

EXHIBIT 28

ROCIS PRA

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OMB Control No: 0651-0031

ICR Reference No: 200703-0651-001

Status: Active

Previous ICR Reference No: 200606-0651-001

Agency/Subagency: DOC/PTO

Agency Tracking No:

Title: Patent Processing (Updating)

Type of Information Collection: No material or nonsubstantive change to a currently approved collection

Type of Review Request: Regular

OIRA Conclusion Action: Approved without change

Conclusion Date: 03/30/2007

Retrieve Notice of Action (NOA)

Date Received in OIRA: 03/13/2007

Terms of Clearance:

	Inventory as of this action	Requested	Previously Approved
Expiration Date	09/30/2007	09/2007	09/30/2007
Responses	2,508,139	2,508,139	2,508,239
Time Burden (Hours)	3,724,791	3,724,791	3,527,991
Cost Burden (Dollars)	114,723,256	114,723,256	117,603,000

Abstract: This collection of information is required by 35 U.S.C. sec. 101 et seq. and is administered through 37 CFR Part 1. During the pendency of a patent application or the period of enforceability of a patent, situations arise that require collection of information for the USPTO to further process the patent or application. This information can be used by the USPTO to continue the processing of the patent or application or to ensure that applicants are complying with the patent regulations. The USPTO is submitting this collection in support of a notice of proposed rulemaking. "Changes to information Disclosure profit

Authorizing Statute(s):

US Code: 35 USC 101 Name of Law:

Citations for New Statutory Requirements:

None

Associated Rulemaking Information

RIN:

Stage of Rulemaking:
Not associated with rulemaking

Federal Register Citation:

Date:

Federal Register Notices & Comments

Did the Agency receive public comments on this ICR? No

Number of Information Collections (IC) in this ICR: 4

IC Title	Form No.	Form Name
Patent Processing (Updating)	PTO/SB/08/08A, 08B, PTO/SB/171, PTO/SB/17P, PTO/SB/21-27, PTO/SB/24B, PTO/SB/30-32, PTO/SB/35-39, PTO/SB/42-43, PTO/SB/61-64	Information Disclosure Statement by Applicant, Information Disclosure Statement by Applicant, Processing Fee Under 37 CFR 1.17(i) Transmittal, Petition Fee Under 37 CFR 1.17(f), (g) & (h) Transmittal, Transmittal Form, Petition for Express Abandonment to Obtain a Refund, Request for Continued Examination (RCE) Transmittal, Nonpublication Request Under 35 U.S.C. 122(b)(2) (B)(i), Information Disclosure Citation in a Patent, Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a)
Examination support document filed in certain provisional applications covering the independent claims and the designated dependent claims (proposed 37 CFR 1.75(b))		
Petition for a second continuation or continuation-in-part application showing why		

the amendment, argument, or evidence could not have been submitted prior to the close of prosecution

Petition for a second request for continued examination showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution in the application

[Redacted]

ICR Summary of Burden

	Total Approved	Previously Approved	Change Due to New Statute	Change Due to Agency Discretion	Change Due to Adjustment in Estimate	Change Due to Potential Violation of the PRA
Annual Number of Responses	2,508,139	2,508,239	0	-100	0	0
Annual Time Burden (Hr)	3,724,791	3,527,991	0	196,800	0	0
Annual Cost Burden (\$)	114,723,256	117,603,000	0	-2,880,039	295	0

Burden increases because of Program Change due to Agency Discretion: Yes

Burden Increase Due to: Miscellaneous Actions

Burden decreases because of Program Change due to Agency Discretion: Yes

Burden Reduction Due to: Miscellaneous Actions

Short Statement: Due to program changes, feedback based on the public comments received in response to the Notices of Proposed Rulemakings, and further study, the USPTO is revising its estimates for the examination support documents and petitions for further continued examination.

