

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



**Privacy Impact Assessment
for the
Enterprise Software Services (ESS)**

Reviewed by: John B. Owens II, Senior Agency Official for Privacy

- Concurrence of Senior Agency Official for Privacy/DOC Chief Privacy Officer
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Date

U.S. Department of Commerce Privacy Impact Assessment USPTO [Name of IT System]

Unique Project Identifier: [FISMA ID]

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.

[Guidance: When completing this section, be sure to include only information suitable for public viewing since this is to be posted online. Do not include system information such as IP addresses, architecture diagrams, et.]

- a) EDS – The following pieces of user data are captured from internal USPTO employees and contractors and stored in EDS: First name, last name, middle name, organization (department), work telephone number(s), USPTO e-mail address and physical addresses of USPTO work locations.

- b) RBAC – For internal USPTO users, the following attributes are propagated to and stored in RBAC from EDS for internal users: First name, last name, middle name, organization, work telephone number(s), and e-mail address.

For external (non-USPTO) users, the following information is collected via MyUSPTO and stored in RBAC: First name, last name, telephone number (work, cell, or home), e-mail address, physical address, and security question answers to at least three of the following questions:

- Father's middle name,
 - First pet's name,
 - All-time favorite sports team,
 - High school mascot,
 - Name of first school,
 - City/town of birth,
 - Favorite comic book hero,
 - Favorite hobby,
 - Mother's middle name,
 - Color of first pet
 - Year the individual met his/her spouse/partner, and
 - Number of bedrooms in the individual's house/apartment.
- c) EaaS - Personally Identifiable Information (PII) is not collected. This system provides USPTO email services stored in the cloud. Electronic messages might contain sensitive information or

documentation. Emails transmitted to and stored in the cloud leverage FIPS 140-2 compliant encryption mechanisms.

- d) ESPS - This system does not collect any PII. However, SharePoint serves as a repository that is utilized throughout the entire USPTO organization and may contain documents with sensitive information.
- e) PTOES - This system does not collect any PII. This system provides USPTO email services managed on-premise. E-mails sent through the USPTO Exchange System might contain sensitive information or documentation. While in transmission and stored on premise, emails are protected with FIPS 140-2 approved encryption algorithms.
- f) PTOFAX - Not applicable. This system does not collect any PII.
- g) SEP - Not applicable. This system does not collect any PII.

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):					

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"/>	e. File/Case ID	<input type="checkbox"/>	i. Credit Card	<input type="checkbox"/>
b. Taxpayer ID	<input type="checkbox"/>	f. Driver's License	<input type="checkbox"/>	j. Financial Account	<input type="checkbox"/>
c. Employer ID	<input type="checkbox"/>	g. Passport	<input type="checkbox"/>	k. Financial Transaction	<input type="checkbox"/>
d. Employee ID	<input checked="" type="checkbox"/>	h. Alien Registration	<input type="checkbox"/>	l. Vehicle Identifier	<input type="checkbox"/>
m. Other identifying numbers (specify):					
<p>h) *Explanation for the need to collect, maintain, or disseminate the Social Security number, including truncated form:</p> <p>For internal USPTO users, the following attributes are propagated to and stored in RBAC from EDS for internal users: First name, last name, middle name, organization, work telephone number(s), and e-mail address.</p> <p>For external (non-USPTO) users, the following information is collected via MyUSPTO and stored in RBAC: First name, last name, telephone number (work, cell, or home), e-mail address, physical address, and security question answers to at least three of the following questions:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Father's middle name, <input type="checkbox"/> First pet's name, <input type="checkbox"/> All-time favorite sports team, <input type="checkbox"/> High school mascot, <input type="checkbox"/> Name of first school, <input type="checkbox"/> City/town of birth, 					

- Favorite comic book hero,
- Favorite hobby,
- Mother's middle name,
- Color of first pet
- Year the individual met his/her spouse/partner, and
- Number of bedrooms in the individual's house/apartment.

*If SSNs are collected, stored, or processed by the system, please explain if there is a way to avoid such collection in the future and how this could be accomplished:

General Personal Data (GPD)

a. Name	<input checked="" type="checkbox"/>	g. Date of Birth	<input checked="" type="checkbox"/>	m. Religion	<input type="checkbox"/>
b. Maiden Name	<input type="checkbox"/>	h. Place of Birth	<input checked="" type="checkbox"/>	n. Financial Information	<input type="checkbox"/>
c. Alias	<input type="checkbox"/>	i. Home Address	<input checked="" type="checkbox"/>	o. Medical Information	<input type="checkbox"/>
d. Gender	<input checked="" type="checkbox"/>	j. Telephone Number	<input checked="" type="checkbox"/>	p. Military Service	<input type="checkbox"/>
e. Age	<input type="checkbox"/>	k. Email Address	<input checked="" type="checkbox"/>	q. Physical Characteristics	<input type="checkbox"/>
f. Race/Ethnicity	<input type="checkbox"/>	l. Education	<input type="checkbox"/>	r. Mother's Maiden Name	<input type="checkbox"/>
s. Other general personal data (specify):					

Work-Related Data (WRD)

a. Occupation	<input type="checkbox"/>	d. Telephone Number	<input checked="" type="checkbox"/>	g. Salary	<input type="checkbox"/>
b. Job Title	<input type="checkbox"/>	e. Email Address	<input checked="" type="checkbox"/>	h. Work History	<input type="checkbox"/>
c. Work Address	<input checked="" type="checkbox"/>	f. Business Associates	<input type="checkbox"/>		
i. Other work-related data (specify):					

