

new owner must submit an application to reactivate the designation within six months of the date of assignment. If the recordal is based on a trademark application or registration and the registration is assigned to a new owner, the recordal becomes “inactive” and cannot be reassigned. Instead, the new owner of the trademark application or registration must apply for a new recordal. Manufacturers who record insignia must notify the USPTO of any changes of address.

This information collection includes one form, the Application for Recordal of Insignia or Renewal/Reactivation of Recordal Under the Fastener Quality Act (PTO–1611), which provides manufacturers with a convenient way to submit a request for the recordal of a fastener insignia or to renew or reactivate an existing Certificate of Renewal.

The public uses this information collection to comply with the insignia recordal provisions of the FQA. The USPTO uses the information in this collection to record or renew insignias under the FQA and to maintain the Fastener Insignia Register, which is open for public inspection and is updated quarterly. The public may download the Fastener Insignia Register from the USPTO website.²

Forms

- PTO–1611 (Application for Recordal of Insignia or Renewal/Reactivation of Recordal Under the Fastener Quality Act)

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private sector.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency: On occasion.

Estimated Number of Annual

Respondents: 90 respondents.

Estimated Number of Annual

Responses: 90 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately 30 minutes (0.50 hours) to complete. This includes the time to gather the necessary information, complete the form, and submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 45 hours.

Estimated Total Annual Respondent Non-Hourly Cost Burden: \$2,413.

This information collection request may be viewed at www.reginfo.gov.

² <https://www.uspto.gov/trademarks/laws/fastener-quality-act-fqa/fastener-quality-act-fqa>.

Follow the instructions to view Department of Commerce, USPTO information collections currently under review by OMB.

Written comments and recommendations for this information collection should be submitted within 30 days of the publication of this notice on the following website, www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the information collection or the OMB Control Number, 0651–0028.

Further information can be obtained by:

- *Email:* InformationCollection@uspto.gov. Include “0651–0028 information request” in the subject line of the message.

- *Mail:* Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

Justin Isaac,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

[FR Doc. 2024–14919 Filed 7–5–24; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Patent Reexaminations, Supplemental Examinations, and Post Patent Submissions

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comment.

SUMMARY: The United States Patent and Trademark Office (USPTO), as required by the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651–0064 (Patent Reexaminations, Supplemental Examinations, and Post Patent Submissions). The purpose of this notice is to allow 60 days for public comment preceding submission of the information collection to OMB.

DATES: To ensure consideration, comments regarding this information

collection must be received on or before September 6, 2024.

ADDRESSES: Interested persons are invited to submit written comments by any of the following methods. Do not submit Confidential Business Information or otherwise sensitive or protected information.

- *Email:* InformationCollection@uspto.gov. Include “0651–0064 comment” in the subject line of the message.

- *Federal eRulemaking Portal:* <http://www.regulations.gov>.

- *Mail:* Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

FOR FURTHER INFORMATION CONTACT:

Request for additional information should be directed to Jeffrey West, Senior Legal Advisor, Office of Patent Legal Administration, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450; by telephone at 571–272–2226; or by email at jeffrey.west@uspto.gov with “0651–0064 comment” in the subject line. Additional information about this information collection is also available at <http://www.reginfo.gov> under “Information Collection Review.”

SUPPLEMENTARY INFORMATION:

I. Abstract

The United States Patent and Trademark Office (USPTO) is required by 35 U.S.C. 131 and 151 to examine applications and, when appropriate, allow applications and issue them as patents. Chapter 30 of title 35 U.S.C. provides that any person at any time may file a request for reexamination by the USPTO of any claim of a patent on the basis of prior art cited under the provisions of 35 U.S.C. 301. Once initiated, the reexamination proceedings under Chapter 30 are substantially *ex parte* and do not permit input from third parties. The regulations outlining *ex parte* reexaminations are found at 37 CFR 1.510–1.570. The purpose of this information collection is to facilitate requests for *ex parte* reexamination and supplemental examination, to facilitate prosecution of reexamination and to ensure that the associated documentation is submitted to the USPTO, and to permit relevant post-patent prior art and claim scope information to be entered into a patent file.

