



DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Patent Examiner Employment Application

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comment.

SUMMARY: The United States Patent and Trademark Office (USPTO), in accordance with the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651–0042 (Patent Examiner Employment Application). The purpose of this notice is to allow 60 days for public comment preceding submission of the information collection to OMB.

DATES: To ensure consideration, comments regarding this information collection must be received on or before [INSERT DATE 60 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Interested persons are invited to submit written comments by any of the following methods. Do not submit Confidential Business Information or otherwise sensitive or protected information:

- *Email:* InformationCollection@uspto.gov. Include “0651-0042 comment” in the subject line of the message.
- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

- *Mail:* Kimberly Hardy, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313–1450.

FOR FURTHER INFORMATION, CONTACT: Request for additional information should be directed to the attention of LaRita Jones, Chief of the Workforce Employment Division, Office of Human Resources, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-6196; or by email to larita.jones@upsto.gov. Additional information about this information collection is also available at <http://www.reginfo.gov> under “Information Collection Review.”

SUPPLEMENTARY INFORMATION:

I. Abstract

USPTO engages in a robust marketing strategy that historically results in a high volume of applications from recent college graduates with engineering and science degrees for entry-level patent examiner positions. In FY2020, USPTO received 7,361 applications and ultimately hired 597 new patent examiners.

USPTO uses the Monster Hiring Management (MHM) system to rapidly review applications for employment of entry-level patent examiners. The use of such automated online systems during recruitment allows USPTO to remain competitive, meet hiring goals, and fulfill the Agency’s Congressional commitment to reduce the pendency rate for the examination of patent applications. Given the time sensitive hiring needs of the Patent Examining Corps, the MHM system provides increased speed and accuracy during the employment process.

This information collection covers respondent data gathered through the MHM system. The MHM online application collects supplemental information to a candidate’s

USAJOBS application. This information assists USPTO Human Resource Specialists and Hiring Managers in determining whether an applicant possesses the basic qualification requirements for a patent examiner position. From the information collected, the MHM system creates an electronic real-time candidate inventory on applicants' expertise and technical knowledge, which allows USPTO to immediately review applications from multiple applicants.

The use of the MHM online application fully complies with 5 U.S.C. § 2301, which requires adequate public notice to assure open competition by guaranteeing that necessary employment information will be accessible and available to the public on inquiry. It is also fully compliant with Section 508 (29 U.S.C. § 794(d)), which requires agencies to provide disabled employees and members of the public access to information that is comparable to the access available to others.

II. Method of Collection

Items in this information collection must be submitted via online electronic submissions.

II. Data

OMB Control Number: 0651-0042

Forms: None

Type of Review: Revision of a currently approved information collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 8,386 respondents per year.

Estimated Number of Responses: 8,386 responses per year.

Estimated Time Per Response: The USPTO estimates that it will take the public approximately 30 minutes (0.5 hours) to complete the Patent Examiner Application

Questions. This includes the time to gather the necessary information, respond to the MHM system prompts, and submit the completed request to the USPTO.

Estimated Total Annual Respondent Burden Hours: 4,193 hours.

Estimated Total Annual Respondent Hourly Cost Burden: \$115,056.

Table 1: Total Hourly Burden For Respondents

Item No.	Item	Estimated Annual Respondents	Estimated Annual Responses (year)	Estimated Time for Response (hour)	Estimated Annual Burden (hour/year)	Rate ¹ (\$/hour)	Estimated Annual Burden
			(a)	(b)	(a) x (b) = (c)	(d)	(c) x (d) =(e)
1	Patent Examiner Application Questions	8,386	8,386	0.5 (30 minutes)	4,193	\$27.44	\$115,056
	Total	8,386	8,386	-----	4,193	-----	\$115,056

Estimated Total Annual Non-Hour Respondent Cost Burden: \$0. There are no filing fees or start-up, maintenance, recordkeeping, or postage costs associated with this information collection.

IV. Request for Comments

The USPTO is soliciting public comments to:

- a) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information shall have practical utility;
- b) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

¹ USPTO is using the OPM Special Rate Table 0576- Patent Examiner 07-Step 1 as an estimate for the hourly rate: <https://apps.opm.gov/SpecialRates/2020/Table057601012020.aspx>

- c) Enhance the quality, utility, and clarity of the information to be collected; and
- d) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

All comments submitted in response to this notice are a matter of public record. USPTO will include or summarize each comment in the request to OMB to approve this information collection. Before including an address, phone number, email address, or other personal identifying information in a comment, be aware that the entire comment—including personal identifying information—may be made publicly available at any time. While you may ask in your comment to withhold personal identifying information from public view, USPTO cannot guarantee that it will be able to do so.

Kimberly Hardy,

Information Collections Officer,

Office of the Chief Administrative Officer,

United States Patent and Trademark Office.

BILLING CODE 3510-16-P

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