6(g) and 1.495(b)
Papers Filed Under 37 CFR 1.41 to Supply the Name or Names of the Inventor or Inventors after the Filing Date Without a Cover Sheet as Prescribed by 37 CFR 1.51(c)(1) in a Provisional Application	35 U.S.C. 111(b) and 116	37 CFR 1.41(a)(2)
Papers Filed Under 37 CFR 1.48 for Correction of Inventorship in a Provisional Application	35 U.S.C. 111(b) and 116	37 CFR 1.48
Papers Filed Under 37 CFR 1.53(c)(2) to Convert a Nonprovisional Application Filed Under 1.53(b) to a Provisional Application Filed Under 1.53(c)	35 U.S.C. 111(a) and (b)	37 CFR 1.53(b) and 1.53(c)(2)

## 2. Needs and Uses

The public uses this information collection to: apply for utility, plant, and design patents; provide patent application data; request continuation, continuation-in-part, and divisional applications of international and nonprovisional patent applications; request continued prosecution of design patent applications; submit provisional patent applications; file certain petitions; identify and correct the inventorship of provisional patent applications; and convert nonprovisional applications to provisional applications.

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.*, the 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. (See Ref. A, the *USPTO Information Quality Guidelines*.)

Table 2 outlines how these collections of information are used by the public and by the USPTO:

**Table 2: Needs and Uses of Information Collected to Determine Patentability**

Form and Function	Form #	Needs and Uses
Specification (includes at least one claim) and Drawing(s)	No Form Associated	<ul style="list-style-type: none"> <li>Used by the applicant to provide a description of the invention and of the property right sought by the applicant (the claim(s)).</li> <li>Used by the USPTO to examine an application for patent, and when appropriate, issue the application as a patent.</li> </ul>
Patent Application Fee Determination Record (Substitute for Form PTO-875) (Ref. C )  Multiple Dependent Claim Fee Calculation Sheet (Substitute for Form PTO-1360; For Use with Form PTO/SB/06) (Ref. D )	PTO/SB/06  PTO/SB/07	<ul style="list-style-type: none"> <li>Used by the USPTO to determine the appropriate fees for small and non-small entities and for applications containing multiple dependent claims. NOTE: These forms are seldom used by applicants, but in the event that an applicant obtained these forms, their use would reduce fee calculation errors, especially in those applications containing multiple dependent claims.</li> </ul>
Fee Transmittal Form (Ref. E)	PTO/SB/17	<ul style="list-style-type: none"> <li>Used by applicants to determine fees.</li> <li>Used by the USPTO to verify applicant fee determination and to process the fee.</li> </ul>
Utility Patent Application Transmittal (Ref. F )  Design Patent Application Transmittal (Ref. G )  Plant Patent Application Transmittal (Ref. H )	PTO/SB/05  PTO/SB/18  PTO/SB/19	<ul style="list-style-type: none"> <li>Used by the applicant as a checklist to highlight information which may otherwise have been overlooked at the time of filing.</li> <li>Used by the applicant to provide identifying information about the submitted papers and himself/herself.</li> <li>Used by the USPTO to determine whether the submitted papers constitute an application for patent, whether it is a utility, plant, or design application.</li> </ul>
Declaration for Utility or Design Patent Application (37 CFR 1.63) (Ref. I)	PTO/SB/01	<ul style="list-style-type: none"> <li>Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language.</li> <li>Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. 119 or 365.</li> <li>Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor.</li> <li>Assures that an applicant will provide necessary information (most often overlooked).</li> <li>Used by the USPTO to determine whether the required information has been set forth in the declaration.</li> </ul>
Declaration – Additional Inventors – Supplemental Sheet (Ref. J)	PTO/SB/02A	<ul style="list-style-type: none"> <li>Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language.</li> <li>Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. 119 or 365.</li> <li>Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor.</li> <li>Assures that an applicant will provide necessary information (most often overlooked).</li> <li>Used by the USPTO to determine whether the required information has been set forth in the declaration.</li> </ul>

Form and Function	Form #	Needs and Uses
Declaration – Supplemental Priority Data Sheet (Attachment J)	PTO/SB/02B	<ul style="list-style-type: none"> <li>• Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language.</li> <li>• Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. 119 or 365.</li> <li>• Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor.</li> <li>• Assures that an applicant will provide necessary information (most often overlooked).</li> <li>• Used by the USPTO to determine whether the required information has been set forth in the declaration.</li> </ul>
Declaration (Additional Inventors) and Supplemental Priority Data Sheets [2 pages] (Chinese Language Declaration for Additional Inventors) (Ref. K )	PTO/SB/02CN	
Declaration (Additional Inventors) and Supplemental Priority Data Sheets [2 pages] (German Language Declaration for Additional Inventors) (Ref. L )	PTO/SB/02DE	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Spanish Language Declaration for Additional Inventors) (Ref. M )	PTO/SB/02ES	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (French Language Declaration for Additional Inventors) (Ref. N )	PTO/SB/02FR	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Italian Language Declaration for Additional Inventors) (Ref. O )	PTO/SB/02IT	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Japanese Language Declaration for Additional Inventors) (Ref. P )	PTO/SB/02JP	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Korean Language Declaration for Additional Inventors) (Ref. Q )	PTO/SB/02KR	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Dutch Language Declaration for Additional Inventors) (Ref. R )	PTO/SB/02NL	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Russian Language Declaration for Additional Inventors) (Ref. S )	PTO/SB/02RU	
Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Swedish Language Declaration for Additional Inventors) (Ref. T )	PTO/SB/02SE	

Form and Function	Form #	Needs and Uses
<p>Declaration Supplemental Sheet for Legal Representatives (35 U.S.C. 117) on Behalf of a Deceased or Incapacitated Inventor (Ref. U )</p> <p>Plant Patent Application (35 U.S. C. 161) Declaration (37 CFR 1.63) (Ref. V )</p> <p>Supplemental Declaration for Utility or Design Patent Application (37 CFR 1.67) (Ref. W )</p>	<p>PTO/SB/02LR</p> <p>PTO/SB/03</p> <p>PTO/SB/04</p>	<ul style="list-style-type: none"> <li>Assures that an applicant meets all of the requirements of 37 CFR 1.63 by providing the prerequisite language.</li> <li>Used by applicants to easily claim the benefit of an earlier application under 35 U.S.C. 119 or 365.</li> <li>Enables the legal representative of a deceased inventor to file a patent application by signing the declaration on the behalf of a deceased or incapacitated inventor.</li> <li>Assures that an applicant will provide necessary information (most often overlooked).</li> <li>Used by the USPTO to determine whether the required information has been set forth in the declaration.</li> </ul>
<p>Declaration and Power of Attorney for Patent Application (in various foreign languages) (Ref. X )</p>	<p>PTO/SB/101 through 110</p>	<ul style="list-style-type: none"> <li>Perform the same functions as SB/01, 03, and 04.</li> <li>Provide the applicant with a native (to the applicant) language version with English translation of the required declaration. Chinese, Dutch, German, Italian, French, Japanese, Russian, Swedish, Spanish, and Korean language declarations are available.</li> </ul>
<p>Application Data Sheet Form (Ref. Y )</p>	<p>PTO/SB/14 and EFS-Web</p>	<ul style="list-style-type: none"> <li>Provides applicant with a convenient manner to provide bibliographic information concerning the applicant and application that the applicant is either required, or desires, to provide to the USPTO.</li> <li>Used by the USPTO to autoload data directly into USPTO databases, which reduces information capture errors caused by hand keying.</li> <li>Used by the USPTO to provide a quick acknowledgment of the application and the information in USPTO records concerning the applicant and application.</li> </ul>
<p>Declaration (37 CFR 1.63) for Utility or Design Application Using an Application Data Sheet (37 CFR 1.76) (Ref. Z )</p> <p>Declaration (37 CFR 1.63) for Plant Application Using an Application Data Sheet (37 CFR 1.76) (Ref. AA )</p>	<p>PTO/SB/01A</p> <p>PTO/SB/03A</p>	<ul style="list-style-type: none"> <li>Provides applicant with a convenient manner to provide a declaration containing the minimal information that must be in the oath or declaration if the application also contains an application data sheet.</li> <li>Used by the USPTO to process the declaration.</li> </ul>
<p>Request for Filing a Continuation or Division of an International Application (Ref. BB )</p>	<p>PTO/SB/13/PCT</p>	<ul style="list-style-type: none"> <li>Used by applicant to file a continuation or divisional of an international application.</li> <li>Used by the USPTO to process a continuation or divisional of an international application.</li> </ul>
<p>For Design Applications Only: Continued Prosecution Application (CPA) Request Transmittal (Ref. CC )</p> <p>For Design Applications Only: Receipt for Facsimile Transmitted CPA (Ref. DD)</p>	<p>PTO/SB/29</p> <p>PTO/SB/29A</p>	<ul style="list-style-type: none"> <li>Used by the applicant to request additional examination of a previously submitted design application.</li> <li>Used by the USPTO to process and initiate an additional examination of a previously submitted design application.</li> </ul>
<p>Provisional Application for Patent Cover Sheet – Paper and Electronic Filing (Ref. EE )</p>	<p>PTO/SB/16 and EFS-Web</p>	<ul style="list-style-type: none"> <li>Used by the applicant to file a provisional application with the USPTO.</li> <li>Used by the applicant to include filing fees.</li> <li>Used by the USPTO to identify provisional applications in order to promptly and properly process them.</li> <li>Used by the USPTO to prepare the filing receipt.</li> <li>Used by the USPTO to identify provisional applications that may require foreign filing licenses.</li> </ul>

Form and Function	Form #	Needs and Uses
Petition to Accept Unintentionally Delayed Priority/Benefit Claim	No Form Associated	<ul style="list-style-type: none"> <li>Used by the applicant to submit an unintentionally delayed priority claim to the USPTO.</li> <li>Used by the USPTO to determine whether the applicant has included the documentation and fees necessary for the USPTO to accept unintentionally delayed priority /benefit claim under 35 U.S.C. 119, 120, or 365.</li> </ul>
Petition to Accept a Filing by Other Than All the Inventors or a Person Not the Inventor	No Form Associated	<ul style="list-style-type: none"> <li>Enables inventors or assignees who cannot locate or obtain signatures from an inventor or a legal representative of a deceased inventor to submit a patent application.</li> <li>Used by the USPTO to ensure that the necessary information has been provided in support of the oath or declaration.</li> </ul>
Petition under 37 CFR 1.6(g) to Accord the Application under 37 CFR 1.495(b) a Receipt Date	No Form Associated	<ul style="list-style-type: none"> <li>Used by applicants to request a receipt date for applications filed under 37 CFR 1.495(b).</li> <li>Used by the USPTO to assign applications filed under 37 CFR 1.495(b) a receipt date.</li> </ul>
Electronic New Utility Patent Application	EFS-Web	<ul style="list-style-type: none"> <li>Used by filers to electronically file a new original utility application with the USPTO and to include the necessary filing fees.</li> <li>Used by the USPTO to examine an application for patent, and when appropriate, issue the application as a patent.</li> </ul>
Electronic New Design Application	EFS-Web	<ul style="list-style-type: none"> <li>Used by filers to electronically file a new original design application with the USPTO and to include the necessary filing fees.</li> <li>Used by the USPTO to examine an application for patent, and when appropriate, issue the application as a patent.</li> </ul>
Papers Filed under 37 CFR 1.41 to Supply the Name or Names of the Inventor or Inventors After the Filing Date Without a Cover Sheet as Prescribed by 37 CFR 1.51(c)(1) in a Provisional Application	No Form Associated	<ul style="list-style-type: none"> <li>Used by filers to supply or change the name or names of the inventor or inventors of a provisional application filed without a cover sheet after the provisional application filing date.</li> <li>Used by the USPTO to change the name or names of the inventor or inventors of a provisional applications filed without a cover sheet after the provisional application filing date.</li> </ul>
Papers Filed Under 37 CFR 1.48 for Correction of Inventorship in a Provisional Application	No Form Associated	<ul style="list-style-type: none"> <li>Used by filers to request a correction of the inventorship of a provisional application.</li> <li>Used by the USPTO to determine whether the inventorship of a provisional application should be corrected.</li> </ul>
Papers Filed Under 37 CFR 1.53(c)(2) to Convert a NonProvisional Application Filed Under 1.53(b) to a Provisional Application Filed Under 1.53(c)	No Form Associated	<ul style="list-style-type: none"> <li>Used by filers to request that a nonprovisional application filed under 1.53(b) be converted to a provisional application filed under 1.53(c).</li> <li>Used by the USPTO to determine whether to convert a nonprovisional application filed under 1.53(b) to a provisional application filed under 1.53(c).</li> </ul>

### 3. Use of Information Technology

In addition to paper submissions, the USPTO can collect some of the information in this collection electronically via EFS-Web or by facsimile submission. The Legal Framework for EFS-Web, available at [http://www.uspto.gov/patents/process/file/efs/guidance/New\\_legal\\_framework.jsp](http://www.uspto.gov/patents/process/file/efs/guidance/New_legal_framework.jsp) outlines which types of patent applications and associated documents can and cannot be submitted electronically. Facsimile submission is limited to the petitions and the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2). The USPTO does not use any other automated, mechanical, or other technological collection techniques to collect the information in this collection.

EFS-Web is a web-based document submission system that allows customers to file nearly all of the documents covered under this information collection through their standard web browser without downloading special software, changing their documentation preparation tools, or altering their workflow processes. Customers may create their documents using the tools and processes that they already use and then convert those documents into standard PDF files that are submitted through EFS-Web to the USPTO. The fillable PDF forms, including the Application Data Sheet form (PTO/SB/14) and the Provisional Application for Patent Cover Sheet (PTO/SB/16), that can be submitted through EFS-Web may be downloaded from the USPTO website and do not require special PDF creation software.

Registered and unregistered users can file documents securely through EFS-Web, which is hosted on secure servers. The documents of registered user are protected using a Public Key Infrastructure (PKI) system and digital certificates which provide authentication and encryption security. For filers who are not registered, the documents are submitted to EFS-Web using Transport Layer Security (TLS) or Secure Socket Layer (SSL) protocol.

EFS-Web offers many benefits to filers, including immediate notification that a submission has been received by the USPTO, automated processing of requests, and avoidance of postage and other paper delivery costs. After the document has been successfully submitted through EFS-Web, customers will receive an acknowledgment receipt that lists the time and date stamp stating when the document was submitted to the USPTO, an application number, a confirmation number, and other critical information, such as the EFS ID, a listing of the files and documents associated with the submission, and page counts for the files and documents. This receipt is the legal equivalent of a postcard in the postcard receipt practice used for patent application documents that are filed in paper. The USPTO recommends that customers print the electronic acknowledgement receipt to keep with their records.

There are many additional benefits to filing through EFS-Web. Users can access EFS-Web from any computer with an Internet connection. Since EFS-Web is hosted on the USPTO's secure servers and not on the individual's personal computer, USPTO staff can update EFS-Web without requiring any action from the user. Customers can submit fee payments and other requests in real time. The PDF forms can be passed around to multiple users for collaboration.

EFS-Web integrates with the Patent Application Information Retrieval (PAIR) system, the USPTO's online database that provides trusted filers with controlled access to non-published patent application information. PAIR uses digital certificates to permit only authorized individuals to access information about unpublished patent applications and to maintain the confidentiality and integrity of the information as it is transmitted over the Internet. Information for published patent applications, issued patents, certificates of correction, and reissue applications is made available to the general public. PAIR is available through the USPTO web site.



In May 2010, the USPTO introduced EFS-Web Contingency Option, which permits users to file their patent documents even when the primary portal to EFS-Web is unavailable. EFS-Web Contingency Option has the same functionality as EFS-Web for unregistered users and provides an electronic acknowledgment receipt, performs file validation, and encrypts the applications using TLS. Of the documents covered under this information collection, EFS-Web Contingency Option can be used only to file provisional patent applications, nonprovisional utility and design patent applications, and national stage applications under 35 U.S.C. 371.

#### **4. Efforts to Identify Duplication**

This information is collected only when an applicant (or representative) submits a patent application, a petition to accept unintentionally delayed priority/benefit claim, a petition to accept a filing by other than all the inventors or a person not the inventor, a petition under 37 CFR 1.6(g) to accord the application under 37 CFR 1.495(b) a receipt date, and the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2). This information is not collected elsewhere. Therefore, this collection does not create a duplication of effort or collection of data.

#### **5. Minimizing the Burden to Small Entities**

No significant impact is placed on small entities, as the rule (37 CFR 1.27) simply requires a small entity to identify itself as such to obtain the benefits of small entity status.

Pursuant to 35 U.S.C. 41 (h)(1), the USPTO provides a fifty percent (50%) reduction in the fees charged under 35 U.S.C. 41(a) and (b) for small entity applicants. The USPTO's regulations concerning the payment of reduced patent fees by small entities are at 37 CFR 1.27 and 1.28, and reduced patent fees for small entity applicants are shown in 37 CFR 1.16, 1.17, 1.18, and 1.20. In addition, the provisions of the Consolidated Appropriations Act of 2005 establish a filing fee of \$75 for small entities filing original utility applications electronically on or after December 8, 2004.

