

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
Representative and Address Provisions
OMB Control Number 0651-0035

Background

This information collection includes the information necessary to submit a request to grant or revoke power of attorney for an application, patent, or reexamination proceeding, and for a registered practitioner to withdraw as attorney or agent of record. This also includes the information necessary to change the correspondence address for an application, patent, or reexamination proceeding, to request a Customer Number and manage the correspondence address and list of practitioners associated with a Customer Number, and to designate or change the correspondence address or fee address for one or more patents or applications by using a Customer Number.

The USPTO's Customer Number practice permits applicants, patent owners, assignees, and practitioners of record, or the representatives of record for a number of applications or patents, to change the correspondence address of a patent application or patent with one change request instead of filing separate requests for each patent or application. Any changes to the address or practitioner information associated with a Customer Number will be applied to all patents and applications associated with said Customer Number.

The Customer Number practice is optional, in that changes of correspondence address or power of attorney may be filed separately for each patent or application without using a Customer Number. However, a Customer Number associated with the correspondence address for a patent application is required in order to access private information about the application using the USPTO patent electronic filing system (currently Patent Center). The use of a Customer Number is also required in order to grant power of attorney to more than ten practitioners, or to establish a separate "fee address" for maintenance fee purposes that is different from the correspondence address for a patent or application.

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

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Table 1: Changes in Fee Amount

Item No	Fee Code	Item	Current Fee	New Fee	Changes in Fee Amount
8	1462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than	\$420 ²	\$450	+\$30

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

² The 2022 supporting statement for this information collection listed the cost of this fee incorrectly valued at \$400. This change worksheet uses the correct value for this fee.

		All the Applicants (undiscounted entity)			
8	2462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (small entity)	Not previously included in 0651-0035	\$180	+\$180
8	3462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (micro entity)	Not previously included in 0651-0035	\$90	+\$90
9	1462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (undiscounted entity)	\$420 ³	\$450	+\$30
9	2462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (small entity)	Not previously included in 0651-0035	\$180	+\$180
9	3462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (micro entity)	Not previously included in 0651-0035	\$90	+\$90

Table 2: Proposed Burden

Item No.	Fee Code	Item	Responses (a)	New Fee (b)	New Non-hour Cost Burden (a) x (b) = (c)
8	1462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (undiscounted entity)	7	\$450	\$3,150
8	2462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (small entity)	3	\$180	\$540
8	3462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (micro entity)	1	\$90	\$90
9	1462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (undiscounted entity)	7	\$450	\$3,150
9	2462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (small entity)	3	\$180	\$540
9	3462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (micro entity)	1	\$90	\$90
		Totals	22	- - -	\$7,560

Table 3: Changes in Cost

Item No.	Fee Code	Items	Current Cost (a)	New Cost (b)	Change in Non-hour Cost Burden (b) – (a) = (c)
8	1462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants	\$4,200 ⁴	\$3,150	-\$1,050

³ See comment above.

⁴ The 2022 supporting statement for this information collection listed the cost of this fee incorrectly valued at \$400. This change worksheet uses the correct value for this fee, resulting in a slightly lower proposed change value than would be expected.

		(undiscounted entity)			
8	2462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (small entity)	Not previously included in 0651-0035	\$540	+\$540
8	3462	Petitions Under 37 CFR 1.36(a) to Revoke Power of Attorney by Fewer than All the Applicants (micro entity)	Not previously included in 0651-0035	\$90	+\$90
9	1462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (undiscounted entity)	\$4,200 ⁵	\$3,150	-\$1,050
9	2462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (small entity)	Not previously included in 0651-0035	\$540	+\$540
9	3462	Petition to Waive 37 CFR 1.32(b)(4) and Grant Power of Attorney by Fewer than All the Applicants (micro entity)	Not previously included in 0651-0035	\$90	+\$90
		Totals	\$8,400	\$7,560	-\$840

Summary of Changes

The aforementioned rulemaking results in the revision of two fees and the addition of four fees, with a decrease of \$840 in annual non-hourly costs to collection 0651-0035.

Changes in Burden

Burden Type	Currently Approved	Proposed Change	New Estimate
Non-hourly Cost Burden	\$26,695	-\$840	\$25,855

0651-0035's revised burden is as follows:

- 226,573 annual responses (unchanged)
- 111,104 annual hourly burden (unchanged)
- \$25,855 in annual non-hourly burden costs

⁵ See comment above.