**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**

**Applications for Trademark Registration**

**OMB Control Number 0651-0009**

Background

This collection of information is required by the Trademark Act, 15 U.S.C. § 1051 et seq., which provides for the registration of trademarks, service marks, collective trademarks and collective service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register their marks with the United States Patent and Trademark Office (USPTO). Such individuals and businesses may also submit various communications to the USPTO, including providing additional information needed to process a request to delete a particular filing basis from an application or to divide an application identifying multiple goods and/or services into two or more separate applications.

In support of RIN 0651-AD65 (Setting and Adjusting Trademark Fees During Fiscal Year 2025), USPTO is changing the fees in this information collection and is adding seven fees that were not previously included in the information collection.

**Table 1: Changes in Fee Amount**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Fee Code** | **Item** | **Current Fee**  **(a)** | **New Fee**  **(b)** | **Changes in Fee Amount**  **(b) – (a) = (c)** |
| **1-3** | 6001 | Application (Base application, paper), per class | $750 | $850 | +$100 |
| **1-3** | 7007 | Application (TEAS Plus), per class | $250 | Discontinued | -$250 |
| **1-3** | 7009 | Application (TEAS Standard), per class | $350 | Discontinued | -$350 |
| **1-3** | 70BA | Application (Base application, electronic), per class | Not previously included in 0651-0009 – new fee | $350 | +$350 |
| **1-3** | 60IN | Fee for insufficient information (§§1 and 44), per class (paper) | Not previously included in 0651-0009– new fee | $100 | +$100 |
| **1-3** | 60ID | Fee for using the free-form text box to enter the identification of goods/services (§§1 and 44), per class (paper) | Not previously included in 0651-0009– new fee | $200 | +$200 |
| **1-3** | 60CH | For each additional group of 1,000 characters beyond the first 1,000 (§§1 and 44), per class (paper) | Not previously included in 0651-0009– new fee | $200 | +$200 |
| **1-3** | 70IN | Fee for insufficient information (§§1 and 44), per class (electronic) | Not previously included in 0651-0009– new fee | $100 | +$100 |
| **1-3** | 70ID | Fee for using the free-form text box to enter the identification of goods/services , per class (electronic) | Not previously included in 0651-0009– new fee | $200 | +$200 |
| **1-3** | 70CH | For each additional group of 1,000 characters beyond the first 1,000 (§§1 and 44), per class (electronic) | Not previously included in 0651-0009– new fee | $200 | +$200 |

**Table 2: Proposed Burden**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Fee Code** | **Item** | **Responses**  **(a)** | **New Fee**  **(b)** | **New Non-hour Cost Burden**  **(a) x (b) = (c)** |
| **1-3** | 6001 | Application (Base application, paper), per class | 3 | $850 | $2,550 |
| **1-3** | 7007 | Application (TEAS Plus), per class | -369,601 | Discontinued | $0 |
| **1-3** | 7009 | Application (TEAS Standard), per class | -211,773 | Discontinued | $0 |
| **1-3** | 70BA | Application (Base application, electronic), per class | 581,374 | $350 | $203,480,900 |
| **1-3** | 60IN | Fee for insufficient information (§§1 and 44), per class (paper) | 1 | $100 | $100 |
| **1-3** | 60ID | Fee for using the free-form text box to enter the identification of goods/services (§§1 and 44), per class (paper) | 1 | $200 | $200 |
| **1-3** | 60CH | For each additional group of 1,000 characters beyond the first 1,000 (§§1 and 44), per class (paper) | 1 | $200 | $200 |
| **1-3** | 70IN | Fee for insufficient information (§§1 and 44), per class (electronic) | 71,511 | $100 | $7,151,100 |
| **1-3** | 70ID | Fee for using the free-form text box to enter the identification of goods/services , per class (electronic) | 91,943 | $200 | $18,388,600 |
| **1-3** | 70CH | For each additional group of 1,000 characters beyond the first 1,000 (§§1 and 44), per class (electronic) | 3,065 | $200 | $613,000 |
|  |  | **Totals** | **747,899** | - - - | **$229,636,650** |

**Table 3: Changes in Cost**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Fee Code** | **Item** | **Current Cost**  **(a)** | **New Cost**  **(b)** | **Change in Non-hour Cost Burden**  **(b) – (a) = (c)** |
| **1-3** | 6001 | Application (Base application, paper), per class | $2,250 | $2,550 | +$300 |
| **1-3** | 7007 | Application (TEAS Plus), per class | $92,400,250 | $0 | -$92,400,250 |
| **1-3** | 7009 | Application (TEAS Standard), per class | $74,120,550 | $0 | - $74,120,550 |
| **1-3** | 70BA | Application (Base application, electronic), per class | Not previously included in 0651-0009– new fee | $203,480,900 | $203,480,900 |
| **1-3** | 60IN | Fee for insufficient information (§§1 and 44), per class (paper) | Not previously included in 0651-0009– new fee | $100 | +$100 |
| **1-3** | 60ID | Fee for using the free-form text box to enter the identification of goods/services (§§1 and 44), per class (paper) | Not previously included in 0651-0009– new fee | $200 | +$200 |
| **1-3** | 60CH | For each additional group of 1,000 characters beyond the first 1,000 (§§1 and 44), per class (paper) | Not previously included in 0651-0009– new fee | $200 | +$200 |
| **1-3** | 70IN | Fee for insufficient information (§§1 and 44), per class (electronic) | Not previously included in 0651-0009– new fee | $7,151,100 | +$7,151,100 |
| **1-3** | 70ID | Fee for using the free-form text box to enter the identification of goods/services , per class (electronic) | Not previously included in 0651-0009– new fee | $18,388,600 | +$18,388,600 |
| **1-3** | 70CH | For each additional group of 1,000 characters beyond the first 1,000 (§§1 and 44), per class (electronic) | Not previously included in 0651-0009– new fee | $613,000 | +$613,000 |
|  |  | **Totals** | **$166,523,050** | **$229,636,650** | **$63,113,600** |

Summary of Changes

The aforementioned rulemaking results in the revision of two fees, the addition of seven fees, and the removal of two fees, with an increase of $63,113,600 in annual non-hourly costs to collection 0651-0009.

Changes in Burden

|  |  |  |  |
| --- | --- | --- | --- |
| **Burden Type** | **Currently Approved** | **Proposed Change** | **New Estimate** |
| Non-hourly Cost Burden | $166,906,580 | $63,113,600 | $230,020,180 |

0651-0009’s revised burden is as follows:

* 581,377 in annual responses (unchanged)
* 508,394 in annual hourly burden (unchanged)
* $230,020,180 in annual non-hourly costs