

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
N1-241-96-3

DATE RECEIVED
12-6-95

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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
3-24-97

ARCHIVIST OF THE UNITED STATES
John W. Paul

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
12/1/95	<i>Kathleen A. Schultz</i>	Records Officer

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	<p>See attached items 1-85 (Phase VI).</p> <p>SEE REVISIONS ATTACHED TO THIS SCHEDULE</p>		

All changes to this proposed schedule have been approved by:

<i>Jerry Rouse</i> NARA appraiser	<i>3/3/97</i> date	<i>Kathleen A. Schultz</i> Agency representative	<i>3/3/97</i> date
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Standard Form 115
submission to the
National Archives and Records Administration

for

PHASE VI
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

Office of the Assistant Commissioner for Patents

1 **Office of Documentation File** NC1-241-76-1 #10 a. Rev.

Periodic reports from the Search and Information Resources Administration (SIRA) and the Scientific and Technical Information Center (STIC). These reports concern specific program reengineering projects and PTO automated systems. Used for reference.

Disposition: Destroy when no longer needed.

2 **Patent Case Files** Proposed

Case files showing the prosecution of applications for, and the granting of, a patent. Includes the original application, copy of drawing, and all materials relating to the prosecution of the application and subsequent actions by PTO. Includes patent files for reissues. Arranged numerically by Patent Number.

Disposition: Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 26 years old.

3 **Rule 62 Continuing Applications** Proposed

After filing the original application, a rule 62 application is filed causing abandonment of the original application. Original application is "wrapped inside", or becomes part of the 62 application.

- a. Rule 62 application results in a patent being issued.
- b. Rule 62 application is abandoned in favor of another rule 62 application.
- c. Rule 62 application becomes abandoned.

SEE
REVISIONS

Disposition: a. Becomes a Patent File.
b. Maintain status of most current rule 62 application.
c. Becomes an Abandoned Application.

4 **Statutory Invention Registration (preceeded by Defensive Publication Files)** Proposed

Files showing the inventor provisionally abandoned the patent application while retaining interference rights. SIR's are filed by serial # preceeded by the letter H; defensive publications preceeded by the letter T. Used to search for prior art. Note: While technically not patents, these have a similar legal status.

Disposition: Permanent. Transfer to FRC when 10 years old. Transfer to NARA when 26 years old.

5 **Abandoned Applications** NC1-241-76-1 #58 Rev.

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. Those that are retained because they are referred to in another application that may have become registered.
- b. (1) Applications dated before June 8, 1995.
(2) Applications dated on or after June 8, 1995.

Disposition: a. Dispose of with patent file in which cited.
b. (1) Destroy when 20 years old.
(2) Destroy when 23 years old.

- 6 **Management Action Councils File** NC1-241-76-1 #9 Rev.
Reports and related papers from Management Action Councils (MACs), such as: Automation, Advisory Operations, Awards, Internal Controls, Long Range Planning, Policy, Examiner Training, Supervisor, Management & Executive Training, Monitoring/Control, Quality Assurance, Emerging Tech, PCT, Recruitment, Special Laws, Space, Technical Support Training, TQM, Outreach, STIC/Documentation, and Communication (Ethics, Pride, and Morale). Used to provide administrative policy direction.
Disposition: Destroy when no longer needed.
- 7 **Office of Patent Programs Control File** NC1-241-76-1 #9 Rev.
Reports from the Office of Patent Programs Control. Includes subjects such as clerical, technical, Patent Academy, staffing changes, and subproject codes. Used for reference.
Disposition: Destroy when no longer needed.
- 8 **Patent Examining Groups File** NC1-241-76-1 #9 Rev.
Periodic reports, memos, committee papers, conference papers, correspondence, and special assignments. Used for reference.
Disposition: Destroy when no longer needed.
- 9 **Petitions Office File** NC1-241-76-1 #9 Rev.
Periodic reports, ad hoc committees, letters of recognition, memos, notes, position descriptions, and Office of Petitions assignments. Used for reference.
Disposition: Destroy when no longer needed.
- 10 **Associations File** Proposed
Handouts and copies of speeches from professional organizations. Used to document PTO participation in professional associations.
Disposition: Destroy upon termination of association or when no longer needed for reference.
- 11 **Automation File** NC1-241-76-1 #9 Rev.
Includes reports, copies of committee papers, correspondence, audits, negotiations, cost benefit analysis, briefing papers, dissemination guidelines, application flow, tests, training materials, and user functional requirement review. Used to provide administrative oversight and policy direction for PTO automation.
Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.
- 12 **Biotechnology File** NC1-241-76-1 #9 Rev.
Reports, news articles, notes, studies on advances, and procedures used in biotechnology patents. Used for reference.
Disposition: Destroy when no longer needed.
- 13 **Briefings File** NC1-241-76-1 #9 Rev.
Includes a copy of the Commissioner's briefing book, issue papers, reports, and briefings on issues impacting PTO. Used to provide administrative policy direction.
Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.

