

**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**  
**United States Patent and Trademark Office**  
**Response to Office Action and Voluntary Amendment Forms**  
**OMB CONTROL NUMBER 0651-0050**  
**2024**

Background

The United States Patent and Trademark Office (USPTO) issues Office Actions to applicants who have applied to a register a mark, to request information that was not provided with the initial submission but is required before the issuance of a registration. The USPTO also issues an Office Action advising the applicant of the refusal to register the mark. Applicants reply to these Office Actions by providing the required information and/or by putting forth legal arguments as to why the refusal of registration should be withdrawn.

Applicants may also supplement their applications and provide further information by filing a Voluntary Amendment Not in Response to USPTO Office Action/Letter, a Request for Reconsideration after Final Office Action, a Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment, a Petition to Amend Basis Post-Publication, or a Response to Suspension Inquiry or Letter of Suspension.

The USPTO plans to discontinue information collection 0651-0086 (Changes to Implement the Provisions of the Trademark Modernization Act of 2020) and merge it into other USPTO information collections. As part of that effort, the USPTO plans to move one form and two information collection (IC) lines from 0651-0086 into 0651-0050 (Response to Office Action and Voluntary Amendment Forms). This adjustment will result in burden increases for 0651-0050.

Summary of Changes

The USPTO proposes to add one form into collection 0651-0050 that is currently accounted for in collection 0651-0086:

- PTO-2313 (Request for Extension of Time to File a Response)

As a result of this addition, the USPTO also proposes to add two IC lines to account for the burden associated with this form and the information it collects. These two IC lines also have non-hourly burden costs associated with them in the form of filing fees.

The proposed burden from these items is as follows:

**Table 1: Total Burden Hours to Private Sector Respondents**

Item No.	Item	Estimated Annual Responses (year) (a)	Estimated Time for Response (hour) (b)	Estimated Annual Burden (hour/year) (a) x (b) = (c)
7	Request for Extension of Time for Filing a Response to Office Action	2,992	0.25	748
8	Request for Extension of Time for Filing a Response to Expungement or Reexamination Office Action	525	0.25	131
<b>Totals</b>		<b>3,517</b>	<b>- - -</b>	<b>879</b>

The non-hourly cost burden associated with the proposed added IC lines are in the form of filing fees.

**Table 2: Filing Fees**

Item No.	Fee Code(s)	Item	Estimated Annual Responses (a)	Filing fee (\$) (b)	Total non-hour cost burden (yr) (a) x (b) = (c)
7	6014	Request for Extension of Time for Filing a Response to Office Action (paper)	61	\$225	\$13,725
7	7014	Request for Extension of Time for Filing a Response to Office Action (TEAS)	2,970	\$125	\$371,250
8	7014	Request for Extension of Time for Filing a Response to Expungement or Reexamination Office Action	525	\$125	\$65,625
<b>Totals</b>			<b>3,556</b>	<b>- - -</b>	<b>\$450,600</b>

### Changes in Burden

The addition of one form and two IC lines will result in the following burden changes for this information collection:

**Table 3: Changes in Burden**

Burden Type	Currently approved	Proposed changes	New estimates
Responses	518,643	3,517	522,160
Hours	420,113	879	420,992
Non-hourly costs (\$)	699,101	450,600	1,149,701

Therefore, the revised burden for 0651-0050 is as follows:

- 522,160 respondents

- 420,992 burden hours
- \$1,149,701 in non-hourly burden costs