

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-241-96-001

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 06/30/2022

## **ACTIVE ITEMS**

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

Items 20a, 32, 34a, 34b, and 35 remain active.

## **SUPERSEDED AND OBSOLETE ITEMS**

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 1a was superseded by N1-241-09-001, item 1.a.1.1

Item 1b was superseded by N1-241-09-001, item 1.a.6.1

Item 2a was superseded by N1-241-09-001, item 1.a.6.1

Item 2b was superseded by N1-241-09-001, item 1.a.6.1

Item 2c was superseded by N1-241-09-001, item 1.b.5.2

Item 3 was superseded by N1-241-09-001, item 1.a.6.1

Item 4 was superseded by N1-241-09-001, item 1.a.1.1

Item 5a was superseded by N1-241-09-001, item 1.a.1.1

Item 5b is non-record

Item 6a was superseded by N1-241-09-001, item 1.b.1.1

Item 6b was superseded by N1-241-09-001, item 1.b.1.2

Item 7 was superseded by N1-241-09-001, item 1.b.1.1

Item 8 was superseded by N1-241-09-001, item 1.b.4.2

Item 9 was superseded by N1-241-97-001, item 9

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Item 10 was not appraised in this schedule

Item 11 was superseded by N1-241-09-001, item 1.a.1.4

Item 12 was superseded by N1-241-09-001, item 1.b.1.3

Item 13 was superseded by N1-241-09-001, item 1.b.1.4

Item 14 was superseded by N1-241-10-001, item 8.4

Item 15a was superseded by N1-241-10-001, item 10

Item 15b was superseded by N1-241-10-001, item 10

Item 16 was superseded by N1-241-10-001, item 6.2

Item 17 was superseded by N1-241-06-002, item 6

Item 18 was superseded by N1-241-06-002, item 6

Item 19 was superseded by N1-241-09-001, item 1.a.3.2

Item 20b was superseded by N1-241-09-001, item 1.a.3.3

Item 21 was superseded by N1-241-09-001, item 1.a.3.1

Item 22 is non-record

Item 23 was superseded by N1-241-09-001, item 1.a.3.1

Item 24a was superseded by N1-241-09-001, item 1.a.3.4

Item 24b was superseded by N1-241-09-001, item 1.a.3.4

Item 25 was superseded by N1-241-09-001, item 1.a.3.4

Item 26 was superseded by N1-241-09-001, item 1.a.3.2

Item 27a was superseded by N1-241-09-001, item 1.a.3.2

Item 27b is non-record

Item 28 was superseded by N1-241-09-001, item 1.a.6.1

Item 29 was superseded by N1-241-09-001, item 1.b.4.1

Item 30a was superseded by N1-241-09-001, item 1.b.4.6

Item 30b was superseded by N1-241-09-001, item 1.b.4.4

Item 31 was superseded by N1-241-09-001, item 1.b.4.7

Item 33a was superseded by N1-241-05-002, item 3

Item 33a was also shown as superseded by N1-241-09-001, item 1.b.4.7

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Item 33b was superseded by N1-241-09-001, item 1.b.4.7

Item 34a was superseded by N1-241-01-001, item 3

Item 36b was superseded by N1-241-09-001, item 1.b.4.2

Item 36c was superseded by N1-241-09-001, item 1.b.4.2

Item 37 was superseded by N1-241-09-001, item 1.b.4.2

Item 38 was superseded by N1-241-09-001, item 1.b.4.3

Item 39 was superseded by N1-241-09-001, item 1.a.6.1

Item 40 was superseded by N1-241-09-001, item 1.a.1.1

Item 41 was superseded by N1-241-09-001, item 1.b.1.2

Item 42 was superseded by N1-241-09-001, item 1.b.4.8

Item 43 was superseded by N1-241-09-001, item 1.a.3.2

**REQUEST FOR RECORDS DISPOSITION AUTHORITY**  
*(See Instructions on reverse)*

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)  
 WASHINGTON, DC 20408

1. FROM (Agency or establishment)  
 Department of Commerce

2. MAJOR SUBDIVISION  
 Patent and Trademark Office

3. MINOR SUBDIVISION  
 Data Administration Division

4. NAME OF PERSON WITH WHOM TO CONFER  
 Kathleen A. Schultz

5. TELEPHONE  
 (703) 308-7400

**LEAVE BLANK (NARA use only)**

JOB NUMBER  
 N1-340-96-1

DATE RECEIVED  
 11-9-95

**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.

DATE  
 9-17-96

ARCHIVIST OF THE UNITED STATES  
*John W. Cal*

**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 now needed for the business of 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,