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REVISIONS

- 14 **Complexity Factor File** NC1-241-76-1 #9 Rev.
Copies of reports, studies, requests for policy change, and policy decisions addressing the complexity factor. Used to provide administrative policy direction.
Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.
- 15 **Office of the Assistant Commissioner for Patents Correspondence File** Proposed
Includes letters and copies of controlled correspondence from higher levels such as Commissioner, Congressional, and DOC.
Disposition: Permanent. Transfer to FRC when 5 years old. Transfer to NARA when 25 years old.
- 16 **Computer Related Inventions File** NC1-241-76-1 #9 Rev.
Includes reports, studies, notes, news clippings, and hearing transcripts. Used to provide administrative policy direction on patent related issues concerning computer technology and intellectual property rights issues.
Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.
- 17 **Educational Programs File** Proposed
Papers on PTO promoted education programs including Access Program - D.C. Schools, Cooperative Education Program, and Partnership in Education - Operation Rescue. Used to document participation in education programs.
Disposition: Destroy when no longer needed.
- 18 **Management File** NC1-241-76-1 #10 a. Rev.
Copies of the Commissioner's Annual Report, DOC Annual Report, business process redesign, goals, management by objectives, newsletters, security, security clearances, and strategic and long range planning. Used for reference.
Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.
- 19 **Office of Management Operations File** Proposed
Reports to the Office of Management Operations (OMO) including codes (by cost, organization, and project), data search systems, directives, examiner flip rates, FOIA, functional statements, organizational charts, and service requests. Used to provide background to PTO and to document responses to OMO.
Disposition: Destroy when 3 years old, or when no longer needed.
- 20 **Patent Examining Corps File** NC1-241-76-1 #8 a. Rev.
Includes production and pendency reports and studies showing the output quality of the Patent Examining Corps.
Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.

SEE
REVISIONS

21 **Patent Application Locating and Monitoring (PALM) System File** NC1-241-76-1 #9 Rev.

Studies and working papers on PALM, including equipment maintenance, problems, and refinement. Used to evaluate and make recommendations for improving PALM.

Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.

22 **Patent Offices International File** NC1-241-76-1 #9 Rev.

Correspondence, reports, studies, and published books on foreign patent offices and WIPO. Used to provide administrative policy direction.*

Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.

SEE
REVISIONS

23 **Programs/Studies/Projects File** NC1-241-76-1 #9 Rev.

Copies of studies and other information about miscellaneous PTO programs and projects. Used to provide administrative policy direction.

Disposition: Permanent. Transfer to FRC when 10 years old or when no longer needed. Transfer to NARA when 25 years old.

24 **Office of Publications File** NC1-241-76-1 #9 Rev.

Papers concerning the *Official Gazette*, printing, and priority backlogs. Used for reference.

Disposition: Destroy when no longer needed.

25 **Quality Review Program File** NC1-241-76-1 #9 Rev.

Reports, conference handouts, and news articles about quality review. Used for reference.

Disposition: Destroy when no longer needed.

26 **Safety and Security File** NC1-241-76-1 #9 Rev.

Includes information on safety, security, plans, and information security reports. Used for reference.

Disposition: Destroy when no longer needed.

27 **Delegations of Authority** Proposed

Includes temporary assignments of responsibilities to specific individual managers within PTO. Used to document assignments.

Disposition: Destroy 5 years after termination of delegation.

Patent Examining Group, Director's Office

28 **Director's Correspondence** Proposed

All correspondence signed or issued by the group director and made available to the staff for reference.

~~**Disposition:** Review annually and purge material when no longer needed.~~

- 29 **FOIA Requests Log/database** **Proposed**
Logs of requests for information under the Freedom of Information Act. Includes the date of request, material requested, and the due date. Used to track for timely response.

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

Patent Examining Group Records

- 30 **Examiners Interference Files** **Proposed**
Central files compiled by examiners to check for interferences. Includes basic information on each interference. The cover of the affected application is usually photocopied and included with penciled notations. May include claims or drawings. Filed by class and subclass.*

Disposition: Destroy when no longer needed.

- 31 **Examiners Time and Activity Report File** **NC1-241-76-1 # 8 b. Rev.**
Biweekly report generated by the PALM system. Input is from Form PTO- 690E maintained in the Examiners Performance Plans and Evaluation Files. The reports list activities by category including training and other administrative or non-examining activities, examining activities by type, new actions, hours, and leave. Used to determine pay raises, promotions, and ratings. Retains information from the preceding 4 weeks.

