



*Legal Counsel.*

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June 10, 2016

**VIA FACSIMILE AND ELECTRONIC MAIL**

Dionne Hardy, FOIA Officer  
Office of Management and Budget  
725 17th Street NW, Room 9026  
Washington, DC 20503  
Fax: 202.395.3504  
OMBFOIA@omb.eop.gov

**Re: AMERICAN CENTER FOR EQUITABLE TREATMENT, INC'S FREEDOM OF INFORMATION ACT REQUEST**

Dear Ms. Hardy:

On behalf of our client, the American Center for Equitable Treatment, Inc., a 501(c)(3) corporation, and as required by the Freedom of Information Act (FOIA), 5 U.S.C. § 552 and 5 CFR Part 1303, please provide me with the following records.

1. All records referencing or concerning the Paperwork Reduction Act, 44 USC § 3501 *et seq.*, its implementing regulations in 5 CFR Part 1320, and Office of Management and Budget (OMB) guidance issued to agencies AND United States Patent and Trademark Office (PTO) rules 37 CFR 1.111, 1.115, 1.116, 1.130, 1.131, and/or 1.132, including but not limited to (a) all Information Collection Requests (ICRs), (b) OMB Forms 83-I, 83-C, 83-D, 83-E and certifications and supporting evidence thereto, (c) estimates of paperwork burden and their derivation pursuant to 5 CFR 1320.8(a)(4), and (d) Supporting Statements referencing or concerning the PTO rules specified in this Request.

2. All records referencing or concerning OMB review of ICR References Nos. 201301-0651-002 and 201209-0651-014 not otherwise included in Request #1 above.

3. All records referencing or concerning OMB's interpretation and/or application of 5 CFR 1320.3(h), and any of its subparts, with respect to PTO rules 37 CFR 1.111, 1.115, 1.116, 1.130, 1.131 and/or 1.132.

4. All records referencing or concerning Gilbert P. Hyatt.

“Records” are defined at 44 U.S.C. § 3301, and per 5 U.S.C. § 552(f)(2) include “any information that would be an agency record subject to the requirements of [FOIA] when maintained by an agency in any format, including an electronic format.” To be clear, our request also includes metadata as well as records that may have been created, handled, transmitted, or found on private, nongovernmental email accounts.

The terms “and” and “or” shall be construed both conjunctively and disjunctively.

Relevant search terms include: “0651-0031”, “0651-0032”, “30-Day Notice”, “60-Day Notice”, “applicant or patent owner”, “Notice of Action”, “burden”, “control number”, “exemption”, “ICR or information collection request”, “information collection” or “collection of information”, “Manual of Patent Examination Practices or MPEP”, “PRA or Paperwork Reduction Act”, “paperwork burden”, “patent application”, “patent prosecution”, “PTO or USPTO”, “preliminary amendment,” “reexamination”, “supporting statement”, “Terms of Clearance”, “37 CFR 1.111 or Rule 111 or Rule 1.111”, “37 CFR 1.115 or Rule 115 or Rule 1.115”, “37 CFR 1.116 or Rule 116 or Rule 1.116”, “37 CFR 1.130 or Rule 130 or Rule 1.130”, “37 CFR 1.131 or Rule 131 or Rule 1.131”, “37 CFR 1.132 or Rule 132 or Rule 1.132”, “Bahr”, “Fawcett”, “Tamayo”, “Fraser”, “Neyland”, “Hunt,” “Mancini”, “Shelanski”, and “Hyatt”.

The relevant time for Requests 1-3 is June 1, 2012, to the present. Request 4 is not time-limited.

On behalf of our client, we request a public interest fee waiver because the requested records directly concern and bear upon the regularity of the government’s operations and activities, will be highly informative to the general public regarding OMB’s policies and execution of its statutory obligations to minimize regulatory burden on the public, and contribute significantly to public understanding of interagency process. Upon receipt, our client will make these records publically available on a freely available website for use by journalists, scholars, students, and interested members of the public at no charge. Also, our client will use the information obtained from these records in reports, newsletters, and other public disseminations to advance its educational mission.

Nevertheless, without waiving our client’s right to appeal a fee waiver denial, we hereby authorize you to supply records responsive to this request without informing me of cost if the fees do not exceed \$500.00, which we agree to pay. Please be sure to contact me if the fees will exceed that amount and to arrange for record delivery.

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I may be reached at either 202-372-9120 or [reed.rubinstein@dinsmore.com](mailto:reed.rubinstein@dinsmore.com) if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "Reed D. Rubinstein". The signature is fluid and cursive, with the first name "Reed" being the most prominent.

Reed D. Rubinstein

RDR:um