

**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**  
**Admission to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice**  
**Before the USPTO**  
**OMB Control Number 0651-0012**

Background

The United States Patent and Trademark Office (USPTO) administers the Leahy-Smith America Invents Act (AIA), which sets or adjusts patent fees established, authorized, or charged under Title 35, United States Code (U.S.C.). Section 10 prescribes that fees may be set or adjusted only to recover the aggregate estimated costs to the Office for processing, activities, services, and materials related to the patent and trademark processes. Section 10 authorities also includes flexibility to set individual fees in a way that furthers key policies factors, while taking into account the cost of the respective services.

This request is to update the fees attached to collection 0651-0012 (Admission to Practice and Roster of Registered Patent Attorneys and Agents Admitted to Practice Before the USPTO) that are affected by the rulemaking NPRM RIN 0651-AD31. There are ten fees being adjusted as a result of the 2020 Patent Biennial Fee Review.

**Table 1: Increases in Fee Amounts**

IC #	Item	Current Fee	Proposed Fee	Fee Increase
1	Application Fee (Non-Refundable)	\$100	\$110	\$10
4	On Grant of Limited Recognition Under §11.9(b)	\$200	\$210	\$10
7	For Test Administration by Commercial Entity	\$200	\$210	\$10
7	For Test Administration by the USPTO	\$450	\$470	\$20
7	For USPTO-Administered Review of Registration Examination	\$450	\$470	\$20
9	On Registration to Practice Under §11.6	\$200	\$210	\$10
12	Administrative Reinstatement Fee	\$200	\$210	\$10
13	On Change of Registration from Agent to Attorney	\$100	\$110	\$10
14	Certificate of Good Standing as an Attorney or Agent, Standard	\$40	No change	No change
14	Certificate of Good Standing as an Attorney or Agent, Suitable for Framing	\$50	No change	No change
15	Review of Decision by the Director of Enrollment and Discipline Under §11.2(c)	\$400	\$420	\$20
16	Review of Decision of the Director of Enrollment and Discipline Under §11.2(d)	\$400	\$420	\$20

**Table 2: Proposed Burden Cost**

IC #	Item	Responses (a)	Proposed Fee (b)	Proposed Cost (c) (a) x (b)
1	Application Fee (Non-Refundable)	2,611	\$110.00	\$287,210.00
4	On Grant of Limited Recognition Under §11.9(b)	638	\$210.00	\$133,980.00

7	For Test Administration by Commercial Entity	2,300	\$210.00	\$483,000.00
7	For Test Administration by the USPTO	20	\$470.00	\$9,400.00
7	For USPTO-Administered Review of Registration Examination	10	\$470.00	\$4,700.00
9	On Registration to Practice Under §11.6	916	\$210.00	\$192,360.00
12	Administrative Reinstatement Fee	53	\$210.00	\$11,130.00
13	On Change of Registration from Agent to Attorney	50	\$110.00	\$5,500.00
15	Review of Decision by the Director of Enrollment and Discipline Under §11.2(c)	20	\$420.00	\$8,400.00
16	Review of Decision of the Director of Enrollment and Discipline Under §11.2(d)	3	\$420.00	\$1,260.00
	<b>Totals</b>	<b>6,621</b>		<b>\$1,136,940.00</b>

**Table 3: Change in Non-hourly Cost**

IC #	Item	Current Fee Cost	Proposed Fee Cost	Change in Fee Cost
1	Application Fee (Non-Refundable)	\$261,100.00	\$287,210.00	\$26,110.00
4	On Grant of Limited Recognition Under §11.9(b)	\$127,600.00	\$133,980.00	\$6,380.00
7	For Test Administration by Commercial Entity	\$460,000.00	\$483,000.00	\$23,000.00
7	For Test Administration by the USPTO	\$9,000.00	\$9,400.00	\$400.00
7	For USPTO-Administered Review of Registration Examination	\$4,500.00	\$4,700.00	\$200.00
9	On Registration to Practice Under §11.6	\$183,200.00	\$192,360.00	\$9,160.00
12	Administrative Reinstatement Fee	\$10,600.00	\$11,130.00	\$530.00
13	On Change of Registration from Agent to Attorney	\$5,000.00	\$5,500.00	\$500.00
15	Review of Decision by the Director of Enrollment and Discipline Under §11.2(c)	\$8,000.00	\$8,400.00	\$400.00
16	Review of Decision of the Director of Enrollment and Discipline Under §11.2(d)	\$1,200.00	\$1,260.00	\$60.00
	<b>Totals</b>	<b>\$1,070,200.00</b>	<b>\$1,136,940.00</b>	<b>\$66,740.00</b>

Summary of Changes

The revision of ten fees results in an increase of \$66,740 in non-hourly costs to collection 0651-0012.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Non-Hourly Costs	\$1,471,987.72	\$66,740.00	\$1,538,727.72

0651-0012's revised total burden is as follows:

- \$1,538,727.72 in annual (non-hourly) costs