Disposition: Destroy when updated report is received.

- 32 **SPE Manager (Supervisory Patent Examiner) - ELECTRONIC** **NC1-241-76-1 # 8 b. Rev.**
Spreadsheet totals columns and calculates points and percentages used for award amounts. Source data from PALM reports. Produces the *Production & Workflow Report*, a weekly report on each examiner listing the previous 14 pay periods with hours worked, production, and the amount over or under the expected production. Used by Supervisory Patent Examiners (SPEs) to track, manage, and report on examiners work production.
a. System.
b. Reports.

Disposition: a. Delete when superseded or no longer needed.
b. Destroy when updated report is received.

33 Models, Exhibits, and Specimens **Proposed**

Models, exhibits, or specimens of the invention that accompany a patent application at the request of the patent examiner to determine if a patent should be granted and those submitted by applicant of his own volition to substantiate his claim. Also included are exhibits submitted in contested cases.

- a. Requested by the patent examiner.
- b. Exhibits in contested cases.
- c. Submitted by applicant to substantiate claims.

Disposition: a. Return to the applicant upon demand and at his expense, unless it be deemed necessary that they be preserved in the Office.
b. Physical exhibits in contested cases may be returned to the parties at their expense. If not claimed within a reasonable time, they may be disposed of at the discretion of the Commissioner.
c. Offer to the Patent Museum.

*(608.03(a) 37 CFR 1.95. Return of models, exhibits or specimens.;
715.07(d) Disposition of Exhibits.)*

34 Patent Pendency Reports **Proposed**

Reports produced by the PALM system or other internal systems from data input at each point of processing. Used by managers to track overall production, pinpoint locations of delay, for workload scheduling, and as a source for reports. Examples: Computer Readable Format (CFR) processing reports, Potential Abandonment Listing; PCT Aging Report. EXCLUDES employee specific reports used for evaluation purposes.

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

35 Statistical Reports/Patents to Printer **Proposed**

PALM statistical reports to management concerning the number of patents sent to the printer and the amount of backlog.

Disposition: Destroy when no longer needed.

36 Special Patent Application Reports **Proposed**

Reports generated at the request of the Commissioner or other high level PTO executives. Includes the tracking of applications and patents of a special nature and/or with wide public interest. Examples: reports on transgenic animal patent applications produced by Group 1800; reports on superconductivity patents produced by Group 1100. Used by PTO executives to keep abreast of, and respond to, public relations issues.

Disposition: Destroy when 3 years old, or when no longer needed, whichever is later.

Group 2200 Licensing and Review

- 37 **Patent Applications Selected for Review for Security Issues** **Proposed**
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 recinded.
(2) Applications abandoned by statute because subject matter of inventions are secret.
b. **Cleared applications.** Applications which are reviewed and cleared of security issues.
Disposition: a. (1) Transfer to central files for continued processing when secrecy order is recinded.
(2) Transfer to PTO repository when secrecy order is recinded.
b. Transfer to central files for routine processing.
- 38 **Patent Applications Submitted Under Secrecy Orders** **Proposed**
Sealed applications received with security classification from defense agencies or the DOE remain unprocessed until secrecy orders are recinded. Maintained in vault and processed for annual renewal of secrecy orders.
a. Applications under secrecy order.
b. Applications abandoned before examiner's determination of allowability.
Disposition: a. Transfer to Applications Branch for routine processing when secrecy order is recinded.
b. Transfer to PTO repository as Abandoned Applications when secrecy order is recinded.
- 39 **AC-AK Folders (Access Acknowledgement)** **Proposed**
Access Acknowledgement forms returned by agencies reviewing applications for security issues. Includes signature of reviewer, date, agency represented, and recommendation. Used to obtain promise not to divulge, disclose, or use information gained during the review for any purpose other than that cited in USC 35, Section 181.
Disposition: Destroy 3 years after application is cleared or secrecy order is recinded.
- 40 **Certified Copies Log** **Proposed**
Log of requests for certified copies of applications under Group 2200 review. Includes name of requester, reason for request, application serial #, and date of request. Used to track access to classified or confidential material.
Disposition: Destroy form/pages when secrecy orders are recinded.*

41 **P-Licenses** NC1-241-76-1 #43 Rev.

Petitions to the Commissioner of Patents and Trademarks 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-#.

Disposition: Break files by calendar year. Transfer to FRC when 3 years old.
Destroy 25 years after date of issue.

SEE NEW ITEM 86

Document Management Division

42 **PCT Fee Change Files** Proposed

Office copy of memos from the former Director of PCT Operations reminding the staff of the changing of the fees associated with filing an application under the PCT.

Disposition: Destroy when 2 years old.

