

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>71-241-05-1</i>	
TO: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>12-3-2004</i>	
1. FROM (Agency or establishment) United States Patent and Trademark Office (USPTO)		NOTIFICATION TO AGENCY	
		In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
2. MAJOR SUBDIVISION Office of the Chief Information Officer			
3. MINOR SUBDIVISION Architecture, Engineering and Technology Services, Office of Data Architecture and Services			
4. NAME OF PERSON WITH WHOM TO CONFER Susan K. Brown Records Officer	5. TELEPHONE NUMBER 703-308-7400	DATE <i>9/13/06</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>
6. AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached ___ page(s) are not needed now for the business for this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE <i>12/3/2004</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Susan K Brown</i>		TITLE USPTO Records Officer
7. ITEM NO	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1 - 51	U.S. Patent and Trademark Office Agency Administration Records These records are of an administrative nature which falls outside of the General Records Schedule, yet supports federal agency administrative functions at the U.S. Patent and Trademark Office. <i>cc Agency DWMW</i>	see attached	

Agency Administration

This Bucket includes record series that support functions inherent to the conduct of business by the U.S. Patent and Trademark Office (USPTO). These series represent federal administration, including the hiring of employees, financial management, human resources, corporate administrative support, payment of services received, procurement of services, the management of facilities that house employees, and procurement and maintenance of infrastructures necessary to perform public duties that are not represented under the GRS, but are unique to the USPTO. This bucket includes records used to provide continuous services, security, system development, lifecycle and change management, maintenance, and operational support for the entire USPTO IT infrastructure, assets, and enterprise architecture.

As these records may be maintained in different media and formats, this schedule is written to authorize the disposition of the records in any media (media neutral). Records that are designated for permanent retention and are created and maintained electronically will be transferred to NARA in an approved electronic format."

All of these records have a temporary disposition.

Quality Services/Corporate Planning
Legal Administration
Information Technology Operations
Human Resources
Finance
Budget
Administrative Services
General Administration

1 - Quality Services/Corporate Planning

Includes administrative records associated with performance goals and measurements for the agency programs, and planning for effective services and programs. Includes but is not limited to trend analysis and internal program reviews.

1a

Quality Services Program Files

Correspondence and final reports on matters related to the mission of the agency's quality services programs.

RETENTION:

Temporary: Destroy when 15 years old.

1b

Quality Development and Planning Records

Research, development and analysis records used to improve the quality of services provided by the USPTO. Covers records showing the overall development of USPTO plans and the evaluation of their effectiveness. Reports, studies, evaluations, recommendations, and related correspondence are included.

RETENTION:

Temporary: Destroy when 5 years old.

2 - Legal Administration

Records of federal agency administrative law, such as administrative law cases. These are records associated with the representation of the USPTO generally in matters other than those involving intellectual property issues, such as in administrative proceedings before the Merit Systems Protection Board (MSPB), Employment Opportunity Commission (EEOC), Federal Labor Relations Authority (FLRA), Federal Services Impasse Panel (FSIP), and arbitrators. Administrative litigation includes negotiability appeals and Unfair Labor Practice cases before the FLRA, cases before the FSIP involving bargaining impasses, arbitration cases, MSPB cases, and EEOC cases. These records should also follow DoC Office of General Law Records Schedules (N1-040-03-2).

2a

Routine Administrative Law Files, Internal Management

Files created and maintained by individual attorneys in the course of their daily work or to complete assignments. Includes reference materials and duplicated official correspondence located in other files; also includes documentation of review of policies, procedures and activities of USPTO offices. Includes attorney working files and legal advice files.

RETENTION:

Temporary: Destroy when no longer needed.

2b

Routine Administrative Law Files, Copies of External Actions of Referral and Review

Copies of correspondence from the Department of Commerce IG regarding requests to the USPTO for an investigation and documents related to the investigation and any reports furnished to the Department of Commerce IG. Also, copies of review notes, background and other clearance materials for proposed and final rules, not held in the office of record of the rule. (NOTE: originals maintain the original record copy of IG correspondence)

RETENTION:

Temporary: Destroy 1 year after action (receipt, publication, final review).

3 - Information Technology Operations

Records of operations that provide for the framework and infrastructure for electronic government. Includes records of information technology enterprise architectural design and acquisition of supporting automated information systems.

