

REQUEST FOR RECORDS POSITION AUTHORITY		JOB NUMBER <i>NI-241-10-1</i>	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>10/2/09</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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	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 Program Administration Organization			
4. NAME OF PERSON WITH WHOM TO CONFER Susan K. Fawcett Records Officer	5. TELEPHONE NUMBER 571-272-2799	DATE <i>9/28/09</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>9-28-2009</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Susan K Fawcett</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 GRS OR SUPERSEDED JOB CITATION	10.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)
	U.S. Patent and Trademark Office Patent Granting and Maintenance These records are unique to the Patent Office program at the U.S. Patent and Trademark Office.	see attached	

Patent Granting and Maintenance

This series covers records of the agency Patent business area, both unique administrative and mission-centric.

A patent is the grant of a property right for an invention to the inventor. The United States Patent Trademark Office (USPTO) exists in order to “promote the progress of science and the useful arts by securing for limited times to inventors the exclusive right to their respective discoveries (Article 1, Section 8 of the United States Constitution).

The right conferred by the patent grant is, in the language of the statute and of the grant itself, “the right to exclude others from making, using, offering for sale, or selling” the invention in the United States or “importing” the invention into the United States. What is granted is not the right to make, use, offer for sale, sell or import, but the right to exclude others from making, using, offering for sale, selling or importing the invention. Once a patent is issued, the patentee must enforce the patent without aid of the USPTO.

PERMANENT:

1 - Patent Program and Policy Subject Files

2 - Patent Case Files, Granted

TEMPORARY:

3 - Abandoned Patent Applications, Not Referenced in Granted Case File

4 - Pre-Grant Patent Examination Files

4.1 Evidentiary Patent Applications

4.2 Patent Examination Working Files (Action Folder)

4.3 Patent Examiner Reference Files

4.4 Patent Examination Feeder Records

4.5 Patent Post-Examination Feeder Records

5 - International Patent Files

5.1 Patent Cooperation Treaty (PCT) Applications and Miscellaneous Records

5.2 Non-PCT International Files

6 - Patent Quality Review Files

6.1 Quality Review System (QRS) Files

6.2 Quality Review Subject Files

7 - Patent Legal Records

7.1 Petitions to Expunge Assignment Documentation

7.2 P-Licenses

7.3 Attorney Work Product, Internal Management Files

7.4 Patent Legal Correspondence

7.5 Selected Application Production and Docket Reports

8 - Patent Training, Examination, and Certification Records

8.1 Examinations and Grading Overlays (Patent Corps)

8.2 Patent Examiner Personal Test Records

8.3 Patent Examiner Certification Records

8.4 Patent Training, Presentation and Administrative Files

9 - Patent Office General Administrative Records

10 - Patent Office Short-Term Discretionary Records

10.1 - Patent Classification Files

10.2 - Scientific Technical Information Center (STIC) Administrative Files

10.3 - Patent Administrative & Feeder Records

10.4 - PCT Program Administration

PERMANENT:

1 Patent Program and Policy Subject Files

Records of the high-level management, oversight and direction of Patent Office policies procedures, projects and management decisions.

Includes records that document studies, reports, memoranda and initiatives which have fundamental evidentiary value to activities impacting the patent system of the United States. This includes subject files and executive correspondence of the Commissioner of Patents.

These are divided into two retention periods, based upon the public availability of the program documents and the longevity of the policy and program development.

A

RETENTION:

Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded

B

Permanent: Close files annually or after superseded; transfer to NARA 10 years after closure or when superseded

2 Patent Case Files, Granted

Patent Case Files, Granted are the official agency case files of granted patents. They are also known as the "file wrapper" or "patent file wrapper" and they contain the record of the patent grant. This series also covers official related indices or finding aids. These records are comprised of various actions associated with the examination of a patent application as well as documentation added after grant during the active life of the file. National Stage of International PCT Case Files are included.

RETENTION:

Permanent: Transfer to NARA ~~40~~ years after closure

25 years

See pen and ink

Change 6/17/22 VST

TEMPORARY:**3 Abandoned Patent Applications, Not Referenced in Granted Case File**

Abandoned patent applications that are not referenced in a Granted Patent Case File

- Abandonment occurs when the applicant; fails to pay fees or submit documentation requested by the examiner within the allowed time; when claims made for the invention are not patentable or were previously patented; or when another applicant has filed an application for the same invention and can demonstrate an earlier date for the conception of the invention.
- Applications retained because they are referred to in another application that was granted are disposed of with the patent case file in which it is cited.

