

U.S. DEPARTMENT OF COMMERCE

UNITED STATES PATENT AND TRADEMARK OFFICE

Privacy Impact Assessment



Landon IP Information System (LIPIS)

DOC50PAPT0601205

December 23, 2010

Privacy Impact Assessment

This Privacy Impact Assessment (PIA) is a requirement of the Privacy Act of 1987 and OMB Memorandum 03-22, *OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002*. A PIA documents the due diligence and oversight placed upon information associated with the project or system in question. Written from the System Owner's perspective for the American public, the PIA discloses what information is being collected, and how that information is protected. The intent is to build confidence that privacy information is secure, processes that utilize this information comply with Federal requirements, and more importantly, inform the privacy expectations of the American public.

The Privacy Threshold Analysis (PTA) is a separate artifact that must be completed prior to beginning this PIA. In many cases, the PTA will be the only required artifact to satisfy DOC privacy considerations.

SYSTEM DESCRIPTION

Landon-IP is under contract with the United States Patent and Trademark Office (USPTO) to perform work related to Patent Cooperation Treaty (PCT) applications. Landon-IP utilizes PCT application data from USPTO to conduct searches and develop opinion papers in support of the USPTO contract.

In support of this contract Landon-IP has implemented the Landon-IP Information System (LIPIS). LIPIS is the automated information system comprised of the Landon-IP network environment that supports the USPTO. LIPIS was developed to provide a comprehensive set of security controls to adequately protect USPTO data. LIPIS is a networked system of servers and workstations that meets the requirements for Classification as a General Support System as defined by Appendix III to OMB Circular A-130, Section A.2.c.

QUESTIONNAIRE

1. What information is collected (e.g., nature and source)?

Patent Cooperation Treaty (PCT) applications could include applicants' names and addresses. LIPIS receives PCT applications directly from the United States Patent and Trademark Office (USPTO).

2. Why is this information being collected (e.g., to determine eligibility)?

This PII data is collected and provided to authorized contractors to enable identification of the inventor throughout the PCT application process.

3. What is the intended use of information (e.g., to verify existing data)?

This PII data is collected and provided to authorized contractors to enable identification of the inventor throughout the PCT application process.

4. With whom will the information be shared (e.g., another agency for a specified programmatic purpose)?

Landon-IP does not share any information with other agencies, individuals, or organizations. The information provided by USPTO is used by Landon-IP to conduct searches under the PCT.

5. What opportunities do individuals have to decline to provide information (i.e., where providing information is voluntary) or to consent to particular uses of the information (other than required or authorized uses), and how can individuals grant consent?

The PCT application documents received by Landon-IP are obtained directly from USPTO. This process does not provide opportunity for individuals to decline to provide their names, addresses, or any other PII data that might be provided on the PCT application received from USPTO. Individuals are not able to decline or consent to any particular use of the PCT application PII data.

Under the terms and conditions of the PCT, the USPTO serves as a Receiving Office, an International Searching Authority and an International Preliminary Examination Authority for international patent applications filed in accordance with the PCT. A single filing of an international application is accompanied with a search report and a written opinion regarding the patentability of the invention which is the subject of the application. Applicants are required to provide the information to the Receiving Office, in this case the USPTO, as part of the application process.

6. How will the information be secured (e.g., administrative and technological controls)?

The information received from and sent to the USPTO is transmitted using a secure protocol. PCT applications are stored on servers configured to limit access to data.

7. How will the data extract log and verify requirement be met?

The text of the requirement, as stated on page 7 of OMB M-07-16, is "Log all computer-readable data extracts from databases holding sensitive information and verify each extract, including whether sensitive data has been erased within 90 days or its use is still required."

LIPIS has no databases within the Accreditation Boundary.

8. Is a system of records being created under the Privacy Act, 5 U.S.C. 552a?

No.

9. Are these records covered by a record control schedule approved by the National Archives and Records Administration (NARA)?

Not Applicable

SIGNATORY AUTHORITY

Agreed: _____ /s/ Blaine Copenheaver _____ 12/23/2010
/ /
Blaine Copenheaver Date
Information System Owner

Agreed: _____ /s/ Rod Turk _____ 1/11/2011
/ /
Rod Turk Date
Senior Agency Information Security Officer

Agreed: _____ /s/ John B. Owens II _____ 1/13/2011
/ /
John B. Owens II Date
Authorizing Official