

## RICK NEIFELD

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**From:** RICK NEIFELD  
**Sent:** Tuesday, July 26, 2016 10:07 AM  
**To:** Nicholas\_A.\_Fraser@omb.eop.gov; InformationCollection@uspto.gov  
**Cc:** RICK NEIFELD  
**Subject:** 0651-0031 copy request

To: *OMB Desk Officer: Nicholas A. Fraser, email: Nicholas\_A.\_Fraser@omb.eop.gov.*

RE:  
FR Doc. 2016-17699 Filed 7-25-16; 8:45 am  
BILLING CODE 3510-16-P  
Agency: United States Patent and Trademark Office, Commerce.  
Title: Patent Processing.  
OMB Control Number: 0651-0031

I respond to the "DEPARTMENT OF COMMERCE Patent and Trademark Office Submission for OMB Review; Comment Request; Patent Processing", at 81 FR 48762 (7/16/2016).

I am a patent attorney and I am the primary owner and manager of Neifeld IP Law, PC. I have been practicing law before the PTO for over 20 years. Neifeld IP Law, PC has been in business for 14 years and employs several other patent attorneys and staff. I have substantial experience in preparing and filing forms with the Patent and Trademark Office.

The request concludes that: "Estimated Time per Response: The USPTO estimates that it will take approximately 5 minutes (0.08 hours) to 8 hours to complete a single item in this collection. This includes the time to gather the necessary information, create the documents, and submit the completed request to the USPTO."

The request identifies the following forms: PTO/AIA/22; PTO/AIA/24; PTO/AIA/24B; PTO/AIA/31; PTO/AIA/32; PTO/AIA/33; PTO/AIA/40; PTO/AIA/41; PTO/AIA/96; PTO/SB/08a; PTO/SB/08b; PTO/SB/17i; PTO/SB/21; PTO/SB/22; PTO/SB/24; PTO/SB/24B; PTO/SB/25; PTO/SB/26; PTO/SB/27; PTO/SB/30; PTO/SB/31; PTO/SB/32; PTO/SB/33; PTO/SB/35; PTO/SB/36; PTO/SB/37; PTO/SB/38; PTO/SB/39; PTO/SB/43; PTO/SB/61; PTO/SB/63; PTO/SB/64; PTO/SB/64a; PTO/SB/67; PTO/SB/68; PTO/SB/91; PTO/SB/92; PTO/SB/96; PTO/SB/97; PTO/SB/130; PTO-2053-A/B; PTO-2054-A/B; PTO-2055-A/B; PTOL-413A; PTOL-413C.

The USPTO approximation of 5 minutes "to gather the necessary information, create the documents, and submit the completed request to the USPTO" is unrealistically low. My estimate for these actions appears below, along with a detailed breakdown of requirements to complete each action.

### I. Forms requiring fee payments

The following forms require payment of a fee in connection with their submission: PTO/AIA/22; PTO/AIA/31; PTO/AIA/32; PTO/SB/22; PTO/SB/30; PTO/SB/31; PTO/SB/32; PTO/SB/64; PTO/SB/64a. Paying the fee is part of their submission. The time to complete and file PTO/AIA/22 is representative of these forms. My estimates of the times for each of the actions to complete this form follows.

Form: PTO/AIA/22 (Petition for Extension of Time Under 37 CFR 1.136(a)).

Find the form online, in minutes: 1

Complete 12 items of information on the form, in minutes: 6

Sign the form, in minutes: 1

Save and name the form, in minutes: 1

Log into the USPTO online filing system (EFS), including opening browser, finding URL, running local entrust software, finding and entering credentials, and awaiting system response, in minutes: 2

In EFS, identify the appropriate application identifiers, identify the appropriate document description, upload the form complying with validation restrictions, in minutes: 3

In EFS, complete fee information screen, including identifying entity size status, fee type, and fees, in minutes: 2

In EFS, enter mode of payment and online payment account information, in minutes: 1

In EFS, effect filing and payment, generate and save electronic acknowledgement receipt, in minutes: 1.

**Total time, in minutes: 18**

## **II. Simple forms that do not require fee payments**

The following forms do not require payment of a fee in connection with their submission: PTO/AIA/24; PTO/AIA/24B; PTO/AIA/33; PTO/SB/08a; PTO/SB/08b; PTO/SB/17i; PTO/SB/24; PTO/SB/24B; PTO/SB/27; PTO/SB/33; PTO/SB/35; PTO/SB/36; PTO/SB/38; PTO/SB/39; PTO/SB/43; PTO/SB/67; PTO/SB/68; PTO/SB/91; PTO/SB/92; PTO/SB/97; PTO/SB/130; PTOL-413A; PTOL-413C.

The time to complete and file PTO/AIA/24 is representative of these forms. My estimates of the times for each of the actions to complete this form follows.

Form: PTO/AIA/24 (Express Abandonment Under 37 CFR 1.138)

Find the form online, in minutes: 1

Complete 12 items of information on the form, in minutes: 6

Sign the form, in minutes: 1

Save and name the form, in minutes: 1

Log into the USPTO online filing system (EFS), including opening browser, finding URL, running local entrust software, finding and entering credentials, and awaiting system response, in minutes: 2

In EFS, identify the appropriate application identifiers, identify the appropriate document description, upload the form complying with validation restrictions, in minutes: 3

In EFS, effect filing, generate and save electronic acknowledgement receipt, in minutes: 1.

**Total time, in minutes: 15**

## **III. Forms requiring additional informational regarding ownership or recorded chain of title**

The following forms have additional time burdens required to provide information regarding extent of ownership or chain of title: PTO/SB/26; PTO/SB/63; PTO/SB/25; PTO/AIA/96

These forms do not require payment of a fee and are therefore similar to forms in section I above, except for the additional time to file the additional ownership information.

These forms do not require payment of a fee and are therefore similar to forms in section I above, except for the additional time to file the additional ownership information.

Finding this additional information, in minutes: 4

**Total time, in minutes: 19**

#### **IV. Missing forms**

I could not find the following forms and therefore cannot provide estimates of time for their completion.

Forms that are not available: PTO/AIA/40; PTO/AIA/41; PTO/SB/21; PTO/SB/37; PTO/SB/61; PTO/SB/97; PTO-2053-A/B; PTO-2054-A/B; PTO-2055-A/B; PTO/SB/97

<http://www.uspto.gov/patent/forms/forms> states that PTO/SB/97 “Deleted as of 07/2016”. I presume therefore that the forms listed above were previously deleted by the PTO.

Truly,

Rick Neifeld, Ph.D., Patent Attorney

Neifeld IP Law, PC

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