Appraisal notes: {MPEP 203.05 defines an abandoned application as, "*inter alia*", one which is removed from the Office docket of pending applications:

(A) through formal abandonment by the applicant (acquiesced in by the assignee if there is one) or by the attorney or agent of record;

(B) through failure of applicant to take appropriate action at some stage in the prosecution of a nonprovisional application;

(C) for failure to pay the issue fee (MPEP * § 711 to § 711.05); or

(D) in the case of a provisional application, no later than 12 months after the filing date of the provisional application (see MPEP § 711.03(c) and 35 U.S.C. 111 (b) (5))."

MPEP 2127 further states that "An abandoned patent application may become evidence of prior art only when it has been appropriately disclosed, as, for example, when the abandoned patent [application] is reference[d] in the disclosure of another patent, in a publication, or by voluntary disclosure under [former Defensive Publication rule] 37 CFR 1.139."

Also may include Patent Applications submitted under Secrecy Orders as well as National Stage of International PCT Case Files.

RETENTION:

Temporary: Destroy or delete after 50 years or after final determination of non-reference whichever is later.

4 Pre-Grant Patent Examination Files

Includes all patent application-related records generated during the pre-grant processing period. This includes but is not limited to Prior Art information, Pre-Examination records, and prosecution actions which precede the Granting of a Patent

4.1 Evidentiary Patent Applications

Patent applications as received, and maintained in their native format. This includes electronic forms where the prosecution activities require a change of the native format. These are records held by the agency at its discretion, for evidence of original filing document in the format received. This also covers Provisional Patent Applications

RETENTION:

Temporary: Destroy or delete after 50 years after receipt, or when no longer needed provisional or evidentiary activities, whichever is sooner

4.2 Patent Examination Working Files

Includes records of office actions and prosecution which consist of draft examiner work in progress, and working files that are the basis for and feeder to the final Official Patent Case File. Includes items such as examiner notes, research results from various internal and external sources, correspondence, and published patents. Includes collaborative sessions internal and external involved in the examination process. After patent abandonment or allowance, the working files are no longer needed for agency examination activities.

RETENTION:

Temporary: Destroy or delete 6 months after the authorized SPE final action (grant or abandonment) is made, or for maintenance and reissues, after the official record of action is placed in the official patent case file

The Working Folder is specific to an application, and is expected to contain marked up/annotated versions of content the patent examiner finds useful for examination purposes. The sources could include any electronic content including scanned documents or downloads from the internet or internal data bases, (standard feeder record sources) The Collection Folder is expected to be a way to keep reference materials in an easily accessible location, and it would be linked to a user and not a specific application. An Action Folder would contain materials in the Application folder that are in need of action by the Office. The content could be linked to the Action or Working folder.

4.3 Patent Examiner Reference Files

Versions of content the patent examiner finds used for examination purposes. The sources include any content including scanned documents or downloads from the internet. Could also include paper or other reference materials. These reference files are linked to a user and not a specific application. Content can be linked to pre-grant content but is used as a Patent Examiners individual reference file.

(Appraisal note: New series – these had previously been in scheduled in part as copies of the Examiner Search Files, in part)

RETENTION:

Temporary: Destroy when no longer needed

4.4 Patent Examination Feeder Records

Records, content or artifacts used in the patent examination process to create, update, or modify other records when those records are covered by a NARA-approved schedule. Includes system data that is extracted and loaded or included into another system or file.

RETENTION:

Temporary: Destroy when no longer needed

4.5 Patent Post-Examination Feeder Records

Records which are added to a patent case file after the examination has concluded. Includes, but is not limited to, records of Statutory Invention Registrations, Re-Issues, Patent Term Extension Petition Files and petitions such as petitions to the Director of the USPTO for the extension or adjustment of patent term under the appropriate statute and regulations. May includes public copies of petitions and follow-on correspondence and decisions.

NOTE: Official copies (images of original requests, follow-on correspondence, and decisions) are placed in the Patent Case File.

RETENTION:

Temporary: Destroy after confirmation that file has been added to the Granted Patent Case File

5 International Patent Files

Records generated and received by the USPTO as part of the World Intellectual Property Organization (WIPO) process of foreign patent application granting.. Includes Patent prosecution-related international files that are not specific to the PCT, administrative files and files for international patent liaison activities. (note U.S. National Stage of International PCT Case Files, as well as any related index or finding aids for the case files used for examination of applications filed under 35 U.S.C. 371. Official records showing the prosecution of the PCT applications for, and the granting of, a Patent. Documents include records of PCT intake, exchange documentation, examination, prosecution, assignment, registration and post-examination activity that constitute the record of a case file. These are covered by items 2 and 3 in this schedule)

5.1 Patent Cooperation Treaty (PCT) Applications and Miscellaneous Records

PCT international applications received from applicants or from foreign receiving offices and related records generated from filing, search, publication, and preliminary examination prior to an international application entering a formal national phase PCT prosecution. These records include the Home Copy, Search Copy and Examination Copy. Also includes International Exchange Agreement Files.

