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

Privacy Threshold Analysis
for the
Information Delivery Product (IDP)

U.S. Department of Commerce Privacy Threshold Analysis

USPTO Information Delivery Product (IDP)

Unique Project Identifier: PTOC-003-00

Introduction: This Privacy Threshold Analysis (PTA) is a questionnaire to assist with determining if a Privacy Impact Assessment (PIA) is necessary for this IT system. This PTA is primarily based from the Office of Management and Budget (OMB) privacy guidance and the Department of Commerce (DOC) IT security/privacy policy. If questions arise or further guidance is needed in order to complete this PTA, please contact your Bureau Chief Privacy Officer (BCPO).

Description of the information system: *Provide a brief description of the information system.*
The E-Government Act of 2002 defines "information system" by reference to the definition section of Title 44 of the United States Code. The following is a summary of the definition: "Information system" means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information. See: 44. U.S.C. § 3502(8).

IDP is a Master System composed of the following three (3) subsystems: 1) Enterprise Data Warehouse (EDW), 2) Electronic Library for Financial Management System (EL4FMS), and 3) Financial Enterprise Data Management Tools (FEDMT).

Enterprise Data Warehouse (EDW)
The Enterprise Data Warehouse (EDW) is a United States Patent and Trademark Office (USPTO) system providing access to integrated USPTO data through various tools in support of not only reporting and visualizing but also analytics used in decision-making across USPTO.

Electronic Library for Financial Management System (EL4FMS)
The Electronic Library for Financial Management Systems (EL4FMS) is an automated information system (AIS) that provides access to USPTO financial-related documents to support the decision-making activities of managers and analysts. EL4FMS also supports users' business operations by providing access via FPNG to various financial documents relating to their FPNG account.

Financial Enterprise Data Management Tools (FEDMT)
FEDMT is a database/user interface solution utilizing the Oracle Application Express (APEX) product to build small applications to support Financial Reference data as well as Financial administrative tasks. There are no Personally Identifiable Information and no Business Identifiable Information.

Address the following elements:

a) *Whether it is a general support system, major application, or other type of system*

Information Delivery Product (IDP) is a Major Application.

b) *System location*

On premise components reside at the USPTO facilities located in Manassas, Virginia Cloud components are housed within Amazon Web Services (AWS).

c) *Whether it is a standalone system or interconnects with other systems (identifying and describing any other systems to which it interconnects)*

IDP interconnects with the following systems:

The Agency Administrative Support System (AASS) is an application information system that works to consolidate imaging document system within the Corporate System Division (CSD) and enable USPTO to manage and track automated hardware and software assets from the time of their acquisition to retirement.

Corporate Administrative Office System (CAOS) is an application information system. The purpose of the CAOS is to support the Human Resources business functions within the United States Patent and Trademark Office (USPTO).

Consolidated Financial System (CFS) is a Master System composed of the following four (4) subsystems: 1) Momentum, 2) Concur Integration, 3) E-Acquisition (ACQ), and 4) VendorPortal.

Corporate Web Systems (CWS) provides a feature-rich and stable platform that contains the Organizations Websites that are used at USPTO such as Intranet and USPTO external website.

Enterprise Desktop Platform (EDP) is an infrastructure information system which provides a standard enterprise-wide environment that manages desktops and laptops running on the Windows 7 and Windows 10 operating system (OS), providing United States Government Configuration Baseline (USGCB) compliant workstations.

Enterprise Records Management and Data Quality System (ERMDQS) is a Major Application (MA) consisting of one Automated Information Systems (AIS): Data Architecture Tool – Metadata (DAT-Metadata). Data Architecture Tool – Metadata (DAT-Metadata) is a central source of information for the entire USPTO.

Enterprise Software Services (ESS) system provides an architecture capable supporting current software service as well as provide the necessary architecture to support the growth anticipated over the next five years.

Enterprise UNIX Services (EUS) is an infrastructure operating system with a sole purpose of providing a UNIX base hosting platform to support other systems at USPTO.

Enterprise Windows Servers (EWS) EWS is an Infrastructure information system which provides a hosting platform for major applications that support various USPTO missions.

Fee Processing Next Generation program (FPNG) will replace the RAM system with 21st Century Technologies and implement flexibility to quickly change business rules and other configuration changes without requiring code changes.

Network and Security Infrastructure System (NSI) The NSI facilitates the communications, secure access, protective services, and network infrastructure support for all USPTO applications.

Patent Capture and Application Processing System (PCAPS-ES): The purpose of this system is to process, transmit and store data, and images to support the data-capture and conversion requirements of the USPTO to support the USPTO patent application process.

Patent Trial and Appeal Board End to End (PTAB E2E). The purpose of the PE2E is to provide examination tools for Central examination unit to track and manage the cases in this group and view documents in text format.

