

SUPPORTING STATEMENT
United States Patent and Trademark Office
Rules for Patent Maintenance Fees
OMB CONTROL NUMBER 0651-0016
May 2015

A. JUSTIFICATION

1. Necessity of Information Collection

Under 35 U.S.C. § 41 and 37 CFR 1.20(e)-(h) and 1.362-1.378, the United States Patent and Trademark Office (USPTO) charges fees for maintaining in force all utility patents based on applications filed on or after December 12, 1980. Payment of these maintenance fees is due at 3-1/2, 7-1/2, and 11-1/2 years after the date the patent was granted. If the USPTO does not receive payment of the appropriate maintenance fee and any applicable surcharge within a grace period of six months following each of the above due dates (at 4, 8, or 12 years after the date of grant), the patent will expire at that time. After a patent expires, it is no longer enforceable. Maintenance fees are not required for design or plant patents, or for reissue patents if the patent being reissued did not require maintenance fees.

The USPTO must maintain accurate payment records in order to provide the public with information as to which patents have expired and which patents remain in force. The USPTO may adjust patent maintenance fees annually. Fee schedules are published in the *Federal Register*, the *Official Gazette of the United States Patent and Trademark Office*, and on the USPTO Web site.

Payments of maintenance fees that are submitted during the six-month grace period before patent expiration must include the appropriate surcharge as indicated by 37 CFR 1.20(h). Submissions of maintenance fee payments and surcharges must include the relevant patent number and the corresponding United States application number in order to identify the correct patent and ensure proper crediting of the fee being paid.

If the USPTO refuses to accept and record a maintenance fee payment that was submitted prior to the expiration of a patent, the patentee may petition the Director to accept and record the maintenance fee under 37 CFR 1.377. This petition must be accompanied by the fee indicated in 37 CFR 1.17(g), which may be refunded if it is determined that the refusal to accept the maintenance fee was due to an error by the USPTO.

If a patent has expired due to nonpayment of a maintenance fee, the patentee may petition the Director to accept a delayed payment of the maintenance fee under 37 CFR 1.378. The Director may accept the payment of a maintenance fee after the expiration of the patent if the petitioner shows to the satisfaction of the Director that the delay in payment was unintentional. Petitions to accept unintentionally delayed payment must

also be accompanied by the required maintenance fee. If the Director accepts the maintenance fee payment upon petition, then the patent is reinstated. If the USPTO denies a petition to accept delayed payment of a maintenance fee in an expired patent, the patentee may petition the Director to reconsider that decision under 37 CFR 1.378(d).

The rules of practice (37 CFR 1.33(d) and 1.363) permit applicants, patentees, assignees, or their representatives of record to specify a “fee address” for correspondence related to maintenance fees that is separate from the correspondence address associated with a patent or application. A fee address must be an address that is associated with a USPTO customer number. Customer numbers may be requested by using the Request for Customer Number form (PTO/SB/125), which is covered under OMB Control Number 0651-0035. Maintaining a correct and updated address is necessary so that fee-related correspondence from the USPTO will be properly received by the applicant, patentee, assignee, or authorized representative. If a separate fee address is not specified for a patent or application, the USPTO will direct fee-related correspondence to the correspondence address of record.

The USPTO offers forms to assist the public with providing information covered by this collection, including the information necessary to submit a patent maintenance fee payment (PTO/SB/45) and to designate or change a fee address (PTO/SB/47). The USPTO offers a total of three different versions of the form for petitions to accept unintentionally delayed payment of maintenance fee in an expired patent under 37 CFR 1.378(b). In addition to (i) the basic PDF that may be filled out electronically and then printed and mailed (or submitted online) (Form PTO/SB/66), the USPTO offers (ii) an enhanced PDF that is designed only to be submitted electronically through EFS-Web (PTO/SB/66 - EFS-Web), and (iii) a Web-based ePetition, which the public can complete on a computer using a Web browser and then click a submit button to send the information to the USPTO over the Internet (ePetition). No forms are provided for the petitions under 37 CFR 1.377 and 1.378(d).

Customers may submit maintenance fee payments and surcharges incurred during the six-month grace period before patent expiration by using the Maintenance Fee Transmittal Form (PTO/SB/45) or by paying online through the USPTO Web site. However, to pay a maintenance fee after patent expiration, the maintenance fee payment must be filed together with a petition to accept unintentionally delayed payment. The USPTO accepts online maintenance fee payments by credit card, deposit account, or electronic funds transfer (EFT). Otherwise, non-electronic payments may be made by check, credit card, or deposit account.

