

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



**Privacy Impact Assessment
for the
Case Management System (CMS)**

Reviewed by: Deborah Stephens, Bureau Chief Privacy Officer

- ☒ 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 Case Management System (CMS)

Unique Project Identifier: EBPL-PM-01-00

Introduction: System Description

Provide a brief description of the information system.

Case Management System (CMS) is a Software as a Service (SaaS) application hosted by Tyler Federal, which is a Federal Risk and Assessment Management Program (FedRAMP)-authorized SaaS. Case Management System is an application that enables United States Patent and Trademark Office (USPTO) to perform Office of Equal Employment Opportunity (OEEEO) functions. The application contained in CMS includes the following:

- The Entellitrak Equal Employment System (ETK-EEO) is an application information system that provides support to the OEEEO business functions. CMS enables the USPTO OEEEO to perform several responsibilities, including management and case tracking of Equal Employment Opportunity (EEO) claims including but not limited to harassment, disciplinary action, assignment of duties, awards, evaluation/appraisal, duty hours etc.

Address the following elements:

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

Case Management System is a general support system.

(b) System location

Case Management System is located in Herndon, Virginia, with an alternate host site in Atlanta, Georgia.

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

Case Management System interconnects with the following systems:

- **Identity Credential Access Management Identity as a Service (ICAM-IDaaS):**
ICAM-IDaaS is an infrastructure information system that provides authentication and

authorization service to secure all USPTO enterprise applications and provides audit ability to user activity.

- **Network and Security Infrastructure System: (NSI):** Provides all network related security infrastructure for all connected systems and applications.

(d) The way the system operates to achieve the purpose(s) identified in Section 4

Authorized users access the applications which comprise the Case Management System through a web-based portal to create, update, track and monitor the status of employee cases.

(e) How information in the system is retrieved by the user

USPTO OEEO staff access the system via the USPTO intranet and web-based portal. Users are able to retrieve and transmit information from the applications after authentication.

(f) How information is transmitted to and from the system

Users access Case Management System via the USPTO intranet and a web-based portal hosted by Tyler Federal. The transmission of information is facilitated by an encrypted communication between USPTO and Tyler Federal.

(g) Any information sharing

Information is shared within the bureau, DOC bureaus and other federal agencies based on business need and requests. Information is shared with supporting federal agencies and DOC when requested.

(h) The specific programmatic authorities (statutes or Executive Orders) for collecting, maintaining, using, and disseminating the information

ETK-EE0: 5 U.S.C. 301; 42 U.S.C. 2000e et seq.; 29 U.S.C. 206; 29 U.S.C. 621 et seq.; 29 U.S.C. 701 et seq.; 29 U.S.C. 791 et seq.; 42 U.S.C. 2000ff et seq.; E.O. 13164, E.O. 11478; and 29 CFR Part 1614

(i) The Federal Information Processing Standards (FIPS) 199 security impact category for the system

Moderate

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	☐	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.

☐ This is an existing information system in which changes do not create new privacy risks, and there is a SAOP approved Privacy Impact Assessment.

Section 2: Information in the System2.1 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*	☐	f. Driver's License	☐	j. Financial Account	☐
b. Taxpayer ID	☐	g. Passport	☐	k. Financial Transaction	☐
c. Employer ID	☐	h. Alien Registration	☐	l. Vehicle Identifier	☐
d. Employee ID	☒	i. Credit Card	☐	m. Medical Record	☐
e. File/Case ID	☒				
n. Other identifying numbers (specify):					
*Explanation for the business need to collect, maintain, or disseminate the Social Security number, including truncated form:					

General Personal Data (GPD)					
a. Name	☒	h. Date of Birth	☒	o. Financial Information	☐
b. Maiden Name	☒	i. Place of Birth	☒	p. Medical Information	☐
c. Alias	☒	j. Home Address	☒	q. Military Service	☒
d. Sex	☒	k. Telephone Number	☒	r. Criminal Record	☐

e. Age	☒	l. Email Address	☒	s. Marital Status	☒
f. Race/Ethnicity	☒	m. Education	☒	t. Mother's Maiden Name	☐
g. Citizenship	☐	n. Religion	☒		
u. Other general personal data (specify):					

Work-Related Data (WRD)					
a. Occupation	☒	e. Work Email Address	☒	i. Business Associates	☐
b. Job Title	☒	f. Salary	☒	j. Proprietary or Business Information	☐
c. Work Address	☒	g. Work History	☐	k. Procurement/contracting records	☐
d. Work Telephone Number	☒	h. Employment Performance Ratings or other Performance Information	☒		
l. Other work-related data (specify):					