Special Processing Branch

43 **Request for Certified Copy of Earlier National Application** Proposed

Request form created for all incoming international applications listing the PCT #, docket #, applicant, and title. The form also lists the serial #, filing date, applicant name, and title of the national application to be copied and certified. This information is used to create the "Priority Document" (retained in case file). It is the obligation of the international applicant to submit to the International Bureau or the Receiving Office a certified copy of earlier national applications (the Priority Document).

Disposition: Destroy when 3 years old, or when no longer needed for reference.

Central Files Branch

44 **Article 20 Papers** Proposed

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.

Disposition: a. Place in case file when created.
b. Destroy 35 months from priority date.

45 International Applications (Home Copy) File **N1-241-89-1 # 1 Rev.**

The "Home Copy" file consists of PTO's official copy of international applications and related papers maintained by PTO to ensure that a complete copy of the file is always available. The files contain the following elements: an indication that the application is intended as an international application, the designation of at least one contracting state, the name of the applicant, description, and claim(s). The record copy of all international applications is maintained by the International Bureau.

Disposition: Transfer to FRC when 3 years old, destroy when 20 years old.

46 International Applications (Search Copy) File **N1-241-89-1 # 2 Rev.**

The "Search Copy" file consists of a copy of the international application used by the PTO staff to search for possible prior art in its capacity as the international searching authority. Includes the International Search Report that contains citations of documents considered to be relevant and the International Preliminary Examination Report. Also includes the International Bureau Search Copy. This file includes a copy of the International Application, the International Search Report, and the International Preliminary Examination Report. The "IB Search Copy" is retained when an applicant designates the U.S. Patent and Trademark Office to be the international searching authority (ISA) for the application. It is the task of the ISA to establish documentary search reports on prior art with respect to inventions which are the subject of applications. The International Bureau also maintains the record copy and the search copy for the international applications of non-U.S. designation.

Disposition: Transfer to FRC when 3 years old, destroy when 20 years old.

47 National Stage Case Files **Proposed**

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.

Disposition: a. Forward for further processing as a new national application.
b. Transfer to the FRC 3 years after abandonment, destroy when 20 years old.

International Application Processing Division

48 General Power of Attorney Files **Proposed**

The file contains notices designating separate power of attorney to an agent that has 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. The Receiving Office retains a reference copy; the original copy is retained in the case file.

Disposition: Destroy when 3 years old, or when no longer needed for reference.

49 PCT Notification Concerning Documents Transmitted Files Proposed

Includes copies of 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 #, and, if necessary, other information. The original is maintained in the case file. Used for reference purposes.

Disposition: Destroy when 3 years old, or when no longer needed for reference.

50 European Patent Office Correspondence Files Proposed

Copy of response letter from the European Patent Office concerning fax requests by PTO on International Search Reports and references. For these cases the EPO is the acting International Search Authority. The letter also lists documents missing from cases requested, to be forwarded at a later date when located.

Disposition: Destroy when 3 years old, or when no longer needed for reference.

51 Applicant Response File Proposed

Copies of incoming or outgoing correspondence concerning documents or additional fees needed from an applicant.

Disposition: Destroy when 3 years old, or when no longer needed for reference.

52 Notification of Defects in the International Application Proposed

Copy of Form PCT/IB/313. The form is received from the International Bureau and identifies the defects of the said international application. Annex A to Form PCT/IB/313 lists the specific defects for the application concerning the signature, applicant, language, and title. The original is maintained in the case file. Used for reference purposes.

Disposition: Destroy when 3 years old, or when no longer needed for reference.

National Stage Processing Division, Designated Office/Elected Office**53 Unmatched Documents File Proposed**

Original documents, such as priority documents, disclosure documents, amendments, and declarations that are sent to the Office and cannot be matched to a case due to missing information such as an applicant's name, phone #, or address.

Disposition: Transfer to FRC when 3 years old, destroy when 10 years old.*

54 Communication in Cases For Which No Other Form is Available* Proposed

Copy of Form PCT/IB/345. This form is sent to the Designated Office from the International Bureau in response to requests for documents. The form lists the types of documents enclosed and the date of the request. Copies are retained by the office for reference purposes, the original is maintained in the case file.

Disposition: Destroy when 3 years old, or when no longer needed for reference.

- 55 **Agent/Applicant Correspondence File** **Proposed**
Copies of incoming and outgoing correspondence pertaining to the Article 20 papers requested by the Designated Office, the applicant, or an appointed agent of the applicant.

Disposition: Destroy when 18 months old.

