

*Frequency:* On occasion.

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

*OMB Desk Officer:* David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division, 703-308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313, Attn: CPK 3 Suite 310; or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before October 9, 2003 to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, 725 17th Street NW., Washington, DC 20503.

Dated: September 2, 2003.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 03-22880 Filed 9-8-03; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* United States Patent and Trademark Office (USPTO).

*Title:* Initial Patent Applications.

*Form Number(s):* PTO/SB/01/01A/02A/02B/02LR/03/03A/04/05/06/07/13PCT/16/17/18/19/29/29A/101 through 110/Electronic New Utility and Provisional Application Forms.

*Agency Approval Number:* 0651-0032.

*Type of Request:* Revision of a currently approved collection.

*Burden:* 4,171,568 hours annually.

*Number of Respondents:* 454,287 responses per year.

*Avg. Hours Per Response:* The USPTO estimates that it takes between 24 minutes to 10 hours and 45 minutes to gather the information, prepare, and submit the various paper and electronic

applications in this collection, depending on the situation and the amount of information that needs to be submitted. Based on estimates of similar petitions, the USPTO believes that it takes 1 hour to gather the information, prepare, and submit the petitions to accept an unintentionally delayed priority claim and to accept non-signing inventors or legal representatives/filing by other than all the inventors or a person not the inventor. The USPTO estimates that it takes 22 minutes to copy an oversized new original utility or provisional application that cannot be submitted electronically through EFS onto a CD-ROM, print the application transmittal, and prepare the cover letter submitting the submission.

*Needs and Uses:* The USPTO is submitting this information collection in support of a notice of proposed rulemaking, "Changes to Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan" (RIN 0651-AB64) which will be forwarded to the **Federal Register** for publication. This proposed rule increases the filing fee for the Petition to Accept Non-Signing Inventors or Legal Representatives/ Filing by Other than all the Inventors or a Person not the Inventor from \$130 to \$200 and adds capital start-up costs for DVD drives, recorders, and media, in addition to DVD and technical drawing software. Capital start-up costs related to the utility, design, and plant drawings have also been added to this collection. The proposed rule does not change the needs and uses currently reported for this collection.

*Affected Public:* Individuals or households, business or other for-profit, not-for-profit institutions, farms, the Federal Government, and State, Local, or Tribal Governments.

*Frequency:* On occasion.

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

*OMB Desk Officer:* David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division, 703-308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313, Attn: CPK 3 Suite 310; or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before October 9, 2003 to David Rostker, OMB Desk Officer, Room

10202, New Executive Office Building, Washington, DC 20503.

Dated: September 2, 2003.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 03-22881 Filed 9-8-03; 8:45 am]

BILLING CODE 3510-16-P

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* United States Patent and Trademark Office (USPTO).

*Title:* Patent Processing (Updating).

*Form Number(s):* PTO/SB/08a/08b/21/22/23/24/24A/25/26/27/30/31/32/35/36/37/42/43/61/62/63/64/64a/67/68/91/92/96/97, PTO-2053-A/B, PTO-2054-A/B, PTO-2055-A/B, PTOL/413A, eIDS, EFS form.

*Agency Approval Number:* 0651-0031.

*Type of Request:* Extension of a currently approved collection.

*Burden:* 2,724,329 hours annually.

*Number of Respondents:* 2,215,789 responses per year.

*Avg. Hours Per Response:* The USPTO estimates that it will take anywhere from one hour to four hours, depending on the amount of information that the applicant needs to submit to the USPTO, to complete the requirements associated with this information collection. This includes time to gather the necessary information, create the documents, and submit the completed request.

*Needs and Uses:* During the pendency of a patent application or the period of enforceability of a patent, situations arise that require collection of information for the USPTO to further process the patented file or the patent application. This information can be used by the USPTO to continue the processing of the patent or application or to ensure that applicants are complying with the patent regulations. The USPTO is submitting this collection in support of a proposed rulemaking, "Changes to Support Implementation of the USPTO's 21st Century Plan" (RIN

0651-AB64) that would allow the use of electronic signatures on documents, require photographs of any exhibit so that the exhibit can be included in the file, and also allow the USPTO to adjust the fees for many petitions in order to more accurately reflect the actual cost to the USPTO of processing these petitions, among other things.