Distinguishing Features/Biometrics (DFB)					
a. Fingerprints	☐	f. Scars, Marks, Tattoos	☐	k. Signatures	☒
b. Palm Prints	☐	g. Hair Color	☐	l. Vascular Scans	☐
c. Voice/Audio Recording	☐	h. Eye Color	☐	m. DNA Sample or Profile	☐
d. Video Recording	☐	i. Height	☐	n. Retina/Iris Scans	☐
e. Photographs	☐	j. Weight	☐	o. Dental Profile	☐
p. Other distinguishing features/biometrics (specify):					

System Administration/Audit Data (SAAD)					
a. User ID	☒	c. Date/Time of Access	☒	e. ID Files Accessed	☒
b. IP Address	☒	f. Queries Run	☒	f. Contents of Files	☒
g. Other system administration/audit data (specify): Account logon events, Account management, Directory Service Access, Object Access, Policy Change, Privileged Use, Process Tracking, System Events					

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	☒	Hard Copy: Mail/Fax	☒	Online	☒
Telephone	☒	Email	☒		
Other (specify): Via an attorney					

Government Sources					
Within the Bureau	☒	Other DOC Bureaus	☐	Other Federal Agencies	☐
State, Local, Tribal	☐	Foreign	☐		
Other (specify):					

Non-government Sources					
Public Organizations	☐	Private Sector	☐	Commercial Data Brokers	☐
Third Party Website or Application			☐		
Other (specify):					

2.3 Describe how the accuracy of the information in the system is ensured.

The system is secured using appropriate administrative physical and technical safeguards in accordance with the National Institute of Standards and Technology (NIST) security controls (encryption, access control, and auditing). Mandatory IT awareness and role-based training is required for staff who have access to the system and address how to handle, retain, and dispose of data. All access has role-based restrictions and individuals with privileges have undergone vetting and suitability screening. The USPTO maintains an audit trail and performs random, periodic reviews (quarterly) to identify unauthorized access and changes as part of verifying the integrity of administrative account holder data and roles. Inactive accounts will be deactivated and roles will be deleted from the application.

2.4 Is the information covered by the Paperwork Reduction Act?

☒	Yes, the information is covered by the Paperwork Reduction Act. Provide the OMB control number and the agency number for the collection. 3206-0261, Personnel Vetting Questionnaire 0690-0015, Complaint of Employment Discrimination for the Decennial Census and Complaint of Employment Discrimination Used by Permanent Employees and Applicants for Employment at DOC
☐	No, the information is not covered by the Paperwork Reduction Act.

2.5 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	☐	Biometrics	☐
Caller-ID	☐	Personal Identity Verification (PIV) Cards	☐
Other (specify):			

☒	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	☐	Building entry readers	☐
Video surveillance	☐	Electronic purchase transactions	☐
Other (specify): Click or tap here to enter text.			

☒	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			
For a Computer Matching Program	☐	For administering human resources programs	☒
For administrative matters	☒	To promote information sharing initiatives	☐
For litigation	☒	For criminal law enforcement activities	☐
For civil enforcement activities	☒	For intelligence activities	☐
To improve Federal services online	☐	For employee or customer satisfaction	☒
For web measurement and customization technologies (single-session)	☐	For web measurement and customization technologies (multi-session)	☐
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).

PII is used by the system to support USPTO's compliance with Equal Employment Opportunity (EEO) laws for employees, contractors and job applicants.

- 5.2 Describe any potential threats to privacy, such as insider threat, as a result of the bureau's/operating unit's use of the information, and controls that the bureau/operating unit has put into place to ensure that the information is handled, retained, and disposed appropriately. (For example: mandatory training for system users regarding appropriate handling of information, automatic purging of information in accordance with the retention schedule, etc.)

In the event of computer failure, insider threats, or attack against the system by adversarial or foreign entities, any potential PII data stored within the system could be exposed. To avoid a breach, the system has certain security controls in place to ensure the information is handled, retained, and disposed of appropriately. Access to individual's PII is controlled through the application, and all personnel who access the data must first authenticate to the system at which time an audit trail is generated when the database is accessed. These audit trails are based on application server out-of-the-box logging reports reviewed by the Information System Security Officer (ISSO) and System Auditor and any suspicious indicators such as browsing will be immediately investigated and appropriate action taken. Also, system users undergo annual mandatory training regarding appropriate handling of information.

USPTO requires annual security role-based training and annual mandatory security awareness procedure training for all employees. All offices of the USPTO adhere to the USPTO Records Management Office's Comprehensive Records Schedule that describes the types of USPTO records and their corresponding disposition authority or citation. Encryption and access controls are used to prevent PII/BII leakage.