Annual Cost to Federal Government: \$0

Does this IC contain surveys, censuses, or employ statistical methods? No

Is the Supporting Statement intended to be a Privacy Impact Assessment required by the E-Government Act of 2002?

Agency Contact: Robert Bahr 571 272-8800 robert.bahr@uspto.gov

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous language that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8 (b)(3) about:
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected.
- (i) It uses effective and efficient statistical survey methodology (if applicable); and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item(s) and explain the reason in the Supporting Statement.

Certification Date: 03/13/2007

Certifying Official

APC: Nguyen, Thao 571-272-5449 thao.nguyen@uspto.gov

On Behalf of: West, Barry 202-482-4797 bwest.doc.gov



ATTACHMENT TO CHANGE WORKSHEET FOR 0651-0031

OTHER CHANGE

Due to program changes, feedback based on the public comments received in response to the Notice of Proposed Rulemakings entitled Changes to Practice for the Examination of Claims in Patent Applications (RIN 0651-AB94) and Proposed Changes to Practice for Continuing Applications, Requests for Continued Examination Practice, and Applications Containing Patentably Indistinct Claims (RIN 0651-AB93), and further study, the USPTO is revising its estimates for the examination support document, and petitions for further continued examination. For the examination support documents, the USPTO now estimated that there will 10,000 received annually, with 24 hour estimated burden at a rate of \$218, which is a weighed average of 16 hours of attorney time and 8 hours of a searching professional time. In the final rule, the USPTO is revising the rules to change the criteria of when an examination support document is required to be filed. Accordingly, the USPTO now estimates an increased number of these examination support documents may be filed. The USPTO now estimates the examination support documents will take 24 hours based upon further feedback from the public and further study. Likewise, for the petitions for further continued examination (whether via continuations, continuations-in-part, or requests for continued examination), the USPTO now estimates that fewer such petitions will be filed because the final rule will change the conditions for when such petitions are required. The USPTO now estimates such petitions will take 4 hours based upon further feedback from the public and further study.

The USPTO estimates that there will be an increase in the annual burden for this submission of 196,800 burden hours as a program change, bringing the total annual hours to 3,724,791. The USPTO also estimates that the annual (non-hour) cost burden will decrease by \$2,880,039 as a program change, bringing the total annual (non-hour) cost burden to \$114,723,256.

View ICR - OIRA Conclusion

OMB Control No: 0651-0031
Status: Active
Agency/Subagency: DOC/PTO

ICR Reference No: 200703-0651-001
Previous ICR Reference No: 200606-0651-001
Agency Tracking No:

Title: Patent Processing (Updating)

Type of Information Collection: No material or nonsubstantive change to a currently approved collection

Type of Review Request: Regular

Requested Expiration Date: 09/30/2007

Approved Expiration Date: 09/30/2007

Date Received in OIRA: 03/13/2007

OIRA Conclusion Action: Approved without change **Conclusion Date:** 03/30/2007

Please see NOA at last page

Terms of Clearance:

Abstract: This collection of information is required by 35 U.S.C. sec. 101 et.seq. and is administered through 37 CFR Part 1. During the pendency of a patent application or the period of enforceability of a patent, situations arise that require collection of information for the USPTO to further process the patent or application. This information can be used by the USPTO to continue the processing of the patent or application or to ensure that applicants are complying with the patent regulations. The USPTO is submitting this collection in support of a notice of proposed rulemaking. "Changes to information Disclosure profit

Authorizing Statute(s):

US Code: 35 USC 101 Name of Law:

Citations for New Statutory Requirements:

None

Associated Rulemaking Information

RIN:	Stage of Rulemaking:	Federal Register	Date:
	Not associated with rulemaking	Citation:	

