

**U.S. Department of Commerce
U.S. Patent and Trademark Office**



**Privacy Impact Assessment
for the
Patent Capture and Application Processing System – Initial
Processing (PCAPS-IP)**

Reviewed by: Henry J. Holcombe, Bureau Chief Privacy Officer

- ☒ Concurrence of Senior Agency Official for Privacy/DOC Chief Privacy Officer
☐ Non-concurrence of Senior Agency Official for Privacy/DOC Chief Privacy Officer

03/17/2021

Signature of Senior Agency Official for Privacy/DOC Chief Privacy Officer

Date

**U.S. Department of Commerce
Privacy Impact Assessment
Patent Capture and Application Processing System – Initial Processing
(PCAPS-IP)**

Unique Project Identifier: PTOP-006-00

Introduction: System Description

Provide a description of the system that addresses the following elements:

The response must be written in plain language and be as comprehensive as necessary to describe the system.

PCAPS-IP is a Major Application Information System, which provides support to the United States Patent and Trademark Office (USPTO) for the purposes of capturing patent applications and related metadata in electronic form, processing applications electronically, reporting patent application processing and prosecution status, and retrieving and displaying patent applications. PCAPS-IP is comprised of multiple Automated Information Systems (components) that perform specific functions, including submissions, categorization, metadata capture, and patent examiner assignment of patent applications. PCAPS-IP users include both internal USPTO personnel as well as the public.

The PCAPS- IP has the following AIS's:

Application Routing Tool (ART): Supports an automated system that provides a suggested routing location for new patent applications that have been successfully scanned into the Patent Application Services and Security (PASS) database. The system does not collect, process or transmit sensitive PII.

Checker (Checker): Enables public users to check sequence listings before submission to the USPTO. The Checker system validates patent applications in compliance with 37 Code of Federal Regulations (CFR) 1.821 – 1.825 for both 'old rules' (October 1990) and 'new rules' (July 1998). The system does not collect, process or transmit sensitive PII.

Enterprise Application Integration (EAI) Hub - (EAI Hub): Supports the USPTO's e-Government strategy and provides a framework for various loosely coupled Automated Information Systems (components) to share information and services across their heterogeneous environments with minimal or no changes to the existing applications. The system does not collect, process or transmit sensitive PII.

Electronic Filing System -Web (EFS-Web): Provides a simple, safe, and secure method for e-filers to submit patent application documents as PDF files over the Internet to the USPTO. The system does collect process or transmit sensitive PII.

Patent Application Services and Security (PASS): Provides the capability to use electronic images of patent applications to support USPTO operations. The system does not collect, process or transmit sensitive PII.

PatentIn: Allows patent applicants to generate nucleic and amino acid sequence listings. PatentIn does not connect to USPTO. The PatentIn application runs locally on the user's personal computer. The system does not collect, process or transmit sensitive PII.

Patent Application Location Monitoring Pre Examination (PALM Pre-Exam): Supports the prosecution and related administrative functions of a patent application through its life cycle, and also tracks, monitors, and reports on the prosecution status of patent applications. The system does collect process or transmit sensitive PII.

Patent Application Location Monitoring Patent Cooperation Treaty Operations System (PCT OPS): Supports an automated, workflow-driven, client-server environment that support Patent Cooperation Treaty (PCT) patent application functions. PCT OPS works with an electronic application in an integrated desktop environment. The system does not collect, process or transmit sensitive PII.

Patent Application Location Monitoring - Reporting System (PRS): Produces many productivity and statistical reports that are crucial to the Patents Corps business operation. The PRS processes and delivers reports to Patents Corp, supporting various PALM subsystems and business areas. The system does collect process or transmit sensitive PII.

Infrastructure Code Table – (ICT): The ICT system provides the validation of a given geographic region with a specified country, and provides a list of current countries and geographic regions. ICT provides the standard PTO country codes for patent applications. The system does not collect, process or transmit sensitive PII.

(a) Whether it is a general support system, major application, or other type of system
PCAPS-IP is Major Application System

(b) System location

Madison Building, 600 Dulany Street, Alexandria, VA 22314

(c) Whether it is a standalone system or interconnects with other systems (identifying and describing any other systems to which it interconnects)

PCAPS-IP interconnects with the following systems:

Patent Search System Primary Search (PSS-PS) is a master system that processes, transmits and store data and images to support the data-capture and conversion requirements of the USPTO to support the USPTO patent application process.