is not required;  is attached; or  has been requested.

DATE	SIGNATURE OF AGENCY REPRESENTATIVE	TITLE
11/6/95	<i>Kathleen A. Schultz</i>	<i>Records Officer</i>

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	See attached items 1-39 (Phase IIIA)		
<p><i>Kathy Schultz, PTO records officer, concurred verbally by telephone to all changes in this schedule on August 20, 1996.</i></p> <p><i>J. Baume</i></p> <p>All changes to this proposed schedule have been approved by:</p> <p><i>Jany Baume</i> <i>8/29/96</i>  NARA appraiser      date      Agency representative      date</p>			

**Standard Form 115**  
submission to the  
**National Archives and Records Administration**

for

**PHASE IIIA**  
of the 1994/95  
**Records Series Inventory**  
**Patent and Trademark Office**

Prepared by

**NCI Information Systems, Inc.**

in accordance with  
Contract 50-PAPT-4-00007  
November, 1995

### Commissioner of Patents and Trademarks

**1 Commissioner's Files**

NC1-241-76-1 #1  
a. Rev.

Correspondence and memoranda, reports, and briefings relating to budget formulation, delegations of authority, examiner education fund, GAO and Inspector General reports, international matters (by country), labor management relations, legal materials (cases, opinions, rulings, proposed rulings, rule packages), legislation including copies of bills and hearings, management initiatives and reviews, organization and reorganization matters, personnel, procurement, and related subjects.

~~Disposition: Permanent. Transfer to FRC when 3 years old. Transfer to NARA when 25 years old.~~

*SEE REVISION SUMMARY FOR MODIFICATIONS*

**2 Controlled Correspondence Files**

NC1-241-76-1 #1  
a. Rev.

Correspondence to and from high-level Executive, Judicial, or Legislative branch officials requiring special control. Subjects can cover all areas of intellectual property, PTO policy, and high level agency administration.

- a. Received from sources other than DOC Secretariat.
- b. Received from DOC Secretariat.

~~Disposition: a. Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 25 years old.~~

~~b. Break files by fiscal year. Destroy when 7 years old. Note: DOC Secretariat maintains permanent record copy.~~

*SEE REVISION SUMMARY FOR MODIFICATIONS*

**3 Index to Controlled Correspondence**

NC1-241-76-1 #3  
Rev.

Card index to Controlled Correspondence files.

~~Disposition: Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 25 years old.~~

*SEE REVISION SUMMARY FOR MODIFICATIONS*

**4 Speech Files**

NC1-241-76-1  
#111 Rev.

Record copy of speeches given by the Commissioner and other PTO executives.

~~Disposition: Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 30 years old.~~

*Close files at the end of Commissioner's term or every 5 years, and transfer to the FRC when 10 years old. Transfer to the National Archives when 25 years old.*

**5 Commissioner's Calendars**

Proposed

The official record of appointments of the Commissioner and Deputy Commissioner of Patents and Trademarks.

~~Disposition: Permanent. Transfer to FRC when 3 years old. Transfer to NARA when 25 years old.~~

*SEE REVISION SUMMARY FOR MODIFICATIONS*

Office of the Solicitor

6 Court Cases

NC1-241-76-1 #76  
Rev.

Court papers, correspondence, and briefs involving appeals of PTO rejection of trademarks or patents. Used to prepare the PTO's case in court. Includes drafts that were circulated or made available to other employees, and which add to the formulation and execution of basic policies, decisions, actions, or responsibilities.