#### **6. Consequences of Less Frequent Collection**

This information is collected only when an applicant (or representative) submits a patent application, a petition to accept unintentionally delayed priority/benefit claim, a petition to accept a filing by other than all the inventors or a person not the inventor, a petition requesting that applications filed under 37 CFR 1.495(b) be assigned a receipt date, and a paper filed under 37 CFR 1.41, 1.48, and 1.53(c)(2). This information is not collected elsewhere. Therefore, this collection of information could not be conducted less frequently and the USPTO could not examine an application or issue a patent as required by the patent statute (35 U.S.C. 131) if this information was not collected.

## **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 Federal Register Notice was published on May 3, 2010 (75 Fed Reg. 23227). The public comment period ended on July 2, 2010. Two comments from the public were received in response to the Notice.

The comments touched on several aspects of the information collection. The two comments are available on the [www.uspto.gov](http://www.uspto.gov) and the [www.regulations.gov](http://www.regulations.gov) Web sites, and as attachments to the 0651-0032 submission to OMB on the [www.reginfo.gov](http://www.reginfo.gov) site

One comment concerned the need for the USPTO to request an emergency extension. The USPTO is currently working towards splitting out several of its larger collections into smaller collections. The agency in the past split out information collections from the larger 0651-0009 collection, which covered several Trademark information collections. In doing so, the agency found that the amount of time spent in calculations, preparation, and formatting of the agency information collection requests submitted to OMB was reduced. The agency will continue its efforts to split out its patent collections, which should result in a reduction in the number of future extension requests made to OMB.

Comments identified a need to obtain a more sound objective inventory of the burden. One comment noted concern about the lack of appropriate small entity treatment, indicating that application burdens may be highly skewed by entity size. One comment identified a need to calculate the burden on inventors and in-house counsel. Both comments raised concern regarding the USPTO carrying out its duties under the PRA.

In compliance with the PRA, USPTO solicits public feedback as part of specific information collection requests. USPTO values feedback on the time it takes the public to prepare submissions under the Paperwork Reduction Act. The agency is also considering other formats for collecting information for burden estimates as well.

The agency is working towards obtaining new data capture and reporting features as part of the agency's new "end-to-end" IT project. Several IT systems are currently undergoing reengineering, which support the effort to improve the entire patent examination process from the time an application is filed all the way through to the granting of a patent. Enhanced data sets from these improvements will be available for use in calculation of burden estimates. As resources permit, the agency is also considering the use of surveying patent practitioners and inventors, with the goal towards obtaining more public participation and feedback on the burden inventory, including from small and large entities.

Additionally, the USPTO consults with the Public Advisory Committees, which were created by statute in the American Inventors Protection Act of 1999 to advise the Under

Secretary of Commerce for Intellectual Property and Director of the USPTO on the management of the patent and trademark operations. The Advisory Committees consist of United States citizens chosen to represent the interests of the diverse users of the USPTO. The Advisory Committees review the policies, goals, performance, budget, and user fees of the patent and trademark operations, respectively, and advise the Director on these matters.

The USPTO has long-standing relationships with patent bar associations, 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. The USPTO also meets regularly with groups from whom patent application data is collected, such as the American Intellectual Property Law Association.

## **9. Payment or Gifts to Respondents**

This information collection does not involve a payment or gift to any respondent. Response to this information collection is necessary to obtain a patent.

## **10. Assurance of Confidentiality**

Confidentiality of 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 an application as a patent, the entire file contents of the application are available to the public (subject to the provisions for providing only a redacted copy of the filed contents). The disclosure of the invention in the application is the quid pro quo for the property right conferred by the patent grant, and the very means by which the patent statute achieves its constitutional object of “promot[ing] the progress of science and useful arts.” The prosecution history contained in the application file is critical to determining the scope of the property right conferred by a patent grant.

To further define the boundaries of the confidentiality of patent applications in light of the eighteen-month publication of patent applications introduced under the American Inventors Protection Act of 1999, the USPTO amended 37 CFR 1.14 to maintain the confidentiality of applications that have not been published as a U.S. patent application. As amended, 37 CFR 1.14 provides that the public can obtain status information about the application, such as whether the application is pending, abandoned, or patented, whether the application has been published under 35 U.S.C. 122(b), and the application “numerical identifier.” This information can be supplied to the public under certain conditions. The public can also receive copies of an application-as-filed and the file wrapper, as long as it meets certain criteria.

Applications filed through EFS-Web are maintained in confidence as required by 35 U.S.C. 122(a) until the application is published or a patent is issued. The confidentiality, security, integrity, authenticity, and non-repudiation of patent applications submitted electronically through EFS-Web are maintained using PKI technology and digital

certificates for registered users. Applications electronically-filed by non-registered users are protected using TLS or SSL protocols. The USPTO posts issued patents and application publications on its Web site. The information covered under this collection will not be released to the public unless it is part of an issued patent or application publication. Patent applicants and/or their designated representatives can view the current status of their patent application through the Patent Application Information Retrieval (PAIR) system. Access to patent applications that are maintained in confidence under 35 U.S.C. 122(a) is restricted to the patent applicant and/or their designated representatives by the use of digital certificates, which maintain the confidentiality and integrity of the information transmitted over the Internet. The public can view the status and history information for published applications and granted patents via PAIR.

## **11. Justification for Sensitive Questions**

None of the required information 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**

Based on budgetary calculations and agency expertise in patent prosecution practice, the USPTO projects that it will receive 513,221 responses per year. The USPTO estimates that 91% of these responses (approximately 466,385 responses) will be submitted electronically.

- **Burden Hour Calculation Factors**

Based on agency expertise in patent prosecution practice, the USPTO estimates that it takes approximately 24 minutes to 33 hours and 12 minutes (0.40 to 33.2 hours) to complete the applications, petitions, and additional papers in this collection, depending on the request. This includes the time to gather the necessary information, prepare the application, petition, or other papers, and submit the completed request to the USPTO. New original utility, design, and provisional applications can be submitted electronically through EFS-Web. The continuations, divisionals, and continuations-in-part of these applications can also be submitted electronically through EFS-Web, in addition to the continuations and divisionals of international applications and the design continued prosecution applications. The USPTO calculates that, on balance, it takes the same amount of time to gather the necessary information, prepare the utility, design, or provisional application, and submit it to the USPTO, whether the applicant submits it in paper form or electronically.

- **Cost Burden Calculation Factors**

The USPTO calculates that all of the information in this collection will be prepared by an attorney. The professional hourly rate of \$325 used to calculate the respondent cost burden is the median rate for attorneys in private firms as published in the 2009 report of the Committee on Economics of Legal Practice of the American Intellectual Property

Law Association. This report summarized the results of a survey with data on hourly billing rates. This is a fully-loaded hourly rate.

**Table 3: Burden Hour/Burden Cost to Respondents**

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate (\$/hr) (d)	Total Cost (\$/hr) (e) (c) x (d)
Original New Utility Applications – No Application Data Sheet	33.2	7,450	247,340	\$325.00	\$80,385,500.00
Electronic Original New Utility Applications – No Application Data Sheet	33.2	98,950	3,285,140	\$325.00	\$1,067,670,500.00
Original New Plant Applications – No Application Data Sheet	7.6	660	5,016	\$325.00	\$1,630,200.00
Original New Design Applications – No Application Data Sheet	5.8	795	4,611	\$325.00	\$1,498,575.00
Electronic Original Design Applications – No Application Data Sheet	5.8	10,545	61,161	\$325.00	\$19,877,325.00
Original New Utility Applications – Application Data Sheet	33.2	11,170	370,844	\$325.00	\$120,524,300.00
Electronic Original New Utility Applications – Application Data Sheet	33.2	148,430	4,927,876	\$325.00	\$1,601,559,700.00
Original New Plant Applications – Application Data Sheet	7.6	350	2,660	\$325.00	\$864,500.00
Original New Design Applications – Application Data Sheet	5.8	970	5,626	\$325.00	\$1,828,450.00
Electronic New Design Applications – Application Data Sheet	5.8	12,890	74,762	\$325.00	\$24,297,650.00
Continuation/Divisional of an International Application	3.3	740	2,442	\$325.00	\$793,650.00
Electronic Continuation/Divisional of an International Application	3.3	9,840	32,472	\$325.00	\$10,553,400.00
Utility Continuation/Divisional Applications	3.3	2,620	8,646	\$325.00	\$2,809,950.00
Electronic Utility Continuation/Divisional Applications	3.3	34,900	115,170	\$325.00	\$37,430,250.00
Plant Continuation/Divisional Applications	2.2	150	330	\$325.00	\$107,250.00
Design Continuation/Divisional Applications	1.1	155	171	\$325.00	\$55,575.00
Electronic Design Continuation/Divisional Applications	1.1	2,085	2,294	\$325.00	\$745,550.00
Continued Prosecution Applications – Design (Request Transmittal and Receipt)	0.4	50	20	\$325.00	\$6,500.00
Electronic Continued Prosecution Applications – Design (Request Transmittal and Receipt)	0.4	665	266	\$325.00	\$86,450.00
Utility Continuation-in-Part Applications	16.5	780	12,870	\$325.00	\$4,182,750.00
Electronic Utility Continuation-in-Part-Applications	16.5	10,340	170,610	\$325.00	\$55,448,250.00

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate (\$/hr) (d)	Total Cost (\$/hr) (e) (c) x (d)
Plant Continuation-in-Part Applications	3.8	35	133	\$325.00	\$43,225.00
Design Continuation-in-Part Applications	2.7	40	108	\$325.00	\$35,100.00
Electronic Design Continuation-in-Part Applications	2.7	520	1,404	\$325.00	\$456,300.00
Provisional Application for Patent Cover Sheet	15	10,330	154,950	\$325.00	\$50,358,750.00
Electronic Provisional Application for Patent Cover Sheet	15	137,220	2,058,300	\$325.00	\$668,947,500.00
Petition to Accept Unintentionally Delayed Priority/Benefit Claim	1.0	1,090	1,090	\$325.00	\$354,250.00
Petition To Accept a Filing by Other Than All the Inventors or a Person not the Inventor	1.0	1,950	1,950	\$325.00	\$633,750.00
Petition under 37 CFR 1.6(g) to Accord the Application under 37 CFR 1.495(b) a Receipt Date	0.5	1	1	\$325.00	\$325.00
Papers filed under the following:  1.41 – to supply the name or names of the inventor or inventors after the filing date without a cover sheet as prescribed by 37 CFR 1.51 (c)(1) in a provisional application.  1.48 – for correction of inventorship in a provisional application.  1.53 (c)(2) – to convert a nonprovisional application filed under 1.53(b) to a provisional application filed under 1.53(c)	0.75	7,500	5,625	\$325.00	\$1,828,125.00
<b>Total</b>	- - - -	<b>513,221</b>	<b>11,553,888</b>	- - - -	<b>\$3,755,013,600.00</b>

### 13. Total Annualized Cost Burden

There are capital start-up, postage, recordkeeping, and drawing costs associated with this information collection. This collection also has filing, search, examination, and various other fees related to patent applications. There are no maintenance or operation costs associated with this collection.

#### Capital Start-up Costs

Applicants who are submitting patent applications containing large computer program listings or mega tables can choose to submit them on Compact Disk-Read Only Memory (CD-ROM) or a Compact Disk-Recordable (CD-R) disk, particularly if they choose not to or cannot submit their patent application through EFS-Web. The USPTO is including the cost for purchasing blank CD-R media (CDs), cases and labels for the CDs, and a padded mailing envelope in the annual (non-hour) cost for this collection as start-up costs.

The USPTO researched the costs for these various supplies and is using averages since these items are available in a variety of configurations and since this collection covers many applicants and their specific filing situations.

Blank CD-R media can range from \$5.99 to \$38.99, depending on the quantity of CD-Rs purchased. The USPTO estimates that the average cost for these items is \$20.19.

If jewel cases for the CD-Rs are not included with the discs, they can be purchased separately in packages ranging from 10 to 100 cases, ranging in cost from \$4.99 to \$24.99. The USPTO estimates that the average cost for these cases is \$13.16.

Software to make the disc labels can be purchased with the labels included along with the software. This software ranges in price from \$19.99 to \$35.99. The USPTO estimates that the average cost for the software is \$28.

Padded mailing envelopes for sending the discs and applications to the USPTO are available in many size and quantity options. The USPTO found that the cost ranged from \$14.99 to \$66.99. The USPTO estimates that the average cost for the padded mailing envelopes is \$35.38.

In sum, the USPTO estimates the total cost for the blank CD-R media, the jewel cases if needed, software for labeling the CDs, and the padded mailing envelopes at approximately \$96.73. The USPTO estimates that 232 patent applications will need to be submitted on CD per year.

**Therefore, the USPTO estimates that the total capital start-up cost for this collection will be \$22,441 per year.**

### Postage Costs

The patent applications, the petitions, the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2), and the oversized program listing/mega table CD submissions may be submitted by mail through the United States Postal Service.

For those applicants who choose not to use EFS-Web, the USPTO recommends that applicants file initial patent applications (which also include the continued prosecution, continuation and divisional, continuation-in-part, and provisional applications) by Express Mail to establish the filing date (otherwise the filing date of the application will be the date that it is received at the USPTO). The USPTO estimates that an application package will weigh at least one pound. Averaging the Express Mail costs for the USPS's eight mailing zones, the USPTO estimates that the average cost for sending an initial application by Express Mail will be \$22.56. The USPTO estimates that up to 36,295 submissions per year may be mailed to the USPTO at an average Express Mail rate of \$22.56, for a total postage cost of \$818,815.

The petitions and the papers filed under 37 CFR 1.41, 1.48, and 1.53(c) (2) can be sent by first-class mail. The USPTO estimates that these submissions will average two ounces, for a first-class postage rate of 61 cents. For the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2), which are being added into the collection for the first time, the USPTO estimates that 7,500 papers will be mailed, for a first-class postage cost of \$4,575. For the petitions, the USPTO estimates that 3,041 will be mailed to the USPTO, for a first-class postage cost of \$1,855. Therefore, the USPTO estimates that the total average first-class postage cost for these petitions and papers will be \$6,430 per year.

In the case of the oversized program listing/mega table CD submissions, applicants mail a CD, the application transmittal form, and the cover letter to the USPTO. The USPTO estimates that these submissions will average about three ounces and that they will be mailed in large padded mailing envelopes. The USPTO estimates that the average postage rate for these submissions will be \$1.22 and that 232 oversized program listing/mega table CD submissions will be received per year. The USPTO estimates that the postage costs for these submissions will be \$283 per year.

**Therefore, the USPTO estimates that the total postage cost for this collection will be \$825,528 per year.**

#### Recordkeeping Costs

There are recordkeeping costs associated with the oversized computer program listings or mega table CD submissions and the electronic filing of new utility, design, and provisional applications, the continuation/divisional versions, and the continuation-in-part versions. The electronic filings of the design continued prosecution applications and the continuation/divisional of an international application are also included in these costs.

The USPTO advises applicants who submit applications with oversized computer program listings and mega tables on CD to retain a back-up copy of the CD and a printed copy of the application transmittal form for their records. The USPTO estimates that it takes an additional 5 minutes for the applicant to produce this back-up CD copy and 2 minutes to print the copy of the application transmittal form, for a total of 7 minutes (0.12 hours) for each oversized submission. The USPTO estimates that approximately 232 applications per year will be submitted with oversized computer program listings or mega tables, for a total of 28 hours per year for retaining the back-up CD and printed application form (232 applications x 0.12 hours = 28 hours). The USPTO believes that these back-up copies will be prepared by paraprofessionals with an estimated hourly rate of \$100, for a recordkeeping cost of \$2,800 per year for these back-up copies (28 hours x \$100 = \$2,800).

Additionally, the USPTO also strongly advises applicants who file their new utility application, design application, provisional application, continuation/divisional application, continuation-in-part application, continuation/divisional application of an



international application, and design continued prosecution application electronically to retain a copy of the file submitted to the USPTO as evidence of authenticity, in addition to keeping the acknowledgement receipt as clear evidence that the file was received by the USPTO on the date noted. The USPTO estimates that it takes 2 minutes (0.03 hours) to print and retain a copy of the electronic submission and that approximately 408,035 submissions per year (247,380 utility, 23,435 design, and 137,220 provisional applications) will use this option, for a total of 12,241 hours per year (408,035 submissions x 0.03 hours = 12,241 hours per year). The USPTO believes that these copies will be made by para-professionals. Using the para-professional hourly rate of \$100, the USPTO estimates that the recordkeeping cost for retaining a copy of the acknowledgement receipt will be \$1,224,100 per year (12,241 hours x \$100 = \$1,224,100).