Table 1 provides the statutes and regulations authorizing the USPTO to collect the information discussed above:

Table 1: Information Requirements

IC Number	Requirement	Statute	Rule
1-2	Maintenance Fee Payment	35 U.S.C. § 41(b)	37 CFR 1.20(e)-(h), 1.362, and 1.366
3-5	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b))	35 U.S.C. § 41(c)	37 CFR 1.20(e)-(g), 1.362, 1.366, 1.378(a) and (b)
6	Petition to Review Refusal to Accept Payment of Maintenance Fee Prior to Expiration of Patent (37 CFR 1.377)	35 U.S.C. § 41(b)	37 CFR 1.377, 37 CFR 1.17(g)
7	Petition for Reconsideration of Decision on Petition Refusing to Accept Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(d))	35 U.S.C. § 41(c)	37 CFR 1.378(d)
8	"Fee Address" Indication	35 U.S.C. § 41	37 CFR 1.33(d) and 1.363

2. Needs and Uses

This information collection is necessary so that patent owners can maintain a utility patent in force and to ensure that the USPTO can properly credit maintenance fee payments. The USPTO offers forms to assist the public with providing the information covered by this collection, including maintenance fee payments, petitions to accept delayed maintenance fee payments, and fee address changes.

The public uses the Maintenance Fee Transmittal Form (PTO/SB/45) to determine and pay the correct amount due for a maintenance fee transaction. PTO/SB/45 may be mailed or faxed to the USPTO, but PTO/SB/45 may not be submitted electronically via EFS-Web. Customers may submit maintenance fees and six-month grace period surcharges paid before patent expiration electronically over the Internet using the USPTO's Office of Finance Online Shopping Page (hereinafter, the "Electronic Maintenance Fee Form") provided through the USPTO Web site. To pay a maintenance fee after patent expiration, customers must submit the maintenance fee payment together with a Petition to Accept Unintentionally Delayed Payment. A petition to accept delayed payment of a maintenance fee under the unintentional standard may be filed online.

This proposed collection of information results in information collected, maintained, and used consistent with all applicable OMB and USPTO Information Quality Guidelines. This includes the basic information quality standards established in the Paperwork Reduction Act (44 U.S.C. Chapter 35) (PRA), in OMB Circular A-130, and in the OMB information quality guidelines. (See Ref. A, the *USPTO Information Quality Guidelines*.)

Table 2 outlines how this collection of information is used by the public and the USPTO:

Table 2: Needs and Uses

IC Number	Form and Function	Form #	Needs and Uses
1	Maintenance Fee Transmittal Form	PTO/SB/45	<ul style="list-style-type: none"> • Used by the public to pay the maintenance fee and the surcharge in order to keep one or more patents in force. • Used by the USPTO to record the payment of the maintenance fees in order to keep the patent(s) in force. • Used by the USPTO to determine whether a maintenance fee has been paid in response to an inquiry from the public.
2	Electronic Maintenance Fee Form	No Form Associated	<ul style="list-style-type: none"> • Used by the public to pay the maintenance fee and the surcharge online in order to keep one or more patents in force. • Used by the USPTO to record the payment of the maintenance fees in order to keep the patent(s) in force. • Used by the USPTO to determine whether a maintenance fee has been paid in response to an inquiry from the public.
3	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b))	PTO/SB/66	<ul style="list-style-type: none"> • Used by the petitioner to request that the patent be reinstated and to show that the delay in timely payment of the maintenance fee was unintentional. • Used by the petitioner to verify all of the identifying information, such as the patent number, patent date, application number, and filing date. • Used by the USPTO to determine whether the required elements for the petition have been submitted. • Used by the USPTO to consider reinstatement of a patent that has expired due to unintentionally delayed payment of a maintenance fee.
4	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) – EFS-Web	PTO/SB/66	<ul style="list-style-type: none"> • Used by the petitioner to request that the patent be reinstated and to show that the delay in timely payment of the maintenance fee was unintentional. • Used by the petitioner to verify all of the identifying information, such as the patent number, patent date, application number, and filing date. • Used by the USPTO to determine whether the required elements for the petition have been submitted. • Used by the USPTO to consider reinstatement of a patent that has expired due to unintentionally delayed payment of a maintenance fee.
5	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) – ePetition	PTO/SB/66	<ul style="list-style-type: none"> • Used by the petitioner to request that the patent be reinstated and to show that the delay in timely payment of the maintenance fee was unintentional. • Used by the petitioner to verify all of the identifying information, such as the patent number, patent date, application number, and filing date. • Used by the USPTO to determine whether the required elements for the petition have been submitted. • Used by the USPTO to consider reinstatement of a patent that has expired due to unintentionally delayed payment of a maintenance fee.

