**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**

**Patent Processing (Updating)**

**OMB Control Number 0651-0031**

Background

The United States Patent and Trademark Office (USPTO) is submitting this request to correct the current inventory of information collection 0651-0031: Patent Processing (Updating). Fees had been returned to collection 0651-0031 from information collection 0651-0072: America Invents Act Section 10 Patent Fee Adjustment (approved by OMB in January 2013). Upon conducting a final analysis following the re-integration of all relevant fees from 0651-0072, it was determined that two of the fees moved into 0651-0031 are not currently applicable to any USPTO collection. This request is to remove those fees from 0651-0031.

This request is only to remove the affected fees from the annual (non-hour) cost burden. The table below details the fees that are to be removed from collection 0651-0031:

**Fees for Respondents – Annual (Non-hour) Cost Burden**

|  |  |  |
| --- | --- | --- |
| **Title** | **Responses** | **Cost** |
| 0036 Request for publication of SIR – Prior to examiner’s action | 3 | $0.00 |
| 0036 Request for publication of SIR – After examiner’s action | 1 | $0.00 |
| **Total** | **4** | **$0.00** |

Summary of Changes

The removal of 4 responses and $0.00 in fees from collection 0651-0031 accounts for adjustments made following a review of collection 0651-0031.

Changes in Burden

|  |  |  |  |
| --- | --- | --- | --- |
| **Burden Type** | **Currently Approved** | **Proposed Change** | **New Estimate** |
| Responses | 3,817,834 | 4 | 3,817,830 |
| Fee | $370,701,948.00 | $0.00 | $370,701,948.00 |

Removing these fees from 0651-0031 will decrease the annual responses originally reported for this renewal.

Consequently, this collection takes a decrease of 4 responses and $0.00 in annual (non-hour) cost burden as a program change.

The 0651-0031 revised total burden is as follows:

* 3,817,830 responses
* $370,701,948 in annual (non-hour) fees