35 U.S.C. 257 permits a patent owner to request supplemental examination of a patent by the USPTO to consider, reconsider, or correct information believed to be relevant to the patent.

The regulations outlining supplemental examination are found at 37 CFR 1.601–1.625.

The Leahy-Smith America Invents Act terminated *inter partes* reexamination effective September 16, 2012. However, *inter partes* reexamination proceedings based on *inter partes* reexamination requests filed before September 16, 2012, continue to be prosecuted. Therefore, this collection continues to include items related to the prosecution of *inter partes* reexamination proceedings. The regulations outlining *inter partes* reexaminations are found at 37 CFR 1.902–1.959.

The provisions of 35 U.S.C. 301 and 37 CFR 1.501 govern the ability of a person to submit into the file of an issued patent (1) prior art consisting of patents or printed publications which the person making the submission believes to have a bearing on the patentability of any claim of the issued patent and (2) statements of the owner of the issued patent filed in a proceeding before a Federal court or the USPTO in which the owner of the issued patent took a position on the scope of any claim of the issued patent.

Thus, the items included in this collection cover (1) requests for *ex parte*

reexamination, (2) requests for supplemental examination, (3) information that may be submitted by patent owners and third-party requesters in relation to the prosecution of an *ex parte* or *inter partes* reexamination proceeding, (4) information submitted by the public to aid in ascertaining the patentability and/or scope of the claims of the issued patent, and (5) information submitted by patent owners regarding a position taken before the USPTO or a Federal court regarding the scope of any claim in their issued patent. The USPTO's use of the statements of the patent owners ((5) above) will be limited to determining the meaning of a patent claim in *ex parte* reexamination proceedings that already have been ordered and in *inter partes* review and post grant review proceedings that already have been instituted.

II. Method of Collection

The items in this information collection may be submitted electronically, or on paper by either mail or hand delivery.

III. Data

OMB Control Number: 0651–0064.

- Forms: (SB = Specimen Book)
- PTO/SB/42 (37 CFR 1.501 Information Disclosure Citation in a Patent)
- PTO/SB/57 (Request for *Ex Parte* Reexamination Transmittal Form)
- PTO/SB/59 (Request for Supplemental Examination Transmittal Form)

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private sector.

Respondent's Obligation: Required to obtain or retain benefits.

Estimated Number of Annual Respondents: 874 respondents.

Estimated Number of Annual Responses: 890 responses.

Frequency: On occasion.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately between 30 minutes (0.50 hours) and 55 hours to complete. This includes the time to gather the necessary information, create the document, and submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 25,714 hours.

Estimated Total Annual Respondent Hourly Cost Burden: \$11,494,158.

TABLE 1—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 ¹ (\$/hour)	Estimated annual respondent cost burden
		(a)	(b)	(a) × (b) = (c)	(d)	(c) × (d) = (e)	(f)	(e) × (f) = (g)
1	Request for Supplemental Examination PTO/SB/59.	30	1	30	25	750	\$447	\$335,250
2	Request for <i>Ex Parte</i> Reexamination PTO/SB/57.	332	1	332	55	18,260	447	8,162,220
3	Petition in a Reexamination Proceeding (except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d)).	117	1	117	23	2,691	447	1,202,877
4	Patent Owner's 37 CFR 1.530 Statement.	25	1	25	8	200	447	89,400
5	Third Party Requester's 37 CFR 1.535 Reply.	15	1	15	8	120	447	53,640
6	Amendment in <i>Ex Parte</i> or <i>Inter Partes</i> Reexamination.	15	1	15	33	495	447	221,265
7	Third Party Requester's 37 CFR 1.947 Comments in <i>Inter Partes</i> Reexamination.	1	1	1	41	41	447	18,327
8	Response to Final Rejection in <i>Ex Parte</i> Reexamination.	148	1	148	17	2,516	447	1,124,652
9	Patent Owner's 37 CFR 1.951 Comments in <i>Inter Partes</i> Reexamination.	1	1	1	41	41	447	18,327
10	Third Party Requester's 37 CFR 1.951 Response in <i>Inter Partes</i> Reexamination.	1	1	1	41	41	447	18,327
11	Petition to Request Extension of Time in <i>Ex Parte</i> or <i>Inter Partes</i> Reexamination.	157	1	157	0.5	79	447	35,313