IC Number	Form and Function	Form #	Needs and Uses
6	Petition to Review Refusal to Accept Payment of Maintenance Fee Prior to Expiration of Patent (37 CFR 1.377)	No Form Associated	<ul style="list-style-type: none"> Used by the petitioner to request that the Director accept and record a maintenance fee that was filed prior to the expiration of the patent but was refused by the USPTO and to request a refund of the petition fee if the refusal was due to an error by the USPTO. Used by the USPTO to consider a request to review a decision refusing to accept and record payment of a maintenance fee prior to the expiration of the patent and to refund the petition fee if the refusal is determined to be an error by the USPTO.
7	Petition for Reconsideration of Decision on Petition Refusing to Accept Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(d))	No Form Associated	<ul style="list-style-type: none"> Used by the petitioner to request that the Director reconsider a decision to refuse a petition to accept and record an unintentionally delayed maintenance fee payment after expiration of the patent so that the expired patent can be reinstated. Used by the USPTO to consider a request to review a decision refusing to accept and record an unintentionally delayed payment of a maintenance fee after patent expiration.
8	"Fee Address" Indication Form	PTO/SB/47	<ul style="list-style-type: none"> Used by the applicant, patentee, assignee, or representative to establish an address other than the correspondence address as the maintenance fee address for a list of applications or patents. Used by the USPTO to ensure that fee-related correspondence for a patent or allowed application is sent to the correct address.

3. Use of Information Technology

Maintenance fee payments and surcharges for payments made during the six-month grace period before patent expiration may be submitted using the Electronic Maintenance Fee Form available online through the USPTO's Office of Finance Online Shopping Page. The online payment system uses Secure Sockets Layer (SSL) technology in order to encrypt the payment data and transmit it securely over the Internet. The customer may choose to view a confirmation screen after the transaction is completed, which the customer may then print out as evidence of timely payment. In order to provide the public with accurate information as to which patents have expired, the USPTO maintains payment records in an electronic database. Customers may also use a voice response system to monitor the status of their maintenance fees.

Online payment of maintenance fees benefits the customer by eliminating potential mailing delays and offering fast and reliable payment confirmation. The USPTO accepts electronic payments by credit card, electronic funds transfer (EFT), or USPTO deposit account. Non-electronic payments may be made by check, credit card, or USPTO deposit account. The USPTO believes that the use of the electronic payment option for maintenance fee transactions will continue to increase as the public becomes more comfortable with making payments online.

Forms associated with this collection may be downloaded from the USPTO Web site in Portable Document Format (PDF), filled out electronically, and then either printed for

mailing or submitted online. Other than PTO/SB/45, the forms and petitions in this collection may be submitted to the USPTO online through EFS-Web, the USPTO's Web-based patent application and document submission system that allows customers to file patent applications and associated documents electronically through their standard Web browser. Typically, the customer will prepare the forms or documents as standard PDF files and then upload them to the USPTO servers using the secure EFS-Web interface. The USPTO has also developed specific EFS-Web versions of some forms, such as PTO/SB/66, that allow for more efficient processing of submissions. EFS-Web offers many potential benefits to filers, including form validation to ensure that all required information has been included, immediate notification that a submission has been received, automated processing of requests, and avoidance of postage or other paper delivery costs. In addition, the USPTO has developed a Web-based interface to accept an ePetition version of Petitions to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)). The public can complete the ePetition on a computer using a Web browser and then click a submit button to send the information to the USPTO over the Internet. ePetitions are convenient for customers while allowing the USPTO to process the petition automatically and send a response back to the customer immediately.

4. Efforts to Identify Duplication

The information collected is required to process and record patent maintenance fee payments and surcharges, to consider petitions related to maintenance fee payments, and to establish a separate address for fee-related correspondence. This information is not collected elsewhere and does not result in a duplication of effort. For maintenance fee transactions, the USPTO requires the customer to supply both the patent number and the corresponding application number in order to ensure the patent is accurately identified.