Patent Capture and Application Processing System – Examination Support (PCAPS-ES) is a master system that provides a comprehensive prior art search capability and the retrieval of patent and related information, which comprise text and images of United States (US), European Patent Office (EPO) and Japan Patent Office (JPO patents), US pre-grant publications, Derwent data and IBM Technical Disclosure Bulletins

Patents End-to-End (PE2E) is a Master system portfolio consisting of next generation Patents Automated Information Systems (AIS). The goal of PE2E is to make the interaction of USPTO's users as simple and efficient as possible in order to accomplish user goals. PE2E will be a single web-based examination tool providing users with a unified and robust set of tools. PE2E will overhaul the current patents examination baseline through the development of a new system that replaces the existing tools used in the examination process.

Fee Processing Next Generation (FPNG) is a Master system, and is the United States Patent and Trademark Office's (USPTO) "Next Gen" solution for fee processing. FPNG replaced the Revenue Accounting and Management (RAM) system

Reed Technology and Information Services (RTIS) Patent Data Capture (PDCap)/SERCO Patent Processing System (PPS); RTIS is an off-campus contractor system that captures critical fields from applicant's applications so that they are pre-loaded into an index file to reduce examiners and public search times. SERCO PPS is a contractor system that receives information from USPTO so that inventory, identification and classification activities can be performed on patent applications.

World Intellectual Property Organization (WIPO) / Foreign Patent Offices; is a United Nations (U.N.) agency charged with protecting intellectual property (IP) by working with worldwide organizations to establish international classifications.

Enterprise Windows Services (EWS) is an Infrastructure information system, and provides a hosting platform for major applications that support various USPTO missions.

Enterprise UNIX Services (EUS) consists of assorted UNIX operating system variants (OS) each comprised of many utilities along with the master control program, the kernel.

Network and Security Infrastructure System (NSI) is an Infrastructure information system, and provides an aggregate of subsystems that facilitates the communications, secure access, protective services, and network infrastructure support for all United States Patent and Trademark Office (USPTO) IT applications.

Enterprise Monitoring and Security Operations (EMSO) provides Security Incident and Event Management, Enterprise Forensic, Enterprise Management System, Security and Defense, Enterprise Scanner, Enterprise Cybersecurity Monitoring Operations, Performance Monitoring Tools, Dynamic Operational Support Plan, & Situational Awareness and Incident Response.

Database Services (DBS) is an Infrastructure information system, and provides a Database Infrastructure to support mission of USPTO database needs.

Trilateral Network (TRINET) is an Infrastructure information system, and provides secure network connectivity for electronic exchange and dissemination of sensitive patent data between authenticated endpoints at the Trilateral Offices and TRINET members. The Trilateral Offices consist of the United States Patent and Trademark Office (USPTO), the European Patent Office (EPO), and the Japanese Patent Office (JPO). The TRINET members consist of the World

Intellectual Property Office (WIPO), the Canadian Intellectual Property Office (CIPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO) and the Intellectual Property Office of Australia (IPAU).

(d) The way the system operates to achieve the purpose(s) identified in Section 4

EFS-Web facilitates online patent application submissions for patent examiners to administratively process towards grant/no grant decision. Web surveys are conducted semi-annually to solicit input from customers of their perception of examination quality. Checker application allows the public to check sequence listings before submission to the USPTO.

The PALM Pre-Exam system supports the prosecution and related administrative functions of a patent application through its life cycle; and also tracks, monitors, and reports on the prosecution status of patent applications. PALM Pre-Exam supports the processing of over 350,000 applications each year.

The PRS produces many productivity and statistical reports that are crucial to the Patents Corps business operation. The PRS processes and delivers reports to Patents Corp, supporting various PALM subsystems and business areas, including: PALM-EXPO, Pre-Exam, File Ordering System (FOS), Infrastructure, and PCT OPS. These reports are available via the USPTO Intranet on-line and on-demand to over 5,000 Examiners, Directors, Supervisory Patent Examiners (SPEs), and Clerical staff.

(e) How information in the system is retrieved by the user

PatentIn and Checker websites do not require user login and are available to the public for their application tool downloads. During an EFS-Web webpage sessions, patent applicants receive acknowledgement receipts directly. All other PCAPS-IP applications are for internal user(s) who require authentication prior to application access.