Service Oriented Infrastructure (SOI) provides a feature-rich and stable platform upon which USPTO applications can be deployed.

USPTO Amazon Cloud Services (UACS) - The UACS General Support System is a standard infrastructure platform that supports USPTO Application Information Systems (AIS) hosted in Amazon Web Services (AWS).

d) *The purpose that the system is designed to serve*

IDP is a Master System composed of the following three (3) subsystems: 1) Enterprise Data Warehouse (EDW), 2) Electronic Library for Financial Management System (EL4FMS), and 3) Financial Enterprise Data Management Tools (FEDMT).

EDW: is a United States Patent and Trademark Office (USPTO) system providing access to integrated USPTO data through various tools in support of not only reporting and visualizing but also analytics used in decision-making across USPTO.

EL4FMS: is an Automated Information System (AIS) that provides access to USPTO financial-related documents to support the decision-making activities of managers and analysts. EL4FMS also supports users' business operations by providing access via FPNG to various financial documents relating to their FPNG account.

FEDMT: FEDMT is a database/user interface solution utilizing the Oracle Application Express (APEX) product to build small applications to support Financial Reference data as well as financial administrative tasks.

e) *The way the system operates to achieve the purpose*

IDP provide users access to USPTO financial-related documents to support the decision-making activities of managers and analysts. The system provides an interface for users to access the database, generate reports and ability to visualize the data.

f) *A general description of the type of information collected, maintained, used, or disseminated by the system*

The types of information collected, maintained, used, or disseminated by the system include public users' names, street addresses, e-mail addresses, telephone numbers, gender, age, race/ethnicity, date of birth, and social security number.

g) *Identify individuals who have access to information on the system*

Individuals who have access to information on the system are authorized USPTO personnel requiring access to the database to visualize data and generate reports in order to assist in decision-making across USPTO.

h) *How information in the system is retrieved by the user*

Information is retrieved via the Financial Enterprise Data Management Tools interface.

i) *How information is transmitted to and from the system*

Communications utilize a minimum of Transport Layer Security (TLS) v1.2 with FIPS 140-2 compliant algorithms to provide transmission confidentiality and integrity for all connections outside the system boundary.

Questionnaire:

1. Status of the Information System
1a. What is the status of this information system?

☐   This is a new information system. *Continue to answer questions and complete certification.*

☐   This is an existing information system with changes that create new privacy risks.
Complete chart below, continue to answer questions, and complete certification.

Changes That Create New Privacy Risks (CTCNPR)					
a. Conversions	☐	d. Significant Merging	☐	g. New Interagency Uses	☐
b. Anonymous to Non-Anonymous	☐	e. New Public Access	☐	h. Internal Flow or Collection	☐
c. Significant System Management Changes	☐	f. Commercial Sources	☐	i. Alteration in Character of Data	☐
j. Other changes that create new privacy risks (specify):					

☐   This is an existing information system in which changes do not create new privacy risks, and there is not a SAOP approved Privacy Impact Assessment. *Continue to answer questions and complete certification.*

☒   This is an existing information system in which changes do not create new privacy risks, and there is a SAOP approved Privacy Impact Assessment. *Skip questions and complete certification.*

1b. Has an IT Compliance in Acquisitions Checklist been completed with the appropriate signatures?

☐   Yes. This is a new information system.

☐   Yes. This is an existing information system for which an amended contract is needed.

☐   No. The IT Compliance in Acquisitions Checklist is not required for the acquisition of equipment for specialized Research and Development or scientific purposes that are not a National Security System.

☒   No. This is not a new information system.

2. Is the IT system or its information used to support any activity which may raise privacy concerns?
NIST Special Publication 800-53 Revision 4, Appendix J, states "Organizations may also engage in activities that do not involve the collection and use of PII, but may nevertheless raise privacy concerns and associated risk. The privacy controls are equally applicable to those activities and can be used to analyze the privacy risk and mitigate such risk when necessary." Examples include, but are not limited

to, audio recordings, video surveillance, building entry readers, and electronic purchase transactions.

☐ Yes. *(Check all that apply.)*

Activities			
Audio recordings	☐	Building entry readers	☐
Video surveillance	☐	Electronic purchase transactions	☐
Other (specify):			

☒ No.

3. **Does the IT system collect, maintain, or disseminate business identifiable information (BII)?**
   As per DOC Privacy Policy: "For the purpose of this policy, business identifiable information consists of (a) information that is defined in the Freedom of Information Act (FOIA) as "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." (5 U.S.C.552(b)(4)). This information is exempt from automatic release under the (b)(4) FOIA exemption. "Commercial" is not confined to records that reveal basic commercial operations" but includes any records [or information] in which the submitter has a commercial interest" and can include information submitted by a nonprofit entity, or (b) commercial or other information that, although it may not be exempt from release under FOIA, is exempt from disclosure by law (e.g., 13 U.S.C.)."