In addition to the applications discussed above, electronic submissions for the continuation/divisional applications of international applications, utility continuation/divisional applications, design continuation/divisional applications, continued prosecution applications – design (request transmittal and receipt), utility continuation-in-part applications, and design continuation-in-part applications are being added into the collection as part of this renewal. The USPTO estimates that 58,350 of these applications (9,840 continuation/divisional of an international application, 34,900 utility continuation/divisional, 2,085 design continuation/divisional, 665 continued prosecution applications – design (request transmittal and receipt), 10,340 utility continuation-in-part, and 520 design continuation-in-part applications) will use this option, for a total of 1,751 hours per year (58,350 submissions x 0.03 hours = 1,751 hours per year). Using the para-professional hourly rate of \$100, the USPTO estimates that the recordkeeping cost for retaining a copy of the acknowledgment receipt and file for these new EFS-Web submissions will be \$175,100 per year (1,751 hours x \$100 = \$175,100).

**Therefore, the USPTO estimates that the total recordkeeping cost for this collection will be \$1,402,000 per year.**

### Drawing Costs

Patent applicants can submit drawings with their utility, design, plant, and provisional applications. Drawing costs are variable because applicants may produce their own drawings or contract the work out to various patent illustration firms. As a basis for calculating the drawing costs, the USPTO believes that all applicants will have their drawings prepared by a patent illustration firm.

Estimates for the patent drawings can vary greatly, depending on the number of figures to be produced, the total number of pages for the drawings, and the complexity of the drawings. Because there are many variables involved, the USPTO is using the average of the cost ranges found for the application drawings to derive the estimated cost per sheet that is then used to calculate the total drawing costs.

The utility, plant, and design continuation and divisional applications, as well as the design continued prosecution applications, use the same drawings as the initial filings, so they are not included in these totals. The continuation-in-part applications may use some of the same drawings as the initial applications and some new drawings may be submitted, so those numbers are included in the calculations.

The USPTO estimates that the costs to produce utility drawings can range from \$35 to \$135 per sheet. Taking the average of this range, the USPTO estimates that it can cost \$85 per sheet to produce the utility drawings. On average, 11 sheets of drawings are submitted in the utility applications. Based on these averages, the USPTO estimates an average cost of \$935 to produce the utility drawings (11 sheets of drawings x \$85 per sheet). Out of 277,120 utility applications submitted per year, the USPTO estimates that 91% or 252,179 applications will be submitted with drawings, for a total of \$235,787,365 per year to produce the utility drawings (252,179 applications x \$935).

The USPTO estimates that the costs to produce design drawings can range from \$35 to \$155 per sheet. Taking the average of this range, the USPTO estimates that it can cost \$95 per sheet to produce the design drawings. On average, 4.8 sheets of drawings are submitted in the design applications. Based on these averages, the USPTO estimates an average cost of \$456 to produce the design drawings (4.8 sheets of drawings x \$95 per sheet). Out of 25,760 design applications submitted per year, the USPTO calculates that 100% of them will be submitted with drawings, for a total of \$11,746,560 per year to produce the design drawings (26,475 applications x \$456).

In the case of the plant applications, photographs are generally submitted, although drawings can also be submitted. The USPTO estimates that the costs to produce the photographs or drawings for the plant applications can range from \$35 to \$100. Taking the average of this range, the USPTO estimates that it can cost \$68 per sheet to produce the photographs or drawings for the plant applications. On average, 2 sheets of drawings are submitted in the plant applications. Based on these averages, the USPTO estimates an average cost of \$136 to produce the plant photographs/drawings (2 sheets of drawings x \$68 per sheet). Out of 1,045 plant applications submitted per year, the USPTO calculates that 100% of them will be submitted with drawings, for a total of \$142,120 per year to produce the plant photographs/drawings (1,045 applications x \$136).

The USPTO estimates that the costs to produce the provisional drawings can range from \$35 to \$135 per sheet. Taking the average of this range, the USPTO estimates that it can cost \$85 per sheet to produce the provisional drawings. On average, 7.5 sheets of drawings are submitted in the provisional applications. Based on these averages, the USPTO estimates an average cost of \$638 to produce the provisional drawings (7.5 sheets of drawings x \$85 per sheet). Out of 147,550 provisional applications submitted per year, the USPTO calculates that 78% or 115,089 will be submitted with drawings, for a total of \$73,426,782 per year to produce the provisional drawings (115,089 applications x \$638).

Therefore, based on these estimates for producing drawings for utility, design, plant, and provisional applications, the USPTO estimates that at least \$321,102,827 in drawing costs could be added to the total non-hour cost burden for this collection.

### Fees

There are filing, search, examination, processing, and additional fees associated with this information collection and therefore part of the annual nonhour cost burden. The filing, search, and examination fees for the utility, plant, design, and provisional applications (including the continuation and divisional, continued prosecution, and continuation-in-part applications) are determined by the filing status (other entity or small entity) the applicant has selected. The filing fees for the electronically-filed new utility applications for small entities are \$82, but for the rest of the electronically-filed applications the fees are the same as those for the paper applications. The small entity status does not apply to the petition to accept unintentionally delayed priority/benefit claim, the petition to accept a filing by other than all the inventors or a person not the inventor, or the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2). The petition under 37 CFR 1.6(g) to accord the application under 37 CFR 1.495(b) a receipt date does not have any fees associated with it.

**The total estimated fees of \$449,446,037 for this collection are calculated in Tables 4, 5, and 6.**

Table 4 shows the filing, search, and examination fees that are incurred when filing the various applications and petitions. This table also includes the processing fees for the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2). The USPTO estimates that the cost burden associated with these various fees will be \$339,365,175 per year.

**Table 4: Filing, Search, and Examination Fees – Nonhour Cost Burden**

Item	Responses (yr) (a)	Filing Fee	Search Fee	Examination Fee	Total Fee (b)	Total Non-Hour Cost Burden (yr) (a) x (b)
Original New Utility Applications – No Application Data Sheet – Other Entity	5,585	\$330.00	\$540.00	\$220.00	\$1,090.00	\$6,087,650.00
Original New Utility Applications – No Application Data Sheet – Small Entity	1,865	\$165.00	\$270.00	\$110.00	\$545.00	\$1,016,425.00
Electronic Original New Utility Applications – No Application Data Sheet – Other Entity	74,210	\$330.00	\$540.00	\$220.00	\$1,090.00	\$80,888,900.00
Electronic Original New Utility Applications – No Application Data Sheet – Small Entity	24,740	\$82.00	\$270.00	\$110.00	\$462.00	\$11,429,880.00
Original New Plant Applications – No Application Data Sheet – Other Entity	495	\$220.00	\$330.00	\$170.00	\$720.00	\$356,400.00

<b>Item</b>	<b>Responses (yr) (a)</b>	<b>Filing Fee</b>	<b>Search Fee</b>	<b>Examination Fee</b>	<b>Total Fee (b)</b>	<b>Total Non-Hour Cost Burden (yr) (a) x (b)</b>
Original New Plant Applications – No Application Data Sheet – Small Entity	165	\$110.00	\$165.00	\$85.00	\$360.00	\$59,400.00
Original New Design Applications – No Application Data Sheet – Other Entity	415	\$220.00	\$100.00	\$140.00	\$460.00	\$190,900.00
Original New Design Applications – No Application Data Sheet – Small Entity	380	\$110.00	\$50.00	\$70.00	\$230.00	\$87,400.00
Electronic Original New Design Applications – No Application Data Sheet – Other Entity	5,485	\$220.00	\$100.00	\$140.00	\$460.00	\$2,523,100.00
Electronic Original New Design Applications – No Application Data Sheet – Small Entity	5,060	\$110.00	\$50.00	\$70.00	\$230.00	\$1,163,800.00
Original New Utility Applications – Application Data Sheet – Other Entity	8,380	\$330.00	\$540.00	\$220.00	\$1,090.00	\$9,134,200.00
Original New Utility Applications – Application Data Sheet – Small Entity	2,790	\$165.00	\$270.00	\$110.00	\$545.00	\$1,520,550.00
Electronic Original New Utility Applications – Application Data Sheet – Other Entity	111,325	\$330.00	\$540.00	\$220.00	\$1,090.00	\$121,344,250.00
Electronic Original New Utility Applications – Application Data Sheet – Small Entity	37,105	\$82.00	\$270.00	\$110.00	\$462.00	\$17,142,510.00
Original New Plant Applications – Application Data Sheet – Other Entity	260	\$220.00	\$330.00	\$170.00	\$720.00	\$187,200.00
Original New Plant Applications – Application Data Sheet – Small Entity	90	\$110.00	\$165.00	\$85.00	\$360.00	\$32,400.00
Original New Design Applications – Application Data Sheet – Other Entity	505	\$220.00	\$100.00	\$140.00	\$460.00	\$232,300.00
Original New Design Applications – Application Data Sheet – Small Entity	465	\$110.00	\$50.00	\$70.00	\$230.00	\$106,950.00
Electronic New Design Applications – Application Data Sheet – Other Entity	6,700	\$220.00	\$100.00	\$140.00	\$460.00	\$3,082,000.00
Electronic New Design Applications – Application Data Sheet – Small Entity	6,190	\$110.00	\$50.00	\$70.00	\$230.00	\$1,423,700.00
Continuation/Divisional of an International Application – Other Entity	570	\$330.00	\$540.00	\$220.00	\$1,090.00	\$621,300.00

<b>Item</b>	<b>Responses (yr) (a)</b>	<b>Filing Fee</b>	<b>Search Fee</b>	<b>Examination Fee</b>	<b>Total Fee (b)</b>	<b>Total Non-Hour Cost Burden (yr) (a) x (b)</b>
Continuation/Divisional of an International Application – Small Entity	170	\$165.00	\$270.00	\$110.00	\$545.00	\$92,650.00
Electronic Continuation/Divisional of an International Application – Other Entity	7,580	\$330.00	\$540.00	\$220.00	\$1,090.00	\$8,262,200.00
Electronic Continuation/Divisional of an International Application – Small Entity	2,260	\$82.00	\$270.00	\$110.00	\$462.00	\$1,044,120.00
Utility Continuation/Divisional Applications – Other Entity	1,965	\$330.00	\$540.00	\$220.00	\$1,090.00	\$2,141,850.00
Utility Continuation/Divisional Applications – Small Entity	655	\$165.00	\$270.00	\$110.00	\$545.00	\$356,975.00
Electronic Utility Continuation/Divisional Applications – Other Entity	26,175	\$330.00	\$540.00	\$220.00	\$1,090.00	\$28,530,750.00
Electronic Utility Continuation/Divisional Applications – Small Entity	8,725	\$82.00	\$270.00	\$110.00	\$462.00	\$4,030,950.00
Plant Continuation/Divisional Applications – Other Entity	115	\$220.00	\$330.00	\$170.00	\$720.00	\$82,800.00
Plant Continuation/Divisional Applications – Small Entity	35	\$110.00	\$165.00	\$85.00	\$360.00	\$12,600.00
Design Continuation/Divisional Applications – Other Entity	80	\$220.00	\$100.00	\$140.00	\$460.00	\$36,800.00
Design Continuation/Divisional Applications – Small Entity	75	\$110.00	\$50.00	\$70.00	\$230.00	\$17,250.00
Electronic Design Continuation/Divisional Applications – Other Entity	1,085	\$220.00	\$100.00	\$140.00	\$460.00	\$499,100.00
Electronic Design Continuation/Divisional Applications – Small Entity	1,000	\$110.00	\$50.00	\$70.00	\$230.00	\$230,000.00
Continued Prosecution Applications – Design (Request Transmittal and Receipt) – Other Entity	26	\$220.00	\$100.00	\$140.00	\$460.00	\$11,960.00
Continued Prosecution Applications – Design (Request Transmittal and Receipt) – Small Entity	24	\$110.00	\$50.00	\$70.00	\$230.00	\$5,520.00
Electronic Continued Prosecution Applications – Design (Request Transmittal and Receipt) – Other Entity	345	\$220.00	\$100.00	\$140.00	\$460.00	\$158,700.00

Item	Responses (yr) (a)	Filing Fee	Search Fee	Examination Fee	Total Fee (b)	Total Non-Hour Cost Burden (yr) (a) x (b)
Electronic Continued Prosecution Applications – Design (Request Transmittal and Receipt) – Small Entity	320	\$110.00	\$50.00	\$70.00	\$230.00	\$73,600.00
Utility Continuation-in-Part Applications – Other Entity	585	\$330.00	\$540.00	\$220.00	\$1,090.00	\$637,650.00
Utility Continuation-in-Part Applications – Small Entity	195	\$165.00	\$270.00	\$110.00	\$545.00	\$106,275.00
Electronic Utility Continuation-in-Part Applications – Other Entity	7,755	\$330.00	\$540.00	\$220.00	\$1,090.00	\$8,452,950.00
Electronic Utility Continuation-in-Part Applications – Small Entity	2,585	\$82.00	\$270.00	\$110.00	\$462.00	\$1,194,270.00
Plant Continuation-in-Part Applications – Other Entity	26	\$220.00	\$330.00	\$170.00	\$720.00	\$18,720.00
Plant Continuation-in-Part Applications – Small Entity	9	\$110.00	\$165.00	\$85.00	\$360.00	\$3,240.00
Design Continuation-in-Part Applications – Other Entity	21	\$220.00	\$100.00	\$140.00	\$460.00	\$9,660.00
Design Continuation-in-Part Applications – Small Entity	19	\$110.00	\$50.00	\$70.00	\$230.00	\$4,370.00
Electronic Design Continuation-in-Part Applications – Other Entity	270	\$220.00	\$100.00	\$140.00	\$460.00	\$124,200.00
Electronic Design Continuation-in-Part Applications – Small Entity	250	\$110.00	\$50.00	\$70.00	\$230.00	\$57,500.00
Provisional Application for Patent Cover Sheets – Other Entity	3,820	\$220.00	N/A	N/A	\$220.00	\$840,400.00
Provisional Application for Patent Cover Sheets – Small Entity	6,510	\$110.00	N/A	N/A	\$110.00	\$716,100.00
Electronic Provisional Application for Patent Cover Sheets – Other Entity	50,770	\$220.00	N/A	N/A	\$220.00	\$11,169,400.00
Electronic Provisional Application for Patent Cover Sheets – Small Entity	86,450	\$110.00	N/A	N/A	\$110.00	\$9,509,500.00
Petition to Accept Unintentionally Delayed Priority/Benefit Claim	1,090	\$1,410.00	N/A	N/A	\$1,410.00	\$1,536,900.00
Petition to Accept a Filing by Other Than all the Inventors or a Person not the Inventor	1,950	\$200.00	N/A	N/A	\$200.00	\$390,000.00

Item	Responses (yr) (a)	Filing Fee	Search Fee	Examination Fee	Total Fee (b)	Total Non-Hour Cost Burden (yr) (a) x (b)
Petition under 37 CFR 1.6(g) to accord the Application under 37 CFR 1.495(b) a Receipt Date	1	N/A	N/A	N/A	N/A	\$0.00
Processing Fee under 37 CFR 1.17 (q) for papers filed under the following:  1.41 – to supply the name or names of the inventor or inventors after the filing date without a cover sheet as prescribed by 37 CFR 1.51(c)(1) in a provisional application.  1.48 – for correction of inventorship in a provisional application  1.53 (c) (2) – to convert a nonprovisional application filed under 1.53(b) to a provisional application filed under 1.53 (c)	7,500	\$50.00	N/A	N/A	\$50.00	\$375,000.00
<b>Totals</b>	<b>513,221</b>	-----	-----	-----	-----	<b>\$339,365,175.00</b>

Table 5 calculates the additional fees incurred when an application is filed with additional sheets or excess claims. The USPTO estimates that these fees apply to 252,471 of the 502,680 total applications filed per year. This table is a subset of Table 4 and adds an additional \$96,203,957 to the annualized (non-hour) costs shown in Table 4. It does not, however, change the number of responses.

The fees shown are based on the applicant's filing status. Plant applications do not have independent claims in excess of 3 or 20, so these applications are not included in the table.