Federal Register Notices & Comments

Did the Agency receive public comments on this ICR? No

Number of Information Collection (IC) in this ICR: 4

View ICR - OIRA Conclusion

ICR Summary of Burden

	Total Approved	Previously Approved	Change Due to New Statute	Change Due to Agency Discretion	Change Due to Adjustment in Estimate	Change Due to Potential Violation of the PRA
Annual Number of Responses	2,508,139	2,508,239	0	-100	0	0
Annual Time Burden (Hr)	3,724,791	3,527,991	0	196,800	0	0
Annual Cost Burden (\$)	114,723,256	117,603,000	0	-2,880,039	295	0

Burden increases because of Program Change due to Agency Discretion: Yes

Burden Increase Due to: Miscellaneous Actions

Burden decreases because of Program Change due to Agency Discretion: Yes

Burden Reduction Due to: Miscellaneous Actions

Short Statement: Due to program changes, feedback based on the public comments received in response to the Notices of Proposed Rulemakings, and further study, the USPTO is revising its estimates for the examination support documents and petitions for further continued examination.

Annual Cost to Federal Government: \$0

Does this IC contain surveys, censuses, or employ statistical methods? No

Is the Supporting Statement intended to be a Privacy Impact Assessment required by the E-Government Act of 2002?

Is this ICR related to a guidance document? No

Agency Contact: Robert Bahr 571 272-8800 robert.bahr@uspto.gov

On behalf of this Federal agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).

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- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8 (b)(3) about:
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected.
 - (i) It uses effective and efficient statistical survey methodology (if applicable); and
 - (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item(s) and explain the reason

View ICR - OIRA Conclusion

in the Supporting Statement.

Certification Date: 03/13/2007

Certifying Official

APC: Nguyen, Thao 571-272-5449 thao.nguyen@uspto.gov

On Behalf of: West, Barry 202-482-4797 bwest.doc.gov

OMB Control No.: 0651-0031	ICR Ref No.: 200703-0651-001	ICR Expiration Date: 09/30/2007	ICR Status: Active
Agency/Sub-Agency: DOC/PTO	Agency Tracking No.:	Title: Patent Processing (Updating)	
Request Status: Approved	Last Event: Concluded	Last Event User: Rostker, David	Last Event Date: 03/30/2007

View IC

IC Title: Patent Processing (Updating)
Is this a Common Form? No

Agency IC Tracking Number:
IC Status: Modified

Obligation to Respond: Required to Obtain or Retain Benefits

CFR Citation:

Information Collection Instruments:

Instrument File	Form No.	Form Name	Document Type	URL	Available Electronical ly?	Can Be Submitted Electronical ly?	Electronic Capability
sb0008a.pdf	PTO/SB/08/08A/	Information Disclosure Statement by Applicant	Form	http://www.uspto.gov/web/forms/sb0008a.pdf	No		Fillable Printable
sb0008b.pdf	08B	Information Disclosure Statement by Applicant	Form	http://www.uspto.gov/web/forms/sb0008b.pdf	No		Fillable Printable
sb0017i.pdf	PTO/SB/171	Processing Fee Under 37 CFR 1.17(i) Transmittal	Form	http://www.uspto.gov/web/forms/sb0017i.pdf	No		Printable Only
sb0017p.pdf	PTO/SB/17P	Petition Fee Under 37 CFR 1.17(f), (g) & (h) Transmittal	Form	http://www.uspto.gov/web/forms/sb0017p.pdf	No		Printable Only
sb0021.pdf	PTO/SB/21-27	Transmittal Form	Form	http://www.uspto.gov/web/forms/sb0021.pdf	No		Fillable Printable
sb0024b.pdf	PTO/SB/24B	Petition for Express Abandonment to Obtain a Refund	Form	http://www.uspto.gov/web/forms/sb0024B.pdf	No		Printable Only

Information Collection Instruments:

Instrument File	Form No.	Form Name	Document Type	URL	Available Electronically?	Can Be Submitted Electronically?	Electronic Capability
sb0030.pdf	PTO/SB/30-32	Request for Continued Examination (RCE) Transmittal	Form	http://www.uspto.gov/web/forms/sb0030.pdf	No		Fillable Printable
sb0035.pdf	PTO/SB/35-39	Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)	Form	http://www.uspto.gov/web/forms/sb0035.pdf	No		Printable Only
sb0042.pdf	PTO/SB/42-43	Information Disclosure Citation in a Patent	Form	http://www.uspto.gov/web/forms/sb0042.pdf	No		Printable Only
sb0061.pdf	PTO/SB/61-64	Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a)	Form	http://www.uspto.gov/web/forms/sb0061.pdf	No		Printable Only

Federal Enterprise Architecture Business Reference Module

Line of Business: Economic Development

Subfunction: Intellectual Property Protection

Privacy Act System of Records

Title:

FR Citation:

Number of Respondents: 2,495,139

Number of Respondents for Small Entity: 0

Affected Public: Individuals or Households

Percentage of Respondents Reporting Electronically: 3%

Annual IC Burden:

	Approved	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	2,495,139	0	0	-13,100	0	2,508,239
Annual IC Time Burden (Hours)	3,472,791	0	0	-55,200	0	3,527,991
Annual IC Cost Burden (Dollars)	113,518,186	0	0	-4,084,814	0	117,603,000

OMB Control No.: 0651-0031	ICR Ref No.: 200703-0651-001	ICR Expiration Date: 09/30/2007	ICR Status: Active
Agency/Sub-Agency: DOC/PTO	Agency Tracking No.:	Title: Patent Processing (Updating)	
Request Status: Approved	Last Event: Concluded	Last Event User: Rostker, David	Last Event Date: 03/30/2007

View IC

IC Title: Examination support document filed in certain nonprovisional applications covering the independent claims and the designated dependent claims (proposed 37 CFR 1.75(b))
Agency IC Tracking Number: IC Status: New
Is this a Common Form? No

Obligation to Respond: Required to Obtain or Retain Benefits

CFR Citation: 37 CFR 1.75(b)

Federal Enterprise Architecture Business Reference Module

Line of Business: Economic Development **Subfunction:** Intellectual Property Protection

Privacy Act System of Records

Title: **FR Citation:**

Number of Respondents: 10,000 **Number of Respondents for Small Entity:** 0

Affected Public: Private Sector **Private Sector:** Businesses or other for-profits, Not-for-profit institutions

Percentage of Respondents Reporting Electronically: 0%

Annual IC Burden:

	Approved	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	10,000	0	7,100	2,900	0	0
Annual IC Time Burden (Hours)	240,000	0	205,200	34,800	0	0
Annual IC Cost Burden (Dollars)	3,900	0	2,769	1,131	0	0

OMB Control No.: 0651-0031	ICR Ref No.: 200703-0651-001	ICR Expiration Date: 09/30/2007	ICR Status: Active
Agency/Sub-Agency: DOC/PTO	Agency Tracking No.:	Title: Patent Processing (Updating)	
Request Status: Approved	Last Event: Concluded	Last Event User: Rostker David	Last Event Date: 03/30/2007

View IC

IC Title: Petition for a second continuation or continuation-in-part application showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution
Is this a Common Form? No

Agency IC Tracking Number:
IC Status: New

Obligation to Respond: Required to Obtain or Retain Benefits

CFR Citation: 37 CFR 1.78(d)(1)(iv)

Federal Enterprise Architecture Business Reference Module

Line of Business: Economic Development

Subfunction: Intellectual Property Protection

Privacy Act System of Records

Title:

FR Citation:

Number of Respondents: 2,000

Number of Respondents for Small Entity: 0

Affected Public: Private Sector

Private Sector: Businesses or other for-profits, Not-for-profit institutions

Percentage of Respondents Reporting Electronically: 0%

Annual IC Burden:

	Approved	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	2,000	0	-3,700	5,700	0	0
Annual IC Time Burden (Hours)	8,000	0	-3,400	11,400	0	0
Annual IC Cost Burden (Dollars)	800,780	0	-1,481,443	2,282,223	0	0

