

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE

United States Patent and Trademark Office
Patent Prosecution Highway (PPH) Program
OMB CONTROL NUMBER 0651-0058
March 2020

Background

PPH is a framework in which an application whose claims have been determined to be patentable by an Office of Earlier Examination (OEE) is eligible to go through an accelerated examination in an Office of Later Examination with a simple procedure upon an applicant's request. By leveraging the search and examination work product of the OEE, PPH programs (1) deliver lower prosecution costs, (2) support applicants in their efforts to obtain stable patent rights efficiently around the world, and (3) reduce the search and examination burden, while improving the examination quality, of participating patent offices.

The USPTO participates in PPH via the Global PPH pilot program, the IP5 PPH pilot program, and agreements with various other intellectual property offices from around the world who have not yet joined the Global PPH program. For more complete information on the PPH, including (1) a complete identification of participating countries and offices and the programs under which each country's patent office is participating, (2) the forms needed to request entry into the PPH, both at the USPTO and other participating offices, and (3) information as to which of the PPH program remain pilots and which have been made permanent, please visit http://www.uspto.gov/patents/init_events/pph/index.jsp

The forms in this information collection gather information that is integral to the PPH programs that the USPTO participates in by identifying patent applications being filed at multiple intellectual property offices across the globe, including at the USPTO. This includes declaring the OEE with whom the application has been filed, identifying information for the application at the OEE, and providing the necessary supporting documentation for the application. The forms also identify the correspondence between the claims being made at the USPTO with claims filed in the OEE and an explanation for that correspondence. The forms collect similar data; however, there are unique forms depending on the particular program or country.

Summary of Changes

The USPTO is proposing to remove from this information collection an existing participant, National Institute of Industrial Property of Argentina (INPI). The PPH pilot program with the INPI ended on March 2, 2020. The offices involved in this agreement, USPTO and INPI, did not agree to extend the program. The INPI's involvement in the PPH program was as a bilateral participant with the USPTO and not via the Global or

IP5 programs. Requests filed after March 2, 2020, to participate in a PPH program in the USPTO based on INPI-Argentina work product will not be granted.

The USPTO is proposing to remove one form from this information collection in the PPH program: *REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY OF ARGENTINA (INPI-ARGENTINA) AND THE USPTO (PTO/SB/20AR)*.

The removal of this form results in 10 responses and 20 burden hours being removed from the information collection. The form was available on the PPH area of the USPTO Web site, <http://www.uspto.gov/patents-getting-started/international-protection/patent-prosecution-highway-pph-fast-track>

Changes in Burden

The removal of the form will result in the following burden changes for this information collection:

BURDEN

ICR Summary of Burden:

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	8,120	0	0	-10	0	8,130
Annual Time Burden (Hr)	16,240	0	0	-20	0	16,260
Annual Cost Burden (\$)	0	0	0	0	0	0