



UNITED STATES PATENT AND TRADEMARK OFFICE

STATEMENT OF EMPLOYEE RELATIVE TO INTERESTS, ACTIVITIES AND OBLIGATIONS

I have read and will undertake to follow the United States Patent and Trademark Office policy concerning conflict of interests and standards of conduct as set forth on the reverse side of this memorandum, and I affirm that I do not have any right or interest in any patent application.

Please check (A), (B) or (C) below:

(A) I have not acted as attorney or agent for any applicant whose application for patent or trademark registration is now pending.

(B) I have, with respect to all pending applications for patent or trademark registration in which I have appeared as attorney or agent, received notice from the United States Patent and Trademark Office that either (1) my power of attorney or authorization as agent has been revoked or (2) my withdrawal as attorney or agent has been accepted by the United States Patent and Trademark Office. *

(C) With respect to all pending applications for patents or trademark registrations in which I have appeared as attorney or agent (1) I have submitted a request to withdraw, or (2) I am in the process of submitting a request to withdraw as attorney or agent.

I fully understand that it is my continuing responsibility to keep informed and to comply with the policies of the United States Patent and Trademark Office pertaining to conflict of interest and private business activities, and to keep pending and abandoned applications for patents in secrecy and give no information concerning the same except as authorized by law or regulation.

**Registered patent attorneys and agents must inform the Office of Enrollment and Discipline on the entry on duty day, in writing, that they are employed by the United States Patent and Trademark Office.*

Signature

Date

Print Name

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The following limitations apply specifically to all officers or employees of the U.S. Patent and Trademark Office. In case of doubt on any question of statutory or regulatory application, the officer or employee should consult the text of the statute or regulation and should rely on legal counsel. The General Counsel or his designee is available as counselor for officers and employees in such cases.

1. Title 35 U.S.C., section 4, prohibits officers and employees of the U.S. Patent and Trademark Office, during the period of their appointments and for one year thereafter, from applying for a patent and from acquiring, directly or indirectly, except by inheritance or bequest, any patent or any right or interest in any patent, issued or to be issued by the U.S. Patent and Trademark Office. In patents applied for thereafter they shall not be entitled to any priority date earlier than one year after the termination of their appointment.
2. Title 35 U.S.C., section 122 provides that except as provided in subsection (b) of section 122, applications for patents shall be kept in confidence by the Patent and Trademark Office and no information concerning the same given without authority of the applicant or owner unless necessary to carry out the provisions of an Act of Congress or in such special circumstances as may be determined by the Director.
3. Rules of Practice in Patent Cases, 37 CFR 11.10(b) provide that no individual who has served in the patent examining corps or elsewhere in the Office may practice before the Office after termination of his or her service, unless he or she signs a written undertaking agreeing (1) to not knowingly act as agent or attorney for, or otherwise represent, or assist in any manner the representation of, any other person before the Office in connection with any particular patent or patent application in which said employee participated personally and substantially as an employee of the Office; and (2) to not knowingly act within two years after terminating employment by the Office as agent or attorney for, or otherwise represent, or assist in any manner the representation of any other person before the Office in connection with any particular patent or patent application if such patent or patent application was pending under the employee's official responsibility as an officer or employee within a period of one year prior to the termination of such responsibility.

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with the above request. 35 U.S.C. sections 4 and 122 and 37 CFR 11.10(b) authorize collection of this information. The USPTO also collects this information under the authority of Title 1 of the Ethics in Government Act of 1978 and Executive Order 12874. The USPTO uses the information that you supply to verify whether you have worked on any specifications that are pending examination before the USPTO and to verify your understanding of the standards of conduct governing your employment with the USPTO. It is mandatory that you provide the requested information. If you fail to provide the required information, the USPTO may not be able to process your application and associated documentation. It may also affect your employment status.

This information may also be disclosed to the following agencies or organizations:

1. To a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.
2. To a Federal agency in the executive, legislative, or judicial branches of the government, in connection with requests for information used to hire employees, issue a security clearance and conduct a security investigation, job classification, letting of a contract, issuance of a license, grant, or other benefits or other reasons related to the lawful statutory, administrative, or investigative purpose of the agency requesting the information.
3. To provide information to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of the individual.
4. To disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, when the Government is a party to the judicial or administrative proceeding.
5. To disclose information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the agency is authorized to appear, when the agency or any part of the agency, any employee of the agency in his or her official capacity, any employee of the agency in his or her official capacity where the Department of Justice or the agency has agreed to represent the employee, or the United States, when the agency determines that litigation is likely to affect the agency or any of its components, is a party to litigation or has an interest in such litigation provided, however, that in such case, it has been determined that the disclosure is compatible with the purpose for which the records were collected.
6. By the agency maintaining the records or by the Office to locate individuals for personnel research or survey response, and in the product of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related workforce studies.
7. To provide to an official of another Federal agency information needed in the performance of official duties related to reconciling or reconstructing data files, in support of the functions for which the records were collected and maintained.
8. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to a pending judicial or administrative proceeding.
9. To disclose information to the Merit Systems Protection Board or the Office of Special Counsel in connection with appeals, special studies of the civil service and other merit systems, review of Office rules and regulations, investigations of alleged or possible prohibited personnel practices, and such other functions as authorized by 5 U.S.C. Chapter 12 or by law.
10. To disclose information to contractors, grantees, or volunteers performing or working on a contract, service, grant, cooperative agreement, or job for the Federal Government.

Failure to provide the information requested by this statement will prevent further processing of your application for appointment.

The information you supply is collected and maintained in your Official Personnel Folder (OPF).