**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**

**Patent Processing**

**OMB Control Number 0651-0031**

Background

The United States Patent and Trademark Office (USPTO) is submitting this request to move a fee into information collection 0651-0031: Patent Processing. The fee had been previously housed in information collection 0651-0063 (Patent Trial and Appeal Board (PTAB) Actions). It was determined that this fee did not belong in this collection and should, instead, be contained in collection 0651-0031. This fee is broken down to reflect the entity status (large, small, or micro) of the respondents.

The fee to be inserted into collection is:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **IC #** | **Item** | **Respondents****(a)** | **Cost****(b)** | **Total Cost****(c)****(a) x (b)** |
| 32 | For each additional invention to be examined (see 37 CFR 1.129(b)) (large entity) | 1 | $840.00 | $840.00 |
| 32 | For each additional invention to be examined (see 37 CFR 1.129(b)) (small entity) | 1 | $420.00 | $420.00 |
| 32 | For each additional invention to be examined (see 37 CFR 1.129(b)) (micro entity) | 1 | $210.00 | $210.00 |
|  | **Total** | **3** |  | **$1,470.00** |

Summary of Changes

The addition of one fees to this collection accounts for the addition of 3 respondents and $1,470 to this collection.

Changes in Burden

|  |  |  |  |
| --- | --- | --- | --- |
| **Burden Type** | **Currently Approved** | **Proposed Change** | **New Estimate** |
| Responses | 740,425 | 3 | 740,428 |
| Non-hourly Cost Burden | $419,737,070.00 | $1,470 | $419,738,540.00 |

Adding the fee into collection 0651-0031 will increase the annual fee respondent number originally reported in the most recent renewal. Consequently, this collection takes an increase of 3 respondents and $1,470 in annual (non-hour) cost burden as an administrative adjustment.

The 0651-0031 revised total burden is as follows:

* 740,428 respondents
* $419,738,540 in annual (non-hourly) cost burden