3a

IT-Specific Program Policy Files

Record copy of documents that define the policies for articulating and executing the standard services and duties performed by the OCIO for USPTO computer systems users. Documents are the basis for the execution of specific Service Level Agreements between the OCIO and client program offices.

RETENTION:

Temporary: Destroy 10 years after update.

3b

IT Transactions, User Authentication Files

Documentation concerning certification actions, including those of Public Key Infrastructure and related IT trust actions. Includes records of transactions such as the registration and revocation of electronic signatures and access credentials. These are used to verify authenticity of a party for a secure transaction or signature. Valid for internal and external users.

RETENTION:

Temporary: Destroy 12 years after close of account or authority end date.

3c

IT Procurement Task Order Library

Working copies of all contract task-related deliverable documents that have been received by the USPTO for IT specific procurements. Copies of task-related incoming and outgoing correspondence, and award fee documents.

RETENTION:

Temporary: Destroy/delete when 7 years old or when no longer needed, whichever is later.

3d

IT Procurement Product Deliverables Tracking and Reporting

Contract deliverables, incoming and outgoing correspondence. Reports including overdue and pending deliverables, past due responses, and projected deliverables.

RETENTION:

Temporary: Destroy official deliverable 6 years and 3 months after the close of the related contract.

3e

Working Papers, Legal and Regulatory Compliance Files

Background and working papers generated to comply with the *Government Performance Results Act (GPRA)* and other legislation.

RETENTION:

Temporary: Destroy/Delete when 3 years old or when no longer needed.

3f

Library and Public Searching Online Access Accounts

User data for management of USPTO library systems access.

RETENTION:

Temporary: Destroy/delete when 3 years old or when superseded or obsolete, whichever is longer.

3g

Software Engineering Process Group (SEPG) Files

SEPG policies and procedures, agenda and minutes, evaluation reports and decision documents, which assist USPTO employees in determining the impacts to agency activities by implementation of software (not including initial charter).

RETENTION:

Temporary: Destroy when superseded.

4 - Human Resources

Records supporting the administration of human resources, such as the processing personnel actions for the agency and managing equal employment opportunity and affirmative employment programs.

4a

Employee Relations Division Files

Policy subject files containing copies of directives from the DOC, Office of Personnel Management, and USPTO Human Resources. Files are used for administrative reference in meeting the duties and responsibilities of the Employee Relations Division. Includes FYI memos, case law, and related information.

RETENTION:

Temporary: Close inactive files annually. Destroy 25 years after closure.

4b

Union Officials Time Reports

Original statements detailing the number of hours used by union members in the conduct of official union business.

RETENTION:

Temporary: Destroy after GAO audit or when 6 years old, whichever is sooner.

4c

Delegations of Authority

Delegations of authority issued when duties and responsibilities have to be temporarily reassigned.

RETENTION:

Temporary: Destroy 5 years after termination of delegation.

4d

Employment Applications for Applicants not hired for Patent Examining Positions

Records associated with special reviews and ratings of federal job applicants not hired to Patent Examination positions.

RETENTION:

Temporary: Destroy when 2 years old.

4e

Job Applicant Reports

Reference reports run on applicants to USPTO jobs.

RETENTION:

Temporary: Delete when no longer needed for reference.

5 - Finance

Records supporting the unique federal agency financial operations of the USPTO, such as cost accounting, invoicing, and deposit accounts management. Records support operations that ensure customer fee payments are promptly, accurately, and efficiently recorded and deposited.

5a

General Revenue and Assignment Accounting Management Files

5a1 - General Accounting and Management Files

These files represent the processing of receipts and deposit account transactions throughout USPTO. These files update the Federal Financial System (FFS) and are needed to record accurately the revenue receipts (cash, credit cards, EFT, and checks) that accompany applications and deposit account activity (deposits and refunds). The office responsible for receipt accounting uses the files to quickly respond to customer inquiries about fees processed and agency-unique deposit account activity.

5a2 - Assignment Accounting and Management Files

These files track the processing of assignment recordation fee accounting transactions and update the Federal Financial System (FFS) daily. The files also provide features to allow the office responsible for receipt accounting to quickly respond to customer inquiries about fees processed and deposit account activity (deposits and refunds). These files contain the Patent and Trademark assignment accounting and supporting documentation related to Patent and Trademark fees.

