SUPPORTING STATEMENT
United States Patent and Trademark Office
Trademark Post Registration
OMB CONTROL NUMBER 0651-0055
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. 1501 *et seq*., which provides for the federal 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 communications submitted by individuals and businesses to the USPTO after the registration of a trademark. One type of communication is a request to amend a registration to delete goods or services that are no longer being used by the owner. Registered marks remain on the register for 10 years and can be renewed, but will be cancelled unless the owner files with the USPTO a declaration attesting to the continued use (or excusable non-use) of the mark in commerce, and a renewal application, with specific deadlines. Owners may also request to amend or divide a registration, respond to a post-registration office action, and surrender a registration.

The regulations implementing the Act are set forth in 37 CFR part 2. These regulations mandate that each register entry include the mark, the goods and/or services in connection with which the mark is used, ownership information, dates of use, and certain other information. The information in this information collection is used to maintain the quality of the trademark register. The register may be accessed by an individual or by businesses to determine the availability of a mark. By keeping the register current and accurate, parties may reduce the possibility of initiating use of a mark previously adopted by another.

This information collection also incorporates responses to office actions related to ex parte expungements and reexaminations and Director-initiated expungements and reexaminations (accounted for under Reponses to Office Actions for Post-Registration Matters (PTO-2302). 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 responses to office actions regarding ex parte expungements or reexaminations and Director-initiated expungements and reexaminations were previously contained in OMB Control No. 0651-0086 (Changes to Implement Provisions of the Trademark Modernization Act), but are being transferred into this information collection for efficiency. All the burdens associated with responses to office actions from 0651-0086 are now being accounted for under IC No. 7 (Response to Office Action for Post-Registration Matters) in this information collection. The 60-day notice, published for this information collection, already accounted for the burdens being transferred.

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	Declaration of Use of Mark in Commerce Under Section 8	15 U.S.C. 1058	37 CFR 2.160-2.166, 2.168
2	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9	15 U.S.C. 1058 and 1059	37 CFR 2.160-2.166, 2.181-2.186
3	Declaration of Incontestability of a Mark Under Section 15	15 U.S.C. 1065	37 CFR 2.167
4	Combined Declaration of Use and Incontestability Under Sections 8 and 15	15 U.S.C. 1058 and 1065	37 CFR 2.160-2.168
5	Surrender of registration for cancellation	15 U.S.C. 1057	37 CFR 2.172
6	Section 7 Request	15 U.S.C. 1057	37 CFR 2.171-2.176
7	Response to Office Action for Post-Registration Matters	15 U.S.C. 1057-1061	37 CFR 2.160-2.168, 2.171-2.176
8	Request to Divide Registration	15 U.S.C. 1057	37 CFR 2.171(b)
9	Section 12(c) Affidavit	15 U.S.C. 1058	37 CFR 2.160

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 USPTO uses this information collection described in this information collection to process post registration submissions. 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 also can be accessed at the USPTO 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.

The information in this information collection is submitted electronically through the Trademark Electronic Application System (TEAS) or Trademark Center. In limited circumstances, applicants may also be permitted to submit the 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	Declaration of Use of Mark in Commerce Under Section 8	PTO-1563	• Used by the public to complete and file declarations of use in commerce, or excusable non-use, of a registered mark. • Used by the USPTO to review and process declarations of use in commerce, or excusable non-use, of a registered mark.
2	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9	PTO-1963	• Used by the public to complete and file declarations of use in commerce, or excusable non-use, of a registered mark, and to file applications for renewal of the registration. • Used by the USPTO to review and process declarations of use in commerce, or excusable non-use, of a registered mark, and to process applications for renewal of the registration.
3	Declaration of Incontestability of a Mark Under Section 15	PTO-1573	• Used by the public to complete and submit assertions that a registration has become incontestable. • Used by the USPTO to process declarations of incontestability.
4	Combined Declaration of Use and Incontestability Under Sections 8 and 15	PTO-1583	• Used by the public to complete and file declarations of use in commerce, or excusable non-use, of a registered mark and to submit assertions that a registration has become incontestable. • Used by the USPTO to process declarations of use in commerce, or excusable non-use, of a registered mark, and to process declarations of incontestability.
5	Surrender of registration for cancellation	PTO-2309	• Used by the public to surrender a registration for cancellation. • Used by the USPTO to cancel a registration that has been surrendered.
6	Section 7 Request	PTO-1597	• Used by the public to request a correction or amendment to the information on a certificate of registration. • Used by the USPTO to review and process requests for corrections or amendments to a registration.
7	Response to Office Action for Post-Registration Matters	PTO-2302	• Used by the public to respond to a post-registration Office action or pay an additional fee related to a post-registration matter. • Used by the USPTO to review and process a response to a post-registration Office action or to process a payment related to a post-registration matter.

8	Request to Divide Registration	PTO-2310	• Used by the public to request to divide a registration based on an application under Section 1 or Section 44 of the Trademark Act if ownership of the registration has changed with respect to some but not all of the goods and/or services. • Used by the USPTO to review and process a request to divide a registration based on an application under Section 1 or Section 44 of the Trademark Act.
9	Section 12(c) Affidavit	PTO-2311	• Used by the public to claim the benefits of the Trademark Act of 1946 for a mark originally registered under the Trademark Acts of 1905 or 1881. • Used by the USPTO to process an affidavit claiming the benefits of the Trademark Act of 1946 for a mark originally registered under the Trademark Acts of 1905 or 1881.