**Table 5: Application Size and Excess Claims Fees – Nonhour Cost Burden**

Item	Responses (yr) (a)	Filing Fee for Additional Sheets and Claims	Average Fee (b)	Total Non-Hour Cost Burden (yr) (a) x (b)
Provisional Application Size Fee for Each Provisional Application for Patent Cover Sheet, filed for Each Additional 50 Sheets Exceeding 100 Sheets – Other Entity	1,837	\$270.00 per each 50 sheets over 100	\$540.00	\$991,980.00
Provisional Application Size Fee for Each Provisional Application for Patent Cover Sheet, filed for Each Additional 50 Sheets Exceeding 100 Sheets – Small Entity	1,709	\$135.00 per each 50 sheets over 100	\$270.00	\$461,430.00
Utility Applications, with independent claims in excess of 3 – Other Entity	71,363	\$220.00 for each claim over 3	\$440.00	\$31,399,720.00
Utility Applications, with independent claims in excess of 3 – Small Entity	25,211	\$110.00 for each claim over 3	\$220.00	\$5,546,420.00

Item	Responses (yr) (a)	Filing Fee for Additional Sheets and Claims	Average Fee (b)	Total Non-Hour Cost Burden (yr) (a) x (b)
Utility Applications, filed with Claims in Excess of 20 – Other Entity	99,777	\$52.00 for each claim over 20	\$416.00	\$41,507,232.00
Utility Applications, filed with Claims in Excess of 20 – Small Entity	40,894	\$26.00 for each claim over 20	\$260.00	\$10,632,440.00
Utility Application Size Fee for Each Original New Utility Application, filed with each additional 50 sheets exceeding 100 sheets – Other Entity	9,301	\$270.00 for each additional 50 sheets over 100	\$540.00	\$5,022,540.00
Utility Application Size Fee for Each Original New Utility Application, filed with each additional 50 sheets exceeding 100 Sheets – Small Entity	2,358	\$135.00 for each additional 50 sheets over 100	\$270.00	\$636,660.00
Plant Application Size Fee for Each Original New Plant Application, filed with Each Additional 50 Sheets Exceeding 100 Sheets – Other Entity	2	\$270.00 for each additional 50 sheets over 100	\$270.00	\$540.00
Plant Application Size Fee for Each Original New Plant Application, filed with Each Additional 50 Sheets Exceeding 100 Sheets – Small Entity	1	\$135.00 for each additional 50 sheets over 100	\$135.00	\$135.00
Design Application Size Fee for Each Original New Design Application, filed for each Additional 50 Sheets that Exceeds 100 Sheets – Other Entity	14	\$270.00 for each additional 50 sheets over 100	\$270.00	\$3,780.00
Design Application Size Fee for Each Original New Design Application, filed for each Additional 50 Sheets that Exceeds 100 Sheets – Small Entity	4	\$135.00 for each additional 50 sheets over 100	\$270.00	\$1,080.00
<b>Total</b>	<b>252,471</b>	-----	-----	<b>\$96,203,957.00</b>

Table 6 shows the additional surcharges and fees that can be incurred whenever an application, the search or examination fee, or the oath or declaration is filed late, when an application is filed with multiple dependent claims, or whenever the application is filed with a non-English specification. The USPTO estimates that these fees apply to 111,231 of the 502,680 applications filed per year. This chart is a subset of the first chart and adds an additional \$13,876,905 to the annualized (non-hour) costs of this information collection. It does not, however, change the number of responses estimated for this collection.

With the exception of the fee for the non-English specification, these fees are determined by the applicant's filing status. Plant applications are not filed with multiple dependent claims so they are not included in this table.

**Table 6: Fees for Multiple Dependent Claims and Non-English Specifications and Surcharges for Late Filings**

Item	Responses (yr) (a)	Surcharge Fee for Late Filing, Multiple Dependent Claims, or Non-English Specification Fees	Total Non-Hour Cost Burden (yr) (a) x (b)
Surcharge for Late Filing of Provisional Application for Patent Cover Sheets – Other Entity	2,588	\$50.00	\$129,400.00



Item	Responses (yr) (a)	Surcharge Fee for Late Filing, Multiple Dependent Claims, or Non-English Specification Fees	Total Non-Hour Cost Burden (yr) (a) x (b)
Surcharge for Late Filing of Provisional Application for Patent Cover Sheets – Small Entity	4,675	\$25.00	\$116,875.00
Utility Applications, filed with Multiple Dependent Claims – Other Entity	7,101	\$390.00	\$2,769,390.00
Utility Applications, filed with Multiple Dependent Claims – Small Entity	2,739	\$195.00	\$534,105.00
Utility Applications, filed with a Surcharge for Late Filing, Search or Examination Fee, or Oath/Declaration – Other Entity	55,935	\$130.00	\$7,271,550.00
Utility Applications, filed with a Surcharge for Late Filing, Search, or Examination Fee, or Oath/Declaration – Small Entity	27,158	\$65.00	\$1,765,270.00
<b>(New Subcategory)</b>			
Plant Applications, filed with a Surcharge for Late Filing, Search or Examination Fee, or Oath/Declaration – Other Entity	172	\$130.00	\$22,360.00
<b>(New Subcategory)</b>			
Plant Applications, filed with a Surcharge for Late Filing, Search or Examination Fee, or Oath/Declaration – Small Entity	83	\$65.00	\$5,395.00
<b>(New Subcategory)</b>			
Design Applications, filed with a Surcharge for Late Filing, Search or Examination Fee, or Oath/Declaration – Other Entity	4,400	\$130.00	\$572,000.00
<b>(New Subcategory)</b>			
Design Applications, filed with a Surcharge for Late Filing, Search or Examination Fee, or Oath/Declaration – Small Entity	2,136	\$65.00	\$138,840.00
Non-English Specification	4,244	\$130.00	\$551,720.00
<b>Totals</b>	<b>111,231</b>	<b>-----</b>	<b>\$13,876,905.00</b>

The USPTO estimates that the total non-hour respondent cost burden for this collection, in the form of capital start-up, postage, recordkeeping, and drawing costs, in addition to the fees and surcharges, is \$772,798,833 per year.

#### 14. Annual Cost to the Federal Government

The USPTO expects that the applications, petitions, and additional papers in this information collection will be processed by agency staff at a GS-5, step 1 grade and that it will take approximately between 6 minutes (0.1 hours) and one hour to process them. The current hourly rate for a GS-5, step 1 is \$16.33. When 30% is added to account for a fully loaded hourly rate (benefits and overhead), the hourly rate for a GS-5, step 1 is \$21.23 (\$16.33 + \$4.90 = \$21.23).

Table 7 calculates the processing hours and costs of this information collection to the Federal Government:

**Table 7: Burden Hour/Burden Cost to the Federal Government**

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate (\$/hr) (d)	Total Cost (\$/hr) (e) (c) x (d)
Original New Utility Applications – No Application Data Sheet	1.0	7,450	7,450	\$21.23	\$158,164.00
Electronic Original New Utility Applications – No Application Data Sheet	1.0	98,950	98,950	\$21.23	\$2,100,709.00
Original New Plant Applications – No Application Data Sheet	1.0	660	660	\$21.23	\$14,012.00
Original New Design Applications – No Application Data Sheet	1.0	795	795	\$21.23	\$16,878.00
Electronic Original Design Applications – No Application Data Sheet	1.0	10,545	10,545	\$21.23	\$223,870.00
Original New Utility Applications – Application Data Sheet	1.0	11,170	11,170	\$21.23	\$237,139.00
Electronic Original New Utility Applications – Application Data Sheet	1.0	148,430	148,430	\$21.23	\$3,151,169.00
Original New Plant Applications – Application Data Sheet	1.0	350	350	\$21.23	\$7,431.00
Original New Design Applications – Application Data Sheet	1.0	970	970	\$21.23	\$20,593.00
Electronic New Design Applications – Application Data Sheet	1.0	12,890	12,890	\$21.23	\$273,655.00
Continuation/Divisional of an International Application	1.0	740	740	\$21.23	\$15,710.00
Electronic Continuation/Divisional of an International Application	1.0	9,840	9,840	\$21.23	\$208,903.00
Utility Continuation/Divisional Applications	1.0	2,620	2,620	\$21.23	\$55,623.00
Electronic Utility Continuation/Divisional Applications	1.0	34,900	34,900	\$21.23	\$740,927.00
Plant Continuation/Divisional Applications	1.0	150	150	\$21.23	\$3,185.00
Design Continuation/Divisional Applications	1.0	155	155	\$21.23	\$3,291.00
Electronic Design Continuation/Divisional Applications	1.0	2,085	2,085	\$21.23	\$44,265.00
Continued Prosecution Applications – Design (Request Transmittal and Receipt)	0.6	50	30	\$21.23	\$637.00
Electronic Continued Prosecution Applications – Design (Request Transmittal and Receipt)	0.6	665	399	\$21.23	\$8,471.00
Utility Continuation-in-Part Applications	1.0	780	780	\$21.23	\$16,559.00
Electronic Utility Continuation-in-Part Applications	1.0	10,340	10,340	\$21.23	\$219,518.00
Plant Continuation-in-Part Applications	1.0	35	35	\$21.23	\$743.00
Design Continuation-in-Part Applications	1.0	40	40	\$21.23	\$849.00

Item	Hours (a)	Responses (yr) (b)	Burden (hrs/yr) (c) (a) x (b)	Rate (\$/hr) (d)	Total Cost (\$/hr) (e) (c) x (d)
Electronic Design Continuation-in-Part Applications	1.0	520	520	\$21.23	\$11,040.00
Provisional Application for Patent Cover Sheet	0.5	10,330	5,165	\$21.23	\$109,653.00
Electronic Provisional Application for Patent Cover Sheet	0.5	137,220	68,610	\$21.23	\$1,456,590.00
Petition to Accept Unintentionally Delayed Priority/Benefit Claim	0.3	1,090	327	\$21.23	\$6,942.00
Petition to Accept a Filing by Other Than All the Inventors or a Person Not the Inventor	0.3	1,950	585	\$21.23	\$12,420.00
Petition Under 37 CFR 1.6(g) to Accord the Application under 37 CFR 1.495(b) a Receipt Date	0.1	1	0.1	\$21.23	\$2.00
Papers filed under the following:  1.41 – to supply the name or names of the inventor or inventors after the filing date without a cover sheet as prescribed by 37 CFR 1.51(c)(1) in a provisional application.  1.48 – for correction of inventorship in a provisional application.  1.53 (c)(2) – to convert a nonprovisional application filed under 1.53(b) to a provisional application filed under 1.53(c).	0.5	7,500	3,750	\$21.23	\$79,613.00
<b>Total</b>	- - - - -	<b>513,221</b>	<b>433,281</b>	- - - - -	<b>\$9,198,561.00</b>

**The USPTO’s total estimated cost for processing the information in this collection is estimated at \$9,198,561 per year.**

## **15. Reason for Change in Burden**

### Summary of Changes Since the Previous Renewal

This information collection was approved by OMB on June 5, 2007, with 543,591 responses, 10,677,624 burden hours, and \$243,201,076 in annual (non-hour) costs.

The annual (non-hour) costs for this collection are calculated at \$691,147,858 in the current justification statement. This submission corrects the discrepancy between the approved inventory and the inventory as detailed in the current justification statement. This discrepancy was a result of the automation of the renewal process, where calculations previously supplied in document format to the OMB were entered into the new automated system and itemization and complex fee calculations were not aggregated to the level necessitated by the automated system. For this renewal, the changes in the annual (non-hour) costs were calculated from the actual cost calculations in the justification statement, not from the costs shown in the ICR calculation screens viewed in [www.regulations.gov](http://www.regulations.gov).

The change in burden for this renewal thus reflects the program and administrative adjustments since the last renewal, as well as adjustments to the automated system.

In addition, the EFS-Web submissions for the existing utility, design, and provisional applications are broken out separately for this renewal.

With this renewal, the USPTO estimates that the total burden and annual (non-hour) costs for this collection will be 513,221 responses, 11,553,888 burden hours, and \$772,798,833 in annual (non-hour) cost. This is a reduction of 30,370 responses, but an increase of 876,264 burden hours and \$81,650,975 (or \$529,597,757 using the cost in the current automated system inventory) in annual costs over the currently approved burden for this collection. The additional change of \$447,946,782 is due to the discrepancy (\$529,597,757 minus \$81,650,975).

The reduction in the number of responses and the increases in the burden hours and annual (non-hour) costs are due to both program changes and administrative adjustments.

#### Changes in Burden Estimates Since the 60-Day Federal Register Notice

In the 60-Day Federal Register Notice published on May 3, 2010 (75 Fed Reg. 23227), the USPTO reported that the total annual (non-hour) costs for this collection would be \$771,767,698, which included a total postage cost of \$820,953, a total recordkeeping cost of \$46,600 and a total drawing cost of \$321,428,867. The USPTO now estimates, however, that the total annual (non-hour) costs for this collection are \$772,798,833, which includes a total postage cost of \$825,528, a total recordkeeping cost of \$1,402,000, and a total drawing cost of \$321,102,827.

While working on the final drafts of the 60-Day Notice, the USPTO discovered an existing item, the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2), that had been overlooked in previous submissions. This item was added into the collection and reported in the 60-Day Notice, however, the responses were not included in the first-class postage cost calculations. The USPTO estimates that 7,500 of these papers will be mailed, using the first-class postage rate of 61 cents, for a total cost of \$4,575. The addition of the papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2) increased the first-class postage costs from \$1,855 as reported in the 60-Day Notice to \$6,430 reported in this submission. This in turn increased the total postage costs for this collection from \$820,953 per year to \$825,528 per year.

In the 60-Day Notice, the USPTO estimated the recordkeeping time for keeping copies of the acknowledgment receipts and the files of the applications submitted through EFS-Web at 5 seconds (0.001 hours). Since then, the USPTO has reestimated this time at 2 minutes (0.03 hours), which increases the recordkeeping costs for the EFS-Web submissions to \$1,399,200 per year. This change increased recordkeeping costs for this collection from \$49,400 per year as reported in the 60-Day Notice to \$1,402,000 per year.

In the 60-Day Notice, the USPTO reported that 26,475 design applications would be submitted with drawings. This total included design continued prosecution applications which use the same drawings that are submitted with the initial applications so are not included in the drawing totals. The total number of design drawings without the design continued prosecution applications should have been 25,760. The USPTO estimates that the total design drawing costs are \$11,746,560 per year instead of \$12,072,600, which is a decrease of \$326,040 per year.

Therefore, the changes in the postage, recordkeeping, and drawing costs increase the total annual (non-hour) costs for this collection by \$1,031,135, from \$771,767,698 as reported in the 60-Day Notice to \$772,798,833 as reported in this renewal submission.

### Changes in Respondent Cost Burden

The respondent cost burden for this collection has increased since the previous renewal due to new EFS-Web submissions, the addition of an existing requirement, and an increase in the hourly rate used to calculate the respondent cost burden. These changes offset an overall reduction in the number of responses for this collection. The applications, petitions, and papers are all completed by attorneys. Based on figures provided by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association, the estimated hourly billing rate for attorneys has increase from \$304 to \$325.

The total respondent cost burden for the currently approved information collection is \$3,245,997,696 per year. With this renewal, the USPTO estimates that the total respondent cost burden will increase by \$509,015,904, to \$3,755,013,600 per year.

### Changes in Responses and Burden Hours

The USPTO estimates that the number of responses submitted annually for this information collection will decrease by 30,370, from 543,591 to 513,221 responses per year. However, due to changes in the estimated completion times for many of the applications and additional electronic filings, the USPTO estimates that the total burden hours for this collection will increase by 876,264 hours, from 10,677,624 to 11,553,888 burden hours per year. These changes are due to both program changes and administrative adjustments, as follows:

- The USPTO expects that the number of original new utility applications without an application data sheet filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 108,550, from 116,000 to 7,450 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 30 hours to 33 hours and 12 minutes (33.2 hours). The USPTO estimates that the burden hours for this application will decrease by 3,232,660 hours, from 3,480,000 to 247,340 hours per year. **Therefore, this collection has a burden decrease of 3,232,660 hours due to an administrative adjustment.**

- The USPTO expects that the number of original new utility applications without an application data sheet filed through EFS-Web will decrease as well. The USPTO estimates that the total number of responses will decrease by 17,050, from 116,000 to 98,950 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 30 hours to 33 hours and 12 minutes (33.2 hours). The USPTO estimates that the burden hours for this application will decrease by 194,860 hours, from 3,480,000 to 3,285,140 burden hours per year. **Therefore, this collection has a burden decrease of 194,860 hours due to an administrative adjustment.**
- The USPTO expects that the number of original new plant applications without an application data sheet filed will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 455, from 1,115 to 660 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 7 hours to 7 hours and 36 minutes (7.6 hours). The USPTO estimates that the burden hours for this application will decrease by 2,789 hours, from 7,805 to 5,016 hours per year. **Therefore, this collection has a burden decrease of 2,789 hours due to an administrative adjustment.**
- The USPTO expects that the number of original new design applications without an application data sheet filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 9,882, from 10,677 to 795 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 5 hours to 5 hours and 48 minutes (5.8 hours). The USPTO estimates that the burden hours for this application will decrease by 48,774 hours, from 53,385 to 4,611 hours per year. **Therefore, this collection has a burden decrease of 48,774 hours due to an administrative adjustment.**
- The USPTO expects that the number of original new design applications without an application data sheet filed through EFS-Web will decrease slightly for this renewal. The USPTO estimates that the total number of responses will decrease by 133, from 10,678 to 10,545 responses per year. This does not offset the increase in the estimated time to complete the applications, which has increased to 5 hours and 48 minutes (5.8 hours) as well. The USPTO estimates that the burden hours for this application will increase by 7,771 hours, from 53,390 to 61,161 hours per year. **Therefore, this collection has a burden increase of 7,771 hours due to an administrative adjustment.**
- The USPTO expects that the number of original new utility applications with an application data sheet filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 17,830, from 29,000 to 11,170 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 29 hours and 48 minutes (29.8) to 33 hours and 12 minutes (33.2 hours). The USPTO estimates that the burden hours for this application will decrease by 493,356 hours, from 864,200 to 370,844 hours per year. **Therefore, this collection has a burden decrease of 493,356 hours due to an administrative adjustment.**