5. Minimizing the Burden to Small Entities

The information in this collection is necessary in order to complete a maintenance fee transaction, to consider an appropriate petition, or to process a fee address request. The information required by petitions to accept delayed payments, such as the showing or statement that the delayed payment was unintentional, provides the USPTO with documented evidence regarding the reason for the delay in payment of the required maintenance fees so that the Director may consider the request to reinstate the patent. The same information is required from every customer and is not available from any other source.

6. Consequences of Less Frequent Collection

This information is collected only when the public submits a payment, petition, or other request related to patent maintenance fees. If this information were not collected, the USPTO would not be able to: (1) identify the patent for which a maintenance fee is

being paid and properly record the payment; (2) determine whether a patentee is entitled to reinstatement of a patent after a delayed payment; (3) determine whether a maintenance fee payment that was refused should have been accepted; or (4) send fee-related correspondence to the proper address. This information could not be collected less frequently.

7. Special Circumstances in the Conduct of Information Collection

There are no special circumstances associated with this collection of information.

8. Consultations Outside the Agency

The 60-Day Notice was published in the *Federal Register* on March 2, 2015 (80 Fed. Reg. 11178). The comment period ended on May 1, 2015. No public comments were received.

The USPTO has long-standing relationships with groups from whom patent application data is collected, such as the American Intellectual Property Law Association (AIPPLA), as well as patent bar associations, independent inventor groups, and users of our public facilities. Views expressed by these groups are considered in developing proposals for information collection requirements and during the renewal of an information collection. No views have been expressed impacting the present renewal.

9. Payment or Gifts to Respondents

This information collection does not involve a payment or gift to any respondent.

10. Assurance of Confidentiality

Confidentiality of patent applications is governed by statute (35 U.S.C. § 122) and regulation (37 CFR 1.11 and 1.14). Upon publication of an application or issuance of a patent, the entire patent application file is made available to the public, subject to provisions for providing only a redacted copy of the file contents. The prosecution history contained in the application file is critical for determining the scope of the property right conferred by a patent grant.

In order to protect the confidentiality of credit card account information when making fee payments, customers should submit credit card payments on a separate credit card payment form provided by the USPTO for this purpose, which is covered under OMB Control Number 0651-0043. The USPTO will not include the credit card information submitted using the provided credit card payment forms among the patent records open to public inspection. If a customer supplies credit card information on a form or document (e.g., in correspondence related to a patent) other than a credit card payment form provided by the USPTO, the USPTO will not be liable if the credit card information becomes public knowledge.

11. Justification of Sensitive Questions

None of the required information in this collection is considered to be sensitive.

12. Estimate of Hour and Cost Burden to Respondents

Table 3 calculates the burden hours and costs of this information collection to the public, based on the following factors:

- **Respondent Calculation Factors**

The USPTO estimates that it will receive approximately 525,309 total responses per year for this collection, with approximately 25% of these responses submitted by small entities.

The USPTO estimates that approximately 97% of the total annual responses for this collection will be submitted electronically.

- **Burden Hour Calculation Factors**

The USPTO estimates that it will take the public approximately 20 seconds (0.006 hours) to 8 hours to submit the information in this collection, including the time to gather the necessary information, prepare the appropriate form or petition, and submit the completed request to the USPTO.

- **Cost Burden Calculation Factors**

The USPTO uses a professional rate of \$389 per hour for respondent cost burden calculations

The USPTO uses a paraprofessional rate of \$125 per hour for respondent cost burden calculations, which is the average rate.

The USPTO expects that the petitions included in this collection will be prepared by attorneys and that the other items in this collection will be prepared by paraprofessionals.

Table 3: Burden Hours/Burden Costs to Respondents

IC Number	Item/Form Number	Estimated Time for Response (min) (a)	Estimated Annual Responses (b)	Burden (hrs/yr) (a) x (b) / 60 = (c)	Rate (\$/hr) (d)	Total Cost (\$/yr) (c) x (d) = (e)
1	Maintenance Fee Transmittal Transactions (PTO/SB/45)	5	37,434	3,119.5	\$125.00	\$389,937.50
2	Electronic Maintenance Fee Transactions	0.333	375,555	2,086.42	\$125.00	\$260,802.08

