



DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Response to Office Action and Voluntary Amendment Forms

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

ACTION: Notice of information collection; request for comments.

SUMMARY: The United States Patent and Trademark Office (hereafter “USPTO” or “Agency”), as required by the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651-0050 (Response to Office Action and Voluntary Amendment Forms). The purpose of this notice is to allow 60 days for public comments preceding submission of the information collection to the Office of Management and Budget (OMB).

DATES: To ensure consideration, you must submit comments regarding this information collection on or before **[INSERT DATE 60 DAYS AFTER 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 “0651-0050 comment” in the subject line of the message.
- Federal eRulemaking Portal: <https://www.regulations.gov/>.

- Mail: Justin Isaac, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.
- Telephone: Emily Carlsen, Office of the Deputy Commissioner for Trademark Examination Policy, 571-272-2235.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Emily Carlsen, Senior Attorney Advisor, at: Office of the Deputy Commissioner for Trademark Examination Policy, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; 571-272-2235; or emily.carlsen@uspto.gov with “0651-0050 comment” in the subject line. Additional information about this information collection is also available at <https://www.reginfo.gov/public/> under “Information Collection Review.”

SUPPLEMENTARY INFORMATION:

I. Abstract

This collection of information is required by the Trademark Act (Act), 15 U.S.C. 1051 *et seq.*, which provides for the registration of trademarks, service marks, collective trademark and service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register their marks with the United States Patent and Trademark Office (USPTO). This information collection generally contains information that is not submitted with the initial trademark application but is associated with, or required for, the USPTO review of applications for registration.

In some cases, the USPTO issues Office actions to applicants who have applied to register a mark, to request information that was not provided with the initial submission but is required before the issuance of a registration. Also, the USPTO may determine that a mark is not entitled to registration, pursuant to one or more provisions of the Act. In such cases, the USPTO will issue an Office action advising the applicant of the refusal to register the mark. Applicants reply

to these Office actions by providing the required information and/or by advancing legal arguments as to why the refusal of registration should be withdrawn.

The USPTO administers the Act through Title 37 of the Code of Federal Regulations. These rules allow the USPTO to request and receive information required to process applications. These rules also allow applicants to submit certain amendments to their applications.

Applicants may also supplement their applications and provide additional information by filing a Voluntary Amendment Not in Response to USPTO Office Action/Letter, a Request for Reconsideration after Final Action, a Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment, a Petition to Amend Basis Post-Publication, a Response to Suspension Inquiry or Letter of Suspension, or a Request for Extension of Time to File a Response.

II. Method of Collection

The USPTO prefers that items in this information collection be submitted electronically via Trademark Center and TEAS. In limited circumstances, applicants may also be permitted to submit the information in paper form by mail or hand delivery.

III. Data

OMB Control Number: 0651-0050.

Forms:

- PTO-1771 (Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment)
- PTO-1772 (Petition to Amend Basis Post-Publication)
- PTO-1822 (Response to Suspension Inquiry or Letter of Suspension)
- PTO-1957 (Response to Office Action)
- PTO-1960 (Request for Reconsideration after Final Action)
- PTO-1966 (Voluntary Amendment Form)
- PTO-2313 (Request for Extension of Time to File a Response)

Type of Review: Extension and revision of a currently approved information collection.

Affected Public: Private Sector.

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

Frequency: On occasion.

Estimated Number of Annual Respondents: 431,900 respondents.

Estimated Number of Annual Responses: 431,900 responses.

Estimated Time per Response: The USPTO estimates that the responses in this information collection will take the public approximately 5 minutes (0.08 hours) to 50 minutes (0.83 hours) to complete. This includes the time to gather the necessary information, create the document, and submit the completed item(s) to the USPTO.

Estimated Total Annual Respondent Burden Hours: 309,962 hours.

Estimated Total Annual Respondent Hourly Cost Burden: \$170,479,100.