- The USPTO expects that the number of original new utility applications with an application data sheet filed through EFS-Web will increase for this renewal. The USPTO estimates that the total number of responses will increase by 119,430, from 29,000 to 148,430 responses per year. The estimated time to complete the EFS-Web applications has increased to 33 hours and 12 minutes (33.2 hours) as well. The USPTO estimates that the burden hours for this application will increase by 4,063,676 hours, from 864,200 to 4,927,876 hours per year. **Therefore, this collection has a burden increase of 4,063,676 hours due to an administrative adjustment.**
- The USPTO expects that the number of original new plant applications with an application data sheet filed will increase for this renewal. The USPTO estimates that the total number of responses will increase by 65, from 285 to 350 responses per year. The USPTO also estimates that the time to complete the application will increase from 6 hours and 48 minutes (6.8 hours) to 7 hours and 36 minutes (7.6 hours). The USPTO estimates that the burden hours for this application will increase by 722 hours, from 1,938 to 2,660 hours per year. **Therefore, this collection has a burden increase of 722 hours due to an administrative adjustment.**
- The USPTO expects that the number of original new design applications with an application data sheet filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 1,702, from 2,672 to 970 responses per year. This reduction offsets an increase in the estimated time to complete the application from 4 hours and 48 minutes (4.8 hours) to 5 hours and 48 minutes (5.8 hours). The USPTO estimates that the burden hours for this application will decrease by 7,200 hours, from 12,826 to 5,626 hours per year. **Therefore, this collection has a burden decrease of 7,200 hours due to an administrative adjustment.**
- However, the USPTO expects that the number of original new design applications with an application data sheet filed through EFS-Web will increase for this renewal. The USPTO estimates that the total number of responses will increase by 10,217, from 2,673 to 12,890 responses per year. The estimated time to complete the EFS-Web applications has increased to 5 hours and 48 minutes (5.8 hours) as well. The USPTO estimates that the burden hours for this application will increase by 61,932 hours, from 12,830 to 74,762 hours per year. **Therefore, this collection has a burden increase of 61,932 hours due to an administrative adjustment.**
- The USPTO expects that the number of continuations/divisionals of international applications filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 6,820, from 7,560 to 740 responses per year. This reduction offsets a slight increase in the estimated time to complete the application from 3 hours to 3 hours and 18 minutes (3.3 hours). The USPTO estimates that the burden hours for this application will decrease by 20,238 hours, from 22,680 to 2,442 hours per year. **Therefore, this collection has a burden decrease of 20,238 hours due to an administrative adjustment.**

- The public can now continuations/divisionals of international applications electronically through EFS-Web in addition to filing them in paper. The USPTO is taking this opportunity to add the EFS-Web submissions into the collection. The USPTO estimates that 9,840 applications will be filed through EFS-Web per year and that it will take 3 hours and 18 minutes (3.3 hours) to complete them. The USPTO estimates that these EFS-Web submissions will add 32,472 hours to the collection per year. **Therefore, this collection has a burden increase of 32,472 hours due to a program change.**
- The USPTO expects that the number of utility continuation/divisional applications filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 54,310, from 56,930 to 2,620 responses per year. This reduction offsets a slight increase in the estimated time to complete the application from 3 hours to 3 hours and 18 minutes (3.3 hours). The USPTO estimates that the burden hours for this application will decrease by 162,144 hours, from 170,790 to 8,646 hours per year. **Therefore, this collection has a burden decrease of 162,144 hours due to an administrative adjustment.**
- The public can file utility continuation/divisional applications electronically through EFS-Web in addition to filing them in paper. The USPTO is taking this opportunity to add the EFS-Web submissions into the collection. The USPTO estimates that 34,900 applications will be filed through EFS-Web per year and that it will take 3 hours and 18 minutes (3.3 hours) to complete them. The USPTO estimates that these EFS-Web submissions will add 115,170 hours to the collection per year. **Therefore, this collection has a burden increase of 115,170 hours due to a program change.**
- The USPTO expects that the number of plant continuation/divisional applications filed will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 80, from 230 to 150 responses per year. This reduction offsets a slight increase in the estimated time to complete the application from 2 hours to 2 hours and 12 minutes (2.2 hours). The USPTO estimates that the burden hours for the application will decrease by 130 hours, from 460 to 330 hours per year. **Therefore, this collection has a burden decrease of 130 hours due to an administrative adjustment.**
- The USPTO expects that the number of design continuation/divisional applications filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 595, from 750 to 155 responses per year. This reduction offsets a very slight increase in the estimated time to complete the application from 1 hour to 1 hour and 6 minutes (1.1 hours). The USPTO estimates that the burden hours for the application will decrease by 579 hours, from 750 to 171 hours per year. **Therefore, this collection has a burden decrease of 579 hours due to an administrative adjustment.**
- The public can file design continuation/divisional applications electronically through EFS-Web in addition to filing them in paper. The USPTO is taking this opportunity to



add the EFS-Web submissions into the collection. The USPTO estimates that 2,085 applications will be filed through EFS-Web per year and that it will take 1 hour and 6 minutes (1.1 hours) to complete them. The USPTO estimates that these EFS-Web submissions will add 2,294 hours to the collection per year. **Therefore, this collection has a burden increase of 2,294 hours due to a program change.**

- The USPTO expects that the number of continued prosecution applications – design (request transmittal and receipt) filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 210, from 260 to 50 responses per year. The USPTO estimates that the reduced filings will decrease the burden hours for the application by 84 hours, from 104 to 20 hours per year. **Therefore, this collection has a burden decrease of 84 hours due to an administrative adjustment.**
- The public can file continued prosecution applications – design (request transmittal and receipt) electronically through EFS-Web in addition to filing them in paper. The USPTO is taking this opportunity to add the EFS-Web submissions into the collection. The USPTO estimates that 665 applications will be filed through EFS-Web per year and that it will take 24 minutes (0.4 hours) to complete them. The USPTO estimates that these EFS-Web submissions will add 266 hours to the collection per year. **Therefore, this collection has a burden increase of 266 hours due to a program change.**
- The USPTO expects that the number of utility continuation-in-part applications filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 16,940, from 17,720 to 780 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 15 hours to 16 hours and 30 minutes (16.5 hours). The USPTO estimates that the burden hours for the application will decrease by 252,930 hours, from 265,800 to 12,870 hours per year. **Therefore, this collection has a burden decrease of 252,930 hours due to an administrative adjustment.**
- The public can file utility continuation-in-part applications electronically through EFS-Web in addition to filing them in paper. The USPTO is taking this opportunity to add the EFS-Web submissions into the collection. The USPTO estimates that 10,340 applications will be filed through EFS-Web per year and that it will take 16 hours and 30 minutes (16.5 hours) to complete them. The USPTO estimates that these EFS-Web submissions will add 170,610 hours to the collection per year. **Therefore, this collection has a burden increase of 170,610 hours due to a program change.**
- The USPTO expects that the number of plant continuation-in-part applications filed will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 35, from 70 to 35 responses per year. This reduction offsets a very slight increase in the estimated time to complete the applications from 3 hours and 30 minutes (3.5 hours) to 3 hours and 48 minutes (3.8 hours). The USPTO estimates that the burden hours for this application will decrease by 112 hours, from 245 to 133 hours per year. **Therefore, this collection has a burden decrease of 112 hours due to an administrative adjustment.**

- The USPTO expects that the number of design continuation-in-part applications filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 440, from 480 to 40 responses per year. This reduction offsets a very slight increase in the estimated time to complete the applications from 2 hours and 30 minutes (2.5 hours) to 2 hours and 42 minutes (2.7 hours). The USPTO estimates that the burden hours for this application will decrease by 1,092 hours, from 1,200 to 108 hours per year. **Therefore, this collection has a burden decrease of 1,092 hours due to an administrative adjustment.**
- The public can file design continuation-in-part applications electronically through EFS-Web in addition to filing them in paper. The USPTO is taking this opportunity to add the EFS-Web submissions into the collection. The USPTO estimates that 520 applications will be filed through EFS-Web per year and that it will take 2 hours and 42 minutes (2.7 hours) to complete them. The USPTO estimates that these EFS-Web submissions will add 1,404 hours to the collection per year. **Therefore, this collection has a burden increase of 1,404 hours due to a program change.**
- The USPTO expects that the number of provisional application for patent cover sheets filed in paper will decrease for this renewal. The USPTO estimates that the total number of responses will decrease by 86,350, from 96,680 to 10,330 responses per year. This reduction offsets an increase in the estimated time to complete the applications from 10 hours to 15 hours. The USPTO estimates that the burden hours for the application will decrease by 811,850 hours, from 966,800 to 154,950 hours per year. **Therefore, this collection has a burden decrease of 811,850 hours due to an administrative adjustment.**
- However, the USPTO expects that the number of provisional application for patent cover sheets filed through EFS-Web will increase for this renewal. The USPTO estimates that the total number of responses will increase by 95,730, from 41,490 to 137,220 responses per year. The estimated time to complete the EFS-Web applications has increased to 15 hours as well. The USPTO estimates that the burden hours for the application will increase by 1,643,400 hours, from 414,900 to 2,058,300 hours per year. **Therefore, this collection has a burden increase of 1,643,400 hours due to an administrative adjustment.**
- The USPTO expects that the number of petitions to accept unintentionally delayed priority/benefit claims filed will increase for this renewal. The USPTO estimates that the total number of responses will increase by 170, from 920 to 1,090 responses per year. The USPTO estimates that the increased filings will increase the burden hours for this petition by 170 hours, from 920 to 1,090 hours per year. **Therefore, this collection has a burden increase of 170 hours due to an administrative adjustment.**
- The USPTO expects that the number of petitions to accept non-signing inventors or legal representatives/filing by other than all the inventors or a person not the inventor filed will decrease for this renewal. The USPTO estimates that the total number of

responses will decrease by 450, from 2,400 to 1,950 responses per year. The USPTO estimates that the reduced filings will decrease the burden hours for the application by 450 hours, from 2,400 to 1,950 hours per year. **Therefore, this collection has a burden decrease of 450 hours due to an administrative adjustment.**

- The papers filed under 37 CFR 1.41, 1.48, and 1.53(c)(2) are an existing information requirement which is being submitted for OMB review at this time. The USPTO estimates that 7,500 of these papers will be submitted and that it will take 45 minutes (.75 hours) to complete them. The USPTO estimates that these papers will add 5,625 hours to the collection per year. **Therefore, this collection has a burden increase of 5,625 hours due to a program change.**

The USPTO estimates that the total burden hours for this collection will increase by 876,264 hours, from 10,677,624 to 11,553,888 hours per year. The USPTO estimates that 327,841 hours will be added to the burden for this collection as a result of program changes. The USPTO estimates that 5,229,248 hours will be reduced from the collection's burden as a result of administrative adjustments. However, the USPTO estimates that this reduction will be offset by an increase of 5,777,671 hours, for a net total burden increase of 548,423 hours per year due to an administrative adjustment. **In sum, this information collection has a total burden increase of 876,264 hours per year due to an increase of 327,841 hours in program changes, in addition to an increase of 548,423 hours in administrative adjustments.**

#### Changes in Annual (Non-Hour) Costs

For this renewal, the USPTO estimates that the annual (non-hour) costs for this collection will increase by \$81650,975, from \$691,147,858 to \$772,798,833 per year. This change is due to both program changes and administrative adjustments, as follows:

- The USPTO is estimating the capital start-up costs associated with submitting patent applications with large computer program listings or mega tables on CD-ROM or CD-R disks differently for this renewal. Since the items needed to produce the CD-ROM and CD-R disks are available in a variety of configurations, and since this collection covers many applicants and their specific filing situations, the USPTO determined that using averages of the possible costs would provide a better accounting of the capital start-up costs. To do this, the USPTO researched the costs for the various supplies and then used averages of the possible costs for the various quantities and configurations of the blank CD-R media, software, and mailing envelopes and included costs for purchasing jewel cases for the CD-R disks separately. As a result of this research, the USPTO estimates that it could cost applicants an average of \$96.73 to obtain these supplies as opposed to \$42 estimated for the last renewal. The USPTO also estimates that the number of applications submitted with CD-ROM or CD-R disks will increase by 229 applications, from 3 to 232 applications per year. The USPTO estimates that the capital start-up costs for this collection will increase by \$22,315, from \$126 to

\$22,441 per year. **Therefore, this collection has an increase of \$22,315 in capital start-up costs due to an administrative adjustment.**

- Applicants can file their initial patent applications by Express Mail to establish the filing date. The USPTO estimates that the average postage rate for these submissions will increase from \$18.80 to \$22.56 for this renewal. However, the USPTO believes that 304,134 fewer applications will be mailed by Express Mail during this renewal period, from the currently approved 340,429 to 36,295 applications per year. This reduction offsets the increase in the Express Mail postage rate. Consequently, the USPTO estimates that the postage costs for this collection will decrease by \$5,581,250, from \$6,400,065 to \$818,815 per year. **Therefore, this collection takes a burden reduction of \$5,581,250 in Express Mail postage costs as an administrative adjustment.**
- The USPTO estimates that the first-class postage rate for mailing petitions will decrease from 63 cents to 61 cents for this renewal. The USPTO also expects that the number of petitions mailed using first-class postage will decrease by 280 applications, from 3,321 to 3,041 applications per year. The USPTO estimates that these changes will decrease the first-class postage costs by \$237, from \$2,092 to \$1,855 per year. **Therefore, this collection has a reduction of \$237 in first-class postage costs due to an administrative adjustment.**
- The USPTO is adding the papers filed under 37 CFR 1.41, 1.48, and 1.53 (c)(2) into the collection as part of this renewal submission. The USPTO estimates that 7,500 of these papers will be mailed using the first-class postage rate of 61 cents. The USPTO estimates that these papers will add \$4,575 in first-class postage costs to the collection. **Therefore, this collection has an increase of \$4,575 in first-class postage costs due to a program change.**
- The USPTO expects that the average postage rate to mail the oversized CD submissions will increase from 95 cents to \$1.22 per submission as a result of changes in the size of mailing envelopes and weight used to determine the postage. The USPTO also expects that the number of applications with oversized program listings/mega tables will increase by 229 submissions, from 3 to 232 submissions per year. The USPTO estimates that these changes will increase the costs for mailing these oversized submissions by \$280, from \$3 to \$283 per year. **Therefore, this collection has an increase of \$280 in postage costs for the oversized submissions due to an administrative adjustment.**
- The USPTO advises applicants who submit applications with oversized computer program listings and mega tables on CD to retain a back-up copy of the CD and a printed copy of the application transmittal for their records. The USPTO estimates that the number of applications submitted on CDs will increase by 229 applications, from 3 to 232 applications per year. The USPTO expects that it will still take 7 minutes (0.12 hours) for a paraprofessional to produce these back-up copies, but at an estimated hourly rate of \$100 instead of \$90. The USPTO estimates that these

changes will increase the associated recordkeeping costs for the CD submissions by \$2,768, from \$32 to \$2,800 per year. **Therefore, this collection has an increase of \$2,768 in recordkeeping costs for the oversized submissions due to an administrative adjustment.**

- Applicants who file their applications through EFS-Web are advised to retain a copy of the file submitted to the USPTO as evidence of authenticity in addition to keeping the acknowledgement receipt as clear evidence that the file was received by the USPTO on the date noted. In the previous renewal, the USPTO estimated that 199,841 applications would be submitted through EFS-Web, that it would take 5 seconds (0.001 hours) to print and retain a copy of the acknowledgement receipt, and that para-professionals at an hourly rate of \$90 would perform this task. For this renewal, the USPTO estimates that 408,035 of these applications will be submitted through EFS-Web and that it will 2 minutes (0.03 hours) instead of 5 seconds to retain a copy of the file and printing the acknowledgement receipt. The USPTO still expects that para-professionals will perform this task, but now estimates that the hourly rate will increase to \$100. Overall, the USPTO estimates that the recordkeeping costs associated with these applications will increase by \$1,206,100, from \$18,000 to \$1,224,100 per year. **Therefore, this collection has an increase of \$1,206,100 in recordkeeping costs for EFS-Web submissions due to an administrative adjustment.**
- Continuations and divisional applications of international applications, utility continuation and divisional applications, design continuation/divisional applications, continued prosecution applications – design, utility continuation-in-part applications, and design continuation-in-part applications can be filed electronically through EFS-Web and are being added into the collection at this time. The USPTO estimates that 58,350 of these applications will be submitted through EFS-Web, for a recordkeeping cost of \$175,100 per year. **Therefore, this collection has an increase of \$175,100 in recordkeeping costs for new EFS-Web submissions due to a program change.**
- In order to get a better accounting of the possible drawing costs for the utility applications, the USPTO researched costs from various patent illustration firms and took the average of all the costs found to calculate the per sheet cost instead of taking the average of the high and low costs used in the previous submission. Based on this calculation, the USPTO estimates that the per sheet cost to produce the utility drawings will increase from \$58 to \$85, which increases the average cost of the utility drawings from \$638 to \$935. This increase in drawing cost is offset by expected decreases in the overall number of utility applications submitted with drawings. The USPTO estimates that out of 277,120 utility applications, only 252,179 applications will be submitted with drawings, as opposed to the last renewal when the USPTO estimated that 280,025 out of 307,720 utility applications would be submitted with drawings. The USPTO estimates that the total utility drawing costs will increase by \$57,131,415, from \$178,655,950 to \$235,787,365 per year.

