



## **DEPARTMENT OF COMMERCE**

### **National Institute of Standards and Technology**

#### **Submission for OMB Review; Comment Request**

The Department of Commerce will submit 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:* National Institute of Standards and Technology (NIST).

*Title:* NIST Invention Disclosure and Inventor Information Collection.

*OMB Control Number:* 0693-XXXX.

*Form Number(s):* NIST DN-45.

*Type of Request:* Regular Submission. New Collection.

*Number of Respondents:* Invention Disclosure Form – 10 per year; Inventor Information Form – 100 per year.

*Average Hours Per Response:* Invention Disclosure Form: 3 hours; Inventor Information Form: 30 minutes.

*Burden Hours:* Invention Disclosure Form: 30 hours; Inventor Information Form: 50 hours.

*Needs and Uses:* The NIST DN-45 Invention Disclosure Form is used to collect information pertaining to inventions created by Federal employees or by non-Federally employed individuals who have created an invention using NIST laboratory facilities as

NIST Associates. The collection of this information is required to protect the United States rights to inventions created using Federal resources. The information collected on the form allows the Government to determine: 1) if an invention has been created; 2) the status of any statutory bar that pertains to the potential invention or that may pertain to the invention in the future. The information collected may allow the Government to begin a patent application process

The Inventor Information Sheet is used to collect from individuals who have been named as potential inventors on a NIST Invention Disclosure Form. The collection of this information is used for multiple purposes:

- 1) Some of the information may be required to file a patent application, if NIST seeks to protect a federally owned invention, pursuant to 35 USC §207.
- 2) The form, in part, is a statement made by the respondent declaring whether the respondent considers herself/himself to be an inventor.
- 3) Some of the information is needed for NIST to determine potential assignees with which NIST would potentially negotiate consolidation of rights and other patent related matters.
- 4) Some of the information helps NIST determine under which statutory authority NIST may consolidate rights in an invention with other potential assignees.
- 5) Country citizenship information is required to determine whether a Scientific and Technology agreement or treaty with the respondent's country may impact the U.S. Government's rights to the invention.

The information is collected by the Technology Partnerships Office and shared with the Office of Chief Counsel at NIST. The information may also be shared with non-Governmental entities that may have ownership rights to the potential invention. The Government collects this information to execute the policy and objective of the Congress expressed at 35 U.S.C. §200. 35 U.S.C. §207 authorizes Federal agencies to apply for, obtain, and maintain patents or other forms of protection ... on inventions in which the Federal Government owns a right, title, or interest. 35 U.S.C. §207 also authorizes each Federal agency to undertake all other suitable and necessary steps to protect and administer rights to federally owned inventions on behalf of the Federal government. The information collected through the NIST DN-45 is necessary for NIST to execute the authority granted at 35 U.S.C. §207.

*Affected Public:* Individuals.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

This information collection request may be viewed at [reginfo.gov](http://reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) or fax to (202) 395-5806.

**Sheleen Dumas,**

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