

SUPPORTING STATEMENT
United States Patent and Trademark Office
Trademark Petitions
OMB CONTROL NUMBER 0651-0061
2024

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) administers the Trademark Act (Act), 15 U.S.C. § 1051 et seq., which provides for the registration of trademarks, service marks, collective trademarks and 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 USPTO.

This information collection covers various trademark-related communications to the USPTO, including letters of protest, requests to make special, response to petition inquiry letters, petitions to make special, requests to restore a filing date, and requests for reinstatement. With this renewal the information collection also incorporates petitions for ex parte expungement or reexamination (PTO-2312). Ex parte expungement and reexamination proceedings were established by the Trademark Modernization Act of 2020 (TMA), Public Law 116-260 (Dec. 27, 2020), to cancel, either in whole or in part, registered marks for which the required use in commerce was not made. The burden estimates for petitions for ex parte expungement or reexamination was previously contained in OMB Control No. 0651-0086, Changes to Implement Provisions of the Trademark Modernization Act, but is now being transferred into this information collection for efficiency. Finally, this information collection consolidates into a single burden estimate the burden for responses to petition inquiry letter (PTO-2305), which was previously reflected in both OMB Control No. 0651-0086 and this information collection (0651-0061). With this renewal the burdens for the petition inquiry letter will only be estimated in this information collection.

The information covered in this collection is used by the public for a variety of private business purposes related to establishing and enforcing trademark rights. Information relating to the registration of a trademark is made available to the public by the USPTO. However, the release of information in a letter of protest is controlled and may be available only upon request.

Table 1 provides the specific statutes and regulations authorizing the USPTO to collect the information discussed above:

Table 1: Information Requirements

Item No.	Requirement	Statute	Regulation
1	Letter of Protest	15 U.S.C. §§ 1051 and 1123	37 CFR 2.149
2	Request to Make Special	15 U.S.C. §§ 1051 and 1123	N/A
3	Response to Petition to Director Inquiry Letter	15 U.S.C. §§ 1051 and 1123	37 CFR 2.66, 2.146, 2.147
4	Petition to Make Special	15 U.S.C. §§ 1051 and 1123	37 CFR 2.146, 2.148
5	Request to Restore Filing Date	15 U.S.C. §§ 1051 and 1123	37 CFR 2.146, 2.148
6	Request for Reinstatement	15 U.S.C. §§ 1051 and 1123	37 CFR 2.64
7	Petition for Ex Parte Expungement	Pub. L. No. 116-260 §§ 221-228	37 CFR 2.6, 2.91-2.94
8	Petition for Ex Parte Reexamination	Pub. L. No. 116-260 §§ 221-228	37 CFR 2.6, 2.91-2.94
9	Response to Petition to Director Inquiry Letter (for Expungement or Reexamination Inquiry Letter)	Pub. L. No. 116-260 §§ 221-228	37 CFR 2.91

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.

The information in this information collection is a matter of public record and is used by the public for a variety of private business purposes related to establishing and enforcing trademark rights. The information is available at USPTO facilities and can also be accessed at the USPTO's website. Additionally, the USPTO provides the information to other entities, including Patent and Trademark Resource Centers (PTRCs). The PTRCs maintain the information for use by the public. For more specific needs and uses of the collected information, see Table 2.

The USPTO uses this information collection to process letters of protest, requests to make special, responses to petition inquiry letters, petitions to make special, requests to restore a filing date, requests for reinstatement, petitions for ex parte expungement or reexamination, and responses to expungement and reexamination office actions. Information relating to the registration of a trademark is made publicly available by the

USPTO. The release of information in a letter of protest is controlled and may be available upon request only.

Items in this information collection must be submitted electronically. In limited circumstances, applicants may also be permitted to submit information in paper form by mail or hand delivery.

