

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
Response to Office Action and Voluntary Amendment Forms
OMB Control Number 0651-0050

Background

This collection of information is required by the Trademark Act, 15 U.S.C. § 1051 et seq., which provides for the Federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Individuals and businesses that use such marks, or intend to use such marks, in interstate commerce may file an application to register their marks with the United States Patent and Trademark Office (USPTO). In some cases, the USPTO issues Office Actions to applicants who have applied for a trademark application, requesting additional information that was not provided with the initial submission but is required before the issuance of a registration. Also, the USPTO may determine that the mark is not entitled to registration, pursuant to one or more provisions of the Act. In such cases, the USPTO may issue Office Actions advising applicants of the refusal to register the mark. Applicants reply to these Office Actions by providing the required information and/or by putting forth legal arguments as to why the refusal of registration should be withdrawn.

The request is to include a fee that was not previously counted in this collection. The fee (Additional fee for application that does not meet TEAS Plus or TEAS RF filing requirements, per Class), is affected by the rulemaking NPRM 0651-AD08. The number of respondents is also changing due to agency discretion in conjunction with the rule.

Proposed Changes

Item	Proposed Fee	Proposed Respondents	Proposed Cost Total
Additional fee for application that does not meet TEAS Plus or TEAS RF filing requirements, per Class	\$125	172	\$21,500
Totals	---	---	---

Summary of Changes

The addition of \$21,500 in fees to collection 0651-0050 is to account for the changes following the rulemaking action NPRM 0651-AD08.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Respondents	271,783	0	271,783
Non-hour costs	\$313,181	\$21,500	\$334,681

Consequently, this collection takes a net burden increase of \$21,500 in annual (non-hour) costs as a program change.

The 0651-0050 revised total burden is as follows:

- 271,783 respondents
- \$334,681 in annual (non-hour) fees