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 information technology (IT) systems that support this information collection:

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

These IT systems are publicly accessible through the USPTO website.

The USPTO provides online electronic forms through TEAS or 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 complete, 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 must 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 does not solicit any data that is 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 any of the information collection items listed above to the USPTO and register their marks. Additionally, if this information were not collected, the USPTO could not comply with the requirements of the Trademark Act and rules of practice (15 U.S.C. 1057-1061, 1065, 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 25, 2024 (89 FR 60405).[1] The comment period ended on September 23, 2024. No comments were received.

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-2024-07-25/pdf/2024-16328.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 system 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 trademark applications or registrations.

This information collection may contain information subject to the Privacy Act.

This information is collected on 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. The following SORN provides 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 271,793 responses per year from 271,793 respondents for this information collection.

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

- **Burden Hour Calculation Factors**
  The USPTO estimates that it takes the public approximately between 12 minutes (0.20 hours) and 50 minutes (0.83 hours), depending on the complexity of the situation and item, to gather the necessary information, prepare the appropriate document(s), and submit the item to the USPTO. Using these burden factors, USPTO estimates that the total respondent hourly burden for this information collection is 162,987 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 $72,855,189 per year.

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

Item No.	Item	Estimated Annual Respondents (a)	Responses per Respondent (b)	Estimated Annual Responses (a) x (b) = (c)	Estimated Time for Response (hours) (d)	Estimated Burden (hour/year) (c) x (d) = (e)	Rate[3] ($/hour) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)
1	Declaration of Use of Mark in Commerce Under Section 8	67,809	1	67,809	0.58 (35 minutes)	39,329	$447	$17,580,063
2	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9	94,584	1	94,584	0.58 (35 minutes)	54,859	$447	$24,521,973
3	Declaration of Incontestability of a Mark Under Section 15	1,341	1	1,341	0.20 (12 minutes)	268	$447	$119,796
4	Combined Declaration of Use and Incontestability Under Sections 8 and 15	75,796	1	75,796	0.58 (35 minutes)	43,962	$447	$19,651,014
5	Surender of Registration for Cancellation	600	1	600	0.20 (12 minutes)	120	$447	$53,640
6	Section 7 Request	6,500	1	6,500	0.67 (40 minutes)	4,355	$447	$1,946,685
7	Response to Office Action for Post-Registration Matters	22,000	1	22,000	0.83 (50 minutes)	18,260	$447	$8,162,220
8	Request to Divide Registration	3,161	1	3,161	0.58 (35 minutes)	1,833	$447	$819,351
9	Section 12(c) Affidavit	2	1	2	0.30 (18 minutes)	1	$447	$447
	Totals	**271,793**	**- - -**	**271,793**	**- - -**	**162,987**	**- - -**	**$72,855,189**

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).

- **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**

[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).

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 USPTO.

The total (non-hour) respondent cost burden for this collection is estimated to be $103,718,072 per year, which includes $103,717,950 in fees and $122 in postage.

Filing Fees

There are fees associated with this information collection for a total of $103,717,950 per year as outlined in Table 4 below.

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	7205	Declaration of Use of Mark in Commerce Under Section 8 – Filed During the Statutory Period (electronic)	61,644	$225	$13,869,900
1	6205	Declaration of Use of Mark in Commerce Under Section 8 – Filed During the Statutory Period (paper)	1	$325	$325
1	7205 7206	Declaration of Use of Mark in Commerce Under Section 8 – Filed During the Grace Period (electronic)	6,163	$325	$2,002,975
1	6206 6206	Declaration of Use of Mark in Commerce Under Section 8 – Filed During the Grace Period (paper)	1	$525	$525
2	7201 7205	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9 – Filed During the Statutory Period (electronic)	85,984	$525	$45,141,600
2	6201 6205	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9 – Filed During the Statutory Period (paper)	1	$825	$825

