SUPPORTING STATEMENT
United States Patent and Trademark Office
National Summer Teacher Institute or Equivalent Program
OMB CONTROL NO. 0651-0077
2021

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The United States Patent and Trademark Office (USPTO) conducts the National Summer Teacher Institute (NSTI) on Innovation, STEM, and Intellectual Proprty. This program, which focuses on innovation, STEM, entrepreneurship, and intellectual property, is offered in support of USPTO's ongoing education and outreach programming and Department of Commerce Innovation initiatives. The Institute, launched in 2014, is part of the USPTO's ongoing efforts to foster innovation, competitiveness and economic growth, domestically and abroad, by providing relevant intellectual property, innovation, and invention education resources to school administrators, teachers, students, and parents.

USPTO facilitates the enhancement of internal and external relations, including stakeholder partnernships and collaborations, and support for Government-wide efforts to promote STEM education initiatives. In order to obtain a broad range of participants for the NSTI, the USPTO must collect data related to courses taught, teaching experience, and school district demographics.

The National Summer Teacher Institute combines experiential training tools, practices, and project-based learning models to support elementary, middle, and high school teachers in incorporating concepts of making, inventing, entrepreneurship, and innovation into classroom instruction. Recent focuses of the yearly institute include the creation and protection of intellectual property; including inventions, knowledge discovery, creative ideas, and expressions of the human mind that may have commerical value and are protectable under patent, trademark, copyright, or trade secret laws. Intellectual property is modeled as both a teaching and learning platform to help inspire and motivate student achievement in science, technology, engineering, and mathematics.

Table 1: Information Requirements for National Summer Teacher Institute

Item No.	Item	Statute	Regulations
1	Teacher's Summer Institute Application or equivalent program (NSTI 1)	35 USC 2(a)(2) and (b)(11)	N/A
2	Teacher's Summer Institute Participant Survey or equivalent program(NSTI 2)	35 USC 2(a)(2) and (b)(11)	N/A

3	Teacher’s Summer Institute or equivalent Webinar Survey (NSTI 3)	35 USC 2(a)(2) and (b)(11)	N/A

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

This program receives information from applicants requesting to participate in the National Summer Teachers Institute program and certifying that they are educators with at least 3 years’ experience and who 1) have taught in STEM or innovation related fields during the preceding academic year; 2) plan to teach in a STEM or innovation related field this upcoming academic year; and 3) commit to incorporate the learnings from the Teacher Summer Institute into their curriculum, where applicable, and cooperate with sharing lessons/outcomes with teachers and PTO.

The NSTI participants have included teachers in STEM, innovation, entrepreneurship, and related fields who will learn about innovative strategies to help increase student learning and achievement in these fields together with elements of Intellectual Property (IP) and invention education. Outside scientists, engineers, inventors, creators, and entrepreneurs are among the presenters and workshop leads. Attendees participate in field trips (e.g. to NASA, Energy, National Labs) and have opportunities for networking with other educators and invited experts.

The USPTO also conducts webinars and workshops for K–12 educators in conjunction with or subsequent to the NSTI to provide information on IP, invention, and STEM topics of interest to K–12 educators. In light of the pandemic, the NSTI and some of the workshops may take place in virtual environments. Workshops will be available for educators with less than 3 years of experience, pre-service teachers, higher education faculty, home school, and informal educators. USPTO plans to conduct surveys on the NSTI, workshops, and the webinars in order to gain useful feedback from program participants.

The surveys, in this collection, will primarily be conducted electronically using either a survey tool or e-mail. In-person surveys may potentially be conducted. All applications for the institute must be submitted electronically through the USPTO website.

The information collected, maintained, and used in this collection is based on OMB and USPTO guidelines. This includes the basic information quality standards established in the Paperwork Reduction Act (44 U.S.C. Chapter 35), in OMB Circular A-130, and in the USPTO information quality guidelines.

