

SUPPORTING STATEMENT
United States Patent and Trademark Office
Law School Clinic Certification Program
OMB CONTROL NUMBER 0651-0081
2026

A. JUSTIFICATION

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the information collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

Public Law 113–227 (Dec. 16, 2014) requires the United States Patent and Trademark Office (USPTO) to establish regulations and procedures for application to, and participation in, the USPTO Law School Clinic Certification Program (LSCCP).¹ The Program allows students enrolled in a participating law school’s clinic to practice patent or trademark law before the USPTO under the direct supervision of a faculty clinic supervisor. Each clinic provides legal services on a *pro bono* basis for clients who qualify for assistance from the law school’s clinic. By drafting, filing, and prosecuting patent and trademark applications, students gain valuable experience that would otherwise be unavailable to them while in law school. The program also facilitates the provision of legal services to trademark and patent applicants who lack the financial resources to obtain traditional legal representation. Currently, 75 law schools participate in the program.

This information collection covers the applications from law schools that wish to enter the program, faculty members who seek to become faculty clinic supervisors, and students who seek to participate in this program. The information collection also includes the required semiannual reports from participating law school clinics and biennial renewals required by the program.

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
1-5	Submissions Under 37 CFR §§ 11.16, 11.17	Public Law 113-227	37 CFR §§ 11.16, 11.17

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new information collection, indicate the actual use the agency has made of the information received from the current information collection.**

¹ <https://www.govinfo.gov/content/pkg/PLAW-113publ227/pdf/PLAW-113publ227.pdf>.

Information collected from applications submitted by law schools for admission into the program is used to evaluate those law schools and determine whether they are qualified to be admitted as participating law schools into the Law School Clinic Certification Program. These qualifications are reevaluated through the law schools' provision of reports as well as their completion of the required biennial renewal application process.

The USPTO uses student-applicant information to determine whether a student-applicant may be admitted to, or an existing student-practitioner may remain in, the Law School Clinic Certification Program.

The USPTO uses faculty-applicant information to determine whether faculty may become or remain faculty clinic supervisors.

The information collected, maintained, and used in this information 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 the manner in which 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	Application by Law School to Enter the Program	PTO-160LS	<ul style="list-style-type: none"> Used by law school clinics to request admission to the program. Used by USPTO to evaluate credentials of candidate clinics.
2	Semiannual Report Required of Law School Clinics	PTO-159LS	<ul style="list-style-type: none"> Used by clinics to inform USPTO of their activity within the program. Informs USPTO of numbers of students, faculty, consultations, client representations, applications and responses, and patents issued, and trademarks registered in the preceding reporting period, <i>i.e.</i>, preceding six months.
3	Biennial Renewal Application by Law School	PTO-162LS	<ul style="list-style-type: none"> Used by clinics to request continued participation in the Program. Used by the USPTO to evaluate clinics' suitability for continued participation in the program.
4	Application by Law School Faculty Member to Become a Faculty Clinic Supervisor	PTO-161LS	<ul style="list-style-type: none"> Used by clinic to request approval for faculty members to participate as clinic supervisors in the program. Used by USPTO to evaluate proposed Faculty Clinic Supervisors.
5	Application for Limited Recognition for Law Students	PTO-158LS	<ul style="list-style-type: none"> Used by students of participating clinics to request limited recognition to practice before the USPTO under the program. Used by USPTO to evaluate credentials of law student applications for limited recognition.

- 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 information collection. Also describe any consideration of using information technology to reduce burden.**

Forms may be submitted by mail, e-mail, or hand delivery. For this information collection, fillable forms are available for all items. Respondents can enter information directly into the form, then print, sign, and submit it in accordance with the instructions on the form.

The Office of Enrollment and Discipline Information System (OEDIS) currently does not accept law school forms electronically. When necessary, information (mostly received by e-mail) is typed and scanned into OEDIS. Once a student receives a limited recognition number and is in active status, some of the student's information is displayed to the public.

- 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.**

The information collected is required to process and record applications to the Law School Clinic Certification Program as well as to operate the program. This information is not collected elsewhere and does not result in 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 information collected, from both individuals and the law schools, is the minimum needed to execute the information collection. This collection of information does not impose a significant economic impact or unnecessary burden on small entities or small businesses. The same information is required of every applicant and is not available from any other source. Participation in the program is voluntary.

