SUPPORTING STATEMENT
United States Patent and Trademark Office
Deposit of Biological Materials
OMB CONTROL NUMBER 0651-0022
2026

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.

This information collection covers information from patent applicants who seek to deposit biological materials according to 37 CFR §§ 1.801-1.809. The information collected from such patent applicants consists of information and documentation demonstrating the applicant's compliance with regulatory requirements, as well as information regarding the biological sample after it is deposited. This information collection also covers applications from institutions that wish to be recognized by the United States Patent and Trademark Office (USPTO) as a suitable depository to receive deposits for patent application purposes. The information collection requirements for these actions are separate, as further discussed below.

A. Deposit of Biological Materials

The deposit of biological materials as part of a patent application is authorized by 35 U.S.C. 2(b)(2). The term ''biological material'' is defined in 37 CFR § 1.801 as including material that is capable of self-replication, either directly or indirectly. When an invention involves a biological material, words and figures may not sufficiently describe how to make and use the invention in a reproducible manner as required by 35 U.S.C. 112. In such cases, the inventive biological material must be known and readily available to the public or can be made or isolated without undue experimentation (see 37 CFR § 1.802). In order to satisfy the "known and readily available" requirement, the biological material may be deposited in a suitable depository that has been recognized as an International Depositary Authority (IDA) established under the Budapest Treaty per 37 CFR § 1.803(a)(1), or any other depository recognized to be suitable by the USPTO per 37 CFR § 1.803(a)(2). Under the authority of 35 U.S.C. 2(b)(2), the deposit rules (37 CFR §§ 1.801–1.809) set forth examining procedures and conditions of deposit which must be satisfied in the event a deposit is required.

In cases where a deposit of biological material that is capable of self-replication either directly or indirectly is made, and the deposit is not made under the Budapest Treaty, the USPTO collects information from the patent applicant to determine whether the deposit

meets the viability requirements of 37 CFR § 1.807. This information includes a viability statement under 37 CFR § 1.807, such statement identifying:

(1) The name and address of the depository where the deposit was made;
(2) The name and address of the depositor;
(3) The date of the deposit;
(4) The identity of the deposit and the accession number given by the depository;
(5) The date of the viability test;
(6) The procedures used to obtain a sample if the test was not done by the depository; and
(7) A statement that the deposit is capable of reproduction.

A viability statement is not required when a deposit is made and accepted under the Budapest Treaty.

This information collection also covers additional information that may be gathered by the USPTO after a biological material is deposited into the recognized depository. For example, depositors may be required to submit verification statements for biological materials deposited after the effective filing date of a patent application, or written notification that an acceptable deposit will be made. Occasionally a deposit may be lost, contaminated, or is not able to self-replicate, and a replacement or supplemental deposit needs to be made. This information collection includes a required written notification that the depositor must submit to the USPTO disclosing the particulars of such situation and requesting a certificate of correction by the USPTO authorizing a replacement or supplemental deposit.

There are no forms associated with the information collected by the USPTO in connection with the deposit of biological materials.

B. Request for Depository Approval

Institutions that wish to be recognized by the USPTO as a suitable depository to receive deposits for patent purposes are required by 37 CFR § 1.803(b) to make a request demonstrating that they are qualified to store and test the biological materials submitted to them under patent applications (see also MPEP 2405). This information collection covers the information that a depository must submit to the USPTO when seeking recognition by the USPTO as a suitable depository under 37 CFR § 1.803(a)(2). This information enables the USPTO to evaluate whether such a depository has internal practices (both technical and administrative) and the technical ability sufficient to protect the integrity of the biological materials being stored by U.S. patent applicants. This information includes:

(1) The name and address of the depository seeking recognition under 37 CFR § 1.803(a)(2);

(2) Detailed information as to the capacity of the depository to comply with the requirements of 37 CFR § 1.803(a)(2), including information on its legal status, scientific standing, staff, and facilities;
(3) An indication that the depository intends to be available, for the purposes of deposit, to any depositor under these same conditions;
(4) Where the depository intends to accept for deposit only certain kinds of biological material, specify such kinds; and
(5) An indication of the amount of any fees that the depository will, upon acquiring the status of suitable depository under paragraph (a) (2) of this section, charge for storage, viability statements and furnishings of samples of the deposit.

This collection also includes additional information gathered by the USPTO that may be needed after a depository has been recognized by the USPTO under 37 CFR § 1.803(a)(2), such as requests to handle additional types of biological materials other than the material originally recognized, and viability statements that depositories may submit on behalf of depositors for deposits tested at the depository and/or documentation proving the public has been notified about where to obtain samples.