(f) How information is transmitted to and from the system

All PCAPS-IP communications must traverse the USPTO's Network and Security System which facilitates the communications, secure access, protective services, and network infrastructure support for all USPTO applications.

(g) Any information sharing conducted by the system

PCAPS-IP applications facilitate patent examiners to collaborate internally and with our Intellectual Property international partners.

(h) The specific programmatic authorities (statutes or Executive Orders) for collecting, maintaining, using, and disseminating the information

35 U.S.C. 1, 35 U.S.C. 2, 35 U.S.C. 115, 35 U.S.C. 184, 35 U.S.C. 261,

(i) The Federal Information Processing Standards (FIPS) 199 security impact category for the system

Moderate

Section 1: Status of the Information System

1.1 Indicate whether the information system is a new or existing system.

- ☐ This is a new information system.
- ☐ This is an existing information system with changes that create new privacy risks.
(Check all that apply.)

Changes That Create New Privacy Risks (CTCNPR)					
a. Conversions	<input type="checkbox"/>	d. Significant Merging	<input type="checkbox"/>	g. New Interagency Uses	<input type="checkbox"/>
b. Anonymous to Non-Anonymous	<input type="checkbox"/>	e. New Public Access	<input type="checkbox"/>	h. Internal Flow or Collection	<input type="checkbox"/>
c. Significant System Management Changes	<input type="checkbox"/>	f. Commercial Sources	<input type="checkbox"/>	i. Alteration in Character of Data	<input type="checkbox"/>
j. Other changes that create new privacy risks (specify):					

- ☐ This is an existing information system in which changes do not create new privacy risks, and there is not a SAOP approved Privacy Impact Assessment.
- ☒ This is an existing information system in which changes do not create new privacy risks, and there is a SAOP approved Privacy Impact Assessment (version 01-2015 or 01-2017).
- ☐ This is an existing information system in which changes do not create new privacy risks, and there is a SAOP approved Privacy Impact Assessment (version 01-2019 or later).

Section 2: Information in the System

2.1 Indicate what personally identifiable information (PII)/business identifiable information (BII) is collected, maintained, or disseminated. (Check all that apply.)

Identifying Numbers (IN)					
a. Social Security*	<input type="checkbox"/>	f. Driver's License	<input type="checkbox"/>	j. Financial Account	<input type="checkbox"/>
b. Taxpayer ID	<input type="checkbox"/>	g. Passport	<input type="checkbox"/>	k. Financial Transaction	<input type="checkbox"/>
c. Employer ID	<input type="checkbox"/>	h. Alien Registration	<input type="checkbox"/>	l. Vehicle Identifier	<input type="checkbox"/>
d. Employee ID	<input checked="" type="checkbox"/>	i. Credit Card	<input type="checkbox"/>	m. Medical Record	<input type="checkbox"/>
e. File/Case ID	<input checked="" type="checkbox"/>				
n. Other identifying numbers (specify):					
*Explanation for the business need to collect, maintain, or disseminate the Social Security number, including truncated form:					

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General Personal Data (GPD)					
a. Name	<input checked="" type="checkbox"/>	h. Date of Birth	<input type="checkbox"/>	o. Financial Information	<input type="checkbox"/>
b. Maiden Name	<input type="checkbox"/>	i. Place of Birth	<input type="checkbox"/>	p. Medical Information	<input type="checkbox"/>
c. Alias	<input type="checkbox"/>	j. Home Address	<input checked="" type="checkbox"/>	q. Military Service	<input type="checkbox"/>
d. Gender	<input type="checkbox"/>	k. Telephone Number	<input checked="" type="checkbox"/>	r. Criminal Record	<input type="checkbox"/>
e. Age	<input type="checkbox"/>	l. Email Address	<input checked="" type="checkbox"/>	s. Physical Characteristics	<input type="checkbox"/>
f. Race/Ethnicity	<input type="checkbox"/>	m. Education	<input type="checkbox"/>	t. Mother's Maiden Name	<input type="checkbox"/>
g. Citizenship	<input type="checkbox"/>	n. Religion	<input type="checkbox"/>		
u. Other general personal data (specify):					