- 6. Describe the consequence to Federal program or policy activities if the information collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

This information is collected at the time a law school clinic, law school faculty member, or a law school student submits an application for admission to the program and periodically throughout a law school's participation in the program. This information collection could not be conducted less frequently. If the collection of information were not conducted, the USPTO could not effectively comply with the requirements of Public Law 113-227.

- 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 publications 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 December 22, 2025 (90 FR 59798).² The comment period ended on February 20, 2026. No public comments were

² <https://www.govinfo.gov/content/pkg/FR-2025-12-22/pdf/2025-23624.pdf>.

received during this comment period.

The USPTO published a 30-day notice in the Federal Register on April 7, 2026 (91 FRN 17635). The comment period will close on May 7, 2026.³

The USPTO has long-standing relationships with many of the law schools from whom this information is collected. The USPTO also has long-standing relationships with groups from whom patent application data is collected, such as Patent Public Advisory Committee, the Trademark Public Advisory Committee, and the American Intellectual Property Law Association (AIPLA), as well as patent bar associations, independent inventor groups, and users of our public facilities. Views expressed by these groups are considered in developing proposals for information collection requirements and during the renewal of any information collection.

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 respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the information collection requires a system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

This information collection contains information that is subject to the Privacy Act.

The Law School Clinic Certification Program records subject to the Privacy Act are covered by SORN COMMERCE/PAT-TM-1, Attorneys and Agents Registered or Recognized to Practice Before the Office, published on March 19, 2013 (78 FR 16839).⁴

This system covers records regarding attorneys and agents registered, recognized, or authorized to practice before the United States Patent and Trademark Office (USPTO) in patent matters, attorneys engaged in practice before the USPTO in trademark and other non-patent matters, attorneys appearing before the USPTO, and excluded or suspended attorneys and agents. Categories of records in the system comprise the following:

The information is protected from disclosure to third parties in accordance with the Privacy Act. However, routine uses of this information may include disclosure to the following: to law enforcement and investigation 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

³ <https://www.govinfo.gov/content/pkg/FR-2026-04-07/pdf/2026-06727.pdf>

⁴ <https://www.govinfo.gov/content/pkg/FR-2013-03-19/pdf/2013-06254.pdf>.

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 members of Congress working on behalf of an individual; to the Office of Personnel Management (OPM) for personnel research purposes; to National Archives and Records 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 submissions.

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.

35 U.S.C. 2(b)(2)(D) authorizes the USPTO to require that attorneys, agents, and others practicing before the Office possess good moral character, reputation, and necessary qualifications. The information sought by this information collection is used, in part, to determine the suitability of the student applicant to practice before the USPTO and of the faculty applicant to supervise student participants in a law school clinic. The applicant certifies by his or her signature that all of the information provided in the application is true and correct. The applicant is additionally warned that any willfully false statement or certification is considered to be a criminal offense and is punishable by law under 18 U.S.C. 1001.

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 1,025 total responses per year from 951 respondents. USPTO expects respondents from both individuals and private sector entities (*i.e.*, law schools), depending upon the item being submitted.

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

- **Burden Hour Calculation Factors**

The USPTO estimates that it will take respondents between 30 minutes (0.50 hours) and 40 hours to prepare and submit the required information. Using these burden factors, USPTO estimates that the total respondent hourly burden for this information collection is 1,330 hours per year.

- **Cost Burden Calculation Factors**

The USPTO expects that university faculty members will complete most of the items in this information collection at an estimated rate of \$67.28 per hour. The faculty rate is found in the Occupational Employment and Wage Statistics (25-1112 Law Teachers, Postsecondary).⁵ Faculty members serving as Clinic Supervisors must be practicing attorneys (and registered with the Patent Bar for those schools handling patent matters before the USPTO on behalf of applicants).

The cost for law students applying to participate in the program (Item 5) is estimated to be at the 50% hourly rate for legal occupations (BLS 23-0000 Legal Occupations) which is \$33.10 per hour.⁶ This accounts for law students' possible employment in various entry level legal positions.

Using these hourly rates, the USPTO estimates that the total respondent cost burden for this information collection is \$75,298 per year.

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

⁵ The USPTO expects that university faculty members will complete these items in this information collection at an estimated rate of \$67.28 per hour. The faculty rate is found in the May 2024 Occupational Employment and Wage Statistics tables (25-1112 Law Teachers, Postsecondary). While no exact number is listed as a mean hourly wage, USPTO reached the estimated rate by taking the mean annual wage (\$139,950) and dividing it by 2,080, which is the number of annual work hours based on a 40-hour work week; <https://data.bls.gov/oesprofile/>.