There are no forms associated with requests under 37 CFR § 1.803(b) to become a recognized depository.

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

Table 1: Information Requirements

Item No.	Requirement	Statute	Regulation
1	Deposit of Biological Materials	35 U.S.C. 2(b)(2), 35 U.S.C. 112	37 CFR §§ 1.801-1.809, 37 CFR § 1.14
2	Request for Depository Approval	35 U.S.C. 2(b)(2)	37 CFR § 1.803

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 the deposits of biological materials to determine whether the applicant has met the specification requirements under 35 U.S.C. 112 for inventions pertaining to biological materials which cannot be sufficiently described in words and figures. The USPTO also uses the responses in this information collection to determine the suitability of a respondent depository to be recognized under 37 CFR 1.803(a)(2) as suitable for receiving biological deposits from patent applicants, such determination being based upon administrative and technical competence and the depository's agreement to comply with the requirements set forth by the USPTO.

Currently, there are three depositories in the U.S.: the American Type Culture Collection

(ATCC); the Agricultural Research Service Culture Collection (NRRL); and the National Center for Marine Algae and Microbiota (NCMA). No requests for depository approval under 37 CFR 1.803 have been received. For the purpose of this submission, the USPTO estimates that one depository might seek recognition annually.

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	Deposit of Biological Materials	No Form Associated for domestic depositories; Forms BP/1, BP/2, BP/3, BP/9 for use of international depositories under the Budapest Treaty	• Used by an applicant to establish enablement and description of claimed biological material. • Used by an applicant to establish possession of the invention for priority purposes. • Used by an applicant to meet the viability statement requirement of 37 CFR § 1.807(b). • Used by an applicant to maintain enforceability of a patent. • Used by an applicant to provide replacement or supplemental deposits. • Used by the USPTO to determine whether the requirement of 35 U.S.C. 112 have been met. • Used by the USPTO to determine whether the depositor is in compliance with deposit regulations and guidance.
2	Request for Depository Approval	No Form Associated	• Used by the respondent depositories to determine the criteria required to be recognized by the USPTO as a suitable depository for biological deposits in patent applications. • Used by recognized depositories to justify their recognition and to ensure that they remain in compliance administratively and technically, that they hire qualified staff, and that their facilities are suitably equipped for the storage and testing of deposits of biological material. • Used by the USPTO to determine suitability of a respondent depository seeking recognition per 37 CFR § 1.803(b) based upon administrative and technical competence and the depository's agreement to comply with the requirements set forth by the USPTO.

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 accepts viability statements made for item 1 under 37 CFR § 1.807 via Patent Center. The deposit of the physical specimen itself cannot be done electronically.

Applicants may download forms for Budapest Treaty submissions online at https://www.wipo.int/budapest/en/guide/appendix_3/index.html.

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 collection requires a limited amount of identifying information (such as the applicant's name, address, and phone number) that is duplicative of information the USPTO collects elsewhere, such as the initial patent applications covered under 0651-0032. However, the duplication of identification information is the most efficient way of accurately associating the biological deposit information of this collection with the appropriate application case file.

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

This collection does not impose a significant economic impact on small businesses or other small entities. The same information is required from every applicant and is not available from any other source. USPTO estimates that 3% of the respondents in this information collection are small entities.

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 is collected only when the respondent submits a patent application disclosing biological materials that cannot be adequately described in words and figures, or when a depository seeks recognition under 37 CFR § 1.803(b) as a suitable depository for patent application biological deposits. This collection could not be conducted less frequently. If this information was not collected, the USPTO could not comply with the requirements of 35 U.S.C. 2(b)(2) and 112 and 37 CFR §§ 1.801-1.809.

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 November 19, 2025 (90 FR 52038).[1] The comment period ended on January 20, 2026. The USPTO received two public comments in response to the notice, but they are out of scope for the requested information in this information collection.

The USPTO published a 30-day notice in the *Federal Register* on March 9, 2026 (91 FR 11292).[2] The comment period will close on April 8, 2026.

9. **Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

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[1] https://www.govinfo.gov/content/pkg/FR-2025-11-19/pdf/2025-20244.pdf.
[2] https://www.govinfo.gov/content/pkg/FR-2026-03-09/pdf/2026-04519.pdf.

This information collection does not involve a payment or gift to any respondent.

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.

Confidentiality of patent applications is governed by statute (35 U.S.C. 122) and regulation (37 CFR §§ 1.11 and 1.14). Upon publication of an application or issuance of a patent, the entire patent application file is made available to the public (subject to provisions for providing only a redacted copy of the file contents). Therefore, the deposit of biological material information collected by this information collection may be made available to the public when it is filed in a published application or issued patent, or when an unpublished and unpatented application in which the deopist of biological material information is filed is later published or issued as a patent.