(Note regarding records covered by items 2 and 3 in this schedule: U.S. National Stage of International PCT Case Files, as well as any related index or finding aids for the case files used for examination of applications filed under 35 U.S.C. 371. Official records showing the prosecution of the PCT applications for, and the granting of, a Patent. Documents including records of PCT intake, exchange documentation, examination prosecution, assignment, registration and post-examination activity that constitute the record of a case file.)

RETENTION:

Temporary: Destroy when 20 years old

5.2 Non-PCT International files

Patent prosecution-related International Files that are not specific to the PCT.

RETENTION:

Temporary: Destroy when no longer needed for reference

6 Patent Quality Review Files

Files generated to improve the efficiency of the management mandated quality reviews. Mandated quality reviews include General Schedule 12 reviews, new examiner reviews, technical support staff reviews as well as Patent Cooperation Treaty (PCT) reviews along with allowed and In-Process Review (IPR) reviews already done for every examiner. (See MPEP). The system is accessed by the Office of the Commissioner, Technical Centers (TCs), and the Office of Patent Quality Assurance (OPQA). Various offices generate reports on reviews that are completed and on-going.

6.1 Quality Review System (QRS) Files (NEW)

The QRS Files are used to perform management mandated quality reviews, including General Schedule 12 reviews, new examiner reviews, technical support staff reviews, PCT reviews, and in-process reviews of patent examiners. The OPQA accesses the system to generate reports on reviews that are completed and on-going.

RETENTION:

Temporary: Destroy when 7 years old

6.2 Quality Review Subject Files

Subject files containing record copy of correspondence, reports, meetings, conferences and informational material used as a resource for the office.

RETENTION:

Temporary: Destroy when no longer needed

7 Patent Legal Records

These are records of attorneys, Legal Advisors and their staff, concerning Office practice and procedures associated with patent law, rules and policy implementation. Includes legal advice and records of Petitions not covered elsewhere in the schedule.

7.1 Petitions to Expunge Assignment Documentation (NEW)

These are petitions associated with Patent assignment records. Assignment records serve as a library of references used to establish ownership rights in an application or patent. These petition decisions are not part of the assignment files, but are retained by the Office of Petitions. They are retained the life of the associated application or patent.

RETENTION:

Temporary: Destroy when 40 years old

7.2 P-Licenses

Petitions to the Director for license to file applications for patents in foreign countries. Petitions from inventors who have filed a national patent application are filed with their application. Those without national applications are filed by P-number. Includes index or electronic database to P-Licenses. Records include group number, filing date, serial number (P-number), applicant, invention, date of license if granted, examiner, old, and government agencies contacted. Filed by date. Used to find P-number necessary to recall files from storage.

RETENTION:

Temporary: Destroy when 25 years old

7.3 Attorney Work Product, Internal Management Files (NEW)

Files created and maintained by individual attorneys in the course of their daily work or to complete assignments. Includes reference materials, correspondence, documentation of review of policies, procedures and activities of Patent offices. Includes attorney working files and legal advice files.

RETENTION

Temporary: Destroy when no longer needed

7.4 Patent Legal Correspondence (NEW)

Miscellaneous correspondences, which is administrative in nature and not associated with attorney advice or work product, or is routed to other offices for action.

RETENTION:

Temporary: Destroy when 3 months old

7.5 Selected Application Production and Docket Reports (NEW)

These are similar to, and are intended to mimic, the production and docket reports used in the patent examining corps. The docket report lists the work that an employee must complete and the production report lists the work that an employee did complete in the preceding bi-week. The production report is used in measuring the employee's productivity, which is used as a basis for the employee's performance appraisal and any related awards or disciplinary measures. These should be retained for the same length of time as production and docket report in the examining corps.

RETENTION:

Temporary: Destroy when 4 years old

8 Patent Training, Examination, and Certification Records

Examination and Certification Records associated with Patent employee examinations that allow for certification. Records include test materials, announcements, results, registration and other program materials.

8.1 Examinations and Grading Overlays (Patent Corps)

Examination and grading overlays used in Patent employee examinations that allow for certification.

RETENTION:

Temporary: Destroy when 7 years, 3 months old

8.2 Patent Examiner Personal Test Records

Test answers, sign-up rosters, used examination books, sign in sheets, confidentiality agreements, results notifications.

