

**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**  
**Admission to Practice**  
**OMB Control Number 0651-0012**

Background

This collection of information is required by 35 U.S.C. 2(b)(2)(D), which permits the United States Patent and Trademark Office (USPTO) to establish regulations governing the recognition and conduct of agents, attorneys, or other persons representing applicants or other parties before the USPTO. This statute also permits the USPTO to require applicants to provide information to demonstrate they are of good moral character and reputation and have the necessary qualifications to assist applicants with patent matters and to represent them before the USPTO.

The OED Director uses the information in this collection to determine whether the applicant is of good moral character and repute; has the necessary legal, scientific, and technical qualifications; and is otherwise competent to advise and assist applicants in the presentation and prosecution of patent applications.

The USPTO uses applicant information in determining whether an applicant may be added to, or an existing practitioner may remain on, the Register of Patent Attorneys and Agents.

The request is to add one IC (Mandatory Survey: Data Sheet – Register of Patent Attorneys and Agents, Form PTO-107S), and remove another IC (Application for Limited Recognition in USPTO Law School Program for Law Students to Practice Before the United States Patent and Trademark Office, Form PTO-158LS). The Survey is being added back into the collection after having been removed during the previous renewal. Statistical methods will be used in the survey, and therefore Supporting Statement Part B has been attached. The Law Student Application is being removed to avoid double-counting, as it was included in recent new collection (Law Clinic Program 0651-0081).

**Table 1: Change in Respondents**

<b>IC #</b>	<b>Item</b>	<b>Current Responses</b>	<b>Updated Responses</b>	<b>Change in Responses</b>
-	Mandatory Survey – Register of Patent Attorneys and Agents (PTO-107S)	0	5,000	5,000
4	Application for Limited Recognition in USPTO Law School Program for Law Students to Practice Before the United States Patent and Trademark Office (PTO-158LS)	300	0	-300
	<b>Totals</b>	---	---	<b>4,700</b>

**Table 2: Change in Burden Hours**

<b>IC #</b>	<b>Item</b>	<b>Current Burden Hours</b>	<b>Updated Burden Hours</b>	<b>Change in Burden Hours</b>
-	Mandatory Survey – Register of Patent Attorneys and Agents (PTO-107S)	0	2,500	2,500
4	Application for Limited Recognition in USPTO Law	150	0	-150

	School Program for Law Students to Practice Before the United States Patent and Trademark Office (PTO-158LS)			
	<b>Totals</b>	---	---	<b>2,350</b>

**Table 3: Change in Cost Burden**

IC #	Item	Current Cost Burden	Updated Cost Burden	Change in Cost Burden
-	Mandatory Survey – Register of Patent Attorneys and Agents (PTO-107S)	\$0.00	\$0.00	\$0.00
4	Application for Limited Recognition in USPTO Law School Program for Law Students to Practice Before the United States Patent and Trademark Office (PTO-158LS)	\$183.00	\$0.00	-\$183.00
	<b>Totals</b>	---	---	<b>-\$183.00</b>

Summary of Changes

The addition of 4,700 respondents, and 2,350 burden hours, and removal of \$183.00 in non-hourly cost burden to collection 0651-0012 account for the changes adding the PTO-107S survey and removing the Application for Law Students.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Respondents	21,935	4,700	26,635
Burden Hours	34,934	2,350	37,284
(Non-hourly) Cost Burden	\$1,372,052.00	-\$183.00	\$1,371,869.00

The 0651-0012 revised total burden is as follows:

- 26,635 respondents
- 37,284 burden hours
- \$1,371,869.00 (non-hourly) cost burden