Table 2: Needs and Uses of National Summer Teacher Institute

Item No.	Item	Form #	Needs and Uses
1	National Summer Teachers' Institute (NSTI) or equivalent Application	NSTI 1	• Use allows teachers to apply to the NSTI or other equivalent program. • Allows USPTO to select a range of participants in the NSTI or equivalent program.
2	National Summer Teachers' Institute Participant Survey	NSTI 2	• Use provides a feedback tool for those involved in the institute or equivalent program. • Allows USPTO feedback to understand program participants and prepare program enhancements.
3	National Summer Teachers' Institute or equivalent program Webinar Survey	NSTI3	• Use provides a feedback tool for those involved in program webinars. • Allows USPTO to understand webinar participants and their particular needs and interests.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

Applications will be submitted electronically through the www.uspto.gov/education website.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

This information is collected to determine whether the applicant is eligible for the program. It does not duplicate information or collection of data found elsewhere.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

No significant impact is placed on small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

This information is collected only as required to process an application for participation in the program. This information is not collected elsewhere. Therefore, this collection of information could not be conducted less frequently. If this information were not collected, the USPTO would not be able to host this event.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances associated with this collection of information.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude

consultation in a specific situation. These circumstances should be explained.

The 60-Day Notice was published in the Federal Register on March 9, 2021 (86 Fed Reg. 13529). The comment period ended on May 10, 2021. No public comments were recieved.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

This information collection does not involve a payment or an award to select respondents. For teachers selected to participate in the NSTI or equivalent program, the USPTO will extend invitational travel for individuals who live outside of a 50 mile radius of the Institute venue. Please note that the 2021 program will take place in a virtual environment.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

NSTI activities are covered under the System of Records Notice COMMERCE/PAT–TM–19, Dissemination Events and Registrations: Federal Register vol. 71 December 27, 2006, page 77739, available at https://www.federalregister.gov/documents/2006/12/27/E6-22122/privacy-act-of-1974-system-of-records

This SORN identifies the categories of individuals covered by the system containing Individuals who have requested participation in an agency-sponsored event. Categories of records in the system comprises the following: Name of individual, address, phone number, and e-mail address.

The information is protected from disclosure to third parties in accordance with the Privacy Act. However, routine uses of this information may include disclosure to the following: to non-Federal personnel under contract to the Agency; to a court for adjudication and litigation; to the Department of Justice for Freedom of Information Act (FOIA) assistance; to members of Congress working on behalf of an individual; and to National Archives and Records Administration for inspection of records. If you do not furnish the requested information, the USPTO may not be able to process your request for participation in the event or program.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made

of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

None of the information collected is considered to be of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under 'Annual Cost to Federal Government'.**

Table 3 calculates the anticipated burden hours and costs of this information collection to the public to be an estimated $116,032, based on the following factors:

- **Respondent Calculation Factors**
  The USPTO estimates that it will receive 13,700 responses per year from 7,000 respondents.

- **Burden Hour Calculation Factors**
  The USPTO estimates that it takes the public approximately between 5 minutes (0.08 hours) to 30 minutes (0.5 hours), depending on the complexity of the situation, to gather the necessary information, prepare the appropriate documents, and submit the information to the USPTO.

- **Cost Burden Calculation Factors**
  The USPTO expects that secondary schoolteachers will complete the applications and surveys. The professional hourly rate for secondary school teachers is $31.69, based upon the May 2019 Occupational Labor Statistics Report for secondary school teachers (25–2031).

Table 3: Total Hourly Burden For Individuals or Households Respondents

Item No.	Item	Estimated Annual Respondents	Estimated Annual Responses (a)	Estimated Time for Response (hour) (b)	Estimated Annual Burden (hour/year) (a) x (b) = (c)	Rate[1] ($/hour) (d)	Estimated Annual Respondent Cost Burden (c) x (d) =(e)
1	Summer Teacher Institute Applicants or equivalent program: Application **(NSTI 1)**	2,100	2,100	0.50 (30 minutes)	1,050	$31.69	$33,275
2	Summer Teacher Institute Participants or equivalent program: Application **(NSTI 1)**	900	900	0.50 (30 minutes)	450	$31.69	$14,261
	Survey **(NSTI 2)**		900	0.25 (15 minutes)	225	$31.69	$7,130
	Webinar/ Workshop Survey **(NSTI 3)**		1,800	0.13 (8 minutes)	234	$31.69	$7,415
3	Webinar/ Workshop Survey **(NSTI 3)**	4,000	8,000	0.13 (8 minutes)	1,040	$31.69	$32,957
Total		**7,000**	**13,700**		**2,999**	- - -	**$95,038**