RETENTION:

Temporary: Destroy 1 year after Examination Administered

8.3 Patent Examiner Certification Records (NEW)

Includes both examiner initial certification and biannual examiner proficiency recertification records.

RETENTION:

Temporary: Destroy 8 months after confirmation of transfer to Examiner OPF

8.4 Patent Training, Presentation and Administrative Files

Presentations used in the Patent Academy and other follow-up training of new and existing Patent Examiners and Senior Patent Examiners (SPEs). Includes all internal active web-based computer-based training (CBT) modules relevant to Patent Examiner training.

RETENTION:

Temporary: Destroy when no longer needed

9 Patent Office General Administrative Records

Subject files, correspondence, periodic reports, certifications memoranda, and reports that document general office administrative management of various Patent programs and projects, and are used primarily for short-term reference, and not contained elsewhere in this schedule. Includes controlled correspondence of the Patent Commissioner, delegations of authorities.

RETENTION:

Temporary: Destroy 4 years after closure date

10 Patent Office Short-Term Discretionary Records

Patent general program specific short-term records. Includes patent examiner search, patent classification, and general patent administrative records used as input feeds to other Patent area records types.

10.1 Patent Classification Files

Records generated in the course of developing schedules and definitions for the technology classes and subclasses that Patent examiners search. Records generated from efforts to identify class subject matter and relevant subclasses, including emerging technologies that are experiencing tremendous growth. Examiners rely heavily on proper, up-to-date classification schedules; thus, the continual advancement of the current classification system as well as the development of new classification schedules is pivotal to quality and pendency goals. Includes records generated that relate to international outreach and outsourcing assistance in the area of patent classification. Classification Data System (CDS) is the system containing Classification Data.

RETENTION:

Temporary: Destroy when no longer needed for reference or USPTO business

10.2 Scientific Technical Information Center (STIC) Administrative Files

Administrative records generated by STIC in the course of assisting examiners with non-patent literature searching. Includes records related to administering search instruction courses, patents search strategy assistance, foreign patents searching, translations, commercial database training, and automated information system (AIS) instruction and support for patents applications including eDAN, OACS, and PFW.

RETENTION:

Temporary: Destroy when 2 years old or when no longer needed for reference or USPTO business, whichever is sooner

10.3 Patent Administrative & Feeder Records

General Patent administrative and automated information system records that provide input for other longer-term USPTO records.

RETENTION:

Temporary: Destroy when no longer needed for reference

10.4 PCT Program Administration

Includes General PCT Short-Term Administrative Records.

RETENTION:

Temporary: Destroy when 3 years old or in accordance with international treaty.

Scheduling Note:

This Flexible Schedule relies upon secondary retention determinations for the majority of “When No Longer Needed” retention periods. When in effect, WNLN will more often than not be a determined time frame based either upon the very detailed Examination Procedures (MPEP) and Rules that govern Patent Granting and Maintenance. In order to obtain a true flexible schedule, there is a need to allow for such flexibility to allow for rule changes or actions that update or alter the examination procedures. For instance, if a certain type of notice of allowance is to be retained in the case file now, but in the future the rules change and require that the office only maintain that record for 2 years, this schedule would allow for such internal procedures to be continually covered by retention schedules that do not interfere or contradict the rule or regulation.

USPTO Patent Bucket Crosswalk

7/22/2011

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
1	Records of the high-level management, oversight and direction of Patent Office policies procedures, projects and management decisions.						
	Includes records that document studies, reports, memoranda and initiatives which have fundamental evidentiary value to activities impacting the patent system of the United States. This includes subject files and executive correspondence of the Commissioner of Patents.						
	These are divided into two retention periods, based upon the public availability of the program documents and the longevity of the policy and program development.						
1A	Class A	Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	N1-241-96-3:1	Office of the Commissioner for Patents Program & Policy Subject Files	Correspondence, reports, studies, memorandums, committee papers, minutes of meetings, briefing books and papers, and similar records that pertain to overall management, oversight, and direction of Patent policies, procedures, decision, projects, and program. The records include files pertaining to the development of new USPTO automation projects such as PALM, APS, and other automated information systems; briefing books prepared for the Director and other high level officials; issue papers and reports to higher levels on USPTO programs and plans; strategic and long-range planning files; Complexity Factor files; and issues that affect the overall direction, operations, and programs, and plans of the Commissioner of Patents and the USPTO, such as computer-related inventions, emerging technology, intellectual property, biotechnology, and the like.	Permanent. Close inactive files at the end of each fiscal year and transfer to the Certified Records Center 5 years after closure. Transfer to the National Archives 20 years after closure.