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 outlines how this collection of information is used by the public and the USPTO:

Table 2: Needs and Uses

Item No.	Form/ Function	Form No.	Needs and Uses
1	Letter of Protest	PTO-2303	<ul style="list-style-type: none"> Used by the public to submit evidence bearing on the registrability of a mark. Used by the USPTO to decide whether the letter of protest complies with the requirements of 37 CFR 2.149.
2	Request to Make Special	PTO-2304	<ul style="list-style-type: none"> Used by the public to submit a request to advance initial examination of an application out of its regular order because the mark in the application was the subject of an inadvertently cancelled or expired previous registration. Used by the USPTO to act upon a request to make special.
3	Response to Petition to Director Inquiry Letter	PTO-2305	<ul style="list-style-type: none"> Used by the public to respond to a notice of deficiency that the USPTO issued after the filing of an incomplete Petition to the Director. Used by the USPTO to collect information that the petitioner did not supply in the original Petition to the Director and which the USPTO needs to complete the review of the petition.
4	Petition to Make Special	PTO-2306	<ul style="list-style-type: none"> Used by the public to submit a petition seeking to advance initial examination of an application out of its regular order. Used by the USPTO to act upon a petition to make special.
5	Request to Restore Filing Date	PTO-2307	<ul style="list-style-type: none"> Used by the public to submit evidence that a previously filed application met the filing-date requirements and to request that the earlier filing date be restored. Used by the USPTO to act upon a request to restore a filing date.
6	Request for Reinstatement	PTO-2308	<ul style="list-style-type: none"> Used by the public to submit a request for reinstatement of an application that was abandoned. Used by the USPTO to act upon a request for reinstatement.

7	Petition for Ex Parte Expungement	PTO-2312	<ul style="list-style-type: none"> • Used by the public to submit a petition to expunge a registration of a mark on the basis that the mark has never been used in commerce on or in connection with some or all of the goods or services recited in the registration. • Used by the USPTO to determine whether the petition complies with the requirements of 37 CFR 2.91.
8	Petition for Ex Parte Reexamination	PTO-2312	<ul style="list-style-type: none"> • Used by the public to submit a petition to reexamine a registration of a mark on the basis that the mark was not in use in commerce on or in connection with some or all of the goods or services recited in the registration on or before the relevant date. • Used by the USPTO to determine whether the petition complies with the requirements of 37 CFR 2.91.
9	Response to Petition to Director Inquiry Letter (for Expungement or Reexamination Inquiry Letter)	PTO-2305	<ul style="list-style-type: none"> • Used by the public to respond to a notice of deficiency that the USPTO issued after the filing of an incomplete Petition for Ex Parte Expungement or Reexamination. • Used by the USPTO to collect information that the petitioner did not supply in the original Petition for Ex Parte Expungement or Reexamination and which the USPTO needs to complete the review of the petition.

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.

The USPTO operates the following IT systems that support this information collection:

- Trademark Center
- Trademark Electronic Application System (TEAS)
- Trademark Status and Document Retrieval System (TSDR)
- Trademark Search

The USPTO provides online electronic forms through TEAS and Trademark Center, which are accessible on the USPTO website. Electronic forms can only be submitted via TEAS or Trademark Center; filers may not e-mail their own forms to the USPTO. Once completed, the forms are transmitted to the USPTO. The forms include “help” instructions and “form wizards” that tailor the forms to the particular characteristics of the application(s) or registration(s) in question. The USPTO is transitioning to exclusive use of Trademark Center, starting in 2024. Once Trademark Center is fully developed, TEAS will be retired.

In addition to providing a system for electronic transmission of trademark submissions, the USPTO also provides the public with online access to various trademark records.

The USPTO maintains TSDR, an online image database that displays each document that makes up the “electronic file wrapper” of a trademark application or registration and provides users with information regarding the status and prosecution history of trademark applications and registrations. The TSDR system is updated daily.

The USPTO also provides Trademark Search, a web-based record of registered marks, and marks for which applications for registration have been submitted. Trademark Search can be used by potential applicants for trademark registration to assist in the determination of whether a particular mark may be available. The data in Trademark Search is identical to the data reviewed by examining attorneys at the USPTO in their determination of whether there is, or may be, a likelihood of confusion between marks for which registration is sought and marks in existing registrations or pending applications for registration.

