

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before February 27, 2023.

**ADDRESSES:** Interested persons are invited to submit written comments to Daniel Ramsey, Supervisory Program Manager, Office of Program Management, National Technical Information Service, Department of Commerce, at [dramsey@ntis.gov](mailto:dramsey@ntis.gov) or at [PRAComments@doc.gov](mailto:PRAComments@doc.gov). Please reference OMB Control Number 0692–0015 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Daniel Ramsey, Supervisory Program Manager, Office of Program Management, National Technical Information Service, Department of Commerce, 5301 Shawnee Road, Alexandria, VA 22312 by email: [dramsey@ntis.gov](mailto:dramsey@ntis.gov) or telephone: 703–605–6703.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This is a request for extension of an existing information collection.

NTIS issued a final rule establishing a program through which persons may become eligible to obtain access to Death Master File (DMF) information about an individual within three years of that individual's death (81 FR 34882, June 1, 2016). The final rule was promulgated under section 203 of the Bipartisan Budget Act of 2013, Public Law 113–67 (Act). The Act prohibits the Secretary of Commerce (Secretary) from disclosing DMF information during the three-year period following an individual's death (Limited Access DMF), unless the person requesting the information has been certified to access the Limited Access DMF pursuant to certain criteria in a program that the Secretary establishes. The Secretary delegated the authority to carry out Section 203 to the Director of NTIS.

The final rule requires that, in order to become certified, a Person must submit a written attestation from an "Accredited Conformity Assessment Body" (ACAB), as defined in the final rule, that such Person has information security systems, facilities and procedures in place to protect the security of the Limited Access DMF, as required under Section 1110.102(a)(2) of the final rule. A Certified Person also must provide a new written attestation periodically for renewal of its

certification as specified in the final rule. The ACAB must be independent of the Person or Certified Person seeking certification, unless it is a conformity assessment body which qualifies for "firewalled status" pursuant to Section 1110.502 of the final rule.

The Firewalled Status Application Form collects information that NTIS will use to evaluate whether the respondent qualifies for "firewalled status" under the rule, and, therefore, can provide a written attestation in lieu of an independent ACAB's attestation. This information includes specific requirements of Section 1110.502(b) of the final rule, which the respondent ACAB must certify are satisfied, and the provision of specific information by the respondent ACAB, such as the identity of the Person or Certified Person that would be the subject of the attestation and the basis upon which the certifications were made.

**II. Method of Collection**

Electronic.

**III. Data**

*OMB Control Number:* 0692–0015.

*Form Number(s):* NTIS FM101.

*Type of Review:* Regular submission (extension of approved information collection.)

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 260.

*Estimated Time per Response:* 60 minutes.

*Estimated Total Annual Burden Hours:* 65.

*Estimated Total Annual Cost to Public:* \$39,910.

*Respondent's Obligation:* Voluntary.

**IV. Request for Comments**

We are soliciting public comments to permit the Department/Bureau to: (a) Evaluate whether the proposed information collection is necessary for the proper functions of the Department, including whether the information will have practical utility; (b) Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used; (c) Evaluate ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request

to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Sheleen Dumas,**

*Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.*

[FR Doc. 2022–28124 Filed 12–23–22; 8:45 am]

**BILLING CODE 3510–04–P**

**DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

**Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Secrecy and License to Export**

**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), as required by the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651–0034 Secrecy and License to Export. 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 February 27, 2023.

**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.

• *Federal Rulemaking Portal:* <http://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.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information

should be directed to Parikha Mehta, Senior Legal Advisor, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-3248; or by email at [parikha.mehta@uspto.gov](mailto:parikha.mehta@uspto.gov) with "0651-0034 comment" in the subject line. Additional information about this information collection is also available at <http://www.reginfo.gov> under "Information Collection Review."

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

In the interest of national security, patent laws and regulations place certain limitations on the disclosure of information contained in patents and patent applications and on the filing of applications for patents in foreign countries.

##### A. Secrecy Orders

Whenever the publication or disclosure of an invention by the publication of an application or by the granting of a patent is, in the opinion of the head of an interested Government agency, determined to be detrimental to national security, the Commissioner for Patents at the United States Patent and Trademark Office (USPTO) must issue a secrecy order and withhold the publication of a patent application and the grant of a patent for such period as the national interest requires. A patent will not be issued on the application, nor will the application be published, as long as the secrecy order is in force. If a secrecy order is applied to an international application, the application will not be forwarded to the International Bureau as long as the secrecy order is in effect.

The Commissioner for Patents can issue three types of secrecy orders, each of a different scope. The first type, Secrecy Order and Permit for Foreign Filing in Certain Countries, is intended to permit the widest utilization of the technical data in the patent application while still controlling any publication or disclosure that would result in an unlawful exportation. The second type, the Secrecy Order and Permit for Disclosing Classified Information, is to treat classified technical data presented in a patent application in the same manner as any other classified material. The third type of secrecy order is used where the other types of orders do not apply, including orders issued by

direction of agencies other than the Department of Defense.