USPTO Patent Bucket Crosswalk

7/22/2016

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
1A		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	New Series	Manual of Patent Classification	NARA record copy of the US patent classification (USPC) class schedules, as updated by classification orders. The Manual of Classification contains ordered arrangements of all (patent) class and subclass titles. Class and subclass titles are brief and are as suggestive as possible of the subject matter included. This supports classification of Patents.	N/A
1A		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	New Series	Patent Search Templates	Final official patent search templates describing search resources for the classified areas of science and technology found in the USPTO Manual of Classification. Search templates define the field of search, search tools, and search methodologies which should be considered each time a patent application is examined in that classification area. The templates describe search tools for U.S. and foreign patents and non-patent literature. Additionally, general Internet search tools used by patent examiners are listed. The search templates are based upon input from patent examiners and other searchers at the USPTO and capture their institutional knowledge of the most relevant prior art search sources for determining the patentability of subject matter in the area of technology. The listed areas represent where (what resources) and how (methodology) most of the prior art considered in the examination process is found during the search process. The templates provide more structure to the search activity and set a standard to measure the completeness of any search. Within USPTO, the templates will be especially valuable to new examiners. In addition to the "where to search" information, the search templates provide important guidance on what tools and methodologies; e.g. structure searches (tool) and classified searching, respectively, should be employed in the search process. The templates are	N/A
1A		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	New Series	SIRA History Files	Official Search and Information Resources Administration (SIRA) records describing the history of patent examination, granting and maintenance.	N/A

USPTO Patent Bucket Crosswalk

7/22/2011

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
1A		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	New Series	SIRA Processes and Procedures Manuals	Official final versions of Search and Information Resources Administration (SIRA) processes and procedures manuals.	N/A
1A		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	N1-241-96-7:53b	US Patent Classification Manual	Contains the titles of all classes and subclasses of the U.S. Patent Classification (USPC) system. Each record is a class and subclass with its title, and displayed as it would appear in the printed U.S. Patent Classification Manual. Used to produce the CD-ROM, microfiche, and published versions: a. Datafile b. Published manual (record set)	a. (See N1-241-05-2:1a) b. Transfer directly to the National Archives when superseded by a new edition of the manual. NOTE: If complete editions of superseded manuals are maintained in microform format, and can be transferred to the National Archives in accordance with provisions of 36 CFR 1230, microfilm will serve as an acceptable substitute for the paper version.
1A		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 20 years after closure or when superseded	N1-241-96-7-52	Reports of Classification Orders	Issued Quarterly or BiAnnually	Classification Orders a. Original microfiche.b. Paper copies. c. Microfiche copies.; a. Transfer to Boyers, PA for long term storage as agency vital record after inspection and verification.b. Destroy draft copies when final copy is issued. Destroy final copy when superseded or no longer needed for current business.c. Destroy when no longer needed for current business.

USPTO Patent Bucket Crosswalk

7/22/2014

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
1B		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 10 years after closure or when superseded	New Series	Peer-To-Patent Program	Final official Patent program records created in the two-year Peer-To-Patent Program pilot set out in June 2007 to determine the extent to which the organized submission of documents together with comments by the public can provide useful input for patent examiners. More than 220 applications were volunteered during the pilot from the technology areas of computer hardware, computer software and business methods. These applications will be analyzed by members of the public, who, in an organized manner using Internet Peer Review techniques, will determine the (up to) ten best documents, which will be submitted to the Patent Office under a waiver of certain sections of 37 CFR § 1.99.	N/A
1B		Permanent	Permanent: Close files annually or after superseded; transfer to NARA 10 years after closure or when superseded	N1-241-96-7:24a,b	Manual of Patent Examining Procedure	<p>The Manual is published to provide United States Patent and Trademark Office patent examiners with a reference copy on the practices and procedures relative to the prosecution of patent applications before the United States Patent and Trademark Office. It contains instructions to examiners, as well as other material in the nature of information and interpretation, and outlines the current procedures which the examiners are required or authorized to follow in appropriate cases in the normal examination of a patent application. The Manual does not have the force of law or the force of the Patent Rules of Practice in Title 37, Code of Federal Regulations:</p> <p>a. Record copy (published paper copy) b. Microfilm records</p>	<p>a. Permanent.</p> <p>1) Editions prior to the sixth edition (1994): Transfer one complete edition with all revisions directly to the National Archives 40 years after the MPEP is superseded by a new addition.</p> <p>2) Sixth and later editions: Transfer one complete printed edition with all revisions to the National Archives when a new edition is published.</p> <p>b. Permanent. Transfer one complete edition with all revisions to the National Archives in accordance with provisions in 36 CFR 1230 when a new edition is published. (See N1-241-05-2:3)</p>

USPTO Patent Bucket Crosswalk

7/22/2011

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2	Patent Case Files, Granted are the official agency case files of granted patents. They are also known as the "file wrapper" or "patent file wrapper" and they contain the record of the patent grant. This series also covers official related indices or finding aids. These records are comprised of various actions associated with the examination of a patent application as well as documentation added after grant during the active life of the file. National Stage of International PCT Case Files are included.						