5a3 - Fee Refund and Accounting Management Files

Request of refund for overpayment, fees, products, duplicate payment, or payment not needed. Copy retained to ensure payment was made and to respond to future inquiries.

RETENTION:

Temporary: Destroy 6 years, 3 months after last activity on an assignment.

5b

Administrative Finance Files

Administrative files include record copies of various USPTO financial activities. Files may include Audit Statements, Financial Statements, Internal Control Reviews, record copies of Year End Reports, Chief Financial Officer Annual Reports, Statements, Five-Year Financial Plans, Joint Financial Management Integrity Files, and Annual Performance and Accountability Reports.

RETENTION:

Temporary: Destroy when 5 years old.

5c

Bank Card System - Approval 1990

Authorizations for office credit cards with instructions on bank card use and security. Purchase documents maintained in administrative files. Used to comply with bank card regulations.

RETENTION:

Temporary: Destroy 2 years after authorization expires

5d

Customer Order Transaction Reports

Reports used primarily to track customer order information. Includes patent and trademark copy sales, Patent Cooperation Treaty-related transactions, and various electronic products information. Reports are used to reconcile balances and for statistical reporting of international fee activity. Includes status reports used to administer Patent Maintenance Fee program and statistical information on the processing and production of orders.

RETENTION:

Temporary: Destroy when 2 years old.

6 - Budget

Records of the USPTO that allow for short and long term planning for expenditures; includes but is not limited to cost analysis used to forecast budgets.

6a

Budget Planning and Evaluation

File copies of budget estimates comprising appropriation language sheets, narrative statements, and related data. Includes cost statements, rough data, and similar materials used to prepare annual budget estimates; justifications, correspondence regarding policy and procedures governing budget administration, reports, spreadsheets, trend analysis, appropriation language sheets, narrative statements, and related schedules used to forecast budgets.

RETENTION:

Temporary: Destroy 10 years after closure.

6b

Contracting Out for Services (A-76)

A-76 Circular, correspondence, and cost comparison studies in central files.

RETENTION:

Temporary: Destroy when 3 years old.

6c

Budget Models and Briefings

Statistical models, spreadsheets, data files and other records used to analyze forecasts of USPTO budget information. Also, models used for reconstruction and research, and materials used to brief new budget analysts, new directors and others in the USPTO. These are records not covered under the GRS or other budget retention series.

RETENTION:

Temporary: Destroy when no longer needed.

7 - Administrative Services

Records of a variety of uniquely USPTO administrative support programs intended to support operations of offices that support the USPTO mission, including space management; mail service; voice communications; security; messenger services; and repository management of all patented and abandoned files and registered and abandoned trademark files (on-site storage and retrieval operations).

7a

Administrative Services Correspondence

Primary file copy of all incoming or outgoing correspondence, annotated with suspense dates and including records of the action taken. Used for documentation of program actions.

RETENTION:

Temporary: Destroy when 5 years old.

7b

Security and Safety Training Materials

Awareness training materials for security and safety programs for all USPTO employees. Material includes pamphlets, brochures, and classroom handouts.

RETENTION:

Temporary: Destroy when 5 years old.

7c

Official Search Requests, Terminated Patent and Trademark Searches

Unique request and tracking materials used to manage searches and location information for Patent and Trademark such as documents for patent or trademark applications, abandoned applications, case files, or trademark registrations. Contains history of the searcher's effort over the 30day search period and the outcome, and a copy of the letter to the requestor.

RETENTION:

Temporary: Destroy when 2 years old.

7d

User I.D. Badges

Documentation allowing for security oversight of non-USPTO employee access to federal property. Includes information on persons not employed or contracted by the USPTO that are approved to access USPTO offices.

RETENTION:

Temporary: Destroy when no longer needed for identification and reporting.

7e

Employee Directory & Locator

USPTO Employee Directory. Compiled posted data on telephone numbers, room numbers and location of all USPTO employees and special purpose locations (i.e. search rooms).

RETENTION:

Temporary: Destroy when updated for current agency business.

8 - General Administration

Records supporting general office administration and USPTO administrative services, such as facilities and property management, not covered by the GRS. Includes program office controlled correspondence files assigned by the head (undersecretary or director) of the agency.