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 collection does not solicit any data already available at the USPTO. This information collection does not create a duplication of effort.

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

The USPTO expects that the submission of the information provided places no undue burden on small businesses or other small entities. The same information is required from every customer and is not available from any other source.

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 collection could not be conducted less frequently, since the information is collected only when voluntarily submitted by the public. If the information were not collected, the public would not be able to submit letters of protest, requests to make special, responses to petition inquiry letters, petitions to make special, requests to restore a filing date, requests for reinstatement, and petitions for expungement or reinstatement. If this information were not collected, the USPTO could not comply with the requirements of the Act and rules of practice (15 U.S.C. §§ 1051, 1062, and 1123 and 37 CFR part 2).

- 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 July 10, 2024 (89 FR 56739).¹ The comment period ended on September 9, 2024. No comments were received.

In addition, several large and well-organized bar associations frequently communicate their views to the USPTO, as does the Trademark Public Advisory Committee (TPAC). The TPAC was created by the American Inventors Protection Act of 1999 to advise the Director of the USPTO on the Agency's operations, including its goals, performance, budget, and user fees. The TPAC includes 9 voting members who are appointed by and serve at the pleasure of the Secretary of Commerce. Members include inventors, lawyers, corporate executives, entrepreneurs, and academicians with significant experience in management, finance, science, technology, labor relations, and intellectual property issues. The members of the TPAC reflect the broad array of USPTO stakeholders and embrace the USPTO's e-government initiative. This diversity of interests is an effective tool in helping the USPTO nurture and protect the intellectual property that is the underpinning of America's strong economy.

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 gift to any respondent.

¹ <https://www.govinfo.gov/content/pkg/FR-2024-07-10/pdf/2024-15123.pdf>.

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.

Trademark applications and registrations are open to public inspection. Confidentiality is not required in the processing of this information collection.

This collection contains information which is subject to the Privacy Act. This information is collected on applications and registrations of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Privacy Act Statements are included on all of these forms. The following SORNs provide privacy disclosures and information about USPTO's handling of personally identifiable information (PII) that is part of this collection: COMMERCE/USPTO-26 Trademark Application and Registration Records; published February 18, 2020 (85 FR 8847).²

This SORN identifies the categories of records in the system containing applicants for trademark, including the name, citizenship, domicile, email address, postal address, and telephone number of the trademark applicant, registrant, and applicant's or registrant's legal or other authorized representative(s), an attorney's law firm or company affiliation and professional licensing information, and other information pertaining to an applicant's or registrant's activities in connection with the applied-for or registered mark. Records in this system include trademark applications, applicant and registrant declarations, office actions, registration certificates, and correspondence generated in the course of the prosecution of a trademark application or maintenance of a trademark registration.

The electronic forms also include links to the USPTO's Web Privacy Policy and to the form's burden statement at the bottom of each page.

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 required information in this information collection is considered to be of a sensitive nature.

² <https://www.govinfo.gov/content/pkg/FR-2020-02-18/pdf/2020-03068.pdf>.

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'.**
- **Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.**

Table 3 calculates the burden hours and costs of this information collection to the public, based on the following factors:

- **Respondent Calculation Factors**

The USPTO estimates that it will receive approximately 5,813 responses per year from 5,813 respondents for this information collection, with approximately 25% of these responses submitted by small entities.

The USPTO estimates that approximately 99% of the annual responses for this collection will be submitted electronically.

- **Burden Hour Calculation Factors**

The USPTO estimates that it takes the public approximately between 40 minutes (0.67 hours) to 4.5 hours depending on the complexity of the situation and item, to gather the necessary information, prepare the appropriate document(s), and submit the information to the USPTO. Using these burden factors, USPTO estimates that the total respondent hourly burden for this information collection is 7,893 hours per year.

