

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
(Pro Bono Survey)
OMB Control Number 0651-0082

Background

The Leahy-Smith America Invents Act (AIA), Public Law 112-29 § 32 (2011) directs the USPTO to work with and support intellectual property law associations across the country in the establishment of pro bono programs designed to assist financially under-resourced independent inventors and small businesses (also referred to as “hubs”). To support this, the USPTO has worked with and supported various non-profit organizations to establish a series of autonomous regional hubs that endeavor to match low-income inventors with volunteer patent practitioners across the United States. The regional hubs comprise law schools, bar associations, innovation/entrepreneurial organizations, and arts-focused lawyer referral services that are strategically located to provide access to patent pro bono services across all fifty states, the District of Columbia and Puerto Rico. Additionally, the Study of Underrepresented Classes Chasing Engineering and Science Success Act (SUCCESS Act), Public Law 115-273 (2018) directs the Agency to provide recommendations on how to increase the number of women, minorities, and veterans who apply for and obtain patents.

This information collection helps determine the effectiveness of each individual regional hub in serving low-income inventors and the extent to which low-income women, minorities, and veterans are being served. The USPTO has worked with the Pro Bono Advisory Council (PBAC) to determine what information is necessary to ascertain the effectiveness of each regional pro bono hub and to identify the demographics of those low-income inventors being served. The USPTO, the PBAC, and the regional hubs, are responsible for collecting this information.

This request is to update the survey for this information collection to show the current, updated structure and format of the feedback instrument. USPTO requests to reinstate a question (“8. Total number of applicants approved for placement during this quarter”) used in the original instrument when the information collection was first approved by OMB in 2017. Program participants are requesting the inclusion of this item to provide their complete data sets to USPTO. The program hubs currently collect this data as a part of their own program operations. Providing this information to USPTO will ensure accurate information regarding the number of applicants approved for placement by the program.

Summary of Changes

The annual number of responses, annual time burden, and annual non-hour cost burden remain unchanged by this request.