Work-Related Data (WRD)					
a. Occupation	<input type="checkbox"/>	e. Work Email Address	<input type="checkbox"/>	i. Business Associates	<input type="checkbox"/>
b. Job Title	<input type="checkbox"/>	f. Salary	<input type="checkbox"/>	j. Proprietary or Business Information	<input type="checkbox"/>
c. Work Address	<input checked="" type="checkbox"/>	g. Work History	<input type="checkbox"/>	k. Procurement/contracting records	<input type="checkbox"/>
d. Work Telephone Number	<input checked="" type="checkbox"/>	h. Employment Performance Ratings or other Performance Information	<input type="checkbox"/>		
l. Other work-related data (specify):					

Distinguishing Features/Biometrics (DFB)					
a. Fingerprints	<input type="checkbox"/>	f. Scars, Marks, Tattoos	<input type="checkbox"/>	k. Signatures	<input type="checkbox"/>
b. Palm Prints	<input type="checkbox"/>	g. Hair Color	<input type="checkbox"/>	l. Vascular Scans	<input type="checkbox"/>
c. Voice/Audio Recording	<input type="checkbox"/>	h. Eye Color	<input type="checkbox"/>	m. DNA Sample or Profile	<input type="checkbox"/>
d. Video Recording	<input type="checkbox"/>	i. Height	<input type="checkbox"/>	n. Retina/Iris Scans	<input type="checkbox"/>
e. Photographs	<input type="checkbox"/>	j. Weight	<input type="checkbox"/>	o. Dental Profile	<input type="checkbox"/>
p. Other distinguishing features/biometrics (specify):					

System Administration/Audit Data (SAAD)					
a. User ID	<input checked="" type="checkbox"/>	c. Date/Time of Access	<input checked="" type="checkbox"/>	e. ID Files Accessed	<input checked="" type="checkbox"/>
b. IP Address	<input checked="" type="checkbox"/>	f. Queries Run	<input checked="" type="checkbox"/>	f. Contents of Files	<input checked="" type="checkbox"/>
g. Other system administration/audit data (specify):					

Other Information (specify)					

2.2 Indicate sources of the PII/BII in the system. *(Check all that apply.)*

Directly from Individual about Whom the Information Pertains					
In Person	<input checked="" type="checkbox"/>	Hard Copy: Mail/Fax	<input checked="" type="checkbox"/>	Online	<input checked="" type="checkbox"/>
Telephone	<input checked="" type="checkbox"/>	Email	<input checked="" type="checkbox"/>		
Other(specify):					

Government Sources					
Within the Bureau	<input checked="" type="checkbox"/>	Other DOC Bureaus	<input type="checkbox"/>	Other Federal Agencies	<input checked="" type="checkbox"/>
State, Local, Tribal	<input checked="" type="checkbox"/>	Foreign	<input checked="" type="checkbox"/>		
Other(specify):					

Non-government Sources					
Public Organizations	<input checked="" type="checkbox"/>	Private Sector	<input checked="" type="checkbox"/>	Commercial Data Brokers	<input type="checkbox"/>
Third Party Website or Application			<input checked="" type="checkbox"/>		
Other(specify):					

2.3 Describe how the accuracy of the information in the system is ensured.

PCAPS-IP does not perform PII verification as it is the patent applicant's responsibility to ensure accurate contact information to facilitate correspondence between the applicant and the USPTO examiners. However; BII information is verified through the patent prosecution process.

2.4 Is the information covered by the Paperwork Reduction Act?

<input type="checkbox"/>	Yes, the information is covered by the Paperwork Reduction Act. Provide the OMB control number and the agency number for the collection.
<input checked="" type="checkbox"/>	No, the information is not covered by the Paperwork Reduction Act.

2.5 Indicate the technologies used that contain PII/BII in ways that have not been previously deployed. *(Check all that apply.)*

Technologies Used Containing PII/BII Not Previously Deployed (TUCPBNPD)			
Smart Cards	<input type="checkbox"/>	Biometrics	<input type="checkbox"/>
Caller-ID	<input type="checkbox"/>	Personal Identity Verification (PIV) Cards	<input type="checkbox"/>
Other (specify):			

<input checked="" type="checkbox"/>	There are not any technologies used that contain PII/BII in ways that have not been previously deployed.
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Section 3: System Supported Activities

3.1 Indicate IT system supported activities which raise privacy risks/concerns. *(Check all that apply.)*

Activities			
Audio recordings	<input type="checkbox"/>	Building entry readers	<input type="checkbox"/>
Video surveillance	<input type="checkbox"/>	Electronic purchase transactions	<input type="checkbox"/>
Other (specify):			

