

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
Post Registration (Trademark Processing)
OMB Control Number 0651-0055

Background

The United States Patent and Trademark Office (USPTO) administers 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 or intend to use such marks in commerce may file an application to register their marks with the USPTO.

The request is to add a new line to the collection accounting for the 15,910 estimated responses for the audit process. The new line, "Response to Office Action for Post-Registration Audit" is a result of the rulemaking NPRM 0651-AD07. The rulemaking adds these responses due to an audit that will be conducted on 10% of certain trademark applications. This new line uses the same forms and authorizations as existing line 7, "Response to Office Actions for Post Registration Matters", but it is estimated that respondents may take longer in preparing these responses. The estimated burden for completing a 'Response to Office Action for Post-Registration Audit' is one hour.

Table 1: Change in Responses

IC No.	Item	Proposed Annual Responses	Increase in Responses
10	Response to Office Action for Post-Registration Audit (TEAS Global)	15,909	15,909
10	Response to Office Action for Post-Registration Audit (Paper)	1	1
	Total	---	15,910

Table 2: Change in Burden Hours

IC No.	Item	Proposed Burden Hours	Increase in Burden Hours
10	Response to Office Action for Post-Registration Audit (TEAS Global)	15,909	15,909
10	Response to Office Action for Post-Registration Audit (Paper)	1	1
	Total	---	15,910

Table 3: Change in Non-Hourly Cost Burden

IC No.	Item	Proposed Cost Burden	Increase in Cost Burden
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10	Response to Office Action for Post-Registration Audit (TEAS Global)	\$0.00	---
10	Response to Office Action for Post-Registration Audit (Paper)	\$0.49	0.49
	Total	---	\$0.49

Summary of Changes

The addition of 15,910 responses, 15,910 burden hours, and \$0.49 in non-hourly costs to collection 0651-0055 account for the changes following the rulemaking action NPRM 0651-AD07.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Respondents	568,654	15,910	584,564
Hourly Burden	48,334.73	15,910	64,244.73
Non-hour costs	\$131,060,068.33	\$0.49	\$131,060,068.82

The 0651-0055 revised total burden is as follows:

- 568,654 respondents
- 64,244.73 burden hours
- \$131,060,068.82 in annual (non-hour) costs