IC Number	Item/Form Number	Estimated Time for Response (min) (a)	Estimated Annual Responses (b)	Burden (hrs/yr) (a) x (b) / 60 = (c)	Rate (\$/hr) (d)	Total Cost (\$/yr) (c) x (d) = (e)
3	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (PTO/SB/66)	60	1,000	1,000	\$389.00	\$389,000.00
4	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (PTO/SB/66) – EFS-Web	60	500	500	\$389.00	\$194,500.00
5	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (PTO/SB/66) – ePetition	60	1,000	1,000	\$389.00	\$389,000.00
6	Petition to Review Refusal to Accept Payment of Maintenance Fee Prior to Expiration of Patent (37 CFR 1.377)	240	20	80	\$389.00	\$31,120.00
7	Petition for Reconsideration of Decision on Petition Refusing to Accept Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(d))	480	150	1,200	\$389.00	\$466,800.00
8	"Fee Address" Indication Form (PTO/SB/47)	5	109,650	9,137.5	\$125.00	\$1,142,187.50
	Totals	-----	525,309	18,123.42	-----	\$3,263,347.08

13. Total Annual (Non-hour) Cost Burden

The total (non-hour) respondent cost burden for this collection is estimated to be \$3,263,347.08 per year. There are no capital start-up costs, maintenance fees, or processing fees associated with this information collection. However, this collection does have an annual (non-hour) cost burden in the form of postage costs applicable to paper submissions.

Postage

The public may submit the forms and petitions in this collection to the USPTO by mail through the United States Postal Service. If the submission is sent by first-class mail, the public may also include a signed certification of the date of mailing in order to

receive credit for timely filing. The non-electronic items in this collection have associated first-class postage costs of \$3,801.42 per year:

Table 4: Postage Costs

IC Number	Item	Estimated Annual Responses (a)	Postage Cost (b)	Total Non-hour Cost Burden (a) x (b) = (c)
3	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b))	70	\$0.49	\$34.30
6	Petition to Review Refusal to Accept Payment of Maintenance Fee Prior to Expiration of Patent (37 CFR 1.377)	1	\$0.49	\$0.49
7	Petition for Reconsideration of Decision on Petition Refusing to Accept Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(d))	11	\$0.49	\$5.39
8	"Fee Address" Indication Form	7,676	\$0.49	\$3,761.24
	Totals	7,758	\$3,801.42

14. Annual Cost to the Federal Government

The USPTO estimates that it takes a GS-7, step 1 employee approximately 5 minutes (0.08 hours) on average to process a Maintenance Fee Transmittal or Fee Address Indication Form and approximately 30 minutes (0.5 hours) on average to process the petitions included in this collection. The USPTO estimates that the cost of a GS-7, step 1 employee is \$26.82 per hour (GS hourly rate of \$20.63 with 30% (\$6.19) added for benefits and overhead).

When a customer makes a submission online using the Electronic Maintenance Fee Form or the EFS-Web or ePetition versions of Form PTO/SB/66, the transaction is processed and recorded automatically with no staff time required.

Table 5 calculates the burden hours and costs to the Federal Government for processing this information collection:

Table 5: Burden Hours/Burden Costs to the Federal Government

IC Number	Item/Form Number	Estimated Time for Response (min) (a)	Estimated Annual Responses (b)	Burden (hrs/yr) (a) x (b) / 60 = (c)	Rate (\$/hr) (d)	Total Cost (\$/yr) (c) x (d) = (e)
1	Maintenance Fee Transmittal Transactions (PTO/SB/45)	5	37,434	3,119.5	\$26.82	\$83,678.40
2	Electronic Maintenance Fee Transactions	0	375,555	0	N/A	\$0.00

IC Number	Item/Form Number	Estimated Time for Response (min) (a)	Estimated Annual Responses (b)	Burden (hrs/yr) (a) x (b) / 60 = (c)	Rate (\$/hr) (d)	Total Cost (\$/yr) (c) x (d) = (e)
3	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (PTO/SB/66)	30	1,000	500	\$26.82	\$13,410.00
4	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (PTO/SB/66) – EFS-Web	0	500	0	N/A	\$0.00
5	Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(b)) (PTO/SB/66) – ePetition	0	1,000	0	N/A	\$0.00
6	Petition to Review Refusal to Accept Payment of Maintenance Fee Prior to Expiration of Patent (37 CFR 1.377)	30	20	10	\$26.82	\$268.20
7	Petition for Reconsideration of Decision on Petition Refusing to Accept Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(d))	30	150	75	\$26.82	\$2,011.50
8	"Fee Address" Indication Form (PTO/SB/47)	5	109,650	9,137.5	\$26.82	\$245,081.16
	Totals	-----	525,309	12,843	-----	\$344,449.26

