

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGES
Practitioner Conduct and Discipline
0651-0017

Background

The USPTO Rules of Professional Conduct require all practitioners to maintain complete records of all funds, securities, and other properties of clients coming into his or her possession, and to render appropriate accounts to the client regarding the funds, securities, and other properties of clients coming into the practitioner’s possession, collectively known as “client property.” These recordkeeping requirements are necessary to maintain the integrity of client property. State bars require attorneys to perform similar recordkeeping. Part 11 also requires a practitioner to report knowledge of certain violations of the USPTO Rules of Professional Conduct to the USPTO. The OED Director may, after notice and opportunity for a hearing, suspend, exclude, or disqualify any practitioner from further practice before the USPTO based on non-compliance with the USPTO Rules of Professional Conduct. Practitioners who have been excluded or suspended from practice before the USPTO, and practitioners transferred to disability inactive status must maintain records of their compliance with the suspension or exclusion order, or transfer to disability inactive status. These records are necessary to demonstrate eligibility for reinstatement. Reports of alleged violations of the USPTO Rules of Professional Conduct are used by the Director of OED to conduct investigations and disciplinary hearings, as appropriate.

In support of RIN 0651-AD64 (Setting and Adjusting Patent Fees During Fiscal Year 2025; 89 FRN 91898)¹, the USPTO is changing the fee in this information collection.

Table 1: Changes in Fee Amount

Item No	Fee Code	Item	Current Fee	New Fee	Changes in Fee Amount
2	9014	Petition for Reinstatement under 37 CFR 11.60(c)	\$1,680	\$1,806	+\$126

Table 2: Proposed Burden

Item No	Fee Code	Item	Reponses (a)	New Fee (b)	New Non-hour Cost Burden (a) x (b) = (c)
2	9014	Petition for Reinstatement under 37 CFR 11.60(c)	5	\$1,806	\$9,030
		Totals	5	---	\$9,030

Table 3: Changes in Cost

¹ <https://www.govinfo.gov/content/pkg/FR-2024-11-20/pdf/2024-26821.pdf>

Item No.	Fee Code	Items	Current Cost (a)	New Cost (b)	Change in Non-hour Cost Burden (b) – (a) = (c)
2	9014	Petition for Reinstatement under 37 CFR 11.60(c)	\$8,400	\$9,030	+\$630
		Totals	\$8,400	\$9,030	+\$630

Summary of Changes

The aforementioned rulemaking results in the revision of one fee, with an increase of \$630 in annual non-hourly costs to collection 0651-0017.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Non-hourly Cost Burden	\$8,419	+\$630	\$9,049

0651-0017 revised burden is as follows:

- 13,190 annual responses (unchanged)
- 14,192 annual hourly burden (unchanged)
- \$9,049 in annual non-hourly burden costs