PCT Legal Office

- 56 **PCT Article 20 Notices** **Proposed**
Collection of forms relating to Article 20 under the PCT, the "Communication to Designated Offices." The file consists of copies of PCT forms sent to PTO from the International Bureau. Includes the following forms: PCT/IB/361 "Notification of Designation Under Rule 24.2 b.," PCT/IB/352 "Information About Notices Concerning the Communication of International Applications," PCT/IB/349 "Communication of International Application," PCT/IB/351 "Transmittal of Copies of Priority Documents," and PCT/IB/355 "Notification to Designated Office of Receipt of Record Copy and Communication Under PCT Article 20."

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

- 57 **Special Tasks and Projects** **Proposed***
Record copies of incoming and copies of outgoing correspondence, handouts, and informational material relating to special tasks or projects, such as proposed rule changes or amendments, special training meetings, etc.*

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

PCT Legal Affairs Division

- 58 **PCT Petition Decisions for International Applications** **Proposed***
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.

Disposition: Destroy when 10 years old, or when no longer needed for reference.

Special Programs Division

- 59 PCT Training Files** **Proposed**
- Training material produced by the staff for internal and external training. Internal training is for individuals involved in the PCT application process such as examiners, legal staff, and PCT Operations staff. PCT training is also given to external customers such as law firms and companies that deal with PCT applications. The files also include training material and information packets distributed at various conferences such as the "Secretaries and Administrators Conference" and the "American Intellectual Property Law Association Conference". The training material is updated as PCT rules and procedures change.
- a. Record copy.
 - b. All other copies.
- Disposition:** a. Retain one record copy of the training material after changes are made. Transfer superseded or obsolete material to FRC when 5 years old, destroy when 10 years old.
b. Destroy when superseded or obsolete.

- 60 Quality Review Feedback Sheet** **Proposed**
- The legal staff conducts a sampling of Chapter 1 and 2 applications that were processed by the examining corps. The sampling includes a quality check for compliance with current rules and regulations of the PCT for the International Preliminary Examination Reports and the International Search Reports that are completed by the examiners. The feedback sheet lists the application #, the assigned group, chapter #, whether the case was approved, corrected, or returned, type of problem, and comments.
- Disposition:** Destroy when no longer needed.

Office of Patent Publication, Office of the Director

- 61 Data Preparation Manual** **Proposed**
- Instructions to contractors detailing the procedures for preparing the 8mm tapes of optically scanned images, the data tapes of claims and classifications, and bibliographic information from the PALM system. Used to print issued patents and the *Official Gazette*.
- Disposition:** Destroy when superseded or no longer needed.
- 62 Quality Assurance Information Bulletin** **Proposed***
- Bulletin and supporting documentation used to modify task orders for contractors preparing data tapes for the *Official Gazette* and issued patents. Also used as text for the *Data Preparation Manual*.
- a. Record copy.
 - b. All other copies.
- Disposition:** a. Destroy when no longer needed for PTO business.
b. Destroy when no longer needed.

63 **Official Gazette of the United States Patent and Trademark Office: Patents** Proposed
 Copies of the *Official Gazette*, the official publication of PTO used to notify the public of newly issued patents, expired patents, official PTO notices, and other related information.*
 a. Record copy.
 b. Copy - PTO.
 c. All other copies.

Disposition: ~~a. Permanent. Transfer to FRC annually. Transfer to NARA after 30 years.~~
 b. Retain for as long as PTO is in business.
 c. Destroy when no longer needed for reference.

64 **Index of Patents Issued From the United States Patent Office** Proposed
 Bound volumes published annually listing patents that have been issued by the PTO.
 a. Record copy.
 b. Office copy.

Disposition: ~~a. Permanent. Transfer to FRC from Boyers annually. Transfer to NARA after 30 years.~~
 b. Retain for as long as PTO is in business.

~~65 **PTO Pamphlets and Small Books** NC1-241-76-1 #110 Rev.
 Soft cover books and pamphlets produced by the PTO and offered to the public.
 a. Record copy.
 b. Copies for sale or distribution.~~

Disposition: ~~a. Permanent. Transfer to FRC after 10 years. Transfer to NARA after 20 years
 b. Destroy when no longer needed for sale or distribution.~~

REMOVED FROM
THIS SCHEDULE

Publishing Division

66 **Inspection Points Log** Proposed*
~~Log of inspection results at each stage in the pre-publication process. Used to control the quality of publications.~~

Disposition: ~~Destroy 6 years and 3 months after final payment to contractor.~~

67 **Issue Fee Paid Plant Applications Report** Proposed*
 Report indicating which plant application issue fees have been paid, date paid, number of drawing pages, and the issue date. Used to determine which plant applications are published in the *Official Gazette* as plant patents.*

Disposition: ~~Destroy 6 years and 3 months after final payment to contractor.~~

SEE
REVISIONS

68 **Status of Inventor's Copies Report*** Proposed*
 Volume of patents by type and processing stages. Used to track patent applications before mailing the printed patent to the inventor.