<input checked="" type="checkbox"/>	There are not any IT systems supported activities which raise privacy risks/concerns.
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Section 4: Purpose of the System

4.1 Indicate why the PII/BII in the IT system is being collected, maintained, or disseminated. *(Check all that apply.)*

Purpose			
For a Computer Matching Program	<input type="checkbox"/>	For administering human resources programs	<input type="checkbox"/>
For administrative matters	<input checked="" type="checkbox"/>	To promote information sharing initiatives	<input checked="" type="checkbox"/>
For litigation	<input checked="" type="checkbox"/>	For criminal law enforcement activities	<input type="checkbox"/>
For civil enforcement activities	<input type="checkbox"/>	For intelligence activities	<input type="checkbox"/>
To improve Federal services online	<input checked="" type="checkbox"/>	For employee or customer satisfaction	<input checked="" type="checkbox"/>
For web measurement and customization technologies (single-session)	<input checked="" type="checkbox"/>	For web measurement and customization technologies (multi-session)	<input checked="" type="checkbox"/>
Other (specify):			

Section 5: Use of the Information

5.1 In the context of functional areas (business processes, missions, operations, etc.) supported by the IT system, describe how the PII/BII that is collected, maintained, or disseminated

will be used. Indicate if the PII/BII identified in Section 2.1 of this document is in reference to a federal employee/contractor, member of the public, foreign national, visitor or other (specify).

The information collected is of the public (U.S. and foreign) and Federal employees. Public data is used to file and manage Patent applications. Federal employee data is used internally for Patent examiner work, management of Federal employees, and the management of the IT systems that support the USPTO.

- 5.2 Describe any potential threats to privacy, such as insider threat, as a result of the bureau's/operating unit's use of the information, and controls that the bureau/operating unit has put into place to ensure that the information is handled, retained, and disposed appropriately. (For example: mandatory training for system users regarding appropriate handling of information, automatic purging of information in accordance with the retention schedule, etc.)

When accessing EFS-Web, patent applicants submissions could be at risk to man-in-the-middle and insider threat attacks. However; EFS-Web requires all user browser communications are secured through the use of HTTPS/TLS protocols.

Section 6: Information Sharing and Access

- 6.1 Indicate with whom the bureau intends to share the PII/BII in the IT system and how the PII/BII will be shared. *(Check all that apply.)*

Recipient	How Information will be Shared		
	Case-by-Case	Bulk Transfer	Direct Access
Within the bureau	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

DOC bureaus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
State, local, tribal gov't agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private sector	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Foreign governments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Foreign entities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	The PII/BII in the system will not be shared.
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6.2 Does the DOC bureau/operating unit place a limitation on re-dissemination of PII/BII shared with external agencies/entities?

<input checked="" type="checkbox"/>	Yes, the external agency/entity is required to verify with the DOC bureau/operating unit before re-dissemination of PII/BII.
<input type="checkbox"/>	No, the external agency/entity is not required to verify with the DOC bureau/operating unit before re-dissemination of PII/BII.
<input type="checkbox"/>	No, the bureau/operating unit does not share PII/BII with external agencies/entities.

6.3 Indicate whether the IT system connects with or receives information from any other IT systems authorized to process PII and/or BII.

<input checked="" type="checkbox"/>	<p>Yes, this IT system connects with or receives information from another IT system(s) authorized to process PII and/or BII. Provide the name of the IT system and describe the technical controls which prevent PII/BII leakage:</p> <p>USPTO's Patent Search System Primary Search (PSS-PS); Patent Capture and Application Processing System – Examination Support (PCAPS-ES); and Fee Processing Next Generation (FPNG):</p> <ul style="list-style-type: none"> ○ Information is protected through a layered security approach which incorporates the use of secure authentication, access control, mandatory configuration settings, firewalls, Virtual Private Network (VPN), and encryption, where required. Internally within USPTO, data transmission confidentiality controls are provided by PTONet. <p>Reed Technology and Information Services (RTIS) Patent Data Capture (PDCap)/SERCO Patent Processing System (PPS)</p> <ul style="list-style-type: none"> ○ External contractors from RTIS and SERCO connect through secure data transfer. No PII is shared with either system. <p>World Intellectual Property Organization (WIPO)/ Foreign Patent Offices</p> <p>For external data transfer to WIPO, data is transmitted across USPTO's Trilateral which is a Point-to-</p>
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	Point dedicated Virtual Private Network (VPN)
<input type="checkbox"/>	No, this IT system does not connect with or receive information from another IT system(s) authorized to process PII and/or BII.