8a

General Office Subject Files - (Direct Reports General Administration)

Correspondence, periodic reports, memorandums, and similar records that are created, received or maintained in the offices of agency direct reports to the Undersecretary of the USPTO, that pertain to general office administrative management of programs and projects, and are used primarily for short-term reference. These records include, but are not limited to, periodic reports, quality review, safety and security, records from professional organizations and associations, education and training programs, human resources, reports, delegations of authority, and the like. These records do not document significant Office oversight, direction, policy, procedures, decisions, or programs.

RETENTION:

Temporary: Close inactive files at the end of each fiscal year and destroy when 5 years old.

8b

Facilities Management Division Files

Subject files by branch: Space and Telecommunications, Records and Property Management. Includes monthly reports and topics related to, or covered by each branch.

RETENTION:

Temporary: Destroy when 5 years old.

8c

Management Councils and Committees Supporting Documentation

Reports and related papers from USPTO internal management councils and committees that administer policy direction and agency-wide actions. Subjects include automation, advisory operations, awards, internal controls, long range planning, management & executive training, recruitment, special laws, outreach, and communication (ethics, pride, and morale). Used to provide administrative policy direction.

RETENTION:

Temporary: Destroy when no longer needed.

8d

Controlled Correspondence Files - Duplicate Copies

Copies of correspondence assigned by the Director or Commissioner requiring special attention. Files contain copy of original documents and background notes on final resolution. Organized by control number. Responses may be signed by program office or drafted for signature of Director. Record copy maintained in Director's files.

RETENTION:

Temporary: Destroy when 2 years old.

8e

Services Resources Guides for Agency Personnel

Guides to the USPTO's administrative services. Contents include lost and found, security and safety, phone services, mail delivery, signage, transportation and travel, building repairs and maintenance, and key contacts by name and phone number. Record copy maintained in Administrative Files:

RETENTION:

Temporary: Destroy record copy 3 years after superseded.

8f

Briefing Materials

Materials used to brief new budget analysts, new directors, and others who need to be briefed on the processes and procedures of program offices. Includes internal and external briefing documentation, not associated with Public Affairs or the agency head.

RETENTION

Temporary: Destroy when no longer needed.

search room on-line service accounts. The temporary retention appropriately meets the business needs of the agency, because the information is routinely updated.

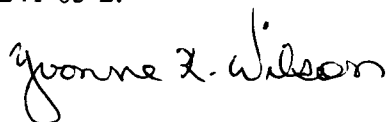
Five temporary series of records previously covered in NARA Job No. N1-241-96-4 by a 20-year retention are being consolidated as item 2 in the Dissemination schedule and USPTO is requesting authorization to reduce the retention period to a 10-year retention. These disposition adjustments meet the agency's current business needs.

Conclusion

The Department of Commerce, United States Patent and Trademark Office (USPTO) submits NARA Job Nos. N1-241-05-1 and N1-241-05-2 to provide for the agency's comprehensive disposition of those records created by the agency's administration and dissemination lines of business. The two schedules cover 52 media neutral 'big bucket' items, where 90 previously approved records series were consolidated into the bucket items. Ten unscheduled permanent records series, consolidated into item 1d of the Dissemination schedule, include those types of records that NARA routinely appraises as permanent and therefore meet the guidelines outlined in NARA Directive 1441, *Appraisal Policy of the National Archives and Records Administration*. The disposition instructions of the remaining 15 unscheduled temporary Administration and Dissemination series of records meet the business needs of the agency, appear to ensure Government accountability, and appear to protect the rights of the Citizen.

No previously approved permanent authorities have been changed to temporary and no previously approved temporary authorities have been changed to permanent, and the adjustments in the temporary retention instructions to 14 previously approved records series are appropriate to meet the agency's current business needs. During the appraisal visits, the agency provided justification for the increases and decreases in retention of previously approved 14 series of records. These changes in retention to previously approved items will allow the agency to better meet its business needs. The agency's revised disposition instructions continue to appear to meet the accountability requirements of the Government and appear to continue to protect the rights of the Citizen.

A Federal Register notice was published for these jobs. No requests for copies and no comments were received. I recommend approval of NARA Job Nos. N1-241-05-1 and N1-241-05-2.



YVONNE K. WILSON
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