Under the provision of 35 U.S.C. 181, a secrecy order remains in effect for a period of one year from its date of issuance. A secrecy order may be renewed for additional periods of not more than one year upon notice by a government agency that the national interest continues to so require. The applicant is notified of such renewal.

When the USPTO places a secrecy order on a patent application, the regulations authorize the applicant to petition the USPTO for permits to allow disclosure, modification, or rescission of the secrecy order, or to obtain a general or group permit. In each of these circumstances, the petition is forwarded to the appropriate defense agency for decision. Also, the Commissioner for Patents at the USPTO may rescind any order upon notification by the heads of the departments and the chief officers of the agencies who caused the order to be issued that the disclosure of the invention is no longer deemed detrimental to the national security.

Unless expressly ordered otherwise, action on the application and prosecution by the applicant will proceed during the time the application is under secrecy order to the point indicated in 37 CFR 5.3. See the Manual of Patent Examining Procedure (MPEP) Section 130 (9th ed., rev. 10.2019, June 2020). For example, prosecution of a national application under secrecy order may proceed only to the point where it is found to be in condition for allowance. See 37 CFR 5.3(c). Prosecution of international applications under secrecy order, on the other hand, will proceed only to the point before record and search copies would be transmitted to the international authorities or the applicant. See 37 CFR 5.3(d). National applications under secrecy order that come to a final rejection must be appealed or otherwise prosecuted to avoid abandonment. See 37 CFR 5.3(a). Appeals in such cases must be completed by the applicant. Unless specifically ordered by the Commissioner for Patents, these appeals will not be set for hearing until the secrecy order is removed. See *id.*

##### B. Foreign Filing License

In addition, this information collection covers information gathered

with respect to foreign filing licenses. The filing of a patent application is considered a request for a foreign filing license. However, in some instances an applicant may need a license for filing patent applications in foreign countries prior to a filing in the USPTO or sooner than the anticipated licensing of a pending patent application.

For such circumstances, this information collection covers petitions for a foreign filing license either with or without a corresponding United States application. In addition, this information collection covers petitions to change the scope of a license and petitions for a retroactive license for instances when a patent application is filed through error in a foreign country without the appropriate filing license.

This information collection includes the information needed by the USPTO to review the various types of petitions regarding secrecy orders and foreign filing licenses. This collection of information is required by 35 U.S.C. 181-183 and 184-186 and administered by the USPTO through 37 CFR 5.1-5.5, 5.11-5.15, and 5.18-5.25.

##### II. Method of Collection

Electronically via the USPTO's patent electronic filing system, by mail, or by hand delivery to the USPTO.

##### III. Data

*OMB Control Number:* 0651-0034.

*Forms:* None.

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

*Affected Public:* Private sector; individuals or households.

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

*Estimated Number of Annual Respondents:* 7,524 respondents.

*Estimated Number of Annual Responses:* 7,524 responses.

*Estimated Time per Response:* The USPTO estimates that the responses in this information collection will take the public approximately between 30 minutes (0.5 hours) and 4 hours to complete. This includes the time to gather the necessary information, create the document, and submit the completed item to the USPTO.

*Estimated Total Annual Respondent Burden Hours:* 4,503 hours.

*Estimated Total Annual Respondent Hourly Cost Burden:* \$1,958,805.

TABLE 1—TOTAL 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 <sup>1</sup> (\$/hour)	Estimated annual respondent cost burden
		(a)	(b)	(a) × (b) = (c)	(d)	(c) × (d) = (e)	(f)	(e) × (f) = (g)
1 .....	Petition for Rescission of Secrecy Order.	10	1	10	3	30	\$435	\$13,050
2 .....	Petition to Disclose or Modification of Secrecy Order.	10	1	10	2	20	435	8,700
3 .....	Petition for General and Group Permits.	1	1	1	1	1	435	435
4 .....	Petition for Expedited Handling of License (no corresponding application).	6,860	1	6,860	0.5	3,430	435	1,492,050
5 .....	Petition for Expedited Handling of License (corresponding U.S. application).	294	1	294	0.5	147	435	63,945
6 .....	Petition for Changing Scope of License.	3	1	3	0.5	2	435	870
7 .....	Petition for Retroactive License.	196	1	196	4	784	435	341,040
	Totals .....	7,374		7,374		4,414		1,920,090

<sup>1</sup> 2021 Report of the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law Association (AIPLA); pg. F-27. The USPTO uses the average billing rate for intellectual property attorneys in private firms which is \$435 per hour. (<https://www.aipla.org/home/news-publications/economic-survey>).