- a. Cases selected by the Solicitor as being precedent setting or having historical or political significance.
- b. All other cases.

~~Disposition: a. Permanent. Transfer to the NARA when 30 years old.~~  
~~b. Destroy when 30 years old.~~

*SEE REVISION SUMMARY FOR MODIFICATIONS*

7 Trademark Appeals Files

Proposed

Files from the Trademark Examining Attorney that were denied and then appealed. Used to defend the position of the PTO in a court case. If the appellant prevails, files are returned to the Trademark Examining Attorney. Otherwise, they remain at the Office of the Solicitor until it is determined that no further action will be taken.

~~Disposition: Destroy 10 years after termination date or sooner if no longer needed for reference.~~

*SEE REVISION SUMMARY*

8 Disciplinary Files

Proposed

Pleadings filed in disciplinary proceedings. Includes testimony, correspondence, complaint letters, investigation reports, administrative hearings records, final decisions, and supporting documentation. Used to discipline attorneys and agents practicing before the PTO.

~~Disposition: Destroy 50 years after closure.\*~~

*Break closed files at the end of each FY and transfer to the FRL.  
Destroy 50 years after closure.*

9 Examiners Testimony

Proposed

*Employee of PTO employees*  
Copies of certified depositions used as testimony in court cases. This file also contains background materials, drafts and notes.

Disposition: Destroy when no longer needed.

10 Certified *Copies of PTO* Records

Proposed

Duplicate security copy of records that have been sent to regional courts to be used as testimony in patent and trademark disputes. Each copy carries an official PTO seal and is tied by a blue ribbon to insure the integrity of the record.

Disposition: Destroy when 10 years old or no longer needed, whichever is sooner.\*

- 11. Rule Review File** **Proposed**
- Rule changes, review notes, background materials, and other related papers used to check regulatory conflicts and appropriate legal language in agency rulemaking procedures.
- a. Substantive changes in rules.
  - b. Minor changes in rule language.
- Disposition:** ~~a. Permanent. Transfer to FRC when 15 years old. Transfer to the NARA when 30 years old.~~  
b. Destroy when no longer needed.  
*SEE REVISION SUMMARY*
- 12. Correspondence of the Office of the Solicitor** **Proposed**
- Record copy of correspondence and reply used to document the activities of the Office of the Solicitor.
- Disposition:** Break files by fiscal year. Transfer to FRC when 7 years old.  
Destroy when 20 years old.
- 13. Subject File** **Proposed**
- Copies of documents on subjects of concern to the Office of the Solicitor. Arranged alphabetically, and used for general reference.
- Disposition:** Destroy when 2 years old, or when no longer needed, whichever is sooner.
- Office of Patent Quality Review**
- 14. Allowed Cases Batch Report (PALM Report 2A20PR1)** **Proposed**
- A preliminary report received daily from PALM listing the new cases allowed for quality sampling. Report lists serial #, examiner name, location and dates, class and subclass.
- Disposition:** Destroy when 3 months old or when no longer needed, whichever is sooner.
- 15. Quality Review of Sample of Allowed Patent Applications** **NI-241-92-3 #1  
Rev.**
- Monthly report on allowed cases for quality review.
- a. Working papers used to prepare monthly statistical [report].
    - (1) Paper.
    - (2) Electronic - Includes databases for allowed cases, abandoned cases, and reissues.
  - b. Monthly Statistical Report.
    - (1) Paper.
    - (2) Electronic.
- Disposition:** a. Destroy 1 month after statistical report is issued.  
b. Destroy 1 month after statistical report is issued.



16. Quality Review Subject Files

Proposed

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

Disposition: Break closed files by fiscal year, and transfer to FRC. Destroy when 10 years old.

Office of Trademark Quality Review

17 Trademark Quality Reviews and Findings

Proposed

Each quality review results in a report of findings. Reports may be answered by the examiner, and if so the answer becomes part of the file. Reports of findings are destroyed after one year in order to preserve government neutrality in any possible disputes.

Disposition: Break files by fiscal year. Destroy when 1 year old.