USPTO Patent Bucket Crosswalk

7/22/2011

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Permanent	Permanent: Transfer to NARA 40 ² years after closure <i>25 years see pen & ink Change 6/17/22</i>	N1-241-01-4:1d1,d4a	Electronic Filing System	<p>a. System software and updates</p> <p>b. Life Cycle Management Documentation</p> <p>c. Input: EFS input is originated electronically by the inventor, law firm, or corporation submitting the application. Input may include standardized USPTO forms, textual information and images or drawings.</p> <p>d. Output (paper or electronic):</p> <ol style="list-style-type: none"> 1) Patent Application As Filed (paper). 2) Electronic output to related PTO systems. <p>Information electronically transmitted to the Revenue Accounting System (RAM), the Patent Application Location and Monitoring System (PALM), the Patent and Trademark Assignment System (PTAS), and the Automated Biotechnology Sequence Search System (ABSS).</p> <ol style="list-style-type: none"> 3) Pre-grant publication information, application acknowledgements receipts (paper or electronic), and other hard copy reports and logs. 4) Submission metadata created by EFS based on input. <ol style="list-style-type: none"> (a) Paper. (b) Electronic. <p>e. Master data: database files, electronic log data, image files.</p> <p>f. Backups.</p>	<p>a. See GRS 24, 11b</p> <p>b. See GRS 24, 3b(1)</p> <p>c. Temporary. Cut off when application/submission is accepted by the USPTO. Delete 5 years after cut-off.</p> <p>d. Output (paper or electronic):</p> <ol style="list-style-type: none"> 1) [N1-241-96-3:4]. Permanent. Print from image file format. File with the related item Patent Case Files and transfer paper to NARA when 40 years old. 2) Temporary. Delete after verification of successful data transfer to receiving system. 3) Temporary. Destroy or delete when no longer needed for verification or reference. 4) Submission metadata created by EFS based on input. <p>(a) [N1-241-96-3:4]. Permanent. Print and retain in hard copy Patent Application Case File.</p> <p>(b) Temporary. Delete after recordkeeping copy is produced and filed in the Patent Application Case File.</p> <p>e. Temporary. Delete after verification of successful transfer of data to other electronic systems or to hard copy.</p> <p>f. See GRS 24, 4a(1)</p>

USPTO Patent Bucket Crosswalk

7/22/2011

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Permanent	Permanent: Transfer to NARA 40 years after closure <i>25 years. See pen & ink 6/17/22</i>	N1-241-96-3:7a	Abandoned Applications (Referred to in Granted Patent)	Applications that do not result in the grant of a patent. Abandonment occurs when the applicant fails to pay fees or submit documentation requested by the examiner within the allowed time; when claims made for the invention are not patentable or were previously patented; or when another applicant has filed an application for the same invention and can demonstrate an earlier date for the conception of the invention: a. Applications retained because they are referred to in an issued patent. b. 1) Abandoned Applications dated before June 8, 1995 2) Abandoned Applications dated on or after June 8, 1995.	a. Permanent transfer to the Certified Records Center 10 years after abandonment. Transfer to NARA 40 years after abandonment. (Reference Patent Case Files) b. 1) Destroy 20 years after closure. 2) Destroy 23 years after closure.