Disposition: ~~Destroy 6 years and 3 months after final payment to contractor.~~

69 **Issue Fee Report** Proposed*
 Report listing fees received by application type, total fees, and fees subtracted. Used to determine the amount of allowed applications to be published in the *Official Gazette* as patents.

Disposition: ~~Destroy 6 years and 3 months after final payment to contractor.~~

70 **New Files Report** Proposed*
 Report listing volume of new files by type and place of origin. Used to track patent applications.

Disposition: ~~Destroy 6 years and 3 months after final payment to contractor.~~

71 **Rejection of Grant Copies Report** Proposed*
 Report listing the issue date, rejections, problems, time called, date, and returns. Used to remove rejected grant copies from the printing process.

Disposition: ~~Destroy 6 years and 3 months after final payment to contractor.~~

Production Control Branch

72 **Issue Folder Files** Proposed
 Folders documenting the internal management of production control for each issue of the *Official Gazette*. Includes patent file transfer record (Form PTO-1144) which tracks patents sent to and returned by the contractor, withdrawal notices, print orders, and tape lists. Used to manage all the internal elements of production control before publication.

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

SEE
REVISIONS

Statistical Analysis Division

73 **Galleys of Notices for the Official Gazette** Proposed
 Printer galleys of notices for the *Official Gazette* used to correct mistakes. This is the final clearance prior to publishing.

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

Field Operations

74 **Publication Tape File** Proposed
 Magnetic media in postscript format which are reproduced and disseminated as publications or used for reproducing a printed publication.

Disposition: ~~Delete when no longer needed.~~ GRS 20, ITEM 6

Database Inspection Branch

75 **Failed Issues*** Proposed
 Printout of data entry errors for issues that fail the minimum allowable error rate. Used to count errors.

Disposition: Destroy when issues are resolved.

76 **Proofreaders Aid Manual*** **Proposed**
 Instructions prepared by the Office of Patent Publications to guide and assist proofreading staff.

Disposition: Destroy when superseded or no longer needed.

77 **Published Issues Inspection Report** **Proposed***
 A statistical selection of contractor's data entry errors. Used as a quality control for data in the patent text database and the photocomp driver tape. Also used as a criterion to determine payment to the contractor.

Disposition: Destroy when 3 years old.

78 **Quality Assurance Information Bulletin** **Proposed**
 Instructions prepared by program managers on how contractors are to prepare their work. Used by proofreaders as an authority to determine the correctness of contractor's work.

Disposition: Destroy when superseded or no longer needed.

Certificates of Correction Branch

79 **Certificates of Correction Office Copy File*** **Proposed**
 Copies of certificate issued to state the fact and nature of a mistake in a patent. Filed by issue date and patent #. Used to replace lost copies. Note: Original is attached to printed patent and filed in Patent Case File.

Disposition: Destroy when 3 years old. *GRS 23, ITEM 8*

80 **Certificates of Correction Database - ELECTRONIC** ~~**Proposed**~~
 Database entered on receipt of request for correction. Includes patent #, inventor, attorney, date of original issue, issue date for correction, reviewer, and other information. Used to track processing and as a record of Certificates of Corrections issued or denied since 1985.

Disposition: Delete data when patent expires. *GRS 23, ITEM 8*

81 **Statutory Disclaimers Database - ELECTRONIC** ~~**Proposed**~~
 Database entered on receipt of Statutory Disclaimers. Includes patent #, inventor, attorney, date of original issue, approved or denied, issue date if approved, reviewer, and other information. Used to track processing and as a record of Statutory Disclaimers since 1985.

Disposition: Delete data when patent expires. *GRS 23, ITEM 8*

82 **Statutory Disclaimers** **Proposed**
 Camera ready copies of documents which disclaim complete claim(s) of patent. Record copy is filed in patent files by issue date. Used to make reproductions for misplaced copies in the patent files.

Disposition: Destroy when 3 years old.

Office of National Application Review (ONAR) - Application Processing Division

83 Provisional Patent Applications Proposed*

New records resulting from General Agreement on Tariffs and Trade (GATT) agreements effective June 8, 1995. Each application includes a cover sheet identifying it as a provisional application. File consists of paper originals and microfiche copies. Used by examiners to determine the earliest effective filing date for a patent application.

- a. Those that are retained because they are referred to in a patent application that may have become registered.
- b. All others.

Disposition: a. Incorporate into patent file in which cited.
b. Destroy after 1 year old from filing date.

84 Customer Corrections Weekly Report Proposed

Report listing the backlog, walk-ins received, printer rushes received, applications received from the examining group, total received, and total released. Used to document production and report to management.