18 Card File of Trademark Quality Reviews Completed

Proposed

A record is kept of every number that has been subjected to quality review in order to avoid conducting a second review on the same case. The card file is merely a list of numbers reviewed, with no additional information.

Disposition: Destroy when no longer needed.

Office of Public Affairs

19 Exhibit Files

NC1-241-76-1  
#108 Rev.

Correspondence, photographs, reports, and related materials concerning major exhibits developed by the Patent and Trademark Office, such as the 175th anniversary exhibit.

Disposition: ~~Transfer to FRC when 10 years old. Transfer to NARA when 30 years old.~~

*Permanent. Close files at the end of the exhibit and transfer to the FRC 5 years after closure.*

20 ~~Photograph Files~~ PHOTOGRAPHS AND NEGATIVES

NC1-241-76-1  
#109 Rev.

Photographs of key Patent and Trademark Office officials, major exhibits, and other subjects that are related to the functioning of the Patent and Trademark Office. Includes the negative and one positive print.

- ~~a. Materials selected for historical value.~~
- ~~b. All others.~~

Disposition: ~~a. Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 30 years old.~~  
~~b. Transfer to FRC when 10 years old. Destroy when 30 years old.~~

*SEE REVISION SUMMARY*

21. Publications Files

NC1-241-76-1  
#110 Rev.

Record copy of each publication that contributes to an understanding of the organization and functioning of the Patent and Trademark Office.

Disposition: Permanent. *Close files each FY and after closure.* Transfer to FRC when 10 years old. ~~Transfer to NARA when 30 years old.~~

22. Speech Files

Proposed

File consists of copies of each speech given by the Commissioner and other Patent and Trademark Office executives. Used for reference purposes.

Disposition: Destroy when no longer needed for reference.

23. News Release Files

NC1-241-76-1  
#112 Rev.

Record copy of each news release.

Disposition: ~~Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 30 years old.~~

*SEE REVISION SUMMARY*

24. ~~Conference Files~~ *EDUCATIONAL OUTREACH PROGRAM FILES*

Proposed

~~Files relating to PTO's interest in the promotion and development of creativity and higher order thinking skills. These conferences bring together regional teachers and experts with the goal of providing information, teaching methods, and curriculum material to students.~~

~~Disposition: Destroy when 5 years old or when no longer needed.~~

*SEE REVISION SUMMARY*

25. ~~Subject Files~~ *PUBLIC AFFAIRS SUBJECT FILES*

Proposed

Files containing record copy of correspondence, reports, background papers used for projects, and general materials used as a resource for the office.

Disposition: ~~Break closed files by fiscal year. Transfer to FRC when 3 years old. Destroy when 20 years old.~~

*SEE REVISION SUMMARY*

26. Biographical Sketches *AND PORTRAITS*

Proposed

Files containing biographical material with photographs of higher level PTO employees.

Disposition: ~~Destroy when no longer needed.~~

*PERMANENT: Close files at the end of each FY. Transfer directly to the National Archives 10 years after closure.*

17 Audiovisual Files - NONTEXTUAL MEDIA

NCI-241-76-1  
#109 Rev.

A collection of audiovisual material received from various sources within the PTO illustrating or explaining policies, programs, and procedures as well as documenting official PTO public affairs functions. Includes: motion pictures, audio tapes, video recordings, and still photography (with the exception of photographs of PTO officials, which are maintained separately).

- ~~a. Materials selected for historical value.~~ *RECORD COPY.*
- ~~b. Others. DUPLICATE COPIES~~

~~Disposition: a. Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 30 years old.~~ *SEE REVISION SUMMARY*

~~b. Transfer to FRC when 10 years old. Destroy when 30 years old.~~ *no longer needed for current business.*

28 Controlled Correspondence Files

NCI-241-76-1 #1  
b. Rev.

Copies of correspondence assigned by the Commissioner or Associate Commissioner requiring special attention. Responses may be signed by program office or drafted for signature of the Commissioner. Record copy is maintained in the Commissioner's office.