The request for depository approval information covered under this information collection does not fall within the purview of 35 U.S.C. 122 or 37 CFR §§ 1.11 and 1.14, because the information is not associated with a particular patent application or patent.

This information collection contains information which is subject to the Privacy Act. The following SORN provides privacy disclosures and information about USPTO's handling of personally identifiable information (PII) that is part of this information collection.

SORN COMMERCE/PAT-TM-7, Patent Application Files, published on March 29,2013 (78 FR 19243) provides information about the USPTO's handling of personally identifiable information that is collected regarding patent applications.[3] Deposit of biological materials information (Item 1) collected by this information collection may be filed in patent applications.

Information in this system of records is protected from disclosure to third parties in accordance with the Privacy Act. However, routine uses of this information may include publication under 35 U.S.C. 122(b) as noted above, and disclosure to the following: to law enforcement in the event that the system of records indicates a violation or potential violation of law; to a Federal, state, local, or international agency, in response to its request; to an agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law; to non-federal personnel under contract to the agency; to a court for adjudication and litigation; to the Department of Justice for Freedom of Information Act (FOIA) assistance; to a Member of Congress working on behalf of an individual to whom the record pertains, when the individual has requested the Member's assistance with respect to the subject matter of the record; to the Office of Personnel Management (OPM) for personnel research purposes; to National Archives and Records

[3] https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf.

Administration for inspection of records; and to the Office of Management and Budget (OMB) for legislative coordination and clearance. Failure to provide any part of the requested information may result in an inability to process requests related to patent applications or issued patents.

Categories of individuals covered by the system include applicants for patent, including inventors, legal representatives for deceased or incapacitated inventors, and other persons authorized by law to make applications for patent.

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 collection is considered to be sensitive.

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 1,501 responses per year from 1,501 respondents for this information collection, with approximately 3% of these responses submitted by small entities. For the purposes of this information collection, the USPTO estimates that one depository might seek recognition annually.

- **Burden Hour Calculation Factors**
  The USPTO estimates that it takes the public approximately 1 hour to 5 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, the USPTO estimates that the total respondent hourly burden for this information collection is 1,505 hours per year.

- **Cost Burden Calculation Factors**
  The USPTO uses a professional rate of $122.85 per hour for those completing a Request for Depository Approval or submitting deposit information. This rate is the mean rate for attorneys in scientific research and development services as shown in the Bureau of Labor Statistics (BLS rate; 23-1011 – Lawyers).[4]

  Using these hourly rates, the USPTO estimates that the total respondent cost burden for this information collection is $184,889 per year.

  In the 60-day *Federal Register* notice published for this information collection, the USPTO used an hourly rate of $447 for both item lines, resulting in a total of $672,735 for the estimated annual respondent cost burden. After the publication of both 60-day and 30-day *Federal Register* notices for this renewal, the USPTO determined that $447 was the incorrect hourly rate for this information collection. As such, the USPTO has updated the hourly rate and the corresponding estimated annual respondent cost burden to what is listed in Table 3 below.

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 ($/hour) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)
1	Deposit of Biological Materials	1,500	1	1,500	1	1,500	$122.85	$184,275
2	Request for Depository Approval	1	1	1	5	5	$122.85	$614
	Totals	**1,501**	**- - -**	**1,501**	**- - -**	**1,505**	**- - -**	**$184,889**

[4] NAICS 541700 – Scientific Research and Development Services, May 2023 National Industry-Specific Occupational Employment and Wages Estimates (https://www.bls.gov/oes/2023/may/naics4_541700.htm).

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 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 capital start-up costs and associated postage costs for mailing items to USPTO.

The total non-hour respondent cost burden for this collection is estimated to be $4,306,512 per year, which includes $3,750,00 in capital start-up costs and $556,512 in postage.

Capital Start-Up Costs

Depositories charge fees to depositors, and all depositories charge about the same rates for their services. For example, the ATCC, one of the world's leading biological supply houses and recognized patent depositories, offers comprehensive patent services for $2,500 per deposit.[5] Any deposit made from outside the US may have additional requirements from other federal agencies as part of their importation process. For the purposes of this information collection, the USPTO estimates that the depository fee is $2,500 per deposit.