USPTO Patent Bucket Crosswalk

7/22/2014

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Permanent	Permanent: Transfer to NARA 40 years after closure ↓ 25 years, see pen + ink 6/17/22	N1-241-01-5:1e,e1	Patent Application Capture and Review System (PACR)	a. System software and updates b. Life Cycle Management Documentation c. Inputs (paper or electronic source): Submitted patent applications (paper) d. Master Files (electronic) 1) Image File Format copy (electronic). 2) Data files (electronic). Bibliographic data automatically extracted from the image file format of the paper applications. The data is maintained as Extensible Markup language (XML) files in a relational database management system. e. Outputs (paper or electronic): 1) Application "as perfected" printout (paper) 2) Electronic output to the Patent Application Location Monitoring (PALM) system f. Backups g. Electronic Mail and Word Processing System Copies: 1) Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy. 2) Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.	a. See GRS 24, 11b b. See GRS 24, 3b(1) c. Permanent. Transfer to the Office of Initial Patent Examination. File with related records. Close patent case files at the end of each fiscal year and transfer to Certified Records Center 10 years after closure. Transfer to the National Archives 40 years after closure (N1-241-96-3:4). d. 1) Temporary. Verify according to established standards. Delete 5 years after submission. 2) Temporary. Delete 5 years after submission. e. Outputs (paper or electronic): 1) Permanent. Print and transfer to the Office of Initial Patent Examination for PGPub requirement. File with related records. Close patent case files at the end of each fiscal year and transfer to Certified Records Center 10 years after closure. Transfer to the National Archives 40 years after closure (N1-241-96-3:4). 2) Delete when transfer to PALM is verified and is no longer needed for active business use. f. See GRS 24, 4a(1) g. Electronic Mail and Word Processing System Copies: 1) See GRS 24, 12 2) See GRS 24, 12

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	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Permanent	Permanent: Transfer to NARA ⁴⁰ years after closure <i>25 years. See pen and ink 6/17/22</i>	N1-241-96-3:4a,b	Patent Case Files	Case files showing the prosecution of applications for, and the granting of, a patent. Files include the original application, the patent drawing, and all materials relating to the prosecution of the application and subsequent actions by USPTO. Includes patent files for reissues. Arranged numerically by Patent Number (Supersedes NC1-241-76-1:59) (See N1-241-96-3:33 for models and exhibits): a. Closed (granted) patent case files selected by the Commissioner of Patents and Trademarks and the Archivist of the United States. b. All other closed (granted) patent case files. NOTE: A rescheduling initiative is underway and a new schedule is due in mid 2004 for records associated with Patent Processing and Granting.	a. Permanent. Close patent case files at the end of each fiscal year and transfer to Certified Records Center 10 years after closure. Transfer to the National Archives 40 years after closure (Supersedes NC1-241-76-1:59a). b. Close patent case files at the end of each fiscal year and transfer to the Certified Records Center 10 years after closure. Destroy 40 years after closure (Supersedes NC1-241-76-1:59b).
2		Permanent	Permanent: Transfer to NARA ⁴⁰ years after closure <i>25 years. See pen and ink 6/17/22</i>	N1-241-96-3:6a	Statutory Invention Registration	Files showing the inventor provisionally abandoned the patent application while retaining interference rights. SIR's are filed by serial number preceded by the letter H; defensive publications are preceded by the letter "T." Used to search for prior art. NOTE: While technically not patents, these have a similar legal status: a. Closed SIR case files selected by the Director and the Archivist of the United States b. All other closed SIR case files.	a. Permanent. Close completed SIR case files at the end of each fiscal year and transfer to the Certified Records Center 10 years after closure. Transfer to the National Archives 40 years after closure. b. (See N1-241-05-1:8c)
2		Permanent	Permanent: Transfer to NARA ⁴⁰ years after closure <i>25 years. See pen and ink 6/17/22</i>	N1-241-96-7:3a	Patent Term Extension Petition Files	An applicant's petition to the Director of the USPTO for the extension of patent term under the appropriate statute and regulations. Copies are kept of the request and the decision made by the Director: a. Official copies (original copy of request). b. Public copies (duplicate file of the request and the decision made by the Director).	a. Original copy of decision to be placed in case file with the request once a final decision has been made. Forward case file for further processing. b. Destroy when no longer needed for reference.

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	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Permanent	Permanent: Transfer to NARA 40 years after closure ↑ 25 years. See pen and ink 6/17/22	New Series	General Power of Attorney Files (copy)	Original notices designating separate power of attorney to an agent that been appointed to represent the applicant in relation to the said international application. The files also contain correspondence from an applicant's agent concerning any updates or changes to be made to the case. This original copy is retained in the case file.	N/A
2		Permanent	Permanent: Transfer to NARA 40 years after closure ↑ 25 years. See pen and ink 6/17/22	New Series	Disclosure Document Files	Documents submitted by inventors as evidence of the date of conception of an invention: a. Disclosure documents that become part of a patent application filed within two years of disclosure document filing date. b. Disclosure documents that do not have a corresponding patent application filed within two years of disclosure document filing date.	a. Maintain with patent application. b. Sent to Federal Records Center after two years. Destroy when 5 years old.
2		Permanent	Permanent: Transfer to NARA 40 years after closure ↑ 25 years. See pen and ink 6/17/22	N1-241-96-7:64b,d	Automated Biotechnology Sequence Search System (Data Files)	The ABSS system accommodates amino and nucleic acid molecular sequence searching requirements of the biotechnology and chemical examining groups. ABSS activities include searching of DNA/RNA sequences using commercial sequence searching software and processing of molecular sequence listings in computer readable form (CRF) as part of biotechnology patents. The system is available 24 hours per day, seven days a week, to support examination efforts. NOTE: The full DNA Sequence Listing is downloaded in hard copy and placed in the application: a. System software b. Data files for granted patents. c. Data files for pending and abandoned patents. d. Documentation.	a. See GRS 24, 11b b. Permanent. Transfer to NARA when no longer needed for USPTO business. c. Delete data 2 years after abandonment with related case file. d. Permanent. Transfer to NARA with data files. (SEE Software Product Assurance Div. CLC Management Library b.).