- **Cost Burden Calculation Factors**

The USPTO uses a professional rate of \$447 per hour for respondent cost burden calculations, which is the median rate for intellectual property attorneys in private firms as shown in the 2023 *Report of the Economic Survey* published by the American Intellectual Property Law Association (AIPLA).

Using these hourly rates, the USPTO estimates that the total respondent cost burden for this information collection is \$3,528,171 per year.

Table 3: Total Burden Hours and Hourly Costs to Private Sector Respondents

Item No.	Item	Estimated Annual Respondents	Responses per Respondent	Estimated Annual Responses	Estimated Time for Response (hours)	Estimated Burden (hour/year)	Rate ³ (\$/hour)	Estimated Annual Respondent Cost Burden
		(a)	(b)	(a) x (b) = (c)	(d)	(c) x (d) = (e)	(f)	(e) x (f) = (g)
1	Letter of Protest	3,243	1	3,243	1.50	4,865	\$447	\$2,174,655
2	Request to Make Special	800	1	800	0.83 (50 minutes)	664	\$447	\$296,808
3	Response to Petition to Director Inquiry Letter	800	1	800	1 (60 minutes)	800	\$447	\$357,600
4	Petition to Make Special	300	1	300	0.83 (50 minutes)	249	\$447	\$111,303
5	Request to Restore Filing Date	40	1	40	0.83 (50 minutes)	33	\$447	\$14,751
6	Request for Reinstatement	400	1	400	1	400	\$447	\$178,800
7	Petition for Ex Parte Expungement	90	1	90	4.5	405	\$447	\$181,035
8	Petition for Ex Parte Reexamination	100	1	100	4.5	450	\$447	\$201,150
9	Response to Petition for Expungement or Reexamination Inquiry Letter	40	1	40	0.67 (40 minutes)	27	\$447	\$12,069
	Totals	5,813	---	5,813	---	7,893	---	\$3,528,171

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).

³ 2023 Report of the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association (AIPLA); pg. F-41. The USPTO uses the average billing rate for intellectual property work in all firms which is \$447 per hour (<https://www.aipla.org/home/news-publications/economic-survey>).

- 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 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.

This collection has non-hourly cost burdens in both fees paid by the public and associated postage costs for mailing items to the USPTO.

The total non-hour respondent cost burden for this collection is estimated to be \$313,260 per year, which includes \$313,250 in fees and \$10 in postage.

Filing Fees

There are fees associated with submitting the petitions and requests in this information collection. Some fees are charged per class of goods or services. Therefore, the total fees can vary depending on the number of classes. The filing fees shown here are the minimum fees associated with this information collection, for a total of \$313,260 per year.

Table 4: Filing Fees

Item No.	Fee Code	Item	Estimated Annual Responses (a)	Filing Fee (\$) (b)	Non-hourly Cost Burden (a) x (b) = (c)
1	7011	Letter of Protest	3,243	\$50	\$162,150
4	7005	Petition to Make Special (TEAS)	299	\$250	\$74,750
4	6005	Petition to Make Special (Paper)	1	\$350	\$350
7	7014	Petition for Ex Parte Expungement	90	\$400	\$36,000
8	7014	Petition for Ex Parte Reexamination	100	\$400	\$40,000
		Totals	3,733	- - -	\$313,250

Postage Costs

In limited circumstances, applicants may be permitted to submit the information in paper form by mail, fax, or hand delivery. Applicants and registrants incur postage costs when submitting information to the USPTO by mail through the United States Postal Service. The USPTO estimates that 1 item will be submitted by mail. The USPTO estimates that the average postage cost for a mailed submission, using a Priority Mail legal flat rate envelope, will be \$10.15. Therefore, the USPTO estimates the total mailing costs for this information collection will be \$10.

- 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 employs GS-11, GS-12, GS-14, and GS-15 employees to examine and process submissions for this information collection.

For IC lines 1 and 3, the USPTO employs GS-15 employees who can be anywhere in the GS-15 pay scale. Based on this information, the average rate (with 30% added for benefits and overhead) is \$114.20.