**Therefore, this collection has an increase of \$57,131,415 in drawing costs for utility applications due to an administrative adjustment.**

- The drawing costs for the design applications were recalculated in the same manner as the utility applications. The USPTO now estimates the per sheet cost to produce the design drawings will increase from \$68 to \$95, which increases the average cost of the design drawings from \$326 to \$456. The USPTO expects fewer design applications to be submitted with drawings – 25,760 as opposed to 27,440 from the last renewal – but does not expect that the reduction in submissions will entirely offset the increase in the average cost. The USPTO estimates that the total design drawing costs will increase by \$2,801,120, from \$8,945,440 to \$11,746,560 per year. **Therefore, this collection has an increase of \$2,801,120 due to an administrative adjustment.**
- In order to get a better accounting of the possible drawing costs for the plant applications, the USPTO researched costs from various patent illustration firms, including costs for photographs as well as drawings, and took the average of all the costs found to calculate the per sheet cost instead of using the lowest rate as in the previous submission. Based on this calculation, the USPTO estimates the per sheet cost to produce the plant drawings/photographs will increase from \$35 to \$68 per sheet, which increases the average plant drawing/photograph costs from \$70 to \$136 per year. The USPTO estimates that fewer plant applications will be submitted with drawings/photographs, from 1,470 to an estimated 1,045. The USPTO expects this reduction will offset the increase in the average cost to produce the drawings. The USPTO estimates that the total cost for the plant drawings will increase by \$39,220, from \$102,900 to \$142,120 per year. **Therefore, this collection has an increase of \$39,220 in drawing costs for plant applications due to an administrative adjustment.**
- The drawing costs for the provisional applications were recalculated in the same manner as the utility applications. The USPTO now estimates the per sheet cost to produce the provisional drawings will increase from \$58 to \$85, which increases the average provisional drawing costs from \$435 to \$638. The USPTO also expects that the number of provisional applications submitted with drawings will increase from 107,773 to 115,089. The USPTO estimates that the total costs for the provisional drawings will increase by \$26,545,527, from \$46,881,255 to \$73,426,782 per year. **Therefore, this collection has an increase of \$26,545,527 in drawing costs for provisional applications due to an administrative adjustment.**
- The USPTO expects the public will file fewer original new utility applications without application data sheets (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 75,615, from 81,200 to 5,585 responses per year. This reduction offsets an increase in the filing fees for these applications, from \$1,000 to \$1,090 per year. The USPTO estimates that the total filing fee costs for this application will decrease by \$75,112,350, from \$81,200,000 to \$6,087,650 per year, with an increase of \$502,650 due to the increased filing fees offset by a decrease of \$75,615,000 due to reduced filings.

**Therefore this collection has a reduction of \$75,112,350 in filing fees, with an increase of \$502,650 due to program changes and a reduction of \$75,615,000 due to an administrative adjustment.**

- The USPTO expects fewer original new utility applications without an application data sheet (small entity) to be filed in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 32,935, from 34,800 to 1,865 responses per year. This reduction offsets an increase in the filing fees for these applications, from \$500 to \$545 per year. The USPTO estimates that the total filing fee costs for these applications will decrease by \$16,383,575, from \$17,400,000 to \$1,016,425 per year, with an increase of \$83,925 due to increased filing fees offset by a decrease of \$16,467,500 due to reduced filings. **Therefore, this collection has a reduction of \$16,383,575 in filing fees, with an increase of \$83,925 due to a program change and a reduction of \$16,467,500 due to an administrative adjustment.**
- The USPTO expects fewer original new utility applications without an application data sheet (other entity), to be filed electronically for this renewal. The USPTO estimates that the number of submissions will decrease by 6,990, from 81,200 to 74,210 responses per year. This reduction offsets an increase in the filing fees for these applications, from \$1,000 to \$1,090 per year. The USPTO estimates that the total filing fee costs for these electronic applications will decrease by \$311,100, from \$81,200,000 to \$80,888,900 per year, with an increase of \$6,678,900 due to increased filing fees offset by a decrease of \$6,990,000 due to reduced filings. **Therefore, this collection has a reduction of \$311,100 in filing fees, with an increase of \$6,678,900 due to program changes and a reduction of \$6,990,000 due to an administrative adjustment.**
- The USPTO expects fewer original new utility applications without an application data sheet (small entity), to be filed electronically for this renewal. The USPTO estimates that the number of submissions will decrease by 10,060, from 34,800 to 24,740 responses per year. This reduction offsets increased filing fees for these applications, from \$425 to \$462. The USPTO estimates that the total filing fee costs will decrease by \$3,360,120, from \$14,790,000 to \$11,429,880 per year, with an increase of \$915,380 due to increased filing fees offset by a decrease of \$4,275,500 due to reduced filings. **Therefore, this collection has a reduction of \$3,360,120 in filings fees, with an increase of \$915,380 due to a program change and a reduction of \$4,275,500 due to an administrative adjustment.**
- The USPTO expects that the public will file fewer original new plant applications without application data sheets (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 285, from 780 to 495 responses per year. This reduction offsets an increase in the filing fees for these applications from \$660 to \$720. The USPTO estimates that the total filing fee costs for these applications will decrease by \$158,400, from \$514,800 to \$356,400 per year, with an increase of \$29,700 due to increased filing fees offset by a decrease of \$188,100 due to reduced filings. **Therefore, this collection has a reduction of**

**\$158,400 in filing fees, with an increase of \$29,700 due to a program change and a reduction of \$188,100 due to an administrative adjustment.**

- The USPTO expects fewer original new plant applications without an application data sheet (small entity), to be filed in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 170, from 335 to 165 responses per year. This reduction offsets an increase in the filing fees from \$330 to \$360. The USPTO estimates that the total filing fee costs for these applications will decrease by \$51,150, from \$110,550 to \$59,400, with an increase of \$4,950 due to increased filing fees offset by a decrease of \$56,100 due to reduced filings. **Therefore, this collection has a reduction of \$51,150 in filing fees, with an increase of \$4,950 due to a program change and a reduction of \$56,100 due to an administrative adjustment.**
- The USPTO expects that the public will file fewer original new design applications without an application data sheet (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 4,817, from 5,232 to 415 responses per year. This reduction offsets an increase in the filing fees from \$430 to \$460. The USPTO estimates that the total filing fee costs for these applications will decrease by \$2,058,860, from \$2,249,760 to \$190,900 per year, with an increase of \$12,450 due to increased filing fees offset by a decrease of \$2,071,310 due to reduced filings. **Therefore, this collection has a reduction of \$2,058,860 in filing fees, with an increase of \$12,450 due to a program change and a reduction of \$2,071,310 due to an administrative adjustment.**
- The USPTO expects that fewer original new design applications without an application data sheet (small entity), will be filed in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 5,065, from 5,445 to 380 responses per year. This reduction offsets an increase in the filing fees from \$214 to \$230. The USPTO estimates that the total filing fee costs for these applications will decrease by \$1,083,275, from \$1,170,675 to \$87,400 per year, with an increase of \$5,700 due to increased filing fees offset by a decrease of \$1,088,975 due to reduced filings. **Therefore, this collection has a reduction of \$1,083,275 in filing fees, with an increase of \$5,700 due to a program change and a reduction of \$1,088,975 due to an administrative adjustment.**
- The USPTO expects that the public will file more original new design applications without an application data sheet (other entity), electronically for this renewal. The USPTO estimates that the number of submissions will increase by 253, from 5,232 to 5,485 responses per year. The filing fees for these applications will increase as well, from \$430 to \$460. The USPTO estimates that the total filing fee costs for this application will increase by \$273,340, from \$2,249,760 to \$2,523,100 per year, with an increase of \$164,550 due to increased filing fees in addition to an increase of \$108,790 due to increased filings. **Therefore, this collection has an increase of \$273,340 in filing fees, with an increase of \$164,550 due to a program change and an increase of \$108,790 due to an administrative adjustment.**



- The USPTO expects that the public will file fewer original new design applications without an application data sheet (small entity), electronically for this renewal. The USPTO estimates that the number of submissions will decrease by 386, from 5,446 to 5,060 responses per year. This reduction offsets increased filing fees for these applications, from \$215 to \$230. The USPTO estimates that the total filing fee costs for these applications will decrease by \$7,090, from \$1,170,890 to \$1,163,800 per year, with an increase of \$75,900 due to increased filing fees offset by a decrease of \$82,990 due to reduced filings. **Therefore, this collection has a reduction of \$7,090 in filing fees, with an increase of \$75,900 due to a program change and a reduction of \$82,990 due to an administrative adjustment.**
- The USPTO expects that the public will file fewer original new utility applications with an application data sheet (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 11,920, from 20,300 to 8,380 responses per year. This reduction offsets an increase in the filing fees from \$1,000 to \$1,090. The USPTO estimates that the total filing fee costs for this application will decrease by \$11,165,800, from \$20,300,000 to \$9,134,200 per year, with an increase of \$754,200 due to increased filing fees offset by a decrease of \$11,920,000 due to reduced filings. **Therefore, this collection has a reduction of \$11,165,800 in filing fees, with an increase of \$754,200 due to a program change and a reduction of \$11,920,000 due to an administrative adjustment.**
- The USPTO expects fewer original new utility applications with an application data sheet (small entity), to be filed in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 5,910, from 8,700 to 2,790 responses per year. This reduction offsets an increase in the filing fees from \$500 to \$545. The USPTO estimates that the total filing fee costs for this application will decrease by \$2,829,450, from \$4,350,000 to \$1,520,550 per year, with an increase of \$125,550 due to increased filing fees and a decrease of \$2,955,000 due to reduced filings. **Therefore, this collection has a reduction of \$2,829,450 in filing fees, with an increase of \$125,550 due to a program change and a reduction of \$2,955,000 due to an administrative adjustment.**
- The USPTO expects that the number of original new utility applications with an application data sheet (other entity), filed electronically will increase during this renewal period. The USPTO estimates that the number of submissions will increase by 91,025, from 20,300 to 111,325 responses per year. The filing fees for these applications will increase as well from \$1,000 to \$1,090. The USPTO estimates that the total filing fee costs for these applications will increase by \$101,044,250, from \$20,300,000 to \$121,344,250 per year, with an increase of \$10,019,250 due to increased filing fees and an increase of \$91,025,000 due to increased filings. **Therefore, this collection has an increase of \$101,044,250 in filing fees, with an increase of \$10,019,250 due to a program change and an increase of \$91,025,000 due to an administrative adjustment.**
- The USPTO expects that the number of original new utility applications with an application data sheet (small entity), filed electronically will increase for this renewal.

The USPTO estimates that the number of submissions will increase by 28,405, from 8,700 to 37,105 responses per year. The filing fees will increase as well from \$425 to \$462. The USPTO estimates that the total filing fee costs for these applications will increase by \$13,445,010, from \$3,697,500 to \$17,142,510 per year, with an increase of \$1,372,885 due to increased filing fees and an increase of \$12,072,125 due to increased filings. **Therefore, this collection has an increase of \$13,445,010 in filing fees, with an increase of \$1,372,885 due to a program change and an increase of \$12,072,125 due to an administrative adjustment.**

- The USPTO expects that the public will file more original new plant applications with an application data sheet (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will increase by 60, from 200 to 260 responses per year. The filing fees will increase as well from \$660 to \$720. The USPTO estimates that the total filing fee costs for this application will increase by \$55,200, from \$132,000 to \$187,200 per year, with an increase of \$15,600 due to increased filing fees and an increase of \$39,600 due to increased filings. **Therefore, this collection has an increase of \$55,200 in filing fees, with an increase of \$15,600 due to a program change and an increase of \$39,600 due to an administrative adjustment.**
- The USPTO expects that the number of original new plant applications with an application data sheet (small entity), filed in paper will increase for this renewal period. The USPTO estimates that the number of submissions will increase by 5, from 85 to 90 responses per year. The filing fees will increase as well from \$330 to \$360. The USPTO estimates that the total filing fee costs for this application will increase by \$4,350, from \$28,050 to \$32,400 per year, with an increase of \$2,700 due to increased filing fees and an increase of \$1,650 due to increase filings. **Therefore, this collection has an increase of \$4,350 in filing fees, with an increase of \$2,700 due to a program change and an increase of \$1,650 due to an administrative adjustment.**
- The USPTO expects that the public will file fewer original new design applications with an application data sheet (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 804, from 1,309 to 505 responses per year. This reduction offsets an increase in the filing fees from \$430 to \$460. The USPTO estimates that the total filing fee costs for this application will decrease by \$330,570, from \$562,870 to \$232,300 per year, with an increase of \$15,150 due to increased filing fees offset by a decrease of \$345,720 due to reduced filings. **Therefore, this collection has a reduction of \$330,570 in filing fees, with an increase of \$15,150 due to a program change and a reduction of \$345,720 due to an administrative adjustment.**
- The USPTO expects fewer original new design applications with an application data sheet (small entity), will be filed in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 898, from 1,363 to 465 responses per year. This reduction offsets an increase in the filing fees from \$215 to \$230. The USPTO estimates that the total filing fee costs for this application will decrease

by \$186,095, from \$293,045 to \$106,950 per year, with an increase of \$6,975 due to increased filing fees offset by a decrease of \$193,070 due to reduced filings. **Therefore, this collection has a reduction of \$186,095 in filing fees, with an increase of \$6,975 due to a program change and a reduction of \$193,070 due to an administrative adjustment.**

- The USPTO expects that the public will file more new design applications with an application data sheet (other entity), electronically for this renewal. The USPTO estimates that the number of submissions will increase by 5,390, from 1,310 to 6,700 responses per year. The filing fees will increase as well from \$430 to \$460. The USPTO estimates that the total filing fee costs for this application will increase by \$2,518,700, from \$563,300 to \$3,082,000 per year, with an increase of \$201,000 due to increased filing fees and an increase of \$2,317,700 due to increased filings. **Therefore, this collection has an increase of \$2,518,700 in filing fees, with an increase of \$201,000 due to a program change and an increase of \$2,317,700 due to an administrative adjustment.**
- The USPTO also expects that the public will file more new design applications with an application data sheet (small entity), electronically for this renewal. The USPTO estimates that the number of submissions will increase by 4,827, from 1,363 to 6,190 responses per year. The filing fees will increase as well from \$215 to \$230. The USPTO estimates that the total filing fee costs for this application will increase by \$1,130,655, from \$293,045 to \$1,423,700 per year, with an increase of \$92,850 due to increased filing fees and an increase of \$1,037,805 due to increased filings. **Therefore, this collection has an increase of \$1,130,655 in filing fees, with an increase of \$92,850 due to a program change and an increase of \$1,037,805 due to an administrative adjustment.**
- The USPTO expects the public to file fewer continuations/divisionals of an international application (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 5,420, from 5,990 to 570 per year. This reduction offsets an increase in the filing fees from \$1,000 to \$1,090. The USPTO estimates that the total filing fee costs for this application will decrease by \$5,368,700, from \$5,990,000 to \$621,300 per year, with an increase of \$51,300 due to increased filing fees offset by a decrease of \$5,420,000 due to reduced filings. **Therefore, this collection has a reduction of \$5,368,700 in filing fees, with an increase of \$51,300 due to a program change and a reduction of \$5,420,000 due to an administrative adjustment.**
- The USPTO also expects that the public will file fewer continuation/divisional of an international application (small entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 1,400, from 1,570 to 170 responses per year. This reduction offsets an increase in the filing fees from \$500 to \$545. The USPTO estimates that the total filing fee costs for this application will decrease by \$692,350, from \$785,000 to \$92,650, with an increase of \$7,650 due to increased filing fees offset by a decrease of \$700,000 due to reduced filings. **Therefore, this collection has a reduction of \$692,350 in filing fees, with an**

