

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
Post Allowance and Refiling
OMB Control Number 0651-0033

Background

The United States Patent and Trademark Office (USPTO) is submitting this request to update the current inventory of information collection 0651-0033 Post Allowance and Refiling. The fees in 0651-0033 had been moved into collection 0651-0072 American Invents Act Section 10 Patent Fee Adjustments (approved by OMB in January, 2013). This request is to return these fees to 0651-0033 from 0651-0072 to provide appropriate accounting of the fees with the discontinuation of 0651-0072.

This request is only to return the affected fees to the annual (non-hour) cost burden. The table below details the fees that have been moved to 0651-0033 and are to be removed from 0651-0072, pending its discontinuation:

Fees for Respondents – Annual (Non-hour) Cost Burdens

Item	Responses	Cost
0033 Basic filing fee – Reissue	679	\$164,920.00
0033 Reissue Search Fee	679	\$353,400.00
0033 Reissue independent claims in excess of three	1,067	\$402,780.00
0033 Reissue claims in excess of 20	6,736	\$461,780.00
0033 Reissue Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	26	\$10,200.00
0033 Reissue Examination Fee	679	\$1,272,240.00
0033 Publication fee for early, voluntary, or normal publication	91,258	\$0.00
0033 Utility issue fee	318,791	\$271,901,040.00
0033 Design issue fee	22,854	\$9,398,340.00
0033 Plant issue fee	902	\$538,840.00
0033 Reissue issue fee	813	\$656,880.00
0033 Certificate of correction	13,020	\$1,302,000.00
Total	457,504	\$286,462,420.00

Summary of Changes

The addition of \$286,462,420 in fees to collection 0651-0033 is to account for these fees following the discontinuation of collection 0651-0072.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Responses	0	457,504	457,504
Fees	\$0.00	\$286,462,420.00	\$286,462,420.00

Adding these fees to 0651-0033 (that are currently accounted for in the discontinued 0651-0072) will increase the annual (non-hour) cost estimates originally reported for in the renewal.

Consequently, this collection takes a net burden increase of \$286,462,420 in annual (non-hour) costs as a program change.

The 0651-0033 revised total burden is as follows:

- 457,504 responses
- \$286,462,420 in annual (non-hour) fees