6.4 Identify the class of users who will have access to the IT system and the PII/BII. *(Check all that apply.)*

Class of Users			
General Public	<input checked="" type="checkbox"/>	Government Employees	<input checked="" type="checkbox"/>
Contractors	<input checked="" type="checkbox"/>		
Other (specify):			

Section 7: Notice and Consent

7.1 Indicate whether individuals will be notified if their PII/BII is collected, maintained, or disseminated by the system. *(Check all that apply.)*

<input checked="" type="checkbox"/>	Yes, notice is provided pursuant to a system of records notice published in the Federal Register and discussed in Section 9.	
<input checked="" type="checkbox"/>	Yes, notice is provided by a Privacy Act statement and/or privacy policy. The Privacy Act statement and/or privacy policy can be found at: https://www.uspto.gov/privacy-policy	
<input type="checkbox"/>	Yes, notice is provided by other means.	Specify how:
<input type="checkbox"/>	No, notice is not provided.	Specify why not:

7.2 Indicate whether and how individuals have an opportunity to decline to provide PII/BII.

<input checked="" type="checkbox"/>	Yes, individuals have an opportunity to decline to provide PII/BII.	Specify how: Patent applicants are advised that information submitted to USPTO is voluntary.
<input type="checkbox"/>	No, individuals do not have an opportunity to decline to provide PII/BII.	Specify why not:

7.3 Indicate whether and how individuals have an opportunity to consent to particular uses of their PII/BII.

<input checked="" type="checkbox"/>	Yes, individuals have an opportunity to consent to particular uses of their	Specify how: A patent applicant's submission constitutes their consent to the use of the information for the purpose(s) stated
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	PII/BII.	at the time of collection.
<input type="checkbox"/>	No, individuals do not have an opportunity to consent to particular uses of their PII/BII.	Specify why not:

7.4 Indicate whether and how individuals have an opportunity to review/update PII/BII pertaining to them.

<input checked="" type="checkbox"/>	Yes, individuals have an opportunity to review/update PII/BII pertaining to them.	Specify how: During patent submission via EFS-Web, applicants have opportunities to update PII/BII data prior to final submission. After a patent submission, users must contact the Electronic Business Center for PII updates. All subsequent BII updates occur within PCAPS-ES system.
<input type="checkbox"/>	No, individuals do not have an opportunity to review/update PII/BII pertaining to them.	Specify why not:

Section 8: Administrative and Technological Controls

8.1 Indicate the administrative and technological controls for the system. *(Check all that apply.)*

<input type="checkbox"/>	All users signed a confidentiality agreement or non-disclosure agreement.
<input type="checkbox"/>	All users are subject to a Code of Conduct that includes the requirement for confidentiality.
<input checked="" type="checkbox"/>	Staff(employees and contractors) received training on privacy and confidentiality policies and practices.
<input checked="" type="checkbox"/>	Access to the PII/BII is restricted to authorized personnel only.
<input checked="" type="checkbox"/>	Access to the PII/BII is being monitored, tracked, or recorded. Explanation: Audit logs
<input checked="" type="checkbox"/>	The information is secured in accordance with the Federal Information Security Modernization Act (FISMA) requirements. Provide date of most recent Assessment and Authorization (A&A): <u>10/22/2020</u> <input type="checkbox"/> This is a new system. The A&A date will be provided when the A&A package is approved.
<input checked="" type="checkbox"/>	The Federal Information Processing Standard (FIPS) 199 security impact category for this system is a moderate or higher.
<input checked="" type="checkbox"/>	NIST Special Publication (SP) 800-122 and NIST SP 800-53 Revision 4 Appendix J recommended security controls for protecting PII/BII are in place and functioning as intended; or have an approved Plan of Action and Milestones (POA&M).
<input checked="" type="checkbox"/>	A security assessment report has been reviewed for the information system and it has been determined that there are no additional privacy risks.
<input checked="" type="checkbox"/>	Contractors that have access to the system are subject to information security provisions in their contracts required by DOC policy.
<input checked="" type="checkbox"/>	Contracts with customers establish DOC ownership rights over data including PII/BII.
<input type="checkbox"/>	Acceptance of liability for exposure of PII/BII is clearly defined in agreements with customers.
<input type="checkbox"/>	Other (specify):

8.2 Provide a general description of the technologies used to protect PII/BII on the IT system. *(Include data encryption in transit and/or at rest, if applicable).*

PCAPS-IP collects voluntary applicant(s) correspondence information to facilitate direct communications between the applicant(s) and the Office. PCAPS-IP applications are managed and secured by the USPTO's Active Directory (AD) and Unix Enterprise infrastructure and other OCIO established technical controls which include password authentication at the server and database levels. HTTPS is used for all data transmissions to and from the Internet, USPTO DMZ, and PTONet. A dedicated socket is used to perform encryption and decryption.