TABLE 1—TOTAL BURDEN HOURS AND HOURLY COSTS TO PRIVATE SECTOR RESPONDENTS—Continued

Item No.	Item	Estimated annual respondents (a)	Responses per respondent (b)	Estimated annual responses (a) × (b) = (c)	Estimated time for response (hours) (d)	Estimated burden (hour/year) (c) × (d) = (e)	Rate ¹ (\$/hour) (f)	Estimated annual respondent cost burden (e) × (f) = (g)
12	37 CFR 1.501 Information Disclosure Citation in a Patent PTO/SB/42.	32	1.5	48	10	480	447	214,560
Totals ..	.....	874	.....	890	.....	25,714	.....	11,494,158

¹ 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>).

Estimated Total Annual Respondent Non-hourly Cost Burden: \$3,680,879. There are no capital start-up, maintenance costs, or recordkeeping costs associated with this information

collection. However, the USPTO estimates that the total annual non-hour cost burden for this information collection, in the form of filing fees and postage, is \$3,680,879.

Filing Fees

There are filing fees associated with this information collection, which are listed in the table below.

TABLE 2—FILING FEES

Item No.	Fee code(s)	Item	Estimated annual responses (a)	Filing fee (\$) (b)	Total non-hour cost burden (yr) (\$) (a) × (b) = (c)
1	1826	Request for supplemental examination (undiscounted entity)	17	\$4,620	\$78,540
1	2826	Request for supplemental examination (small entity)	12	1,848	22,176
1	3826	Request for supplemental examination (micro entity)	1	924	924
1	1827	Reexamination ordered as a result of supplemental examination (undiscounted entity).	10	12,700	127,000
1	2827	Reexamination ordered as a result of supplemental examination (small entity).	1	5,080	5,080
1	3827	Reexamination ordered as a result of supplemental examination (micro entity).	1	2,540	2,540
1	1828	Supplemental examination document size fee—for nonpatent document having between 21 and 50 sheets (undiscounted entity).	19	180	3,420
1	2828	Supplemental examination document size fee—for nonpatent document having between 21 and 50 sheets (small entity).	12	72	864
1	3828	Supplemental examination document size fee—for nonpatent document having between 21 and 50 sheets (micro entity).	1	36	36
1	1829	Supplemental examination document size fee—for each additional 50 sheets or a fraction thereof in a nonpatent document (undiscounted entity).	1	300	300
1	2829	Supplemental examination document size fee—for each additional 50 sheets or a fraction thereof in a nonpatent document (small entity).	3	120	360
1	3829	Supplemental examination document size fee—for each additional 50 sheets or a fraction thereof in a nonpatent document (micro entity).	1	60	60
2	1821	Each reexamination independent claim in excess of three and also in excess of the number of such claims in the patent under reexamination (undiscounted entity).	112	480	53,760
2	2821	Each reexamination independent claim in excess of three and also in excess of the number of such claims in the patent under reexamination (small entity).	49	192	9,408
2	3821	Each reexamination independent claim in excess of three and also in excess of the number of such claims in the patent under reexamination (micro entity).	1	96	96
2	1822	Each reexamination claim in excess of 20 and also in excess of the number of claims in the patent under reexamination (undiscounted entity).	1,626	100	162,600
2	2822	Each reexamination claim in excess of 20 and also in excess of the number of claims in the patent under reexamination (small entity).	298	40	11,920
2	3822	Each reexamination claim in excess of 20 and also in excess of the number of claims in the patent under reexamination (micro entity).	1	20	20
2	1831	<i>Ex parte</i> reexamination (§ 1.510(a)) streamlined (undiscounted entity)	23	6,300	144,900
2	2831	<i>Ex parte</i> reexamination (§ 1.510(a)) streamlined (small entity)	67	2,520	168,840
2	3831	<i>Ex parte</i> reexamination (§ 1.510(a)) streamlined (micro entity)	2	1,260	2,520
2	1812	<i>Ex parte</i> reexamination (§ 1.510(a)) non-streamlined (undiscounted entity)	195	12,600	2,457,000
2	2812	<i>Ex parte</i> reexamination (§ 1.510(a)) non-streamlined (small entity)	45	5,040	226,800
2	3812	<i>Ex parte</i> reexamination (§ 1.510(a)) non-streamlined (micro entity)	1	2,520	2,520