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	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Permanent	Permanent: Transfer to NARA 40 years after closure <i>25 years. See pen and ink 6/17/22</i>	N1-241-96-3:85	Customer Correspondence	Correspondence from the applicants or their attorneys regarding the status of patent applications with a copy of the response from the Office of Initial Patent Examination.	Cut off at end of fiscal year. Destroy after 3 years.
2		Permanent	Permanent: Transfer to NARA 40 years after closure <i>25 years. See pen and ink 6/17/22</i>	N1-241-96-3:37a,b	Patent Application Selected for Review for Security Issues	Applications received by Group 2200 for security review by defense agencies and the Department of Energy (DOE). Group 2200 examiners also determine if the applications are allowable. These applications fall into one of the categories below: a. Secrecy orders issued: 1) Applications are allowable but patents cannot be issued until secrecy orders are rescinded. 2) Applications abandoned by statute because subject matter of inventions are secret. b. Cleared Applications - Applications which are reviewed and cleared of security issues.	a. 1) Transfer to central files for continued processing when secrecy order is rescinded. 2) Transfer to USPTO repository when secrecy order is rescinded. b. Transfer to central files for routine processing.
2		Temporary	Permanent: Transfer to NARA 40 years after closure <i>25 years. See pen and ink 6/17/22</i>	N1-241-96-3:47a,b	National Stage Case Files	National Stage Case Files are held in Central Files for processing. Cases begin with the receipt of any paper relating to a PCT application in the National Stage in the U.S. Files include the related paperwork associated with applications for which the U.S. is designated or elected. The cases are accessed for processing and reviewed by the legal staff to determine if they are in compliance with 37 CFR 1.494-1.499, 35 U.S.C. 371, and the Patent Cooperation Treaty: a. Case files that meet the requirements for entry into the national stage b. Abandoned applications.	a. Forward for further processing as a new national application. b. Transfer to the Certified Records Center 3 years after abandonment, destroy when 20 years old.

USPTO Patent Bucket Crosswalk

7/22/2016

	SubBucket and Description	Main Retention	New Retention Period	Current Citation	Current Series Title	Current Description	Current Disposition
2		Temporary	Permanent: Transfer to NARA 40 years after closure ↑ 25 years. See pen and ink 6/17/22	N1-241-96-3:44a	Article 20 Papers	Article 20 papers are the "Communication to Designated Offices" as set forth by the Patent Cooperation Treaty. The papers consist of the international application, the priority document, and the international search report used by the Office for reference purposes: a. When applicant enters national phase and case file is created b. When applicant does not enter national phase and case file is not created.	a. Place in case file when created. b. Destroy 35 months from priority date.
2		Temporary	Permanent: Transfer to NARA 40 years after closure ↑ 25 years. See pen and ink 6/17/22	N1-241-96-3:49	PCT Notification Concerning Documents Transmitted	Notifications listing documents transmitted to the applicant and the IB. Also includes an annex to the notification identifying each document transmitted by the type of document, the corresponding international application number, and, if necessary, other information. The notification is maintained in the case file.	Destroy when 3 years old, or when no longer needed for reference.
2		Temporary	Permanent: Transfer to NARA 40 years after closure ↑ 25 years. See pen and ink 6/17/22	N1-241-96-3:58	PCT Petition Decisions for International Applications	Copies of decisions made by the legal staff regarding various problems with an international application. The types of problems encountered consist of the international filing date, drawing problems (International Stage), change in designation, priority claim, defective translations of PCT Amendments and Annexes, PCT Rule 18 (applicant's qualification as a U.S. resident or national), 37 CFR 1.183 Waiver of the Rules, refund/fee problems, amendment problems, conversions, express/certificate of mail problems, 37 CFR 1.183 supervisory authority, 111 filing, bypass, demand/chapter II. The Office retains a copy for reference purposes; the original decision is placed in the case file.	Destroy when 10 years old, or when no longer needed for reference.