

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
United States Patent and Trademark Office
International Work Sharing Program
OMB CONTROL NUMBER 0651-0079
May 2016

The United States Patent and Trademark Office (USPTO) is submitting this request to update information collection 0651-0079 International Work Sharing Program. The USPTO is proposing to make a unique survey for both the Japan Patent Office (JPO) and Korean Intellectual Property Office (KIPO) instead of one survey for both entities.

Background

The United States Patent and Trademark Office (USPTO) established a Work Sharing Program in conjunction with the Japan Patent Office (JPO) and the Korean Intellectual Property Office (KIPO) to study how the exchange of search results between offices for corresponding counterpart applications improves patent quality and facilitates the examination of patent applications in both offices. Under this Work Sharing Program a pilot has been implemented, called the Collaborative Search Pilot (CSP). Through the CSP, each office concurrently conducts searches on corresponding counterpart applications. Each office's search results are exchanged; providing examiners with a comprehensive set of art before them at commencement of examination.

Work Sharing between Intellectual Property (IP) offices is critical for increasing the efficiency and quality of patent examination worldwide. The exchange of information and documents between IP offices also benefits applicants by promoting compact prosecution, reducing pendency and supporting patent quality by reducing the likelihood of inconsistencies in patentability determinations among IP offices when considering corresponding counterpart applications. The gains in efficiency and quality are achieved through a collaborative work sharing approach to the evaluation of patent claims. As a result of this exchange of search reports, the examiners in both offices may have a more comprehensive set of references before them when making an initial patentability determination.

Summary of Changes

The USPTO is proposing to make two surveys, each unique for JPO and KIPO, rather than having the same instrument for both offices. One additional question, some language changes, and additional response options have been added to the surveys since the last collection approval. Overall these changes increase the burden to eight minutes per survey.

The survey presented to JPO will be conducted to cover two scenarios, one seeking feedback when JPO is the First Searching Office, and the other for when JPO is the Second Searching Office. The survey is the same for both First and Second Searching

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(continued)**

Offices. There are no other changes in method or other administrative details regarding the survey.

Changes in Burden

The addition of the form will result in the following burden changes for this information collection:

Burden Type	Currently approved	Proposed change	New estimates
Responses	900	0	900
Hours	1533.33	20.01	1553.34
Annual (non-hour) costs	\$0	\$0	\$0

The USPTO estimates that it will receive 900 responses per year for the International Work Sharing Program and that it will take the public between 8 minutes and 3 hours to prepare and submit the information for each request, for a total of 1553.34 burden hours per year. **Therefore, this collection takes an increase of 20.01 burden hours as a program change, but no increase in respondents.**

This collection does not include any annual (non-hour) costs, and there are no annual (non-hour) costs associated with the proposed changes to this collection.