**Affected Public:** Individuals or households; business or other for-profit; not-for-profit institutions; farms, the Federal Government, and State, local, or tribal governments.

**Frequency:** On occasion.

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

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of the Chief Information Officer, Office of Data Architecture and Services, (703) 308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313, Attn: CPK 3 Suite 310, or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before October 9, 2003, to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: September 2, 2003.

**Susan K. Brown,**

*Records Officer, USPTO, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 03-22882 Filed 9-8-03; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

**Agency:** United States Patent and Trademark Office (USPTO).

**Title:** Patent Term Extension.

**Form Number(s):** No forms associated.

**Agency Approval Number:** 0651-0020.

**Type of Request:** Revision of a currently approved collection.

**Burden:** 30,905 hours annually.

**Number of Respondents:** 26,859 responses per year.

**Avg. Hours Per Response:** The time needed to respond is estimated to range from 1 to 25 hours, depending upon the complexity of the situation. It is estimated that the time needed to complete the applications, petitions, declarations, and requests associated with the patent term and interim extensions ranges from 1 to 25 hours. This time range also includes the Petition to Accord a Filing Date to an Application under 1.740 for Extension of a Patent Term, which the USPTO estimates will take 2 hours to complete. This includes the time to gather the necessary information, create the documents, and submit the completed requests.

**Needs and Uses:** The USPTO is submitting this information collection in support of the notice of proposed rulemaking, "Changes to Support Implementation of the United States Patent and Trademark Office 21st Century Strategic Plan" (RIN 0651-AB64), which the USPTO will forward to the **Federal Register** for publication. This proposed rule increases the filing fee from \$130 to \$400 for the Petition to Accord a Filing Date to an Application under 1.740 for Extension of a Patent Term and adds this petition into the collection. This petition is used by the public to request review of a notice of an incomplete application for extension of a patent term and to request a filing date. The USPTO uses this information to determine the filing date for the application for extension of a patent term.

The United States Patent and Trademark Office (USPTO), together with the Secretary of Health and Human Services and the Department of Agriculture, administers the Federal Food, Drug and Cosmetic Act, 35 U.S.C. 156. This Act permits the USPTO to restore the patent term lost due to certain types of regulatory review by the Federal Food and Drug Administration or the Department of Agriculture. Only patents for drug products, medical devices, food additives, and color additives are eligible for extension. The maximum length that a patent may be extended (the maximum of patent term that may be restored) is five years.

Under 35 U.S.C. 156, the USPTO extends the term of various patents past their original expiration dates, grants interim extensions, reviews applications for patent term extension and final eligibility decisions, obtains additional information from the public that might influence the extension of the patent term, and withdraws applications for patent term extensions. The USPTO

administers 35 U.S.C. 156 through 37 CFR 1.705-1.791, which permits the public to submit applications to the USPTO to extend the patent term past its original expiration date; to petition for reviews of informal extensions of applications, final eligibility decisions, and interim extensions; and to withdraw an application requesting a patent term extension after it is submitted.

Use of the USPTO's information allows the Director of the USPTO, the Secretary of Health and Human Services, and the Secretary of Agriculture to access the information required to determine whether the applicant is eligible for a patent term extension or reconsideration of patent term adjustment determination and, if so, the period of the extension or adjustment.

**Affected Public:** Business or other for-profit; individuals or households; not-for-profit institutions; farms; the Federal Government; and State, local, or tribal government.

**Frequency:** On occasion.

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

**OMB Desk Officer:** David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Susan K. Brown, Records Officer, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division, 703-308-7400, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313, Attn: CPK 3 Suite 310; or by e-mail at [susan.brown@uspto.gov](mailto:susan.brown@uspto.gov).

Written comments and recommendations for the proposed information collection should be sent on or before October 9, 2003, to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: September 2, 2003.

**Susan K. Brown,**

*Records Officer, USPTO, Office of the Chief Information Officer, Office of Data Architecture and Services, Data Administration Division.*

[FR Doc. 03-22883 Filed 9-8-03; 8:45 am]

**BILLING CODE 3510-16-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### Submission for OMB Review; Comment Request

The United States Patent and Trademark Office (USPTO) has