~~Disposition: Break files by fiscal year. Destroy when~~ *3* ~~years old.~~

Office of Enrollment and Discipline

29 Enrollment Examination\*

Proposed\*

Record copy of examinations given to new registrants applying to practice before the PTO.

~~Disposition: Permanent. Transfer to the FRC in 1 cu. ft. increments. Transfer to the NARA when 30 years old.~~ *directly*

*National Archives*

30 Enrollment Examinations Completed by Applicants

NCI-241-76-1 #82  
Rev.

Examinations completed by registrants applying to practice before the PTO.

- a. Successful candidates.
- b. Unsuccessful candidates.

~~Disposition: a. Destroy after grades are registered.  
b. Destroy when 3 months old or after appeals process has expired, whichever is later.~~

31 Registration Ledgers

Proposed

Ledgers used to record registration # issued to attorneys and agents registered to practice before the PTO. Records date from registration #1, 1897 to present. Registrants previous to this date were not issued a number.

~~Disposition: Permanent. Transfer to the NARA when no longer needed for PTO business.~~

*Destroy when no longer needed for current PTO business.*

**32 Case Folders of Registered Attorneys and Agents**

NI-241-92-1 #1  
Rev.

Application folders of attorneys or agents registered to practice before the PTO. Filed in alphabetical order by registrant name. Includes requests to change address or name, and related data, and copies of certificates of good standing.

- a. Case folders.
- b. Addenda to case folders stored at the FRC.
- c. Microfilm copy of case folders.
- d. Electronic copy of case folders and addenda.

- Disposition:
- a. Break files in five year increments and transfer to FRC. Destroy when 60 years old.
  - b. Transfer to the FRC in 1 cu. ft. increments. Destroy when 60 years old.
  - c. Destroy when no longer needed for reference.
  - d. Delete when no longer needed for reference.

**33 Attorneys and Agents Registered to Practice Before the U.S. Patent and Trademark Office**

NC1-241-76-1 #79  
Rev.

Includes practicing attorneys and agents in good standing. Published and revised annually based on information received from registrants. Electronic copy accessible through the PALM system.

- a. Record copy.
- b. Copies in other media.

- Disposition:
- a. ~~Permanent. Transfer to the NARA when no longer needed for PTO business.~~
  - b. Destroy or delete when superseded or no longer needed for reference.

*Destroy when no longer needed for current PTO business.*

**34 Data Sheets\***

Proposed\*

Record of current registrations filed alphabetically by registrant name. Revised data sheets and correspondence submitted by registrants are attached to original sheet. Used as the official file of current registrations.

- a. Data sheets of deceased registrants.
- b. Data sheets of inactive registrants.

- Disposition:
- a. Transfer to the FRC in 10 year increments. Destroy when 15 years old.
  - b. Transfer to the FRC in 10 year increments. Destroy when 30 years old.

*SEE REVISION SUMMARY*

35. Closed Complaint Files - No Disciplinary Proceeding is Initiated

NI-241-92-2 #1

Rev. *add at caret:*

Complaint letters, related correspondence, and supporting documentation on complaints about an attorney or agent registered to practice before the PTO, *or an applicant for registration*.  
Filed alphabetically by registrant name.

- a. Routine cases where no formal warning or reprimand is issued.
- b. Significant cases where a formal warning or reprimand is issued.
- c. Microfilm.
- d. Electronic.

- Disposition:**
- a. Close file on completion of PTO investigation and microfilm. Transfer to FRC 2 years after closure. Destroy 10 years after closure.
  - b. Close file on completion of PTO investigation and microfilm. Transfer to FRC 2 years after closure. Destroy 20 years after closure.
  - c. Destroy when no longer needed for reference.
  - d. Delete when no longer needed for reference.

36 Closed Complaint Files - Disciplinary Proceeding is Initiated

NI-241-92-2 #2

Rev.

*add at caret:*

Correspondence, complaint letters, investigation reports, administrative hearing records, final decisions, and supporting documentation on complaints about an attorney or agent registered to practice before the PTO. Filed alphabetically by registrant name. Used as support for disciplinary proceeding.