Table 4: Capital Start Up Costs

Item No.	Item	Estimated Annual Responses (a)	Filing Fee ($) (b)	Non-hourly Cost Burden (a) x (b) = (c)
1	Deposit of Biological Materials Depository Fee	1,500	$2,500	$3,750,000
	Totals	**1,500**	**- - -**	**$3,750,000**

[5] The ATCC Patent Depository service fee is $2,500 per deposit, which is incurred at the time of receipt of a portion or all of the materials (https://www.atcc.org/services/depositing-with-atcc/patent-deposit).

Postage Costs

Biological deposits are generally shipped to the depository "Domestic Overnight" by Federal Express (FedEx). Since depositors are urged to supply frozen or freeze-dried materials, it must be packed in dry ice. Dry ice itself is considered dangerous goods and requires special packaging. An additional FedEx special handling charge for inaccessible dangerous goods shipments is $73 per shipment,[6] which applies to temperature-sensitive biological materials and the dry ice.

An average cost for shipping by FedEx "Domestic Overnight" can vary depending on the size of the package, the delivery time, and the delivery distance. For the purposes of this information collection, the USPTO estimates that the FedEx Domestic Overnight charge for a biological deposit is $120 per shipment.

If the shipment requires a pick-up by FedEx, there is an additional charge of $7.50.[7] Special packaging is also required for these shipments.

The average cost of frozen infectious shipments is estimated to be $170 per package of four for specimen shipments requiring refrigeration or dry ice.

Therefore, the USPTO estimates that the average postage cost is $371 per shipment. The USPTO estimates that respondents to this information collection will ship 1,500 biological deposits, for a total of $556,500.

The USPTO estimate that it will receive one depository request for recognition. The USPTO estimates that the postage cost that the postage cost for this type of mailed submission, using a Priority Mail flat-rate envelope, will be $12.25.

Combining these rates, the USPTO therefore estimates that the total mailing costs for this information collection is $556,512.

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 a GS-11 to verify the biological materials that have been deposited in compliance with the patent statutes and regulations and a GS-15 to recognize an applicant as a suitable depository.

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[6] FedEx, How to Ship Dangerous Goods (https://www.fedex.com/en-us/service-guide/dangerous-goods/how-to-ship.html).

[7] FedEx, U.S. Parcel Pickup Options (https://www.fedex.com/content/dam/fedex-com/hdn/FedEx-US-Pickup-Options-with-rates-2025.pdf).

The USPTO estimates that the cost of a GS-11, step 1 employee is $55.78 per hour (GS hourly rate of $40.94 with 36.25% ($14.84) added for benefits and overhead).

The USPTO estimates that the cost of a GS-15, step 5 employee is $125.25 per hour (GS hourly rate of $91.93 with 36.25% ($33.32) added for benefits and overhead).

The USPTO estimates that it takes an employee approximately 0.25 hours (15 minutes) to 10 hours to process the information in this 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[8] ($/hr) (d)	Total Federal Government Cost (c) x (d) = (e)
1	Deposit of Biological Materials	1,500	0.25 (15 minutes)	375	$55.78	$20,918
2	Request for Depository Materials	1	10	10	$125.25	$1,253
	Totals	**1,501**	**- - -**	**385**	**- - -**	**$22,171**

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	1,501	0	0	-1,800	0	3,301
Annual Time Burden (Hr)	1,505	0	0	-1,800	0	3,305
Annual Cost Burden ($)	4,306,512	0	0	-4,953,297	0	9,259,809

Changes Since the Publication of the 60-Day and 30-Day Notices

Since the publication of the 60-Day and 30-Day Notices in the *Federal Register*, the USPTO has updated the estimated annual hourly cost burden and the estimated annual non-hour cost burden. The USPTO corrects the respondent wage rate to read $122.25

[8] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2026/DCB_h.pdf.

instead of $447. This results in a decrease of $487,846 in hourly burden costs, for a new estimated total annual hourly cost burden of 184,889. Additionally, the USPTO has updated its postage rates to reflect more accurate estimates. This results in an increase of $1 in non-hourly burden costs, for a new estimated total annual non-hour cost burden of $4,306,512.

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

The total number of responses has decreased by 1,800 due to estimated fluctuations in the number of respondents/submissions in this information collection. This decrease in the number of respondents and responses results in a decrease of 1,800 hours in the annual time burden estimates.

Change 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 decrease by $4,953,297 from the previous approval. This decrease is due to estimated fluctuations in the number of respondents paying fees and postage.

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. Additionally, notice of recognized, defaulted, or discontinued depositories is required to be published in the *Official Gazette of the United States Patent and Trademark Office.*[9]

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.

There are no forms in this information collection on which to 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.

[9] https://www.uspto.gov/learning-and-resources/official-gazette.