2	7201 7203 7205 7206	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9 – Filed During the Grace Period (electronic)	8,598	$725	$6,233,550
2	6201 6203 6205 6206	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9 – Filed During the Grace Period (paper)	1	$1,225	$1,225
2	7211	Issuing New Certificate of Registration (electronic)	97	$100	$9,700
2	6211	Issuing New Certificate of Registration (paper)	1	$200	$200
2	7212	Certificate of Correction, Registrant's Error (electronic)	6,421	$100	$642,100
2	6212	Certificate of Correction, Registrant's Error (paper)	1	$200	$200
3	7208	Declaration of Incontestability of a Mark Under Section 15 (electronic)	1,340	$200	$268,000
3	6208	Declaration of Incontestability of a Mark Under Section 15 (paper)	1	$300	$300
4	7205 7208	Combined Declaration of Use and Incontestability Under Sections 8 and 15 – Filed During the Statutory Period (electronic)	68,905	$425	$29,284,625
4	6205 6208	Combined Declaration of Use and Incontestability Under Sections 8 and 15 – Filed During the Statutory Period (paper)	1	$625	$625
4	7205 7206 7208	Combined Declaration of Use and Incontestability Under Sections 8 and 15 – Filed During the Grace Period (electronic)	6,890	$525	$3,617,250
4	6205 6206 6208	Combined Declaration of Use and Incontestability Under Sections 8 and 15 – Filed During the Grace Period (paper)	1	$825	$825
6	7012	Section 7 Request (electronic)	6,499	$250	$1,624,750
6	6012	Section 7 Request (paper)	1	$350	$350
7	7012	Deletion of Goods or Services after submission and prior to acceptance of a section 8 affidavit (electronic)	2,805	$250	$701,250
7	6012	Deletion of Goods or Services after submission and prior to acceptance of a section 8 affidavit (paper)	1	$350	$350
8	7006	Request to Divide Registration (electronic)	3,160	$100	$316,000
8	6006	Request to Divide Registration (paper)	1	$200	$200
9	7210	Section 12(c) Affidavit (electronic)	1	$100	$100
9	6210	Section 12(c) Affidavit (paper)	1	$200	$200
		Totals	**258,520**	**- - -**	**$103,717,950**

Postage Costs

In limited circumstances, applicants may be permitted to submit the information in paper form by mail 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 the average postage cost for a mailed submission, using a Priority Mail legal flat rate envelope, will be $10.15, and that approximately 12 submissions per year may be mailed to the USPTO, for an estimated total postage cost of $122 per year.

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-9 and GS-11 employees to process all of the submissions for this information collection. Additionally, the USPTO employs GS-14 employees to process Responses to Office Action for Post-Registration Matters (Item 7).

The USPTO estimates that the cost of a GS-9, step 4 employee is $46.87 per hour (GS hourly rate of $36.05 with 30% ($10.82) added for benefits and overhead).

The USPTO estimates that the cost of a GS-11, step 4 employee is $56.71 per hour (GS hourly rate of $43.62 with 30% ($13.09) added for benefits and overhead).

The USPTO estimates that the cost of a GS-14, step 4 employee is $95.51 per hour (GS hourly rate of $73.47 with 30% ($22.04) added for benefits and overhead).

The average of the GS-9 and GS-11 rates is $51.79.

The USPTO estimates that it takes an employee approximately between 10 minutes (0.17 hours) and 45 minutes (0.75 hours) to process the information in 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	Declaration of Use of Mark in Commerce Under Section 8	67,809	0.17 (10 minutes)	11,528	$51.79	$597,035
2	Combined Declaration of Use of Mark in Commerce and Application for Renewal of Registration of a Mark Under Sections 8 and 9	94,584	0.17 (10 minutes)	16,079	$51.79	$832,731
3	Declaration of Incontestability of a Mark Under Section 15	1,341	0.08 (5 minutes)	107	$51.79	$5,542
4	Combined Declaration of Use and Incontestability Under Sections 8 and 15	75,796	0.17 (10 minutes)	12,885	$51.79	$667,314

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

5	Surrender of Registration for Cancellation	600	0.08 (5 minutes)	48	$51.79	$2,486
6	Section 7 Request	6,500	0..33 (20 minutes)	1,105	$51.79	$57,228
7	Response to Office Action for Post-Registration Matters	22,000	0.15 (10 minutes) 0.33 (20 minutes)	3,300 7,260	$51.79 $95.51	$170,907 $693,403
8	Request to Divide Registration	3,161	0.25 (15 minutes)	790	$51.79	$40,914
9	Section 12(c) Affidavit	2	0.75 (45 minutes)	2	$51.79	$104
	Totals	**271,793**	**- - -**	**53,104**	**- - -**	**$3,067,664**

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

Table 6: ICR Summary of Burden

	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	271,793	0	4,043	48,056	0	219,694
Annual Time Burden (Hr)	162,987	0	3,356	46,011	0	113,620
Annual Cost Burden ($)	103,718,072	0	0	14,071,332	0	89,646,740

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

The total number of responses has increased by 48,056 due to estimated fluctuations in the number of respondents/submissions in this information collection. This increase results in an addition of 46,011 hours to the annual time burden estimates.

Changes in Annual Non-hour Costs due to Adjustment in Agency Estimate

For this renewal, the USPTO estimates that the total annual non-hour costs will increase by $14,071,332 from the previous approval. This increase is due to estimated fluctuations in submissions for items that require a fee.

Changes in Responses and Hourly Burden 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):

- Response to Director-Initiated Expungement Office Action
- Response to Ex Parte Director-Initiated Reexamination Office Action
- Response to Ex Parte Expungement Office Action
- Response to Ex Parte Reexamination Office Action

These items relate closely to items already in this information collection (0651-0055); including them here provides a complete picture of office action responses. The burden for these items is accounted for in Item 7 (Response to Office Action for Post-Registration Matters). As a result of these additions, this information collection is increasing by 4,043 responses and 3,356 burden hours.

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. However, patent and trademark assignment records are available to the public at the USPTO Public Search Facilities and on the USPTO website.

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.