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**U.S. DEPARTMENT OF COMMERCE**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Privacy Impact Assessment**



**Reed Technology and Information Services, Inc. (Reed Tech)**

**Patent Data Capture (PDCap)**

**DOC50PAPT0905000**

**September 11, 2015**

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# 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.

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## **SYSTEM DESCRIPTION**

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The Reed Tech PDCap system is a system that is designed to perform data capture and conversion of patent applications to produce the final published patent. The PDCap system helps to manage the entire lifecycle of the patent application in collaboration with USPTO processing, from the initial filing of the application to the final published document. Applications are submitted either electronically or on paper to the United States Patent and Trademark Office. Reed Tech then processes the applications through several stages and ultimately produces the finished patent document.

A new feature of the PDCap system is the Published Application Alerts Service (PAAS). This feature allows members of the public to create queries against current patent applications published and generate alerts in the form of emails for notification of matches to their queries.

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# QUESTIONNAIRE

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

The Reed Technology and Information Services, Inc. (Reed Tech) Patent Data Capture (PDCap) system collects and processes patent applications that are in the pre-grant or grant phase of the patent application process. The patent applications contain personally identifiable information (PII) such as the inventor's name, address, and phone number.

Also, the PAAS subsystem of the PDCap system collects additional information in the form of the full name and email address of members of the public creating profiles. This information is provided voluntarily so as to use the services provided by the PAAS system.

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

Patent application data and images, which contain PII are collected to support the data capture and conversion requirements of the patent application process for the United States Patent and Trademark Office (USPTO).

The PAAS system requires users to provide their full name and email address to create queries in the PAAS system to use the service.

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

The intended use of the information is to convert raw data format into fully searchable electronic databases. Once converted into searchable format (XML), each patent is then composed to USPTO specification for delivery back to the USPTO.

The intended use of the information provided in the PAAS system is to associate queries and the results of those queries with a specific profile, and then to deliver the results of the queries to that owner of that profile.

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

Reed Tech does not share any information with other agencies, individuals, or organizations. The information will be shared only with the USPTO. The information will not be shared with any other party. The information in the PAAS system will not be shared with any third party. The information may be provided to the USPTO upon request.

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?

Patent applications, which contain PII, have been provided to USPTO voluntarily. Prior to patent processing, USPTO notifies patent applicants that their private information may become public in the event

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that their patent is granted. At this time, the patent applicant has the opportunity to decline to submit his/her application. Submittal of application after privacy notification is provided is considered granting of consent to particular uses of the information.

The information provided as part of the registration process for the PAAS system is provided voluntarily. Users may decline to provide the requested information at any time.

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

**Management Controls:**

1. The USPTO uses the Life Cycle review process to ensure that management controls are in place for the Reed Tech PDCap. During the enhancement of any component, the security controls are reviewed, re-evaluated, and updated in the Security Plan. The Security Plans specifically address the management, operational, and technical controls that are in place, and planned, during the operation of the enhanced system. Additional management controls include performing national agency check on all personnel, including contractor staff.
2. Access to the system and data on the system is based on the user's job function. Users are given access only to the data necessary to perform their jobs.

**Operational Controls:**

1. Automated operational controls include securing access to all hardware associated with the Reed Tech PDCap system. The system components are located in secured areas accessible only by authorized users by a badge access system. Security guards are on site whenever employees are scheduled to be in the building; a centrally monitored alarm system is armed when the guards are not on site.
2. Manual procedures are followed for handling extracted data containing sensitive PII, which is physically transported outside of the USPTO premises. These procedures include maintaining logs and encryption and password protection of data.

**Technical Controls:**

The data in the main PDCap system is stored on highly redundant network attached storage (NAS) devices and is backed up nightly. Backup tapes are stored offsite at a third-party vendor located in excess of 30 miles from the main processing site. Authentication is required at all levels of access to the data and the system and authentication levels are reviewed on a regular basis.

The data in the PAAS portion of the PDCap system is stored in a database on a hardened server, located on an isolated subnet which is protected from direct access from the Internet.

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

The individually identifiable payment-related information or other PII is processed by PDCap. The address and other contact information are collected by the system for correspondence purposes. This is not considered a data extract and therefore is not applicable to the system.

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

No, there is no new system of records being created.

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

Not Applicable.

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## SIGNATORY AUTHORITY

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Agreed: Susan Scanlon 9/15/15  
Susan Scanlon Date

**Information System Owner for Reed Tech PDCap**

Agreed: John Pardun 9/16/2015  
John Pardun Date

**Senior Agency Information Security Officer**

Agreed: John B. Owens II 9/22/15  
John B. Owens II Date

**Co-Authorizing Official for Reed Tech PDCap**

Agreed: Andrew H. Hirshfeld 10/20/15  
Andrew H. Hirshfeld Date

**Co-Authorizing Official for Reed Tech PDCap**

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