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

Privacy Threshold Analysis
for the
Reed Tech Patent Data and Document Management (Reed Tech PDDM)

U.S. Department of Commerce Privacy Threshold Analysis

USPTO Reed Tech PDDM

Unique Project Identifier: PTOC-065-00

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).

The Reed Tech Patent Data and Document Management (Reed Tech PDDM) system is designed to process, transmit and store data and images to support the data-capture and conversion requirements of the USPTO patent application process. Patent applications are typically submitted to USPTO on paper (hard copy) or in electronic format. Under the PDDM contract, Reed Tech hosts and manages the PDDM system and is required to convert the paper applications into an electronic format, including all text, graphics, artwork, drawings, etc. Once converted to electronic data, each patent is composed and formatted to USPTO specifications for delivery back to USPTO.

The Reed Tech Published Application Alert Service (PAAS) is a service offered by the USPTO to allow the public to configure queries and alerts for key words in pre-grant published patent applications. A logged-in user creates a keyword search, which will be executed on a weekly basis against only the most recent pre-grant published patent applications. The queries will be executed at the date and time of the publication of the data by the USPTO. The data that will be used for searching will be copied out of the Reed Tech Patent Data Capture (PDCap) main system (which is being retired) onto a file system on or attached to the backend server. The queries will be run against the data on that file share and not within the main PDCap file system. After the queries are executed, the data for that week's pre-grant published patent applications will be deleted from the file system on or attached to the backend server. After the queries are executed, an email alert will be sent to the user's email address, which will be part of the profile created during registration. Queries against patent applications older than the most recent publication date will not be possible, as prior publication data is removed from the system after the weekly search is executed. Other features of the system will include the functionality to allow a logged-in user to view the queries that have been created under their user name, and the ability for a user to test their queries against static data.

Address the following elements:

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

Reed Tech PDDM is a major application.

b) System location

The system is located in Horsham, Pennsylvania and has several satellite locations.

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

Reed Tech PDDM is not a standalone system. There is a point-to-point Digital Signal Level 3 (DS3) that provides connectivity between Horsham, Pennsylvania, and USPTO at Alexandria, Virginia. It interconnects with the systems below:

- Contractor Access System (CAS): CAS is an infrastructure information system that provides off-site contractors and selected USPTO employees with limited, monitored, and secured access to PTONet applications, resources, and services. The CAS network provides contractors with access to the USPTO network (PTONet) through the Enterprise Trusted User (ETU) Firewall architecture.
- Network and Security Infrastructure (NSI): The NSI facilitates the communications, secure access, protective services, and network infrastructure support for all USPTO applications.
- Patent Capture Application Processing System – Examination Support (PCAPS-ES): The purpose of PCAPS-ES 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.

d) The purpose that the system is designed to serve

PDDM - The Reed Tech PDDM system is designed to process, transmit, and store data and images to support the data-capture and conversion requirements of the USPTO patent application process. The Reed Tech Published Application Alert Service (PAAS) is a service offered by the USPTO to allow the public to configure queries and alerts for key words in pre-grant published patent applications.

e) The way the system operates to achieve the purpose

PDDM operates as follows: When both hardcopy and electronic patent applications are initially received at the USPTO, the documents are scanned/uploaded respectively into the Image File Wrapper (IFW) system which falls under PCAPS-ES. Applications are electronically exported to the Reed Tech PDDM system via a USPTO-managed interconnection.

PAAS operates as follows: After a logged-in user creates a keyword search, it will be executed on a weekly basis against only the most recent pre-grant published patent applications.

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

PDDM - The type of information collected, maintained, use, or disseminated by the system are Patent applications data that includes text, graphics, artwork, drawings, math equations, chemistry equations, etc.

PAAS – The types of information collected, maintained, used, or disseminated by the system are configured queries and alerts for specific key words in pre-grant published patent applications.

g) Identify individuals who have access to information on the system
PDDM – Reed Tech employees who are subcontractors to USPTO.

PAAS - PAAS information consists of the published pre-grant data, which is public information. A majority of the users who use this information are public users and Reed Tech employees who support the application.

h) How information in the system is retrieved by the user
PDDM - Information in the system is retrieved by the user after the patent applications are electronically exported to the Reed Tech PDDM system via a USPTO-managed interconnection.

PAAS – Information in the system is retrieved by the user via a web interface after a logged-in user creates a keyword search, which will be executed on a weekly basis against only the most recent pre-grant published patent application.

i) How information is transmitted to and from the system
PDDM - Patent applications and application contents are sent to and from the PDDM system via Secured File Transfer Protocol (SFTP).

PAAS - After a logged-in user creates a keyword search, it is executed on a weekly basis against only the most recent pre-grant published patent applications. The queries are executed at the date and time of the publication of the data by the USPTO.

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.
Provide the legal authority which permits the collection of SSNs, including truncated form.

☒ 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 Reed Tech PDDM 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 Reed Tech PDDM and as a consequence of this non-applicability, a PIA for this IT system is not necessary.

System Owner Name: Blaine Copenheaver Office: Office of Patent Operations Phone: (571) 272-1156 Email: Blaine.Copenheaver@uspto.gov Signature: Users, Copenheaver, Blaine Digitally signed by Users, Copenheaver, Blaine Date: 2022.05.26 07:38:28 -04'00' Date signed: _____	**Chief Information Security Officer** Name: Don Watson Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-8130 Email: Don.Watson@uspto.gov Signature: Users, Watson, Don Digitally signed by Users, Watson, Don Date: 2022.06.02 11:47:34 -04'00' Date signed: _____
Privacy Act Officer Name: Caitlin Trujillo Office: Office of General Law (O/GL) Phone: (571) 270-7834 Email: Caitlin.Trujillo@uspto.gov Signature: Caitlin Trujillo Digitally signed by Caitlin Trujillo Date: 2022.06.02 09:37:32 -04'00' Date signed: _____	**Bureau Chief Privacy Officer and Authorizing Official** Name: Henry J. Holcombe Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-9400 Email: Jamie.Holcombe@uspto.gov Signature: Users, Holcombe, Henry Digitally signed by Users, Holcombe, Henry Date: 2022.06.02 14:28:09 -04'00' Date signed: _____
Co-Authorizing Official Name: Andrew Faile Office: Office of Commissioner for Patent Operations Phone: (571) 272-8800 Email: Andrew.Faile@uspto.gov Signature: Users, Faile, Andrew Digitally signed by Users, Faile, Andrew Date: 2022.06.02 18:25:26 -04'00' Date signed: _____	