- a. Paper records.
- b. Microfilm.
- c. Electronic.

- Disposition:**
- a. Close file on completion of PTO investigation and microfilm. Transfer to FRC 2 years after closure. Destroy 50 years after closure.
  - b. Destroy when no longer needed for reference.
  - c. Destroy when no longer needed for reference.

*"or an applicant for registration..."*

37 Reinstatement Correspondence

NI-241-92-2 #3

Rev.

Correspondence and supporting records relating to appeals for reinstatement as a registered attorney or agent following disciplinary action.

- Disposition:** Close files after decision on reinstatement is completed. Break closed files by fiscal year. Transfer to FRC when 5 years old. Destroy when 20 years old.

38 *SUBJECT FILES of the*  
~~Program Records~~ Office of Enrollment and Discipline

Proposed\*

Correspondence and reports related to office activities which result in attorney registration and discipline. Records include correspondence with outside groups, dissemination of program information, the development and assessment of programs, and other correspondence related to the mission of the Office.

- Disposition:** Break files by fiscal year. Transfer to FRC when 7 years old. Destroy when 15 years old.

39. Speech Files

Proposed\*

Speeches delivered to outside groups in order to promote the activities of the PTO and of the Office of Enrollment and Discipline. Record copy in Commissioner's files.

Disposition: Destroy when 5 years old or when no longer needed.

40. DEPUTY COMMISSIONER'S FILES  
SEE REVISION SUMMARY

NEW ITEM

41. INDEX TO APPEALS CASES  
SEE REVISION SUMMARY

NEW ITEM

42. COMMISSIONER'S DECISION FILES  
SEE REVISION SUMMARY

NEW ITEM

43. POSTERS  
SEE REVISION SUMMARY

NEW ITEM

**Patent and Trademark Office**  
**Summary of Revisions to Job No. N1-241-96-1**

Item  
No.

1. Commissioner's Files. Revised disposition instructions.
  - 1a. Permanent. Close files annually and transfer to the FRC when 2 years old. Transfer to the National Archives when 25 years old.
  - 1b. Duplicate copies maintained solely for reference: Destroy when no longer needed for current agency business. [Nonrecord]

**New  
Item**

**40. Deputy Commissioner's Files**

Correspondence, memoranda, reports, and briefings relating to budget formulation, delegations of authority, examiner education, inspection and audit reports, labor/management relations, legal materials such as cases, opinions, rulings, proposed rulings, rule packages, and the like) legislation, copies of bills, hearings, management initiatives and reviews, organization and reorganization materials, and personnel and procurement materials for the Deputy's attention.

Permanent. Close files annually and transfer to the FRC when 2 years old. Transfer to the National Archives when 25 years old.

Supersedes NC1-241-76-1, Item 4.

2. Controlled Correspondence Files. Revised disposition statement and added optical disks as a new subitem.
  - 2a. Textual records: Close files at the end of each Congress (2 years) and transfer to the FRC . Destroy 5 years after closure.
  - 2b. Electronic records and optical disks: Delete or destroy when the related paper records are destroyed.
  - 2c. Duplicate copies maintained solely for reference: Break files each FY and destroy when 2 years old. [Nonrecord]

3. Index to Controlled Correspondence. Added "Electronic records and card indexes..."

3a. Card Indexes: Close files at the end of each Congress (2 years) and destroy 5 years after closure.

3b. Electronic records and optical disks: Delete or destroy when the related card indexes or paper records are destroyed.

4. Disposition revised to state: Permanent. Close files at end of Commissioner's term or every five years, and transfer to the FRC when 10 years old. Transfer to the National Archives when 25 years old.

5. Commissioner's Calendars. Added electronic records.

Item 5a. Printouts of electronic schedules. Permanent. Close files at the end of each CY and transfer to the FRC at the end of each Commissioner's term of office or when volume reaches 1 cubic foot. Transfer to the National Archives when 25 years old.

Item 5b. Electronic records. Update or delete as needed after daily schedule printouts are placed in official files.