   ☒ Yes, the IT system collects, maintains, or disseminates BII.

   ☐ No, this IT system does not collect any BII.

4. **Personally Identifiable Information (PII)**
4a. **Does the IT system collect, maintain, or disseminate PII?**
   As per OMB 17-12: "The term PII refers to information that can be used to distinguish or trace an individual's identity either alone or when combined with other information that is linked or linkable to a specific individual."

   ☒ Yes, the IT system collects, maintains, or disseminates PII about: *(Check all that apply.)*

   ☒ DOC employees
   ☒ Contractors working on behalf of DOC
   ☐ Other Federal Government personnel
   ☒ Members of the public

   ☐ No, this IT system does not collect any PII.

If the answer is "yes" to question 4a, please respond to the following questions.

4b. Does the IT system collect, maintain, or disseminate Social Security numbers (SSNs), including truncated form?

☒   Yes, the IT system collects, maintains, or disseminates SSNs, including truncated form.

Provide an explanation for the business need requiring the collection of SSNs, including truncated form.   IDP maintains Social Security Numbers (SSNs) of USPTO employees for human resources reporting purposes. The source systems from which it receives SSNs are the U.S Department of Agriculture (USDA) National Finance Center (NFC) and the USPTO Patent Capture and Application Processing System – Examination Support (PCAPS-ES) Patent Application Location Monitoring (PALM) Infrastructure System (INFRA).
Provide the legal authority which permits the collection of SSNs, including truncated form.   The authority for the USPTO employees' PII in IDP is E.O. 9397.

☐   No, the IT system does not collect, maintain, or disseminate SSNs, including truncated form.

4c. Does the IT system collect, maintain, or disseminate PII other than user ID?

☒   Yes, the IT system collects, maintains, or disseminates PII other than user ID.

☐   No, the user ID is the only PII collected, maintained, or disseminated by the IT system.

4d. Will the purpose for which the PII is collected, stored, used, processed, disclosed, or disseminated (context of use) cause the assignment of a higher PII confidentiality impact level?

Examples of context of use include, but are not limited to, law enforcement investigations, administration of benefits, contagious disease treatments, etc.

☐   Yes, the context of use will cause the assignment of a higher PII confidentiality impact level.

☒   No, the context of use will not cause the assignment of a higher PII confidentiality impact level.

If any of the answers to questions 2, 3, 4b, 4c, and/or 4d are "Yes," a Privacy Impact Assessment (PIA) must be completed for the IT system. This PTA and the SAOP approved PIA must be a part of the IT system's Assessment and Authorization Package.

CERTIFICATION

☒ The criteria implied by one or more of the questions above **apply** to the Information Delivery Product (IDP) and as a consequence of this applicability, a PIA will be performed and documented for this IT system.

☐ The criteria implied by the questions above **do not apply** to the Information Delivery Product (IDP) and as a consequence of this non-applicability, a PIA for this IT system is not necessary.

System Owner	**Chief Information Security Officer**
Name: Kevin Donahoe Office: Office of the Chief Financial Officer (CFO) Phone: (571) 272-5123 Email: Kevin.Donahoe@uspto.gov Signature: Users, Donahoe, Kevin — Digitally signed by Users, Donahoe, Kevin Date: 2023.07.10 18:30:52 -04'00' Date signed: _____	Name: Timothy S. Goodwin Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-0653 Email: Timothy.Goodwin@uspto.gov Signature: _Tim S.C.__ Digitally signed by Timothy Goodwin Date: 2023.07.24 08:43:42 -04'00' Date signed: _____
Privacy Act Officer	**Bureau Chief Privacy Officer and Co-Authorizing Official**
Name: Ezequiel Berdichevsky Office: Office of General Law (O/GL) Phone: (571) 270-1557 Email: Ezequiel.Berdichevsky@uspto.gov Signature: Users, Berdichevsky, Ezequiel — Digitally signed by Users, Berdichevsky, Ezequiel Date: 2023.07.20 17:08:57 -04'00' Date signed: _____	Name: Henry J. Holcombe Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-9400 Email: Jamie.Holcombe@uspto.gov Signature: Users, Stephens, Deborah — Digitally signed by Users, Stephens, Deborah Date: 2023.07.28 21:27:29 -04'00' Date signed: _____
Co-Authorizing Official	
Name: Jay Hoffman Office: Office of the Chief Financial Officer (OCFO) Phone: (571) 272-9200 Email: Jay.Hoffman@uspto.gov Signature: _____ Date signed: _____	