OMB Control No.: 0651-0031	ICR Ref No.: 200703-0651-001	ICR Expiration Date: 09/30/2007	ICR Status: Active
Agency/Sub-Agency: DOC/PTO	Agency Tracking No.:	Title: Patent Processing (Updating)	
Request Status: Approved	Last Event: Concluded	Last Event User: Rosiker David	Last Event Date: 03/30/2007

View IC

IC Title: Petition for a second request for continued examination showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution in the application
Agency IC Tracking Number:
IC Status: New
Is this a Common Form? No

Obligation to Respond: Required to Obtain or Retain Benefits

CFR Citation: 37 CFR 1.114(f)

Federal Enterprise Architecture Business Reference Module

Line of Business: Economic Development **Subfunction:** Intellectual Property Protection

Privacy Act System of Records

Title: **FR Citation:**

Number of Respondents: 1,000 **Number of Respondents for Small Entity:** 0

Affected Public: Private Sector **Private Sector:** Businesses or other for-profits, Not-for-profit institutions

Percentage of Respondents Reporting Electronically: 0%

Annual IC Burden:

	Approved	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses for this IC	1,000	0	-3,500	4,500	0	0
Annual IC Time Burden (Hours)	4,000	0	-5,000	9,000	0	0
Annual IC Cost Burden (Dollars)	400,390	0	-1,401,365	1,801,755	0	0

OMB Control No.: 0651-0031	ICR Ref No.: 200703-0651-001	ICR Expiration Date: 09/30/2007	ICR Status: Active
Agency/Sub-Agency: DOC/PTO	Agency Tracking No.:	Title: Patent Processing (Updating)	
Request Status: Approved	Last Event: Concluded	Last Event User: Rostker, David	Last Event Date: 03/30/2007

View ICR Documents

Supplementary Documents

Title	Document	Document Type	Date Uploaded	Uploaded By
0031 Justification for Change	0031 CWS Supporting Statement 3-07.pdf	Justification for No Material/Nonsubstantive Change	03/08/2007	Rensch, Joy

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 03/30/2007

Department of Commerce
 Patent and Trademark Office
 FOR CERTIFYING OFFICIAL: Barry West
 FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 03/13/2007

ACTION REQUESTED: No material or nonsubstantive change to a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 200703-0651-001

AGENCY ICR TRACKING NUMBER:

TITLE: Patent Processing (Updating)

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0651-0031

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 09/30/2007

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	2,508,239	3,527,991	117,603,000
New	2,508,139	3,724,791	114,723,256
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	-100	196,800	-2,880,039
Change due to Agency Adjustment	0	0	295
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official:

Kevin F. Neyland
 Deputy Administrator,
 Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Patent Processing (Updating)	PTO/SB/08/08A, 08B, PTO/SB/171, PTO/SB/17P, PTO/SB/21-27, PTO/SB/24B, PTO/SB/30-32, PTO/SB/35-39, PTO/SB/42-43, PTO/SB/61-64	Information Disclosure Statement by Applicant, Information Disclosure Statement by Applicant, Processing Fee Under 37 CFR 1.17(i) Transmittal, Petition Fee Under 37 CFR 1.17(f), (g) & (h) Transmittal, Transmittal Form, Petition for Express Abandonment to Obtain a Refund, Request for Continued Examination (RCE) Transmittal, Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i), Information Disclosure Citation in a Patent, Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a)	
Examination support document filed in certain nonprovisional applications covering the independent claims and the designated dependent claims (proposed 37 CFR 1.75(b))			37 CFR 1.75(b)
Petition for a second continuation or continuation-in-part application showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution			37 CFR 1.78(d)(1)(iv)
Petition for a second request for continued examination showing why the amendment, argument, or evidence could not have been submitted prior to the close of prosecution in the application			37 CFR 1.114(f)