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
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	Case-by-Case	Bulk Transfer	Direct Access
Within the bureau	☒	☐	☐
DOC bureaus	☒	☐	☐
Federal agencies	☒	☐	☐
State, local, tribal gov't agencies	☐	☐	☐
Public	☐	☐	☐
Private sector	☐	☐	☐
Foreign governments	☐	☐	☐
Foreign entities	☐	☐	☐
Other (specify):	☐	☐	☐

☐	The PII/BII in the system will not be shared.
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6.2 Does the DOC bureau/operating unit place a limitation on re-dissemination of PII/BII shared with external agencies/entities?

☐	Yes, the external agency/entity is required to verify with the DOC bureau/operating unit before re-dissemination of PII/BII.
☐	No, the external agency/entity is not required to verify with the DOC bureau/operating unit before re-dissemination of PII/BII.
☒	No, the bureau/operating unit does not share PII/BII with external agencies/entities.

6.3 Indicate whether the IT system connects with or receives information from any other IT systems authorized to process PII and/or BII.

☒	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: NSI ICAM-IDaaS. USPTO requires annual security role-based training and annual mandatory security awareness procedure training for all employees. All offices of the USPTO adhere to the USPTO Records Management Office's Comprehensive Records Schedule that describes the types of USPTO records and their corresponding disposition authority or citation. Encryption and access controls are used to prevent PII/BII leakage
☐	No, this IT system does not connect with or receive information from another IT system(s) authorized to process PII and/or BII.

6.4 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	☐	Government Employees	☒

Contractors	☐	
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.)*

☒	Yes, notice is provided pursuant to a system of records notice published in the Federal Register and discussed in Section 9.	
☒	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: https://www.uspto.gov/privacy-policy	
☒	Yes, notice is provided by other means.	Specify how: Employees are verbally notified when voluntarily providing PII during EEO consultation that the information will be put into the system.
☐	No, notice is not provided.	Specify why not:

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

☒	Yes, individuals have an opportunity to decline to provide PII/BII.	Specify how: Individuals have the opportunity to decline to provide PII/BII. ETK-EEO: Information is provided voluntarily; however, not providing the information may result in case not being able to be processed or delayed.
☐	No, individuals do not have an opportunity to decline to provide PII/BII.	

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

☒	Yes, individuals have an opportunity to consent to particular uses of their PII/BII.	Specify how: ETK-EEO: Information is provided voluntarily; however, not providing the information would result in case not being able to be processed or delayed.
☐	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.

☒	Yes, individuals have an opportunity to review/update PII/BII pertaining to them.	Specify how: ETK-EEO - Users can request to update information through a consultation with USPTO OEEO.
☐	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.)*

☒	All users signed a confidentiality agreement or non-disclosure agreement.
☒	All users are subject to a Code of Conduct that includes the requirement for confidentiality.
☒	Staff (employees and contractors) received training on privacy and confidentiality policies and practices.
☒	Access to the PII/BII is restricted to authorized personnel only.
☒	Access to the PII/BII is being monitored, tracked, or recorded. Explanation: ETK-EEO: Application, System and Security logs are used to track and record access to PII/BII.
☒	The information is secured in accordance with the Federal Information Security Modernization Act (FISMA) requirements. Provide date of most recent Assessment and Authorization (A&A): 2/18/2026 ☐ This is a new system. The A&A date will be provided when the A&A package is approved.
☒	The Federal Information Processing Standard (FIPS) 199 security impact category for this system is a moderate or higher.
☒	NIST Special Publication (SP) 800-122 and NIST SP 800-53 Revision 5 recommended security controls for protecting PII/BII are in place and functioning as intended; or have an approved Plan of Action and Milestones (POA&M).
☒	A security assessment report has been reviewed for the information system and it has been determined that there are no additional privacy risks.
☒	Contractors that have access to the system are subject to information security provisions in their contracts required by DOC policy.
☒	Contracts with customers establish DOC ownership rights over data including PII/BII.
☒	Acceptance of liability for exposure of PII/BII is clearly defined in agreements with customers.
☐	Other (specify):

8.2 Provide a general description of the technologies used to protect PII/BII on the IT system. *(Include data encryption in transit and/or at rest, if applicable).*

PII within the system is secured using appropriate management, operational, and technical safeguards in accordance with NIST requirements. Such management controls include a review process to ensure that management controls are in place and documented in the System Security Privacy Plan (SSPP). The SSPP specifically addresses the management, operational, and technical controls that are in place and planned during the operation of the
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system. Operational safeguards include restricting access to PII/BII data to a small subset of users. All access has role-based restrictions and individuals with access privileges have undergone vetting and suitability screening. Data is maintained in areas accessible only to authorized personnel. The system maintains an audit trail and the appropriate personnel is alerted when there is suspicious activity. Data is encrypted in transit and at rest.

