

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



**Privacy Impact Assessment
for the
Patent Search System – Specialized Search (PSS-SS) System**

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

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

Date

U.S. Department of Commerce Privacy Impact Assessment USPTO Patent Search System – Specialized Search (PSS-SS)

Unique Project Identifier: [FISMA ID]

Introduction: System Description

The PSS-SS is a FIPS moderate information system, and provides support to the Patent Cost Center. It is considered a mission critical “system”. PSS-SS provides access to highly specialized data that may include annual submissions of nucleic and amino acid sequence or prior-art searching of polynucleotide and polypeptide sequences, and other types of information that may be more scientific or the technology-based, Patent Linguistic Utility Service (a query by example search system), Chemical Drawing ability, and Foreign Patent Data. The PSS-SS system is made up of multiple applications that allow Patents examiners and applicants to effectively search the USPTO Patent data repositories.

Requests are submitted to align a bio-sequence against all available bio sequences in a system and returns the top 50 bio sequences. The system produces a listing high-scoring alignments with an alphanumeric identifier.

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): There's no change to this system, this document is being prepared in accordance with Annual Information System Security Assessment requirement.					

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 type="checkbox"/>	h. Alien Registration	<input type="checkbox"/>	l. Vehicle Identifier	<input type="checkbox"/>
m. Other identifying numbers (specify):					
*Explanation for the need to collect, maintain, or disseminate the Social Security number, including truncated form:					
*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 type="checkbox"/>	m. Religion	<input type="checkbox"/>
b. Maiden Name	<input type="checkbox"/>	h. Place of Birth	<input 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 type="checkbox"/>	j. Telephone Number	<input type="checkbox"/>	p. Military Service	<input type="checkbox"/>
e. Age	<input type="checkbox"/>	k. Email Address	<input 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):					

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Work-Related Data (WRD)					
a. Occupation	<input type="checkbox"/>	d. Telephone Number	<input type="checkbox"/>	g. Salary	<input type="checkbox"/>
b. Job Title	<input type="checkbox"/>	e. Email Address	<input 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 type="checkbox"/>	c. Date/Time of Access	<input 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 checked="" 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): ABSS receives data from the SCORE and PSIPS applications.					

Non-government Sources					
Public Organizations	<input checked="" type="checkbox"/>	Private Sector	<input checked="" type="checkbox"/>	Commercial Data Brokers	<input checked="" type="checkbox"/>
Third Party Website or Application			<input checked="" 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 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 PSS-SS 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 PSS-SS 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 PSS-SS is being collected, maintained, or disseminated. *(Check all that apply.)*

Purpose			
To determine eligibility	<input 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): ABSS receives PII within the metadata from the SCORE and PSIPS applications. However, it does not using the data for any business functions.			

Section 5: Use of the Information

- 5.1 In the context of functional areas (business processes, missions, operations, etc.) supported by the PSS-SS, 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).

ABSS receives PII within the metadata from the SCORE and PSIPS applications. However, it does not using the data for any business functions.

Section 6: Information Sharing and Access

- 6.1 Indicate with whom the bureau intends to share the PII/BII in the PSS-SS 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 PSS-SS connects with or receives information from any other PSS-SSs authorized to process PII and/or BII.

<input checked="" type="checkbox"/>	Yes, this PSS-SS connects with or receives information from another PSS-SS(s) authorized to process PII and/or BII. Provide the name of the PSS-SS and describe the technical controls which prevent PII/BII leakage:					
	<table border="1"> <thead> <tr> <th>System Name</th> <th>Organization</th> </tr> </thead> <tbody> <tr> <td>PSS-PS</td> <td>USPTO</td> </tr> <tr> <td>PSS-SS</td> <td>USPTO</td> </tr> </tbody> </table>	System Name	Organization	PSS-PS	USPTO	PSS-SS
System Name	Organization					
PSS-PS	USPTO					
PSS-SS	USPTO					
<input checked="" type="checkbox"/>	By restricting access to the system via Active Directory, PSS-SS and PSS-PS' protection of PII data is performed by the implemented AD automated system. Automatic quality control for data checks exist. VPN is used for developer access. There is a network connection to the Internet via the Network Perimeter for PSS-SS and PSS-PS users. The PSS-SS and PSS-PS services are logically partitioned via a DMZ and an internal USPTO firewall is used as the boundary protection device that secures the communication between Internet users and the PSS-SS and PSS-PS. This connection is protected and controlled by the USPTO infrastructure.					
<input type="checkbox"/>	No, this PSS-SS does not connect with or receive information from another PSS-SS(s) authorized to process PII and/or BII.					

6.3 Identify the class of users who will have access to the PSS-SS 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 type="checkbox"/>	Yes, notice is provided pursuant to a system of records notice published in the Federal Register and discussed in Section 9.
<input 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: _____.
<input type="checkbox"/>	Yes, notice is provided by other means. Specify how:
<input checked="" type="checkbox"/>	No, notice is not provided. Specify why not: The PII/BII is gathered through metadata and is not used for any business purposes.

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

<input type="checkbox"/>	Yes, individuals have an opportunity to	Specify how:
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	decline to provide PII/BII.	
<input checked="" type="checkbox"/>	No, individuals do not have an opportunity to decline to provide PII/BII.	Specify why not: Individuals do not have the option to input any personal information into any PSS-SS application.

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

<input type="checkbox"/>	Yes, individuals have an opportunity to consent to particular uses of their PII/BII.	Specify how:
<input checked="" type="checkbox"/>	No, individuals do not have an opportunity to consent to particular uses of their PII/BII.	Specify why not: Individuals do not have the option to input any personal information into any PSS-SS application.

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 checked="" type="checkbox"/>	No, individuals do not have an opportunity to review/update PII/BII pertaining to them.	Specify why not: Individuals do not have the option to input any personal information into any PSS-SS application.

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: Privileged access is monitored and audited at the OS level.
<input type="checkbox"/>	The information is secured in accordance with FISMA requirements. Provide date of most recent Assessment and Authorization (A&A): _____ <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 (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 PSS-SS.

Information in USPTO information systems are protected with operational and technical controls that documented in the PSS-SS System Security Plan. A Security Categorization compliant with the FIPS 199 and NIST SP 800-60 requirements was conducted for PSS-SS. The overall FIPS 199 security impact level for PSS-SS was determined to be Moderate. This categorization influences the level of effort needed to protect the information managed and transmitted by the system.

A Operational controls include securing all hardware associated with the PSS-SS in the USPTO Data Center. The Data Center is controlled by access card entry and is manned by a uniformed guard service to restrict access to the servers, their operating systems, and databases.

B Backups are managed by the Enterprise Tape Backup System (ETBS) and are secured off-site by First Federal.

C Windows and Linux servers within PSS-SS are regularly updated with the latest security patches by the Windows and Unix System Support Groups.

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 type="checkbox"/>	There is an approved record control schedule. Provide the name of the record control schedule:
<input checked="" 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 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 type="checkbox"/>	Data Field Sensitivity	Provide explanation:
<input checked="" type="checkbox"/>	Context of Use	Provide explanation: PII is not directly used by PSS-SS applications, rather it simply receives it as part of the metadata from other applications.
<input type="checkbox"/>	Obligation to Protect Confidentiality	Provide explanation:
<input type="checkbox"/>	Access to and Location of PII	Provide explanation:
<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.