Disposition: Destroy after 3 years or when no longer needed for reference, whichever is sooner.*

85 Customer Correspondence Proposed

Correspondence from the applicants or their attorneys regarding the status of patent applications with a copy of the response from the Initial Review Division.

Disposition: Cut off at end of fiscal year. Destroy after 3 years.*

Patent and Trademark Office
Revisions to Phase VI
Job No. N1-241-96-3

Note: Items 1 through 7 below replace in their entirety Items 1-27 listed on the original agency submission (SF-115) dated 12/6/95.

1. Assistant Commissioner's Office Program and 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, decisions, projects, and programs. The records include files pertaining to the development of new PTO automation projects such as PALM, APS, and other automated information systems; briefing books prepared for the Commissioner and other high level officials; issue papers and reports to higher levels on PTO programs and plans; strategic and long-range planning files; Complexity Factor files; and issues that affect the overall directions, operations, and programs, and plans of the Assistant Commissioner of Patents and the PTO, such as computer-related inventions, emerging technology, intellectual property, biotechnology, and the like.

Authorized disposition: PERMANENT. Close inactive files at the end of each FY and transfer to the FRC 5 years after closure. Transfer to the National Archives 20 years after closure. {New item}

2. General Office Subject Files

Correspondence, periodic reports, memorandums, and similar records that are created, received or maintained in the Office of the Assistant Commissioner for Patents that pertain to general office administrative management of Patent programs and projects, and are used primarily for short term reference. These records include, but are not limited to, periodic reports from the PALM system, reports from the Search and Information Resources Administration, the Scientific and Technical Information Center, Patent Programs Control, Management Action Council records and reports, copies of controlled correspondence, foreign patent programs, quality review, safety and security, reference copies of publications, 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.

Authorized disposition: Close inactive files at the end of each FY and destroy when 5 years old. {New item}

3. "Chron" or Reading Files

Copies of outgoing correspondence filed chronologically and maintained solely for reference purposes.

Authorized disposition: Destroy when no longer needed for current agency business.
{Nonrecord materials}

4. 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 other materials relating to the prosecution of the application and subsequent actions by PTO. Included patent files for reissues. Arranged numerically by Patent Number.

Authorized dispositions:

- a. Closed (granted) patent case files selected by the Commissioner of Patents and the Trademarks and the Archivist of the United States.

PERMANENT. Close patent case files at the end of each FY and transfer to the FRC 10 years after closure. Transfer to the National Archives 40 years after closure. {Supersedes NC1-241-76-1, Item 59a}

- b. All other closed (granted) patent case files.

Close patent case files at the end of each FY and transfer to the FRC 10 years after closure. Destroy 40 years after closure. {Supersedes NC1-241-76-1, Item 59b}

5. Rule 62 Continuing Applications

After filing the original application, a Rule 62 application is filed causing abandonment of the original application. Original application in "wrapped inside" or becomes part of the Rule 62 application.

Authorized dispositions: {New items}

- a. Rule 62 application results in a patent being issued.

Transfer to patent case files.

b. Rule 62 application is abandoned in favor of another Rule 62 application.

Maintain status of most current Rule 62 application.

c. Rule 62 application becomes an Abandoned Application.

Transfer to Abandoned Applications files.

6. Statutory Invention Registration (SIR) Case Files that are preceded by Defensive Publications Files

Files showing the inventor provisionally abandoned the patent application while retaining interference rights. SIRs are files by serial number preceded by the letter "H" and 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.

Authorized dispositions: {new items}

a. Closed SIR case files selected by the Commissioner of Patents and the Trademarks and the Archivist of the United States.

PERMANENT. Close completed SIR case files at the end of each FY and transfer to the FRC 10 years after closure. Transfer to the National Archives 40 years after closure.

b. All other closed SIR case files.

Close SIR case files at the end of each FY and transfer to the FRC 10 years after closure. Destroy 40 years after registration.

7. Abandoned Applications

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 application has filed an application for the same invention and can demonstrate an earlier date for the conception of the invention.

Authorized dispositions: {Supersedes NC1-241-76-1, Item 58}

- a. Applications retained because they are referred to in another application that may have become registered.

Dispose of with the Patent Case File in which it is cited.

- b. (1) Abandoned applications dated before June 8, 1995: Close files at the end of each FY and transfer to the FRC 10 years after closure. Destroy 20 years after closure.
- (2) Abandoned applications dated after June 8, 1995: Close files at the end of each FY and transfer to the FRC 10 years after closure. Destroy 23 years after closure.

- 28. Director's Correspondence Files. Disposition revised.

Close inactive files at the end of each FY and destroy 3 years after closure.

- 29. FOIA Requests Log and Database. Authority revised to GRS 14, Item 13a.

