

JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE
Recording Assignments
OMB Control Number 0651-0027

Background

The United States Patent and Trademark Office (USPTO) administers the Leahy-Smith America Invents Act (AIA), Section 10, which sets or adjusts patent fees established authorized, or charged under Title 35, United States Code (U.S.C.). Section 10 prescribes that fees may be set or adjusted only to recover the aggregate estimated costs to the Office for processing, activities, services, and materials related to patent. Section 10 authorities also includes flexibility to set individual fees in a way that furthers key policies factors, while taking into account the cost of the respective services.

The request is to update a fee (Recording Each Patent Assignment, Agreement or Other Paper, per Property if not Submitted Electronically) attached to this collection that that is being updated as a result of the rulemaking action NPRM 0651-AD02.

Table 1: Total Fee and Respondent Increases

| IC # | Item | Responses | Fee | Non-hour Burden (\$) |
|------|--|-----------|------|----------------------|
| 1 | Recording Each Patent Assignment, Agreement or Other Paper, per Property if not Submitted Electronically | 9,649 | \$50 | \$482,450 |

Table 2: Increases in Fee Amounts

| IC # | Item | Current Fee | Proposed Fee | Fee Increase |
|------|--|-------------|--------------|--------------|
| 1 | Recording Each Patent Assignment, Agreement or Other Paper, per Property if not Submitted Electronically | \$40 | \$50 | \$10 |

Table 3: Increases in Non-Hourly Costs (Fees)

| IC # | Item | Current Total Cost (\$) | Proposed Total Cost (\$) | Total Cost Increase |
|------|--|-------------------------|--------------------------|---------------------|
| 1 | Recording Each Patent Assignment, Agreement or Other Paper, per Property if not Submitted Electronically | \$0 | \$482,450 | \$482,450 |

Summary of Changes

The revision of one fee and the increase of \$482,450 in non-hourly costs to collection 0651-0027 account for the changes following the rulemaking action NPRM 0651-AD02.

Changes in Burden

| Burden Type | Currently Approved | Proposed Change | New Estimate |
|--------------|--------------------|-----------------|--------------|
| Responses | 524,298 | 0 | 524,298 |
| Burden Hours | 262,150 | 0 | 262,150 |

| | | | |
|-----------------|----------------|-----------|----------------|
| Non-hourly Cost | \$2,958,886.12 | \$482,450 | \$3,441,336.12 |
|-----------------|----------------|-----------|----------------|

The 0651-0027 revised numbers are as follows:

- 524,298 respondents
- 262,150 burden hours
- \$3,441,336.12 in annual (non-hour) costs