Section 9: Privacy Act

9.1 Is the PII/BII searchable by a personal identifier (e.g, name or Social Security number)?

- ☒ Yes, the PII/BII is searchable by a personal identifier.
- ☐ No, the PII/BII is not searchable by a personal identifier.

9.2 Indicate whether a system of records is being created under the Privacy Act, 5 U.S.C.

§ 552a. *(A new system of records notice (SORN) is required if the system is not covered by an existing SORN).*

As per the Privacy Act of 1974, "the term 'system of records' means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual."

<input checked="" type="checkbox"/>	<p>Yes, this system is covered by an existing system of records notice (SORN). Provide the SORN name, number, and link. <i>(list all that apply):</i></p> <p>Patent Application Files--COMMERCE/PAT-TM-7</p> <p>USPTO PKI Registration and Maintenance System--Commerce/PAT-TM-16</p>
<input type="checkbox"/>	Yes, a SORN has been submitted to the Department for approval on <u>(date)</u> .
<input type="checkbox"/>	No, this system is not a system of records and a SORN is not applicable.

Section 10: Retention of Information

10.1 Indicate whether these records are covered by an approved records control schedule and monitored for compliance. *(Check all that apply.)*

<input checked="" type="checkbox"/>	<p>There is an approved record controls schedule. Provide the name of the record controls schedule:</p> <ul style="list-style-type: none"> •Evidentiary Patent Applications N1-241-10-1:4.1 •Patent Examination Working Files N1-241-10-1:4.2 •Patent Examination Feeder Records N1-241-10-1:4.4 •Patent Post-Examination Feeder Records N1-241-10-1:4.5 •Patent Case Files, Granted N1-241-10-1:2
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	•Abandoned Patent Applications, Not Referenced in Granted CaseFile N1-241-10-1:3
<input type="checkbox"/>	No, there is not an approved record control schedule. Provide the stage in which the project is in developing and submitting a records control schedule:
<input checked="" type="checkbox"/>	Yes, retention is monitored for compliance to the schedule.
<input type="checkbox"/>	No, retention is not monitored for compliance to the schedule. Provide explanation:

10.2 Indicate the disposal method of the PII/BII. (*Check all that apply.*)

Disposal			
Shredding	<input checked="" type="checkbox"/>	Overwriting	<input checked="" type="checkbox"/>
Degaussing	<input checked="" type="checkbox"/>	Deleting	<input checked="" type="checkbox"/>
Other (specify):			

Section 11: NIST Special Publication 800-122 PII Confidentiality Impact Level

11.1 Indicate the potential impact that could result to the subject individuals and/or the organization if PII were inappropriately accessed, used, or disclosed. (*The PII Confidentiality Impact Level is not the same, and does not have to be the same, as the Federal Information Processing Standards (FIPS) 199 security impact category.*)

<input type="checkbox"/>	Low – the loss of confidentiality, integrity, or availability could be expected to have a limited adverse effect on organizational operations, organizational assets, or individuals.
<input checked="" type="checkbox"/>	Moderate – the loss of confidentiality, integrity, or availability could be expected to have a serious adverse effect on organizational operations, organizational assets, or individuals.
<input type="checkbox"/>	High – the loss of confidentiality, integrity, or availability could be expected to have a severe or catastrophic adverse effect on organizational operations, organizational assets, or individuals.