Destroy 6 years after the date of the last entry.

- 30. Examiner's Interference Files. Disposition OK.

- 31. Examiner's Time and Activity Report Files. Disposition OK.

- 32. Supervisory Patent Examiner (SPE) Manager System. Disposition OK.

- 33. Models, Exhibits, and Specimens. Disposition OK.

- 34. Patent Pendency Reports. Disposition revised.

Destroy when superseded or no longer needed for current agency business.

- 35. Statistical Reports/Patents to Printer. Disposition OK.

- 36. Special Patent Application Reports. Disposition OK.

- 37. Patent Applications Selected for Review for Security Issues. Disposition OK.

- 38. Patent Applications Submitted Under Secrecy Orders. Disposition OK.

- 39. AC-AK Folders. Disposition OK.

40. Certified Copies Log. Disposition OK.

41. P-Licenses. Disposition OK.

**New
Item**

86. P-License Card Index. Added from Inventory #90.

Card Indexes or electronic database to P-Licenses. Records include group number, filing date, serial number (P-number), applicant, invention, date of license if granted, examiner, and government agencies contacted. Filed by date. Used to find P-number necessary to recall files from PTO storage or from the FRC.

Destroy when related P-license files are destroyed, or when 25 years old, whichever is sooner. {Supersedes NC1-241-76-1, Item 44}

Items 42 through 62. Disposition OK.

63. *Official Gazette of the USPTO: Patents*. Disposition revised for "a." Dispositions for "b" and "c" are OK.

PERMANENT. Close files at the end of each FY and transfer to the FRC 3 years after closure. Transfer to the National Archives 10 years after closure.

64. *Index of Patents Issued from the USPTO*. Disposition revised for "a." Dispositions for "b" and "c" are OK.

PERMANENT. Close files at the end of each FY and transfer to the FRC 3 years after closure. Transfer to the National Archives 10 years after closure.

65. PTO Pamphlets and Small Books. Removed from this section of the schedule. Maintained in Public Affairs Customer Service Center.

66. Inspection Points Records. Description and disposition revised.

Records of inspection results at each stage in the publication process. Used to control the quality of publications and tapes.

Destroy 3 years after the period covered by the contract.

67. Issue Fee Paid Plant Applications Report. Disposition revised.

Destroy one year after issue.

68. Status of Inventor's Copies Report. Disposition revised.
Destroy 2 years after issue.
69. Issue Fee Report. Disposition revised.
Destroy 2 years after issue, or after reports are superseded by a cumulative fee and filings report, whichever is sooner.
70. New Files Report. Disposition revised.
Destroy 2 years after issue.
71. Rejection of Grant Copies Report. Disposition revised.
Destroy 2 years after issue.
72. Issue Folder Files. Disposition revised.
Destroy 1 year after issue, or when no longer needed for reference, whichever is sooner.
73. Galleys of Notices for the Official Gazette. Disposition revised.
Destroy 6 months after issue, or when no longer needed for reference, whichever is sooner.
74. Publication Tape File. Disposition Revised. GRS 20, Item 6.
Delete when no longer needed for administrative, legal, audit, or other operational purpose.
- Items 75 through 79. Disposition OK.
80. Certificates of Correction Database--Electronic. GRS 23, Item 8.
81. Statutory Disclaimers Database--Electronic. GRS 23, Item 8.
- Items 82 through 85. Disposition OK.

**New
Item**

87. Examiner's Search File [Patent Examining Group]

Copies of printed patents. Foreign and domestic patents are arranged first by group and then by subgroup. Domestic patents are filed using the standard patent classification system. Foreign patents are filed using the International Patent Classification (IPC). The foreign patent files may also contain non-patent literature consisting of reprints and extracts from publications. Used for research and reference by examiners in processing patent applications.

AUTHORIZED DISPOSITION: Destroy when no longer needed for current agency business. {Nonrecord materials as approved in NC1-241-76-1, Item 132}

**New
Item**

88. Disclosure Document Files [Office of National Application Review]

Documents submitted by inventors as evidence of the date of conception of an invention.

AUTHORIZED DISPOSITION: {Supersedes NC1-241-76-1, Item 39}

- a. Disclosure documents that become part of a patent application filed within two years of disclosure document filing date: Dispose of with patent application.
- b. Disclosure documents that do not have a corresponding patent application filed within two years of disclosure document filing date: Destroy when 2 years old.

**New
Item**

89. Disclosure Document Index [Office of National Application Review]

Cross-reference index to disclosure documents maintained by inventor's name, disclosure document number, and date of receipt.

AUTHORIZED DISPOSITION: Destroy with related disclosure documents. {Supersedes NC1-241-76-1, Item 40}