15. Reason for Changes in Annual Burden

Changes in Respondent Cost Burden

The total respondent cost burden for this collection has decreased by \$3,395,636.92 (from \$6,658,984 to \$3,263,347.08) from the previous renewal of this collection in March 2012, due to:

- **Increase in estimated hourly rates.** The 2012 renewal used estimated rates of \$340 per hour for attorneys and \$122 per hour for paraprofessionals preparing the information in this collection. For the current renewal, the USPTO is using updated hourly rates of \$389 for attorneys and \$125 for paraprofessionals.
- **Decrease in burden hours (decrease of 25,481.58).** The 2012 renewal estimated that 43,605 hours would be spent annually by respondents completing the forms in this collection. This renewal has revised that number to reflect that

approximately 18,123.42 hours will be spent completing the forms in this collection, reflecting a decrease of 25,481.58.

- **Decrease in responses received (decrease of 47,852).** The 2012 renewal estimated that the combined responses received to all forms in this collection would total 573,161 responses. For this renewal, the number of respondents has been estimated at 525,309, for a decrease of 47,852 responses.

Changes in Annual (Non-hour) Costs

For this renewal, the USPTO estimates that the total annual (non-hour) costs will decrease by \$791,156,962.58 (from \$791,160,764.00 to \$3,801.42) from the March 2012 renewal due to program changes and administrative adjustments, as follows:

Statute Changes (decrease of \$791,008,495):

- **Decrease of \$791,008,495.** In March 2012, this collection was approved with a total of \$791,008,495 in fees in the form of patent maintenance fees, surcharges, and petition fees. In January 2013, a nonmaterial/nonsubstantive change request was submitted and approved; that request moved those fees into Collection 0651-0072 (America Invents Act Section 10 Patent Fee Adjustments). In September 2013, another change request was submitted and later approved for this collection that removed all the associated fees from this collection. To comply with this change, the current submission has removed all of those fees from the supporting statement and related documents, leading to the decrease seen above.

Administrative Adjustments (decrease of \$148,467.58):

- **Decrease of \$148,467.58.** This collection is currently approved with a total of \$152,269 in postage costs associated with submitting the forms and petitions in this collection to the USPTO by mail. For this renewal, the USPTO estimates that the total postage costs for mailed items will decrease to \$3,801.42, primarily due to a decrease in the number of items being submitted by mail that corresponds with an increase in the number of items being submitted electronically. This decrease occurs despite an increase in first-class postage rates from \$0.45 to \$0.49 since the previous renewal in 2012.

Changes in Federal Cost Burden

The total federal cost burden for processing and handling the submissions in this collection has decreased by \$627,789.60 (from \$1,003,806.00 to \$376,016.40) from the previous renewal of this collection in March 2012, due to:

- **Increase in federal wage rates.** The 2012 renewal placed the cost of an hour of a GS-7, step one, employee's time at \$26.29 (an hourly rate of \$20.22 plus 30%

[\$6.07] added for benefits and overhead). The current renewal uses the 2015 GS rates, which place a GS-7, step one, employee's hourly rate at \$26.82 (an hourly rate of \$20.63 plus 30% [\$6.19] added for benefits and overhead).

- **Decrease in burden hours (decrease of 25,340).** The 2012 renewal estimated that 38,182 hours would be spent annually by federal government employees processing the forms in this collection. This renewal has revised that number to reflect that approximately 12,842 hours will be spent processing the forms in this collection, reflecting a decrease of 25,340 hours.

16. Project Schedule

The USPTO does not plan any special publication of patent numbers in which maintenance fees have been paid. However, the patent numbers, serial numbers, and issue dates of expired patents are published in the weekly *Official Gazette of the United States Patent and Trademark Office* and annually in a consolidated listing. The weekly *Official Gazette* also includes a listing of patent numbers, serial numbers, filing dates, issue dates, and grant dates for patents that have been reinstated due to the acceptance of a late maintenance fee. The *Official Gazette* is published in electronic format on the USPTO Web site.

17. Display of Expiration Date of OMB Approval

The forms in this information collection will display the OMB Control Number and the expiration date of OMB approval.

18. Exceptions to the Certificate Statement

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.