Table 1: Total Reporting Burden Hours and Hourly Costs to Private Sector Respondents

Item No.	Item	Estimated Annual Respondents	Responses per Respondent	Estimated Annual Responses	Estimated Time for Response (hours)	Estimated Burden (hour/year)	Rate ¹ (\$/hour)	Estimated Annual Respondent Cost Burden
		(a)	(b)	(a) x (b) = (c)	(d)	(c) x (d) = (e)	(f)	(e) x (f) = (g)
1	Response to Office Action PTO-1957	300,000	1	300,000	0.83 (50 minutes)	249,000	\$550	\$136,950,000
2	Voluntary Amendment Not in Response to USPTO Office Action/Letter PTO-1966	25,000	1	25,000	0.58 (35 minutes)	14,500	\$550	\$7,975,000
3	Request for Reconsideration After Final Action PTO-1960	36,000	1	36,000	0.83 (50 minutes)	29,880	\$550	\$16,434,000
4	Post-Approval/Publication/Post-Notice of Allowance (NOA) Amendment PTO-1771	7,300	1	7,300	0.58 (35 minutes)	4,234	\$550	\$2,328,700
5	Petition to Amend Basis Post-Publication PTO-1772	1,600	1	1,600	0.58 (35 minutes)	928	\$550	\$510,400
6	Response to Suspension Inquiry or Letter of Suspension PTO-1822	19,000	1	19,000	0.42 (25 minutes)	7,980	\$550	\$4,389,000

¹ 2025 Report of the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association (AIPLA); pg. F-35. The USPTO uses the average billing rate for intellectual property work in all firms which is \$550 per hour (<https://www.aipla.org/home/news-publications/economic-survey/2025-report-of-the-economic-survey>).

7	Request for Extension of Time to File a Response PTO-2313	43,000	1	43,000	0.08 (5 minutes)	3,440	\$550	\$1,892,000
	Totals	431,900	---	431,900	---	309,962	---	\$170,479,100

Estimated Total Annual Respondent Non-hourly Cost Burden: \$28,816,690. There are no capital start-up costs, maintenance costs, or recordkeeping costs associated with this information collection. However, the USPTO estimates that the total annual non-hour cost burden for this information collection, in the form of filing fees and postage, is \$28,816,690.

Filing Fees

There are four filing fees associated with this information collection as listed in the table below:

Table 2: Filing Fees

Item No.	Fee Code	Item	Estimated Annual Responses (a)	Estimated Cost (b)	Estimated Non-Hourly Cost Burden (a) x (b) = (c)
1	7018	Insufficient information (Sections 1 and 44), per class	8,000	\$100	\$800,000
1	7019	Using the free-form text box instead of the Trademark ID Manual within Trademark Center to identify goods and services (Sections 1 and 44), per class	110,000	\$200	\$22,000,000
5	7005	Petition to Amend Basis Post-Publication	1,599	\$400	\$639,600
5	6005	Petition to Amend Basis Post-Publication (paper)	1	\$500	\$500
7	7016	Extension of time for filing a response to a pre-registration office action	43,000	\$125	\$5,375,000
		Totals	162,600	- - -	\$28,815,100

Postage Costs

Although the USPTO prefers that the items in this information collection be submitted electronically, responses may be submitted by mail through the United States Postal Service. The USPTO estimates that 120 of the items of this information collection may be submitted in the

mail. The USPTO estimates that the average postage cost for a mailed submission, using a Priority Mail legal flat-rate envelope, will be \$13.25. Therefore, the USPTO estimates the total mailing costs for this information collection at \$1,590.

IV. Request for Comments

The USPTO is soliciting public comments to:

- (a) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (b) Evaluate the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (c) Enhance the quality, utility, and clarity of the information to be collected; and
- (d) Minimize the burden of the collection of information for those who intend 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. The 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 personally identifiable information (PII) in a comment, be advised that the entire comment—including PII—may be made publicly available at any time. While one may request in a comment to withhold PII from public view, the USPTO cannot guarantee that it will be able to do so.

Justin Isaac,

Information Collections Officer, Office of the Chief Administrative Officer, United States Patent and Trademark Office.

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