**increase of \$7,650 due to a program change and a reduction of \$700,000 due to an administrative adjustment.**

- The continuation/divisional of an international application (other entity), can be filed electronically as well as in paper. They are being added into the collection at this time. The USPTO estimates that 7,580 applications will be filed electronically, with a filing fee of \$1,090 and a total filing fee cost of \$8,262,200. **Therefore, this collection has an increase of \$8,262,200 in filing fees as a program change.**
- The continuation/divisional of an international application (small entity), can be filed electronically and is being added into the collection at this time. The USPTO estimates that 2,260 applications will be filed electronically, with a filing fee of \$462 and a total filing fee cost of \$1,044,120. **Therefore, this collection has an increase of \$1,044,120 in filing fees as a program change.**
- The USPTO expects that the public will file fewer utility continuation/divisional applications (other entity), in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 38,455, from 40,420 to 1,965 responses per year. This reduction offsets an increase in the filing fees from \$1,000 to \$1,090. The USPTO estimates that the total filing fee costs for this application will decrease by \$38,278,150, from \$40,420,000 to \$2,141,850 per year, with an increase of \$176,850 due to increased filing fees offset by a decrease of \$38,455,000 in reduced filings. **Therefore, this collection has a reduction of \$38,278,150 in filing fees, with an increase of \$176,850 due to a program change and a reduction of \$38,455,000 due to an administrative adjustment.**
- The USPTO also expects that fewer utility continuation/divisional applications (small entity), will be filed in paper for this renewal. The USPTO estimates that the number of submissions will decrease by 15,855, from 16,510 to 655 responses per year. This reduction is offset by an increase in the filing fees from \$500 to \$545. The USPTO estimates that the total filing fee costs for this application will decrease by \$7,898,025, from \$8,255,000 to \$356,975 per year, with an increase of \$29,475 due to increased filing fees offset by a decrease of \$7,927,500 due to reduced filings. **Therefore, this collection has a reduction of \$7,898,025 in filing fees, with an increase of \$29,475 due to a program change and a reduction of \$7,927,500 due to an administrative adjustment.**
- The utility continuation/divisional applications (other entity), can be filed electronically and are being added into the collection at this time. The USPTO estimates that 26,175 applications will be filed electronically, with a filing fee of \$1,090 and a total filing fee cost of \$28,530,750. **Therefore, this collection has an increase of \$28,530,750 in filing fees as a program change.**
- In addition, the utility continuation/divisional applications (small entity), can be filed electronically and are being added into the collection at this time. The USPTO estimates that 8,725 applications will be filed electronically, with a filing fee of \$462

and a total filing fee cost of \$4,030,950. **Therefore, this collection has an increase of \$4,030,950 in filing fees as a program change.**

- The USPTO expects that the public will file fewer plant continuation/divisional applications (other entity) for this renewal. The USPTO estimates that the total number of submissions will decrease by 45, from 160 to 115 responses per year. This reduction offsets an increase in the filing fee from \$660 to \$720. The USPTO estimates that the total filing fee costs for this application will decrease by \$22,800, from \$105,600 to \$82,800 per year, with an increase of \$6,900 due to increased filing fees offset by a decrease of \$29,700 due to reduced filings. **Therefore, this collection has a reduction of \$22,800 in filing fees, with an increase of \$6,900 due to a program change and a reduction of \$29,700 due to an administrative adjustment.**
- The USPTO also expects that fewer plant continuation/divisional applications (small entity) will be filed for this renewal. The USPTO estimates that the number of submissions will decrease by 35, from 70 to 35 responses per year. This reduction offsets an increase in the filing fees from \$330 to \$360. The USPTO estimates that the total filing fee costs for this application will decrease by \$10,500, from \$23,100 to \$12,600 per year, with an increase of \$1,050 due to increased filing fees offset by a decrease of \$11,550 due to reduced filings. **Therefore, this collection has a reduction of \$10,500 in filing fees, with an increase of \$1,050 due to a program change and a reduction of \$11,550 due to an administrative adjustment.**
- The USPTO expects that the public will file fewer design continuation/divisional applications (other entity), in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 285, from 365 to 80 responses per year. This reduction offsets an increase in the filing fees from \$430 to \$460. The USPTO estimates that the total filing fee costs for this application will decrease by \$120,150, from \$156,950 to \$36,800 per year, with an increase of \$2,400 due to increased filing fees offset by a decrease of \$122,550 due to reduced filings. **Therefore, this collection has a reduction of \$120,150 in filing fees, with an increase of \$2,400 due to a program change and a reduction of \$122,550 due to an administrative adjustment.**
- The USPTO also expects that fewer design continuation/divisional applications (small entity), will be filed in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 310, from 385 to 75 responses per year. This reduction offsets an increase in the filing fee from \$215 to \$230. The USPTO estimates that the total filing fee costs for this application will decrease by \$65,525, from \$82,775 to \$17,250 per year, with an increase of \$1,125 due to increased filing fees offset by a decrease of \$66,650 due to reduced filings. **Therefore, this collection takes a reduction of \$65,525 in filing fees, with an increase of \$1,125 due to a program change and a reduction of \$66,650 due to an administrative adjustment.**

- The design continuation/divisional applications (other entity), can be filed electronically and are being added into the collection at this time. The USPTO estimates that 1,085 applications will be filed electronically, with a filing fee of \$460 and total filing fees of \$499,100. **Therefore, this collection takes an increase of \$499,100 in filing fees due to a program change.**
- In addition, the design continuation/divisional applications (small entity), can be filed electronically and are being added into the collection at this time. The USPTO estimates that 1,000 applications will be filed electronically, with a filing fee of \$230 and total filing fees of \$230,000. **Therefore, this collection has an increase of \$230,000 in filing fees as a program change.**
- The USPTO expects that the public will file fewer continued prosecution applications – design (request transmittal and receipt), (other entity), in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 99, from 125 to 26 responses per year. This reduction offsets an increase in the filing fees from \$430 to \$460. The USPTO estimates that the total filing fee costs for this application will decrease by \$41,790, from \$53,750 to \$11,960 per year, with an increase of \$780 due to increased filing fees and a decrease of \$42,570 due to reduced filings. **Therefore, this collection has a reduction of \$41,790 in filing fees, with an increase of \$780 due to a program change and a reduction of \$42,570 due to an administrative adjustment.**
- The USPTO also expects that fewer continued prosecution applications – design (request transmittal and receipt), (small entity), will be filed in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 111, from 135 to 24 responses per year. This reduction offsets an increase in the filing fees from \$215 to \$230. The USPTO estimates that the total filing fee cost for this application will decrease by \$23,505, from \$29,025 to \$5,520 per year, with an increase of \$360 due to increased filing fees and a decrease of \$23,865 due to reduced filings. **Therefore, this collection has a reduction of \$23,505 in filing fees, with an increase of \$360 due to a program change and a reduction of \$23,865 due to an administrative adjustment.**
- The continued prosecution applications – design (request transmittal and receipt) (other entity), can also be filed electronically and are being added into the collection at this time. The USPTO estimates that 345 applications will be filed electronically, with a filing fee of \$460 and total filing fees of \$158,700. **Therefore, this collection has an increase of \$158,700 in filing fees due to a program change.**
- In addition, the continued prosecution applications – design (request transmittal and receipt), (small entity), can be filed electronically and are being added into the collection at this time. The USPTO estimates that 320 applications will be filed electronically, with a total filing fee of \$230 and total filing fee costs of \$73,600. **Therefore, this collection has an increase of \$73,600 in filing fees due to a program change.**

- The USPTO expects that the public will file fewer utility continuation-in-part applications (other entity), in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 11,995, from 12,580 to 585. This reduction offsets an increase in the total filing fee from \$1,000 to \$1,090. The USPTO estimates that the total filing fee costs for this application will decrease by \$11,942,350, from \$12,580,000 to \$637,650 per year, with an increase of \$52,650 due to increased filing fees and a decrease of \$11,995,000 due to reduced filings. **Therefore, this collection has a reduction of \$11,942,350 in filing fees, with an increase of \$52,650 due to a program change and a reduction of \$11,995,000 due to an administrative adjustment.**
- The USPTO also expects that fewer utility continuation-in-part applications (small entity), will be filed in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 4,945, from 5,140 to 195 applications per year. This reduction offsets an increase in the total filing fee from \$500 to \$545. The USPTO estimates that the total filing fee costs for this application will decrease by \$2,463,725, from \$2,570,000 to \$106,275 per year, with an increase of \$8,775 due to increased filing fees offset by a decrease of \$2,472,500 due to reduced filings. **Therefore, this collection has a reduction of \$2,463,725 in filing fees, with an increase of \$8,775 due to a program change and a reduction of \$2,472,500 due to an administrative adjustment.**
- The utility continuation-in-part applications (other entity) can be filed electronically and are being added into the collection at this time. The USPTO estimates that 7,755 applications will be filed electronically, with a total filing fee of \$1,090 and a total filing fee cost of \$8,452,950. **Therefore, this collection has an increase of \$8,452,950 in filing fees due to a program change.**
- In addition, the utility continuation-in-part applications (small entity) can also be filed electronically and are being added into the collection at this time. The USPTO estimates that 2,585 applications will be filed electronically, with a total filing fee of \$462 and a total fee cost of \$1,194,270. **Therefore, this collection has an increase of \$1,194,270 in filing fees due to a program change.**
- The USPTO expects that the public will file fewer plant continuation-in-part applications (other entity) for this renewal. The USPTO estimates that the total number of submissions will decrease by 24, from 50 to 26 responses per year. This reduction offsets an increase in the total filing fee from \$660 to \$720. The USPTO estimates that the total filing fee cost for this application will decrease by \$14,280, from \$33,000 to \$18,720 per year, with an increase of \$1,560 due to increased filing fees offset by a reduction of \$15,840 due to reduced filings. **Therefore, this collection has a reduction of \$14,280 in filing fees, with an increase of \$1,560 due to a program change and a reduction of \$15,840 due to an administrative adjustment.**
- The USPTO also expects fewer plant continuation-in-part applications (small entity) to be filed during this renewal. The USPTO estimates that the total number of

submissions will decrease by 11, from 20 to 9 responses per year. This reduction offsets an increase in the total filing fee from \$330 to \$360. The USPTO estimates that the total filing fee costs for this application will decrease by \$3,360, from \$6,600 to \$3,240 per year, with an increase of \$270 due to increased filing fees offset by a decrease of \$15,840 due to reduced filings. **Therefore, this collection has a reduction of \$3,360 in filing fees, with an increase of \$270 due to a program change and a reduction of \$3,630 due to an administrative adjustment.**

- The USPTO expects that the public will file fewer design continuation-in-part applications (other entity) in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 214, from 235 to 21 responses per year. This reduction offsets an increase in the total filing fee from \$430 to \$460. The USPTO estimates that the total filing fee costs for this application will decrease by \$91,390, from \$101,050 to \$9,660 per year, with an increase of \$630 due to increased filing fees offset by a decrease of \$92,020 due to reduced filings. **Therefore, this collection has a reduction of \$91,390 in filing fees, with an increase of \$630 due to a program change and a reduction of \$92,020 due to an administrative adjustment.**
- The USPTO also expects that fewer design continuation-in-part applications (small entity) will be filed in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 226, from 245 to 19 responses per year. This reduction offsets an increase in the total filing fee from \$215 to \$230. The USPTO estimates that the total filing fee costs for this application will decrease by \$48,305, from \$52,675 to \$4,370 per year, with an increase of \$285 due to increased filing fees offset by a decrease of \$48,590 due to reduced filings. **Therefore, this collection has a reduction of \$48,305 in filing fees, with an increase of \$285 due to a program change and a reduction of \$48,590 due to an administrative adjustment.**
- The design continuation-in-part applications (other entity) can be filed electronically and are being added into the collection at this time. The USPTO estimates that 270 applications will be filed electronically, with a total filing fee of \$460 and a total filing fee cost of \$124,200. **Therefore, this collection has an increase of \$124,200 in filing fees due to a program change.**
- In addition, the design continuation-in-part applications (small entity) can also be filed electronically and are being added into the collection at this time. The USPTO estimates that 250 applications will be filed electronically, with a total filing fee of \$230 and a total filing fee cost of \$57,500. **Therefore, this collection has an increase of \$57,500 in filing fees due to a program change.**
- The USPTO expects that the public will file fewer provisional applications for patent cover sheets (other entity) in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 32,680, from 36,500 to 3,820 responses per year. This reduction offsets an increase in the total filing fee from \$200 to \$220. The USPTO estimates that the total filing fee costs will decrease by



\$6,459,600, from \$7,300,000 to \$840,400 per year, with an increase of \$76,400 due to increased filing fees offset by a decrease of \$6,536,000 due to reduced filings. **Therefore, this collection has a reduction of \$6,459,600 in filing fees, with an increase of \$76,400 due to a program change and a reduction of \$6,536,000 due to an administrative adjustment.**

- The USPTO also expects that fewer provisional applications for patent cover sheets (small entity) will be filed in paper for this renewal. The USPTO estimates that the total number of submissions will decrease by 53,670, from 60,180 to 6,510 responses per year. This reduction offsets an increase in the total filing fee from \$100 to \$110. The USPTO estimates that the total filing fee costs for this application will decrease by \$5,301,900, from \$6,018,000 to \$716,100 per year, with an increase of \$65,100 due to increased filing fees offset by a decrease of \$5,367,000 due to reduced filings. **Therefore, this collection has a reduction of \$5,301,900 in filing fees, with an increase of \$65,100 due to a program change and a reduction of \$5,367,000 due to an administrative adjustment.**
- Unlike the paper filings, the USPTO expects that the public will file more provisional applications for patent cover sheets (other entity) electronically for this renewal. The USPTO estimates that the total number of submissions will increase by 35,080, from 15,690 to 50,770 responses per year. The total filing fee will increase as well from \$200 to \$220. The USPTO estimates that the total filing fee costs for this application will increase by \$8,031,400, from \$3,138,000 to \$11,169,400 per year, with an increase of \$1,015,400 due to increased filing fees and an increase of \$7,016,000 due to increased filings. **Therefore, this collection has an increase of \$8,031,400 in filing fees, with an increase of \$1,015,400 due to a program change and an increase of \$7,016,000 due to an administrative adjustment.**
- The USPTO also expects that the number of provisional applications for patent cover sheets (small entity) filed electronically will increase for this renewal. The USPTO estimates that the total number of submissions will increase by 60,650, from 25,800 to 86,450 responses per year. The total filing fee will increase as well from \$100 to \$110. The USPTO estimates that the total filing fee costs for this application will increase by \$6,929,500, from \$2,580,000 to \$9,509,500 per year, with an increase of \$864,500 due to increased filing fees and an increase of \$6,065,000 due to increased filings. **Therefore, this collection has an increase of \$6,929,500 in filing fees, with an increase of \$864,500 due to a program change and an increase of \$6,065,000 due to an administrative adjustment.**
- The USPTO expects that the number of petitions to accept unintentionally delayed priority/benefit claims filed will increase for this renewal. The USPTO estimates that the total number of petitions will increase by 170, from 920 to 1,090 responses per year. The filing fee will increase as well from \$1,300 to \$1,410. The USPTO estimates that the total filing fee costs for these petitions will increase by \$340,900, from \$1,196,000 to \$1,536,900 per year, with an increase of \$119,900 due to increased filing fee in addition to an increase of \$221,000 due to increased filings. **Therefore, this collection has an increase of \$340,900 in filing fees, with an**

**increase of \$119,900 due to a program change and an increase of \$221,000 due to an administrative adjustment.**

- The USPTO expects that fewer petitions to accept a filing by other than all the inventors or a person not the inventor will be filed for this renewal. The USPTO estimates that the total number of submissions will decrease by 450, from 2,400 to 1,950 responses per year. This will decrease the total filing fee costs for these petitions by \$90,000, from \$480,000 to \$390,000 per year. **Therefore, this collection has a reduction of \$90,000 in filing fees due to an administrative adjustment.**
- The papers filed under 1.41, 1.48, and 1.53(c)(2) are being added into the collection as part of this renewal. The USPTO estimates that 7,500 of these papers will be filed with a processing fee of \$50. The USPTO estimates that the total fee costs for these papers will be \$375,000 per year. **Therefore, this collection has an increase of \$375,000 in fees due to a program change.**
- The USPTO expects that fewer provisional applications (other entity) will be filed with the application size fee for this renewal. The USPTO estimates that the total number of provisional applications filed with the fee will decrease by 563, from 2,400 to 1,837 responses per year. This reduction offsets the increase in the application size fee from \$200 to \$270, which increases the estimated average application size fee from \$500 to \$540. The USPTO estimates that the total fee costs for this application will decrease by \$208,020, from \$1,200,000 to \$991,980 per year, with an increase of \$73,480 due to increased fees offset by a decrease of \$281,500 due to reduced filings. **Therefore, this collection has a reduction of \$208,020 in application size fees, with an increase of \$73,480 due to a program change and a reduction of \$281,500 due to an administrative adjustment.**
- The USPTO expects that fewer provisional applications (small entity) will be filed with the application size fee for this renewal. The USPTO estimates that the total number of provisional applications filed with the fee will decrease by 591, from 2,300 to 1,709 responses per year. This reduction offsets the increase in the application size fee from \$100 to \$135, which increases the estimated average application size fee from \$260 to \$270. The USPTO estimates that the total fee costs will decrease by \$136,570, from \$598,000 to \$461,430 per year, with an increase of \$17,090 due to increased fees offset by a decrease of \$153,660 due to reduced filings. **Therefore, this collection has a reduction of \$136,570 in application size fees, with an increase of \$17,090 due to a program change and a reduction of \$153,660 due to an administrative adjustment.**
- The USPTO expects that the number of utility applications (other entity) filed with the application size fee will increase during this renewal period. The USPTO estimates that the total number of utility applications filed with the fee will increase by 1,801, from 7,500 to 9,301 responses per year. In addition, the application size fee will increase from \$250 to \$270, which increases the estimated average application size fee from \$425 to \$540. The USPTO estimates that the total fee costs will increase

by \$1,835,040, from \$3,187,500 to \$5,022,540 per year, with an increase of \$1,069,615 due to increased fees, in addition to an increase of \$765,425 due to increased filings. **Therefore, this collection has an increase of \$1,835,040 in application size fees, with an increase of \$1,069,615 due to a program change and an increase of \$765,425 due to an administrative adjustment.**

