

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
United States Patent and Trademark Office
Admittance to Practice and Roster of Registered Patent
Attorneys and Agents Admitted to Practice Before the
United States Patent and Trademark Office (USPTO)
OMB Control Number 0651-0012
(May 2013)

Background

The United States Patent and Trademark Office (USPTO) is submitting this request to adjust the current inventory estimates for information collection 0651-0012, Admittance to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice Before the United States Patent and Trademark Office (USPTO).

Some fees in 0651-0012 were moved into collection 0651-0072, America Invents Act Section 10 Patent Fee Adjustments (approved by OMB in January 2013). This request is to delete these fees from collection 0651-0012 to avoid double-counting.

This request is only to delete the fee non-hour cost burden; no other information would be adjusted. The items and other burden information would remain as-is in 0651-0012.

The table below details the fees that have been moved to 0651-0072 and are to be deleted from 0651-0012:

Fees – Non-hour Cost Burden

Fee Code	Item	Responses (a)	Filing fee (\$) (b)	Total Non-Hour Cost Burden (a) x (b) (c)
ITEMS FOR WHICH FEES CURRENTLY ARE COLLECTED				
9001	Non-Refundable Application Fee for Registration to Practice Before the United States Patent and Trademark Office (includes both the computerized exam and the USPTO-administered exam)	4,420	\$40.00	\$176,800.00
9010	Registration examination fee for administration of computerized examination to become a registered patent practitioner administered by a commercial entity (computer exam)	100	\$40.00	\$4,000.00
9013	Written request for reconsideration and further review of disapproval notice of application	30	\$130.00	\$3,900.00
9012	Petition to the Director of the Office of Enrollment and Discipline under 11.12(c)	20	\$130.00	\$2,600.00
9014	Petition for reinstatement after disciplinary removal under 11.7(h)	4	\$1,600.00	\$62,400.00
9020	Delinquency Fee	2,100	\$50.00	\$105,000.00
9004	Administrative Reinstatement Fee (for some but not all)	420	\$100.00	\$42,000.00
Total for Fees Currently Collected			\$396,700.00	

Fee Code	Item	Responses (a)	Filing fee (\$) (b)	Total Non-Hour Cost Burden (a) x (b) (c)
ITEMS FOR WHICH FEES CURRENTLY ARE NOT COLLECTED				
9015	Annual Practitioner Maintenance Fee	32,500	\$118.00	\$3,835,000.00
9003	Annual Fee, Limited Recognition	200	\$118.00	\$23,600.00
9016	Annual Fee, Voluntary Inactive Status	2,000	\$25.00	\$50,000.00
9017	Request for restoration to active from voluntary inactive status	700	\$50.00	\$35,000.00
9018	Balance of annual fee due on restoration to active from voluntary inactive status	700	\$93.00	\$65,100.00
Total for Fees Currently Not Collected				\$4,008,700.00
TOTAL				\$4,405,400.00

Summary of Changes

Deletion of \$4,405,400 in filing fees currently accounted for in 0651-0072.

Changes in Burden

As follows:

Burden Type	Currently Approved	Proposed Change	New Estimates
Responses	93,380	0	93,380
Hours	98,088	0	98,088
Record Keeping Costs	\$126,590	0	\$126,590
Postage	\$21,744	0	\$21,744
Filing Fees	\$5,561,840	(\$4,405,400)	\$1,156,440
Annual (non-hour) Costs	\$5,710,174	(\$4,405,400)	\$1,304,774

The USPTO estimates that deleting these filing fees (currently accounted for in 0651-0072) will reduce the annual (non-hour) cost estimates originally reported for the renewal.

Consequently, this collection takes a net burden reduction of \$4,405,400 in annual (non-hour) costs as a program change.

The 0651-0012 revised total burden is as follows:

- 93,380 responses (no change)
- 98,088 burden hours (no change)
- \$1,304,774 in annual (non-hour) costs