For IC lines 2, 5, and 6, the USPTO employs GS-11 employees who can be anywhere in the GS-11 pay scale. Based on this information, the average rate (with 30% added for benefits and overhead) is \$58.33.

For IC line 4, the USPTO employs GS-12 employees who can be anywhere in the GS-12 pay scale. Based on this information, the average rate (with 30% added for benefits and overhead) is \$71.06.

For IC lines 7 to 9, the USPTO uses both a GS-14, step 5 employee and a GS-15, step 5 to process the items in those lines. The USPTO estimates that the cost of a GS-14, step 5 employee is \$98.41 per hour (GS hourly rate of \$75.70 with 30% (\$22.71) added for benefits and overhead). The USPTO estimates that the cost of a GS-15, step 5 employee is \$115.75 per hour (GS hourly rate of \$89.04 with 30% (\$26.71) added for benefits and overhead). The average rate of these two employees is \$107.08.

The USPTO estimates that it takes an employee between approximately 30 minutes and 2 hours to process the materials submitted as part of this information collection.

Table 5 calculates the burden hours and costs to the federal government for processing this information collection:

Table 5: Burden Hour/Cost to the Federal Government

Item No.	Item	Estimated Annual Responses (a)	Estimated Burden Hours (b)	Estimated Hourly Burden (a) x (b) = (c)	Rate ⁴ (\$/hr) (d)	Total Federal Government Cost (c) x (d) = (e)
1	Letter of Protest	3,243	1.25	4,054	\$114.20	\$462,967
2	Request to Make Special	800	0.67 (40 minutes)	536	\$58.33	\$31,265
3	Response to Petition to Director Inquiry Letter	800	0.83 (50 minutes)	664	\$114.20	\$75,829
4	Petition to Make Special	300	0.67 (40 minutes)	201	\$71.06	\$14,283
5	Request to Restore Filing Date	40	0.67 (40 minutes)	27	\$58.33	\$1,575
6	Request for Reinstatement	400	0.83 (50 minutes)	332	\$58.33	\$19,366
7	Petition for Ex Parte Expungement	90	2	180	\$107.08	\$19,404
8	Petition for Ex Parte Reexamination	100	2	200	\$107.08	\$21,560
9	Response to Petition for Expungement or Reexamination Inquiry Letter	40	0.50 (30 minutes)	20	\$107.08	\$2,156
	Totals	5,813	- - -	6,214	- - -	\$648,405

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

	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	Previously Approved
Annual Number of Responses	5,813	0	230	-638	0	6,221
Annual Time Burden (Hr)	7,893	0	882	58	0	6,953
Annual Cost Burden (\$)	313,260	0	76,000	-156,615	0	393,875

Change in Responses and Hourly Burden due to Adjustment in Agency Estimate

The total number of responses has decreased by 638 due to estimated fluctuations in the number of respondents/submissions in this information collection. Despite this decrease in the number of responses, there is an increase of 58 hours in the annual time burden estimates.

⁴ https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2024/DCB_h.pdf.

Changes in (Non-hour) Costs due to Adjustment in Agency Estimate

For this renewal, the USPTO estimates that the total annual (non-hour) costs will decrease by \$156,615 from the previous approval. This increase/decrease is due to estimated fluctuations in submissions for items that require a fee.

Change in Responses, Hourly Burden, and (Non-hour) Costs due to Agency Discretion

This renewal request incorporates some items currently included in information collection 0651-0086 (Changes to Implement Provisions of the Trademark Modernization Act of 2020). Some of these items also have burden estimates located in this information collection. This move action allows for those items to be combined in information collection. Additionally, petitions for ex parte expungement or reexamination are similar to the items already within this information collection; moving them into this control number provides a more complete picture of trademarks petitions. As a result of this addition, the information collection is increasing by 230 responses, 882 burden hours, and \$76,000.

- 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.**

The USPTO does not plan to publish this information for statistical use.

- 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 forms in this information collection will display the OMB Control Number and the expiration date of OMB approval.

- 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 does not employ statistical methods.