11.2 Indicate which factors were used to determine the above PII confidentiality impact level. (*Check all that apply.*)

<input checked="" type="checkbox"/>	Identifiability	Provide explanation: The information captured by the PCAPS-IP system could identify an individual
<input type="checkbox"/>	Quantity of PII	Provide explanation:
<input type="checkbox"/>	Data Field Sensitivity	Provide explanation:
<input checked="" type="checkbox"/>	Context of Use	Provide explanation: The data captured, stored, or transmitted by the PCAPS-IP system is used to process patent applications and may include sensitive information from the applicant's application.
<input type="checkbox"/>	Obligation to Protect Confidentiality	Provide explanation:

<input checked="" type="checkbox"/>	Access to and Location of PII	Provide explanation: The information captured, stored, and transmitted by the PCAPS-IP system is maintained within USPTO systems. No sensitive-PII is shared external to PCAPS-IP system.
<input type="checkbox"/>	Other:	Provide explanation:

Section 12: Analysis

- 12.1 Identify and evaluate any potential threats to privacy that exist in light of the information collected or the sources from which the information is collected. Also, describe the choices that the bureau/operating unit made with regard to the type or quantity of information collected and the sources providing the information in order to prevent or mitigate threats to privacy. (For example: If a decision was made to collect less data, include a discussion of this decision; if it is necessary to obtain information from sources other than the individual, explain why.)

All PII submitted are strictly voluntary and for public use.
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- 12.2 Indicate whether the conduct of this PIA results in any required business process changes.

<input type="checkbox"/>	Yes, the conduct of this PIA results in required business process changes. Explanation:
<input checked="" type="checkbox"/>	No, the conduct of this PIA does not result in any required business process changes.

- 12.3 Indicate whether the conduct of this PIA results in any required technology changes.

<input type="checkbox"/>	Yes, the conduct of this PIA results in required technology changes. Explanation:
<input checked="" type="checkbox"/>	No, the conduct of this PIA does not result in any required technology changes.

USPTO Points of Contact and Signatures

<p>System Owner</p> <p>Name: William Stryjewski Office: Office of Patent Information Management (OPIM) Phone: 571-272-3404 Email: william.stryjewski@uspto.gov</p> <p>I certify that this PIA is an accurate representation of the security controls in place to protect PII/BII processed on this IT system.</p> <p style="text-align: right;">Users, Stryjewski, William Digitally signed by Users, Stryjewski, William Date: 2020.10.15 13:14:34 -04'00'</p> <p>Signature: _____</p> <p>Date signed: _____</p>	<p>Chief Information Security Officer</p> <p>Name: Don Watson Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-8130 Email: Don.Watson@uspto.gov</p> <p>I certify that this PIA is an accurate representation of the security controls in place to protect PII/BII processed on this IT system.</p> <p style="text-align: right;">Don Watson Digitally signed by Don Watson Date: 2020.10.19 10:26:27 -04'00'</p> <p>Signature: _____</p> <p>Date signed: _____</p>
<p>Privacy Act Officer</p> <p>Name: John Heaton (Ricou) Office: General Law Office (GLO) Phone: 571-270-7420 Email: Ricou.heaton@uspto.gov</p> <p>I certify that the appropriate authorities and SORNs (if applicable) are cited in this PIA.</p> <p style="text-align: right;">Users, Heaton, John (Ricou) Digitally signed by Users, Heaton, John (Ricou) Date: 2020.10.13 18:05:21 -04'00'</p> <p>Signature: _____</p> <p>Date signed: _____</p>	<p>Bureau Chief Privacy Officer and Co-Authorizing Official</p> <p>Name: Henry J. Holcombe Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-9400 Email: Jamie.Holcombe@uspto.gov</p> <p>I certify that the PII/BII processed in this IT system is necessary, this PIA ensures compliance with DOC policy to protect privacy, and the Bureau/OU Privacy Act Officer concurs with the SORNs and authorities cited.</p> <p style="text-align: right;">Users, Holcombe, Henry Digitally signed by Users, Holcombe, Henry Date: 2020.10.19 10:47:29 -04'00'</p> <p>Signature: _____</p> <p>Date signed: _____</p>
<p>Co-Authorizing Official (if applicable)</p> <p>Name: Andrew (Drew) Hirshfeld Office: Commissioner for Patents Phone: 571-272-8800 Email: andrew.hirshfeld@uspto.gov</p> <p>I certify that this PIA accurately reflects the representations made to me herein by the System Owner, the Chief Information Security Officer, and the Chief Privacy Officer regarding security controls in place to protect PII/BII in this PIA.</p> <p style="text-align: right;">Users, Hirshfeld, Andrew Digitally signed by Users, Hirshfeld, Andrew Date: 2020.10.22 16:16:32 -04'00'</p> <p>Signature: _____</p> <p>Date signed: _____</p>	

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