6. Court Cases. Added selection guidance to the description, and FRC transfer to disposition.

Add the statement to the description of Item 6a: "Prior to transferring Court Cases to the FRC the Solicitor will select permanently valuable cases that have legal, political or historical significance using the following guidelines: (1) cases that set a precedent in patent or trademark law, (2) cases that changed PTO examining or granting procedures, (3) all cases heard before the U.S. Supreme Court, and (4) cases that involve the patenting of new electronic, biomedical, chemical, or genetic technologies that are widely held to be "landmark" decisions, and (5) cases that involve significant issues relating to the appropriate protection of intellectual property."

a. Selected cases. Permanent. Break closed files at the end of each FY and transfer to the FRC when 3 years old. Transfer to the National Archives when 30 years old.

b. All other case files. Break closed files at the end of each FY and transfer to the FRC when 3 years old. Destroy when 30 years old.



7. Trademark Appeals Files. Revised disposition

Close files at the end of each FY after a determination is made that no further action will be taken. Transfer to the FRC 3 years after closure. Destroy 10 years after closure.

8. Disciplinary Files. Revised disposition.

Break closed files at the end of each FY and transfer to the FRC. Destroy 50 years after closure.

9. Employee Testimony. Revised series title and description.

“Copies of certified dispositions of PTO employees used as testimony in court cases. . . .”

10. Certified Copies of PTO Records. Revised series title.

**New  
Item**

41. Index to Appeals Cases. [Located in Solicitor’s Office]

Card index used to identify patent and trademark appeals in the Federal Courts.

Destroy 30 years after date of appeal.

11. Rule Review Files. Disposition revised to Temporary.

Close files at the end of each FY and transfer to the FRC 5 years after closure. Destroy when 30 years old.

19. Exhibit Files. Disposition instructions revised.

Permanent. Close files at the end of the exhibit and transfer to the FRC 5 years after closure. Transfer to the National Archives when 30 years old.

20. Photographs and negatives. Disposition instructions revised

Portraits of key PTO officials and senior executives, exhibit photographs, and other photographs documenting PTO programs and public affairs services. Record elements include the negative and one captioned print.

- a. Newsletter photographs, and other photographs used in internal PTO announcements or bulletins, routine retirement or award photographs, and

photographs of social events that do not relate to agency-wide activities or missions.

Destroy when no longer needed for current agency business.

- b. All other photographs and negatives.

Permanent. Close inactive files annually at the end of each FY. Transfer directly to the National Archives in subject order in accordance with regulations found in 36 CFR 1228.184 3 years after closure.

**NOTE:** To provide for the proper preservation of PTO's photographic images, color and black and white negatives should be maintained in separate files (see below) while in agency custody, and transferred separately to the National Archives in accordance with the disposition instructions. For each type of audiovisual record designated as permanently valuable, the specific components required by 36 CFR 1228.184 for preservation, reproduction, and reference are listed below.

**Black and white photography:** the original negative and a captioned print.

**Color photography:** the original negative, a captioned print, and a duplicate negative, if one exists.

**Color transparency and slide photography:** The original and one duplicate copy.

**Slide sets or filmstrips and accompanying audio recordings or scripts:** Two copies.

**Finding aids:** All indexes, log books, catalogs or similar materials that serve as a finding aid to negatives, prints, slides, or other photographic records.

*The National Archives reserves the right to dispose of any material already appraised as disposable under the General Records Schedules or other approved agency schedules, as well as all duplicate, unidentifiable, fragmentary, unrelated, or non-archival materials during archival processing. All disposable and unaccessioned materials will be returned to PTO.*

**New  
Item**

**43. Posters**

Posters and other graphic arts that are created to document agency-wide public affairs activities or programs, special events and anniversaries, museum exhibits, historical

accomplishments of the PTO, and to inform the public regarding PTO's mission and activities.

Permanent. Transfer two copies of each poster directly to the National Archives when 10 years old.