Section 9: Privacy Act

9.1 Is the PII/BII searchable by a personal identifier (e.g. name or Social Security number)?

☒ Yes, the PII/BII is searchable by a personal identifier.

☐ No, the PII/BII is not searchable by a personal identifier.

9.2 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."

☒	Yes, this system is covered by an existing system of records notice (SORN). Provide the SORN name, number, and link. <i>(list all that apply):</i> EEOC/GOVT-1: Equal Employment Opportunity in the Federal Government Complaint and Appeal Records
☐	Yes, a SORN has been submitted to the Department for approval on <u>(date)</u> .
☐	No, this system is not a system of records and a SORN is not applicable.

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.)*

[General Records Schedules \(GRS\) / National Archives](#)

☒	There is an approved record control schedule. Provide the name of the record control schedule: There is an approved record control schedule. Provide the name of the record control schedule: GRS 2.3 - EEO discrimination complaint case files Item – 110 Informal process.
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	Item – 111 Formal process. Item – 120 Records documenting contractor compliance with EEO regulations. GRS 3.1: General Technology Management Records Item - 020 Information technology operations and maintenance records. Which include access and audit logs. GRS 3.2. Information Systems Security Records, Item 010, 020, 040, 050 Which include system security logs. GRS 5.2: Transitory and Intermediary Records Item 010 Transitory records. Item 020 Intermediary records.
☐	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:
☒	Yes, retention is monitored for compliance to the schedule.
☐	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	☒	Overwriting	☒
Degaussing	☐	Deleting	☒
Other (specify):			

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

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. *(The PII Confidentiality Impact Level is not the same, and does not have to be the same, as the Federal Information Processing Standards (FIPS) 199 security impact category.)*

☐	Low – the loss of confidentiality, integrity, or availability could be expected to have a limited adverse effect on organizational operations, organizational assets, or individuals.
☒	Moderate – the loss of confidentiality, integrity, or availability could be expected to have a serious adverse effect on organizational operations, organizational assets, or individuals.
☐	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 level. *(Check all that apply.)*

☒	Identifiability	Provide explanation: Name, Employee ID, Ethnicity, Performance information and Alias can be easily used to identify an individual.
☒	Quantity of PII	Provide explanation: Collectively, the number of records collected generate a moderate amount of PII and a breach of individual PII must be considered in the determination of the impact level.
☒	Data Field Sensitivity	Provide explanation: The presence of employee, DOB, and Name in the system alone are sensitive PII, and in combination, could result in potential harm to individuals if not used in accordance with their intended use. ETK-EEO could include medical information.
☒	Context of Use	Provide explanation: For ETK-EEO, use of PII and work / system audit data in combination for tracking and reporting of equal employment cases may provide a detailed private individual profile.
☒	Obligation to Protect Confidentiality	Provide explanation: Based on the data fields input in to the system, USPTO must protect the PII of each individual in accordance with the Privacy Act of 1974.
☒	Access to and Location of PII	Provide explanation: Because the information containing PII must be transmitted outside of the USPTO environment, there is an added need to ensure the confidentiality of information during transmission.
☐	Other:	Provide explanation:

Section 12: Analysis

- 12.1 Identify and evaluate any potential threats to privacy that exist in light of the information collected or the sources from which the information is collected. Also, describe the choices that the bureau/operating unit made with regard to the type or quantity of information collected and the sources providing the information in order to prevent or mitigate threats to privacy. (For example: If a decision was made to collect less data, include a discussion of this decision; if it is necessary to obtain information from sources other than the individual, explain why.)

The PII in this system poses a risk if exposed. System users undergo annual mandatory training regarding appropriate handling of information. Physical access to servers is restricted to only a few authorized individuals. The servers storing the potential PII are located in a highly sensitive zone within the cloud and logical access is segregated with network firewalls and switches through an Access Control list that limits access to only a few approved and authorized accounts. USPTO monitors, in real-time, all activities and events within the servers storing the potential PII data and personnel review audit logs received on a regular bases and alert the appropriate personnel when inappropriate or unusual activity is identified.

12.2 Indicate whether the conduct of this PIA results in any required business process changes.

☐	Yes, the conduct of this PIA results in required business process changes. Explanation:
☒	No, the conduct of this PIA does not result in any required business process changes.

12.3 Indicate whether the conduct of this PIA results in any required technology changes.

☐	Yes, the conduct of this PIA results in required technology changes. Explanation:
☒	No, the conduct of this PIA does not result in any required technology changes.