TABLE 2—FILING FEES—Continued

Item No.	Fee code(s)	Item	Estimated annual responses (a)	Filing fee (\$) (b)	Total non-hour cost burden (yr) (\$) (a) × (b) = (c)
3	1824	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d) (undiscounted entity).	87	2,040	177,480
3	2824	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d) (small entity).	25	816	20,400
3	3824	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d) (micro entity).	3	408	1,224
Totals	.....	.....	2,614	.....	3,680,788

Postage Costs

Although the USPTO prefers that the items in this information collection be submitted electronically, responses may be submitted by mail through the United States Postal Service (USPS). The USPTO estimates that 1% of the 890 items will be submitted in the mail resulting in 9 mailed items. 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 at \$91.

IV. Request for Comments

The USPTO is soliciting public comments to:

- (a) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (b) Evaluate the accuracy of the Agency’s estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (c) Enhance the quality, utility, and clarity of the information to be collected; and
- (d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

All comments submitted in response to this notice are a matter of public record. The USPTO will include or summarize each comment in the request to OMB to approve this information collection. Before including an address, phone number, email address, or other personally identifiable information (PII) in a comment, be aware that the entire comment—including PII—may be made

publicly available at any time. While you may ask in your comment to withhold PII from public view, the USPTO cannot guarantee that it will be able to do so.

Justin Isaac,
Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.
 [FR Doc. 2024–14917 Filed 7–5–24; 8:45 am]
BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Trademark Submissions Regarding Correspondence and Regarding Attorney Representation

The United States Patent and Trademark Office (USPTO) will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The USPTO invites comments on this information collection renewal, which helps the USPTO assess the impact of its information collection requirements and minimize the public’s reporting burden. Public comments were previously requested via the **Federal Register** on April 17, 2024 during a 60-day comment period (89 FR 27420). This notice allows for an additional 30 days for public comment.

Agency: United States Patent and Trademark Office, Department of Commerce.

Title: Trademark Submissions Regarding Correspondence and Regarding Attorney Representation.

OMB Control Number: 0651–0056.

Needs and Uses: The United States Patent and Trademark Office (USPTO) administers the Trademark Act (Act), 15 U.S.C. 1051 *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.

Such individuals and businesses may also submit various communications to the USPTO regarding their pending applications or registered trademarks, including providing additional information needed to process a pending application, filing amendments to the application, or filing the papers necessary to keep a trademark in force.

In the majority of circumstances, individuals and businesses retain attorneys to handle these matters. As such, these parties may also submit communications to the USPTO regarding the appointment of attorneys to represent applicants or registrants in the application or post-registration processes or, in the case of applicants or registrants who are not domiciled in the United States, the appointment of domestic representatives on whom may be served notices of process in proceedings affecting the mark, the revocation of an attorney’s or domestic representative’s appointment, and requests for permission to withdraw from representation.

The regulations implementing the Act are set forth in 37 CFR part 2. Regulations regarding representation of others before the USPTO are also set forth in 37 CFR part 11. In addition to governing the registration of trademarks, the Act and regulations govern the appointment and revocation of attorneys and domestic representatives and provide the specifics for filing requests for permission to withdraw as the attorney of record. The information in