21. Publications Files. Disposition instructions revised.

Permanent. Close files at the end of each FY and transfer to the FRC 10 years after closure. Transfer to the National Archives when 30 years old.

22. Speech Files. Nonrecords copies. NARA approval not required.

23. News Release Files. Disposition revised.

**PERMANENT.**

^ Close files at the end of each FY and transfer to the FRC 10 years after closure. Transfer to the National Archives when 30 years old.

24. Educational Outreach Program Files. Series title and description revised.

Files relating to PTO's interest in the promotion and development of creativity and higher order thinking skills, such as Project X/L or similar projects. Conferences related to these outreach programs bring together regional teachers and experts with the goal of providing information, teaching methods, and curriculum materials to students.

- a. Outreach program files. Close files at the end of each FY and transfer to the FRC 3 years after closure. Destroy when 20 years old.
- b. Conference files. Close files at the end of each FY and transfer to the FRC 5 years after closure. Destroy 10 years after closure.

25. Public Affairs Subject Files. Title and disposition revised.

Close files at the end of each FY and transfer to the FRC 3 years after closure. Destroy 20 years after closure.

26. Biographical Sketches and Portraits. Title and disposition revised.

Permanent. Close files at the end of each FY. Transfer directly to the National Archives 10 years after closure.

27. Audiovisual Records. Disposition revised.

- a. Record copy.
  - b. Duplicate copies.
- 
- a. Permanent. Transfer directly to the National Archives in accordance with regulations found in 36 CFR 1228.184 when 10 years old.
  - b. Destroy when no longer needed for current PTO business.

*The National Archives reserves the right to dispose of any material already appraised as disposable under the General Records Schedules or other approved agency schedules, as well as all duplicate, unidentifiable, fragmentary, unrelated, or non-archival materials during archival processing. All disposable or unaccessioned materials will be returned to PTO.*

**NOTE:** For each type of audiovisual record designated as permanently valuable, the specific record components required by 36 CFR 1228 for preservation, reproduction, and reference are listed below.

**Video recordings:** The original or earliest generation of each video recording, and a dubbing, if one exists.

**Sound recordings:** The original or earliest generation of each audiotape recording, and a dubbing, if one exists.

**Motion pictures:**

Agency-sponsored films: The original negative or color original plus separate sound track, an intermediate master positive or duplicate negative plus optical sound track, and a sound projection print or video recording.

Acquired films: Two projection prints or one projection print and a video recording.

Unedited footage: The original negative or color original, work print, and an intermediate master positive or duplicate negative, if one exists, appropriately arranged, labeled, and described.

28. Controlled Correspondence Files. Duplicate copies. Destroy when 2 years old.

29. Enrollment Examinations. Disposition revised.  
Permanent. Transfer directly to the National Archives when 30 years old.
31. Registration Ledgers. Disposition revised.  
Destroy when no longer needed for current PTO business.
32. Case Folders of Registered Attorneys and Agents  
Revision of Job No. N1-241-92-1. Microfilm no longer the record copy.
33. Roster of Attorneys and Agents . . . . Disposition revised for 33a.
- a. Destroy when no longer needed for current PTO business.
  - b. [No change]
34. Data Sheets. Disposition revised.
- a. Destroy 10 years after notification of death.
  - b. Close file on determination of inactive status and transfer to the FRC 10 years after closure. Destroy 30 years after closure.
35. Closed Complaint Files--No Disciplinary Proceeding Is Initiated. Description revised.  
Add at the end of the first sentence "... or an applicant for registration" before the PTO.
36. Closed Complaint Files--Disciplinary Proceeding Is Initiated. Description revised.  
Add at the end of the first sentence "... or an applicant for registration" before the PTO.
38. Program Subject Files of the Office of Enrollment and Discipline. Title revised.

**New  
Item**

42. Commissioner's Decisions Files.

Reference copies of non-interlocutory decisions issued by the Commissioner for examination regrades, denials of entry, OED disciplinary hearings or decisions, determinations of technical and scientific qualifications, and to practice before the PTO. Used by OED staff for reference purposes.

Destroy when no longer needed for current PTO business.