⁶ [Ibid](#) link above.

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 (\$/hr) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)
1	Application by Law School to Enter the Program	5	1	5	30	150	\$67.28	\$10,092
2	Semiannual Report Required of Law School Clinics	74	2	148	5	740	\$67.28	\$49,787
3	Biennial Renewal Application by Law School	35	1	35	0.5 (30 minutes)	18	\$67.28	\$1,211
	Totals	114	---	188	---	908	---	\$61,090

Table 4: Total Burden Hours and Hourly Costs to Individual and Household 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 (\$/hr) (f)	Estimated Annual Respondent Cost Burden (e) x (f) = (g)
4	Application by Law School Faculty Member to Become a Faculty Clinic Supervisor	7	1	7	1	7	\$67.28	\$471
5	Application for Limited Recognition for Law Students	830	1	830	0.50 (30 minutes)	415	\$33.10	\$13,737
	Total	837	---	837	---	422	---	\$14,208

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.

There are no capital start-up, maintenance, or record keeping costs associated with this information collection. There are, however, non-hour costs due to postage costs. The total non-hour respondent cost burden for this information collection is estimated to be \$61 per year.

Postage Costs

The USPTO expects that 5 submissions will be submitted by mail. The USPTO estimates that the average postage cost for a mailed submission. Using a Priority Mail flat rate envelope, will be \$12.25. Therefore, the USPTO estimates that the total postage costs for the mailed submissions in this information collection will total \$61. In the 60-day notice, the USPTO used a postage rate of \$12.10. The increase in cost of the Priority Mail flat rate envelope will not change the overall estimated postage costs for this information collection.

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, a GS-14, and a GS-15 to process submission for this information collection.

The USPTO estimates that the cost of a GS-11, step 10 employee is \$72.53 per hour (GS hourly rate of \$53.23 with 36.25% (\$19.30) added for benefits and overhead).

The USPTO estimates that the cost of a GS-14, step 3 employee is \$100.21 per hour (GS hourly rate of \$73.55 with 36.25% (\$26.66) added for benefits and overhead).

The USPTO estimates that the cost of a GS-15, step 10 employee is \$128.74 per hour (GS hourly rate of \$94.49 with 36.25% (\$34.25) added for benefits and overhead).

The USPTO estimates that it takes an employee between 30 minutes (0.50 hours) to 1 hour to process submissions in 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' (\$/hour) (d)	Total Federal Government Cost (c) x (d) = (e)
1	Application by Law School to Enter the Program	5	4	20	\$128.74	\$2,575
2	Semiannual Report Required of Law School Clinics	148	1	148	\$100.21	\$14,831
3	Biennial Renewal Application by Law School	35	0.50 (30 minutes)	18	\$128.74	\$2,317
4	Application by Law School Faculty Member to Become a Faculty Clinic Supervisor	7	0.50 (30 minutes)	4	\$128.74	\$515
5	Application for Limited Recognition for Law Students	830	0.75 (45 minutes)	623	\$72.53	\$45,186
	Totals	1,025	- - -	813	- - -	\$65,424

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	1,025	0	-5	105	0	925
Annual Time Burden (Hr)	1,330	0	-5	161	0	1,241
Annual Cost Burden (\$)	61	0	0	14	0	46

Changes in the Collection Since the Last Renewal

A nonsubstantive change request (change worksheet) was filed since the last renewal.

The change worksheet was submitted to OMB in January 2025. In this worksheet, the USPTO updated a form associated with the Semi-Annual Law School Clinic certification

program. The updated form now has eight questions to report activity related to the Law School Clinic.

Change in Responses and Hourly Burden due to Agency Discretion

The USPTO ended the stand alone request to make special under the Law School Program for Law students. Petitions to make special in various categories are still available to Law Clinic students, but those petitions are now consolidated in OMB control number 0651-0031 (Patent Processing) or 0651-0059 (Patent Petitions). These change decreased the number of responses by 5 and reduced the number of burden hours in this information collection by a corresponding 5 hours.

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

The total number of responses has decreased by 105 due to estimated fluctuations in the number of respondents in this information collection. There is an increase of 161 hours in the annual time burden estimates due to these fluctuations in response numbers.

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 increase by \$14 from the previous approval. This increase is due to changes in postage costs.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

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

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The forms in this information collection will display the expiration date for OMB approval of this information collection.

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 will not employ statistical methods.