- The USPTO expects fewer utility applications (small entity) to be filed with the application size fee during this renewal period. The USPTO estimates that the total number of utility applications filed with the fee will decrease by 1,142, from 3,500 to 2,358 responses per year. This reduction offsets the increase in the application size fee from \$125 to \$135, which increases the estimated average application size fee from \$225 to \$270. The USPTO estimates that the total fee costs will decrease by \$150,840, from \$787,500 to \$636,660 per year, with an increase of \$106,110 due to increased fees offset by a decrease of \$256,950 due to reduced filings. **Therefore, this collection has a reduction of \$150,840 in application size fees, with an increase of \$106,110 due to a program change and a reduction of \$256,950 due to an administrative adjustment.**
- The USPTO expects fewer plant applications (other entity) to be filed with the application size fee during this renewal period. The USPTO estimates that the total number of plant applications filed with the fee will decrease by 23, from 25 to 2 responses per year. The application size fee will increase from \$250 to \$270; however, the USPTO estimates that the average application size fee will actually decrease from \$275 to \$270. The USPTO estimates that the total fee costs will decrease by \$6,335, from \$6,875 to \$540 per year, with a decrease of \$10 due to the reduced average fee, in addition to a decrease of \$6,325 due to reduced filings. **Therefore, this collection has a reduction of \$6,335 in application size fees, with a reduction of \$10 due to a program change and a reduction of \$6,325 due to an administrative adjustment.**
- The USPTO expects fewer plant applications (small entity) to be filed with the application size fee as well. The USPTO estimates that the total number of plant applications filed with the fee will decrease by 9, from 10 to 1 response per year. The application size fee will increase from \$125 to \$135; however, the USPTO estimates that the average application size fee will decrease from \$265 to \$135. The USPTO estimates that the total fee costs will decrease by \$2,515, from \$2,650 to \$135, with a decrease of \$130 due to the reduced average fee, in addition to a decrease of \$2,385 due to reduced filings. **Therefore, this collection has a reduction of \$2,515 in application size fees, with a reduction of \$130 due to a program change and a reduction of \$2,385 due to an administrative adjustment.**
- The USPTO expects fewer design applications (other entity) to be filed with the application size fee during this renewal period. The USPTO estimates that the total number of design applications filed with the fee will decrease by 96, from 110 to 14 responses per year. This reduction offsets an increase in the application size fee from \$250 to \$270, which increases the estimated average application size fee from

\$265 to \$270. The USPTO estimates that the total fee costs will decrease by \$25,370, from \$29,150 to \$3,780 per year, with an increase of \$70 due to increased fees and a decrease of \$25,440 due to reduced filings. **Therefore, this collection has a reduction of \$25,370 in application size fees, with an increase of \$70 due to a program change and a reduction of \$25,440 due to an administrative adjustment.**

- In addition, the USPTO expects fewer design applications (small entity) to be filed with the application size fee. The USPTO estimates that the total number of design applications filed with the fee will decrease by 56, from 60 to 4 responses per year. This reduction offsets an increase in the application size fee from \$125 to \$135, which increases the estimated average application size fee from \$140 to \$270. The USPTO estimates that the total fee costs will decrease by \$7,320, from \$8,400 to \$1,080 per year, with an increase of \$520 due to increased fees offset by a decrease of \$7,840 due to reduced filings. **Therefore, this collection has a reduction of \$7,320 in application size fees, with an increase of \$520 due to a program change and a reduction of \$7,840 due to an administrative adjustment.**
- The USPTO expects fewer utility applications with more than three independent claims (other entity) will be filed for this renewal. The USPTO estimates that the total number of utility applications filed with the fee will decrease by 23,637, from 95,000 to 71,363 responses per year. This reduction offsets an increase in the excess claim fee from \$200 to \$220, which increases the estimated average excess claim fee from \$400 to \$440. The USPTO estimates that the total fee cost will decrease by \$6,600,280, from \$38,000,000 to \$31,399,720 per year, with an increase of \$2,854,520 due to increased fees offset by a decrease of \$9,454,800 due to reduced filings. **Therefore, this collection has a reduction of \$6,600,280 in excess claim fees, with an increase of \$2,854,520 due to a program change and a reduction of \$9,454,800 due to an administrative adjustment.**
- The USPTO expects fewer utility applications with more than three independent claims (small entity) will be filed during this renewal period. The USPTO estimates that the total number of utility applications filed with the fee will decrease by 10,789, from 36,000 to 25,211 responses per year. This reduction offsets an increase in the excess claim fee from \$100 to \$110, which increases the estimated average excess claim fee from \$200 to \$220. The USPTO estimates that the total fee costs will decrease by \$1,653,580, from \$7,200,000 to \$5,546,420 per year, with an increase of \$504,220 due to increased fees and a decrease of \$2,157,800 due to reduced filings. **Therefore, this collection has a reduction of \$1,653,580 in excess claim fees, with an increase of \$504,220 due to a program change and a reduction of \$2,157,800 due to an administrative adjustment.**
- The USPTO expects fewer utility applications with more than 20 claims (other entity) to be filed during this renewal period. The USPTO estimates that the total number of utility applications filed with the fee will decrease by 15,223, from 115,000 to 99,777 responses per year. The excess claim fee has increased from \$50 to \$52. The

USPTO estimates that the average excess claim fee will increase from \$200 to \$416 and offsets the reduced filings. The USPTO estimates that the total fee costs will increase by \$18,507,232, from \$23,000,000 to \$41,507,232 per year, with a decrease of \$3,044,600 due to reduced filings offset by an increase of \$21,551,832 due to increased fees. **Therefore, this collection has an increase of \$18,507,232 in excess claim fees, with an increase of \$21,551,832 due to a program change and a reduction of \$3,044,600 due to an administrative adjustment.**

- The USPTO expects fewer utility applications filed with more than 20 claims (small entity) will be submitted during this renewal period. The USPTO estimates that the total number of utility applications filed with the fee will decrease by 9,106, from 50,000 to 40,894 responses per year. The excess claim fee has increased from \$25 to \$26; however, the USPTO estimates that the average excess claim fee will decrease from \$300 to \$260. The USPTO estimates that the total fee costs will decrease by \$4,367,560, from \$15,000,000 to \$10,632,440, with a reduction of \$1,635,760 due to reduced fees and a reduction of \$2,731,800 due to reduced filings. **Therefore, this collection has a reduction of \$4,367,560 in excess claim fees, with a reduction of \$1,635,760 due to a program change and a reduction of \$2,731,800 due to an administrative adjustment.**
- The USPTO expects fewer provisional applications for patent cover sheets (other entity) will be filed with the surcharge for late filing for this renewal. The USPTO estimates that the total number of provisional applications filed with this surcharge will decrease by 1,322, from 3,910 to 2,588 responses per year. The USPTO estimates that the total surcharge cost will decrease by \$66,100, from \$195,500 to \$129,400 per year. **Therefore, this collection has a reduction of \$66,100 due to an administrative adjustment.**
- The USPTO also expects fewer provisional applications for patent cover sheets (small entity) will be filed with the late filing surcharge. The USPTO estimates that the total number of provisional applications filed with this surcharge will decrease by 975, from 5,650 to 4,675 responses per year. The USPTO estimates that the total surcharge cost will decrease by \$24,375, from \$141,250 to \$116,875 per year. **Therefore, this collection has a reduction of \$24,375 due to an administrative adjustment.**
- The USPTO expects fewer utility applications (other entity) will be filed with the surcharge for multiple dependent claims during this renewal period. The USPTO estimates that the total number of utility applications filed with this fee will decrease by 899, from 8,000 to 7,101 responses per year. This reduction offsets an increase in the surcharge from \$360 to \$390. The USPTO estimates that the total surcharge costs will decrease by \$110,610, from \$2,880,000 to \$2,769,390 per year, with an increase of \$213,030 due to increased fees offset by a decrease of \$323,640 due to reduced filings. **Therefore, this collection has a reduction of \$110,610 in surcharge fees, with an increase of \$213,030 due to a program change and a reduction of \$323,640 due to an administrative adjustment.**

- The USPTO also expects that fewer utility applications (small entity) will be filed with the surcharge for multiple dependent claims. The USPTO estimates that the total number of utility applications filed with the surcharge will decrease by 861, from 3,600 to 2,739 responses per year. This reduction offsets an increase in the surcharge fee from \$180 to \$195. The USPTO estimates that the total surcharge fee costs will decrease by \$113,895, from \$648,000 to \$534,105 per year, with an increase of \$41,085 due to increased fees offset by a decrease of \$154,980 due to reduced filings. **Therefore, this collection has a reduction of \$113,895 in surcharge fees, with an increase of \$41,085 due to a program change and a reduction of \$154,980 due to an administrative adjustment.**
- The USPTO expects that fewer utility applications (other entity) will be filed with surcharges for the late filing of filing, search, or examination fees or late filing of the oath/declaration. The USPTO estimates that the total number of utility applications filed with these surcharges will decrease by 34,065, from 90,000 to 55,935 responses per year. The USPTO estimates that the total surcharge costs will decrease by \$4,428,450, from \$11,700,000 to \$7,271,550 per year. **Therefore, this collection has a reduction of \$4,428,450 in surcharge fees due to an administrative adjustment.**
- The USPTO expects that the number of utility applications (small entity) filed with surcharges for the late filing of filing, search, or examination fees or late filing of the oath/declaration will increase for this renewal period. The USPTO estimates that the total number of utility applications filed with these surcharges will increase by 19,158, from 8,000 to 27,158 responses per year. The USPTO estimates that the total surcharge costs will increase by \$1,245,70, from \$520,000 to \$1,765,270 per year. **Therefore, this collection has an increase of \$1,245,270 in surcharge fees due to an administrative adjustment.**
- In the currently approved collection, the plant applications (other entity) that are filed with surcharges for the late filing of filing, search, or examination fees or the late filing of the oath/declaration were combined in one entry with the utility and design applications. In order to get a more specific accounting of the additional fees and surcharges, the plant applications have been broken out separately. The surcharge fee for these applications is \$130. The USPTO estimates that 172 plant applications will be filed with this surcharge and that the total surcharge costs will be \$22,360. **Therefore, this collection has an increase of \$22,360 in surcharge fees due to an administrative adjustment.**
- The plant applications (small entity) that are filed with surcharge fees for late filing of the filing, search, or examination fees or the late filing of the oath/declaration are also being broken out for this renewal. The surcharge fee for this application is \$65. The USPTO estimates that 83 plant applications will be filed with this surcharge fee and that the total surcharge costs will be \$5,395. **Therefore, this collection has an increase of \$5,395 in surcharge fees due to an administrative adjustment.**

- The USPTO also determined that the design applications (other entity) should be broken out separately from the utility and plant applications in order to get a more specific accounting of the surcharge fees for the late filing of the filing, search, or examination fees or the late filing of the oath/declaration. The surcharge fee for this application is \$130. The USPTO estimates that 4,400 design applications will be filed with this surcharge fee and that the total surcharge costs will be \$572,000. **Therefore, this collection has an increase of \$572,000 in surcharge fees due to an administrative adjustment.**
- The design applications (small entity) were broken out from the utility and plant applications as well in order to get a more specific accounting of the surcharge fees. The surcharge fee for this application is \$65. The USPTO estimates that 2,136 design applications will be filed with the surcharge fee and that the total surcharge costs will be \$138,840. **Therefore, this collection has an increase of \$138,840 as an administrative adjustment.**
- The USPTO expects that the number of applications filed with non-English specifications will increase for this renewal period. The USPTO estimates that the total number of applications filed with non-English specifications will increase by 364, from 3,880 to 4,244 responses per year. The USPTO estimates that the total surcharge costs will increase by \$47,320, from \$504,400 to \$551,720 per year. **Therefore, this collection has an increase of \$47,320 in surcharge fees as an administrative adjustment.**

The USPTO estimates that the total annual (non-hour) costs for this renewal will increase by \$81,650,975, from \$691,147,858 to \$772,798,833 per year. The USPTO estimates that \$1,635,900 in program changes will be reduced from this collection. This reduction is offset, however, by an increase of \$103,208,212, which results in an increase of \$101,572,312 in annual (non-hour) costs due to program changes. The USPTO estimates that administrative adjustments will add \$210,450,025 in annual (non-hour) costs to the collection. This increase, however, will be offset by a reduction of \$230,371,362, for a total reduction of \$19,921,337 in annual (non-hour) costs due to administrative adjustments. In sum, this information collection has a total net burden increase of \$81,650,975 in annual (non-hour) costs, due to an increase of \$101,572,312 in program changes and a reduction of \$19,921,337 due to administrative adjustments.

## 16. Project Schedule

There is no plan 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 OMB expiration date.

**18. Exception to the Certificate Statement**

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

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection of information does not employ statistical methods.



## REFERENCES

- A. The USPTO Information Quality Guidelines
- B. PTO/SB/06 Patent Application Fee Determination Record (Substitute for Form PTO-875)
- C. PTO/SB/07 Multiple Dependent Claim Fee Calculation Sheet (Substitute for Form PTO-1360; For Use with Form PTO/SB/06)
- D. PTO/SB/17 Fee Transmittal Form
- E. PTO/SB/05 Utility Patent Application Transmittal
- F. PTO/SB/18 Design Patent Application Transmittal
- G. PTO/SB/19 Plant Patent Application Transmittal
- H. PTO/SB/01 Declaration for Utility or Design Patent Application (37 CFR 1.63)
- I. PTO/SB/02A Declaration – Additional Inventors – Supplemental Sheet and
- J. PTO/SB/02B Declaration – Supplemental Priority Data Sheet
- K. PTO/SB/02CN Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Chinese Language Declaration for Additional Inventors)
- L. PTO/SB/02DE Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (German Language Declaration for Additional Inventors)
- M. PTO/SB/02ES Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Spanish Language Declaration for Additional Inventors)
- N. PTO/SB/02FR Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (French Language Declaration for Additional Inventors)
- O. PTO/SB/02IT Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Italian Language Declaration for Additional Inventors)
- P. PTO/SB/02JP Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Japanese Language Declaration for Additional Inventors)
- Q. PTO/SB/02KR Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Korean Language Declaration for Additional Inventors)
- R. PTO/SB/02NL Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Dutch Language Declaration for Additional Inventors)
- S. PTO/SB/02RU Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Russian Language Declaration for Additional Inventors)
- T. PTO/SB/02SE Declaration (Additional Inventors) and Supplemental Priority Data Sheet [2 pages] (Swedish Language Declaration for Additional Inventors)
- U. PTO/SB/02LR Declaration Supplemental Sheet for Legal Representatives (35 U.S.C. 117) on Behalf of a Deceased or Incapacitated Inventor
- V. PTO/SB/03 Plant Patent Application (35 U.S.C. § 161) Declaration (37 CFR 1.63)
- W. PTO/SB/04 Supplemental Declaration for Utility or Design Patent Application (37 CFR 1.67)
- X. PTO/SB/101 through 110 Declaration and Power of Attorney for Patent Application (in various foreign languages)
- Y. PTO/SB/14 Application Data Sheet Form
- Z. PTO/SB/01A Declaration (37 CFR 1.63) for Utility or Design Application Using An Application Data Sheet (37 CFR 1.76)
- AA. PTO/SB/03A Declaration (37 CFR 1.63) for Plant Application Using an Application Data Sheet (37 CFR 1.76)
- BB. PTO/SB/13/PCT Request for Filing a Continuation or Division of an International Application
- CC. PTO/SB/29 For Design Applications Only: Continued Prosecution Application (CPA) Request Transmittal

- DD. PTO/SB/29A For Design Applications Only: Receipt for Facsimile Transmitted CPA
- EE. PTO/SB/16 Provisional Application for Patent Cover Sheet
- FF. Public comments received in response to the 60-Day Federal Register Notice published on May 3, 2010 (75 Fed Reg. 23227)