Distinguishing Features/Biometrics (DFB)

a. Fingerprints	<input type="checkbox"/>	d. Photographs	<input type="checkbox"/>	g. DNA Profiles	<input type="checkbox"/>
b. Palm Prints	<input type="checkbox"/>	e. Scars, Marks, Tattoos	<input type="checkbox"/>	h. Retina/Iris Scans	<input type="checkbox"/>
c. Voice Recording/Signatures	<input type="checkbox"/>	f. Vascular Scan	<input type="checkbox"/>	i. Dental Profile	<input checked="" type="checkbox"/>
j. 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 type="checkbox"/>
b. IP Address	<input type="checkbox"/>	d. Queries Run	<input type="checkbox"/>	f. Contents of Files	<input 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 type="checkbox"/>	Hard Copy: Mail/Fax	<input type="checkbox"/>	Online	<input checked="" type="checkbox"/>
Telephone	<input type="checkbox"/>	Email	<input type="checkbox"/>		
Other (specify):					

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

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

- 2.3 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 checked="" type="checkbox"/>
Other (specify):			

<input 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 type="checkbox"/>	There are not any IT system 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			
To determine eligibility	<input checked="" type="checkbox"/>	For administering human resources programs	<input type="checkbox"/>
For administrative matters	<input type="checkbox"/>	To promote information sharing initiatives	<input type="checkbox"/>
For litigation	<input 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 type="checkbox"/>	For employee or customer satisfaction	<input type="checkbox"/>
For web measurement and customization technologies (single-session)	<input type="checkbox"/>	For web measurement and customization technologies (multi-session)	<input 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 is collected to identify the users and partners when authenticating through the network. User credentials are managed through Active Directory and will integrate with RBAC. This will allow users to access USPTO’s network and various systems through Single Sign-On.

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOC bureaus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State, local, tribal gov’t agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private sector	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foreign governments	<input type="checkbox"/>	<input 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"/>

The PII/BII in the system will not be shared.

6.2 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"/>	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: MyUSPTO
<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.

6.3 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 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: http://ptoweb.uspto.gov/ptointranet/ptosecurity/hspd/PIV_privacy_notice.pdf	
<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: Information is provided on a voluntary basis. While providing this information is voluntary, if personnel do not provide the requested information in whole or in part, USPTO may not be able to complete their investigation or the identity and registration process, or complete it in a timely manner. Failure to provide the requested information may affect their placement or employment, and will affect their ability to obtain a permanent PIV card. If using a PIV credential is a condition of their job, not providing the information will affect their placement or employment prospects.
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<input type="checkbox"/>	No, individuals do not have an opportunity to decline to provide PII/BII.	Specify why not:
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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 PII/BII.	Specify how: Individuals consent to providing information for the primary purpose of acquiring network privileges.
<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 type="checkbox"/>	Yes, individuals have an opportunity to review/update PII/BII pertaining to them.	Specify how:
<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 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 type="checkbox"/>	Access to the PII/BII is being monitored, tracked, or recorded. Explanation:
<input checked="" type="checkbox"/>	The information is secured in accordance with FISMA requirements. Provide date of most recent Assessment and Authorization (A&A): <u>8/7/2015</u> <input type="checkbox"/> This is a new system. The A&A date will be provided when the A&A package is approved.
<input type="checkbox"/>	The Federal Information Processing Standard (FIPS) 199 security impact category for this system is a moderate or higher.
<input 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 (POAM).
<input type="checkbox"/>	Contractors that have access to the system are subject to information security provisions in their contracts required by DOC policy.
<input type="checkbox"/>	Contracts with customers establish 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.

Information within databases will be secured consistent with government laws, regulations (e.g. NIST) and USPTO policy.

Section 9: Privacy Act

9.1 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 type="checkbox"/>	Yes, this system is covered by an existing system of records notice (SORN). Provide the SORN name and number <i>(list all that apply)</i> :
<input type="checkbox"/>	Yes, a SORN has been submitted to the Department for approval on <u>(date)</u> .
<input checked="" type="checkbox"/>	No, a SORN is not being created.

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"/>	There is an approved record control schedule. Provide the name of the record control schedule: ESS-RBAC follows the NARA guidelines and USPTO document retention policies. Current retention policies are to keep electronic badge information for two years after an individual has departed the agency.
<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 type="checkbox"/>	Overwriting	<input type="checkbox"/>
Degaussing	<input type="checkbox"/>	Deleting	<input type="checkbox"/>
Other (specify):			

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

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.

<input checked="" 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 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 levels.
(Check all that apply.)

<input type="checkbox"/>	Identifiability	Provide explanation:
<input type="checkbox"/>	Quantity of PII	Provide explanation:
<input checked="" type="checkbox"/>	Data Field Sensitivity	Provide explanation: This is done in accordance to USPTO policy (IT Security Handbook)
<input checked="" type="checkbox"/>	Context of Use	Provide explanation: This is done in accordance to USPTO policy (IT Security Handbook)
<input checked="" type="checkbox"/>	Obligation to Protect Confidentiality	Provide explanation: This is done in accordance to USPTO policy (IT Security Handbook)
<input checked="" type="checkbox"/>	Access to and Location of PII	Provide explanation: This is done in accordance to USPTO policy (IT Security Handbook)
<input type="checkbox"/>	Other:	Provide explanation:

Section 12: Analysis

12.1 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.

12.2 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.