POLICY

Rules and Regulations for Non-USPTO Personnel Visiting the USPTO

UNITED STATES PATENT AND TRADEMARK OFFICE
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

July 2018
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I. **PURPOSE**

This policy provides conduct guidance to non-USPTO personnel visiting USPTO buildings. This policy does not apply to USPTO personnel.

II. **AUTHORITY**

This policy will be administered in accordance with:

- The Public Buildings Cooperative Use Act of 1976 (Public Law 94-541)

III. **DEFINITIONS**

A. *USPTO building* shall mean any building and its grounds under the charge and control of the USPTO.

B. *Public area* shall mean any area of a USPTO building or its grounds ordinarily open to members of the public. This includes areas such as lobbies, courtyards, auditoriums, meeting rooms, and other similar common areas.

C. *Secure area* shall mean any area of a USPTO building that is behind the USPTO security envelope and is not ordinarily open to members of the public without USPTO escort.

D. *Building Restriction Decision* shall mean a decision by the USPTO that an individual is prohibited from entering one or more USPTO buildings. A building restriction may be for a specified period of time or indefinite.

E. *Director of Security* has responsibility for managing the security functions over USPTO buildings. This official will oversee the implementation of any building restrictions decisions.

F. *Chief Administrative Officer* is the senior agency official responsible for deciding an appeal of a building restriction decision.

IV. **SCREENING REQUIRED TO ENTER SECURE AREAS**

Persons entering into any USPTO secure area are required to pass through a magnetometer and may also be screened by security personnel using a hand-held wand. Any packages, briefcases, or other containers brought into the secure area will be screened by x-ray or manual inspection.
V. **CONDUCT IN USPTO BUILDINGS**

Persons entering into USPTO buildings are subject to the Rules and Regulations Governing Conduct on Federal Property, attached as Appendix A to this policy.

VI. **VIOLATIONS OF RULES AND REGULATIONS GOVERNING CONDUCT ON FEDERAL PROPERTY**

A person found guilty of violating any provision of the Rules and Regulations Governing Conduct on Federal Property may be subject to penalties as outlined in the Federal Management Regulations, including any additional type of corrective action as prescribed by law.

In addition, the USPTO may decide that an individual who has violated one or more provisions of the Rules and Regulations Governing Conduct on Federal Property is to be restricted from entering USPTO buildings. The building restriction decision will be issued by an authorized USPTO employee (i.e., a senior management official or a Security representative). The building restriction may be for a specified period of time or indefinite. When the building restriction decision is put into place, the person whose access is being restricted will be notified in writing based on their known contact information. All USPTO facilities will be notified of any such building restriction.

VII. **APPEAL OF BUILDING RESTRICTION DECISIONS**

An individual who is issued a building restriction decision may appeal. This can be done by submitting a written notice of appeal to the USPTO’s Chief Administrative Officer (CAO). Appeal requests must specify the reasons the restricted person believes the building restriction is not appropriate and include all relevant supporting documentation. Appeals will be sent to the following:

U. S. Patent and Trademark Office  
Office of the Chief Administrative Officer  
600 Dulany Street, Alexandria, VA 22314

The CAO shall consider the individual’s submission and affirm, modify, or reverse the building restriction decision. The CAO shall decide the appeal within 30 business days after its receipt. Upon reaching a decision on an appeal, the CAO shall notify the individual of the decision and the reasons therefore. It is the responsibility of the individual who has been restricted to demonstrate the decision should be reversed. Therefore, the appeal must include all applicable justification and documentation to support the request to reverse the building restriction decision.

If the building restriction is upheld after appeal, further requests by the restricted individual will not be acted upon if received prior to the expiration of a period of one year from the date of the submission of the individual’s most recent appeal, absent a material change in circumstance. Subsequent appeals may be submitted no more frequently than once per year. The CAO will decide, within 30 calendar days of receiving each appeal, whether the building restriction remains in place or is modified or rescinded. Notice of the decision in each appeal will be provided in writing to the restricted individual.
VIII. EFFECT ON OTHER ORDERS

This policy supersedes any prior USPTO policy or guidance regarding Rules and Regulations for Non-USPTO Personnel Visiting the USPTO.

IX. POLICY REVIEW

This policy is subject to periodic review to maintain its effectiveness and the effectiveness of business operations of the USPTO.

X. APPROVAL AND EFFECTIVE DATE

This policy is effective on the date of signature.

Frederick W. Steckler  
Chief Administrative Officer

7/26/2013
Federal Management Regulation
Title 41, Code of Federal Regulations, Part 102-74, Subpart C

November, 2005

U.S. General Services Administration

**Federal Management Regulation**

**Title 41, Code of Federal Regulations, Part 102-74, Subpart C**

**Applicability (41 CFR 102-74.2).** To the extent this subpart applies to a property, unless the authority of GSA acts as a person

**Exciting (41 CFR 102-74.3).** Federal agencies may, at their discretion, issue directions, limitations or other restrictions on the use of Federal properties. Federal agencies must file regulations in the Federal Register for all Federal properties.

**Transfers (41 CFR 102-74.4).** Federal agencies may not transfer Federal properties except as authorized by Title 41, Code of Federal Regulations, Subpart C.

**Adverse Possession (41 CFR 102-74.5).** All persons entering or on Federal properties are prohibited from.