

**SUPPORTING STATEMENT**  
**United States Patent and Trademark Office**  
**Pro Bono Survey**  
**OMB CONTROL NUMBER 0651-New**  
**April 2017**

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

**1. Universe and Respondent Selection**

Data from the Pro Bono Survey is used to ascertain the effectiveness of each individual regional program in matching financially under-resourced independent inventors and small businesses with patent attorneys who offer pro bono patent prosecution and filing services. This survey help the United States Patent and Trademark Office (USPTO) evaluate the performance of each regional program as well as the overall health of the pro bono system. The respondent pool covers all 20 current regional patent pro bono programs. The USPTO expects that approximately 20 regional patent pro bono administrators will respond to the survey, which is conducted by the USPTO on a quarterly basis. As a result, the USPTO believes that 80 responses in total will be received over the course of a single year's administration of the Pro Bono Survey.

**2. Procedures for Collecting Information**

The USPTO survey is conducted through a web form maintained by one of the regional patent pro bono programs, the California Lawyers for the Arts (CLA). The web form has thirty-one (31) fields of which fifteen (15) are mandatory and must be completed in order to submit the form. Prior to the end of each quarter, the USPTO sends an email request to all twenty (20) regional patent pro bono program administrators containing a link to the web form asking the administrators to complete the survey within a month from the last day of the quarter. Two weeks after the end of the quarter, the USPTO contacts CLA and obtains a list of programs that have completed the survey. Based on the list, the USPTO sends an email reminder to the administrators that have not responded asking them to complete the form by the end of the month. This process is repeated again in the third week. A month after the end of the quarter, the USPTO again contacts CLA and obtains the raw data from the respondents. Based on this data, the USPTO identifies regional patent pro bono administrators that have not completed the survey. The USPTO follows up with a phone call to these administrators to determine the reason why they have not responded. The period to collect the information may be extended to allow for these administrators to submit their information based on circumstance or the period to collect information may be closed. This process is repeated every quarter.

**3. Methods to Maximize Responses**

The Pro Bono Survey functions as an evaluation of the effectiveness of each regional program. The information generated from the survey results will be used externally by the USPTO to promote the regional programs. The USPTO will use the survey results internally to determine the effectiveness of financial assistance being provided to regional programs and whether additional USPTO resources and/or funding are necessary to sustain performance across all regional programs. There are no unusual problems requiring specialized sampling procedures, thus, survey responses are not weighted or imputed to estimate for the entire universe or account for non-response. Analysis will be based primarily on response frequencies and simple cross-tabulations.

Given the limited scope, complexity, and influence of this survey, the USPTO does not utilize extensive follow-up enumeration via outside contractors to boost response rates. However, efforts are made within the current survey design to maximize response rates to enhance the reliability of survey results. These include:

- Use of properly-defined respondent pool. The survey will only be sent to regional pro bono program administrators.
- A flexible survey period that can be extended beyond a month allows for correction of invalid email addresses and survey links being re-sent and provide administrators additional time based on their particular circumstance to complete the survey.
- The agreements that are in place with each of our partners indicate that only non-confidential information is to be provided, and thus no proprietary information is included in the survey. Information obtained in this collection is often made available to the public. Any information retained by the program will be kept private to the extent permitted by law.
- Follow-up reminders sent to regional programs who have not responded in the first two (2) weeks.
- Use of a survey instrument that is both brief and simple. The electronic web-based form instrument contains 31 questions, about half of which are not mandatory fields because, as programs vary by operation and structure, the fields are not common to all programs. The questions reflect information compiled by the administrators in the course of their supervision of the pro bono program in their region. The emailed survey link sends the respondent directly to the instrument, and does not require sign-ups, IDs, logins, etc.
- Establish Memoranda of Agreements (MOAs) with all regional patent pro bono programs that clearly identifies the responsibility of each regional program to provide quarterly responses to the survey.

#### **4. Testing of Procedures**

The USPTO Pro Bono Survey is designed to measure the effectiveness of regional patent pro bono programs via data collected from regional program administrators. Though this will be the first time the survey instrument submitted for approval with this collection is used to ascertain the level of effectiveness of those programs, previous outreach and discussion between the relevant parties suggest that there is not likely to be any respondent confusion or mis-interpretation of the survey instrument and the questions therein. The survey instrument was developed through extensive collaboration and review with the concerned stakeholders. Given these factors, further testing is not considered necessary.

## **5. Contact for Statistical Aspects and Data Collection**

The Office of the Under Secretary of Commerce for Intellectual Property and Deputy Director of the USPTO is responsible for conducting and summarizing the Pro Bono Survey. John C. Kirkpatrick is the point of contact for this survey and can be reached by phone at 571-270-3343 or by e-mail at [John.Kirkpatrick@USPTO.GOV](mailto:John.Kirkpatrick@USPTO.GOV).