TABLE 2—TOTAL BURDEN HOURS AND HOURLY COSTS TO INDIVIDUAL AND HOUSEHOLD RESPONDENTS

Item No.	Item	Estimated annual respondents	Responses per respondent	Estimated annual responses	Estimated time for response (hours)	Estimated burden (hour/year)	Rate <sup>2</sup> (\$/hour)	Estimated annual respondent cost burden
		(a)	(b)	(a) × (b) = (c)	(d)	(c) × (d) = (e)	(f)	(e) × (f) = (g)
4 .....	Petition for Expedited Handling of License (no corresponding application).	140	1	140	0.5	70	\$435	\$30,450
5 .....	Petition for Expedited Handling of License (corresponding U.S. application).	6	1	6	0.5	3	435	1,305
7 .....	Petition for Retroactive License.	4	1	4	4	16	435	6,960
	Totals .....	150		150		89		38,715

*Estimated Total Annual Respondent Non-hourly Cost Burden: \$1,477,829.*

There are no maintenance costs, capital start-up 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 (\$1,477,135) and postage (\$694), is \$1,477,829.

#### Filing Fees

The items with filing fees are listed in the table below.

TABLE 3—FILING FEES

IC No.	Item	Responses	Filing fee (\$)	Total non-hour cost burden
		(a)	(b)	(a) × (b) = (c)
4 .....	Petition for Expedited Handling of License (no corresponding application) (undiscounted entity) .....	5,600	\$220	\$1,232,000
4 .....	Petition for Expedited Handling of License (no corresponding application) (small entity) .....	1,260	110	138,600
4 .....	Petition for Expedited Handling of License (no corresponding application) (micro entity) .....	140	55	7,700
5 .....	Petition for Expedited Handling of License (corresponding U.S. application) (undiscounted entity) ....	240	220	52,800
5 .....	Petition for Expedited Handling of License (corresponding U.S. application) (small entity) .....	54	110	5,940
5 .....	Petition for Expedited Handling of License (corresponding U.S. application) (micro entity) .....	6	55	330
6 .....	Petition for Changing Scope of License (undiscounted entity) .....	1	220	220
6 .....	Petition for Changing Scope of License (small entity) .....	1	110	110
6 .....	Petition for Changing Scope of License (micro entity) .....	1	55	55
7 .....	Petition for Retroactive License (undiscounted entity) .....	160	220	35,200
7 .....	Petition for Retroactive License (small entity) .....	36	110	3,960

<sup>2</sup> Ibid.

TABLE 3—FILING FEES—Continued

IC No.	Item	Responses	Filing fee (\$)	Total non-hour cost burden
		(a)	(b)	(a) × (b) = (c)
7 .....	Petition for Retroactive License (micro entity) .....	4	55	220
	Totals .....	7,503	.....	1,477,135

#### Postage

The USPTO estimates that 99% of the petitions in this information collection are submitted electronically, by facsimile, or hand carried because of the quick turnaround required, and only 1% of the 7,524 petitions will be submitted in the mail. The USPTO estimates that the average postage cost for a mailed submission, using a Priority Mail 2-day flat rate legal envelope, will be \$9.25 and that approximately 75 submissions will be mailed to the USPTO per year. Therefore, the USPTO estimates that postage costs in this collection will be \$694.

#### 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 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 personally identifiable information (PII) in a comment, be aware that the entire comment—including PII—may be made publicly available at any time. While you may ask in your comment to withhold PII from public view, 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.*

[FR Doc. 2022–28151 Filed 12–23–22; 8:45 am]

**BILLING CODE 3510–16–P**

#### COMMODITY FUTURES TRADING COMMISSION

##### Agency Information Collection Activities: Notice of Intent To Renew Collection 3038–0107, Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** The Commodity Futures Trading Commission (“Commission” or “CFTC”) is announcing an opportunity for public comment on the renewal of collection of certain information by the Commission’s Office of Customer Education and Outreach (“OCEO”). Under the Paperwork Reduction Act (“PRA”), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed or renewal of a collection of information and to allow 60 days for public comment. The Commission is soliciting comments for the renewal of its generic information collection that will help the CFTC satisfy responsibilities under the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”), found in Section 748 of the Dodd-Frank Act. The generic information collection will provide the OCEO a means to gather qualitative consumer and stakeholder feedback in an efficient, timely manner to facilitate service delivery.

**DATES:** Comments must be submitted on or before February 27, 2023.

**ADDRESSES:** You may submit comments, identified by “Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery,” and

Collection Number 3038–0107, by any of the following methods:

- The Agency’s website, at <https://comments.cftc.gov/>. Follow the instructions for submitting comments through the website.

- **Mail:** Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- **Hand Delivery/Courier:** Same as Mail above.

Please submit your comments using only one method. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <https://www.cftc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Dan Rutherford, Associate Director, Office of Customer Education and Outreach, Commodity Futures Trading Commission, 1155 21st Street NW, Washington, DC 20581, (202) 418–6623; email: [drutherford@cftc.gov](mailto:drutherford@cftc.gov), and refer to OMB Control No. 3038–0107.

**SUPPLEMENTARY INFORMATION:** Under the PRA, Federal agencies must obtain approval from the Office of Management and Budget (“OMB”) for each collection of information they conduct or sponsor. “Collection of Information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed collection of information listed below. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.