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital**

[1] The USPTO expects that secondary schoolteachers will complete the applications and surveys. The professional hourly rate for secondary school teachers is $31.69, based upon the May 2019 Occupational Labor Statistics Report for secondary school teachers (25–2031); https://www.bls.gov/oes/current/oes252031.htm.

equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

As all materials are only accepted electronically there are no postage costs associated with this information collection. No processing costs or other costs are imposed on respondents. Therefore, the total non-hour cost burden of this collection is $0.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

The USPTO's total estimated cost for processing the information in this collection is estimated at $2,830.43 per year. The estimated cost for processing the applications is as follows:

It is estimated that a GS-9, step 3[2], will take 3 minutes (0.05 hours) to review the applications for completeness. The hourly rate for a GS-9, step 3, is currently $30.73 according to the U.S. Office of Personnel Management's 2021 wage chart, including locality pay for the Washington, DC area. When 30% is added to account for a fully loaded hourly rate (benefits and overhead), the rate per hour for a GS-9, step 3 is $39.95 ($30.73+ $9.22).

It is estimated that a GS-14 step 1[3], will take 5 minutes (0.08 hours) to apply selection critertia to the application and 3 minutes (0.05 hours) to process the surveys. The

[2] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB_h.pdf
[3] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/DCB_h.pdf

hourly rate for a GS-14, step 1, is currently $58.71 according to the U.S. Office of Personnel Management's 2021 wage chart, including locality pay for the Washington, DC area. When 30% is added to account for a fully loaded hourly rate (benefits and overhead), the rate per hour for a GS-14, step 1 is $76.32 ($58.71 + $17.61).

Table 4: Burden Hour/Burden Cost to the Federal Government for National Summer Teacher Institute

Item No.	Item	Estimated Time For Response (Hours) (a)	Estimated Annual Responses (year) (b)	Estimated Annual Burden (hour/year) (c) (a) x (b)	Rate ($/hour) (d)	Estimated Annual Burden (e) (c) x (d)
1	National Summer Teachers' Institute or equivalent program Application - GS 9, step 3 - Attorney, GS 14, step 1	 0.05 0.08	 500 50	 25 4	 $39.95 $76.32	 $998.75 $305.28
2	National Summer Teachers' Institute or equivalent program Participant Survey	0.05	100	5	$76.32	$381.60
3	National Summer Teachers' Institute or equivalent program Webinar Survey	0.05	300	15	$76.32	$1,144.80
	Total	**- - -**	**950**	**49**	**- - -**	**$2,830.43**

14. Explain the reasons for any program changes or adjustments reported on the burden worksheet.

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
Annual Number of Responses	13,700	0	0	12,800	0
Annual Time Burden (Hr)	2,999	0	0	2,707	0
Annual Cost Burden ($)	0	0	0	0	0

Citations for New Statutory Requirements: (Required if any change in burden is a Program Change Due to New Statute.)

<u>Change in Respondent Annual Time Burden</u>

For this renewal, the USPTO estimates that the number of responses will increase; which also results in an increase in the corresponding time burdens. The number of respondents is expected to increase as more individuals become aware of program and apply to it. Additionally, in response to the increased telecommunications readiness, due in part to COVID related telework, NSTI is offering additional webnairs and options for virtual participation. This is expected to increase participation in those events and result in many additional surveys being completed.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including

beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There is no plan to publish this information for statistical use. Attendee information will be used to document the geographic scope and reach of agency programs for use in both internal and external reports and statistics.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The form in this information collection will display the OMB Control Number and the OMB expiration date.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information employs statistical methods and is described in greater detail in Supporting Statement Part B.