

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



**Privacy Threshold Analysis
for the
Fee Processing Next Generation (FPNG) System**

U.S. Department of Commerce Privacy Threshold Analysis

USPTO Fee Processing Next Generation (FPNG)

Unique Project Identifier: PTOC-004-00

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 and its purpose: *Provide a general description (in a way that a non-technical person can understand) of the information system that addresses the following elements:*

Fee Processing Next Generation is the United States Patent and Trademark Office's (USPTO) "Next Gen" solution for fee processing. FPNG allows internal and external users to manipulate payment accounts, perform profile updates, and make payments for USPTO goods and services. It also provides all functionality related to managing payments, replenishing and transferring of deposit account balances, etc. (primarily handled by the General Ledger/Account Commercial off the Shelf (COTS) Support tier/Momentum). FPNG also supports pricing rules management as well as refund requests and approvals.

FPNG has interfaces to various USPTO systems and with the United States Treasury. USPTO system interfaces include MyUSPTO, Role Based Access Control (RBAC) system, Patent Application Location Monitoring (PALM), Momentum, Active Directory, Electronic Library for Financial Management Systems (EL4FMS) and the Enterprise Data Warehouse (EDW). FPNG interfaces to US Treasury include Pay.Gov and Over the Counter (OTCnet) application services.

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

FPNG is a Major Application within USPTO.

(b) System location

FPNG is hosted by Amazon Web Services (AWS) cloud services.

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

FPNG interconnects with the following systems:

- **Consolidated Financial System (CFS)** - CFS provides financial management, procurement, and travel management in support of the USPTO mission.

- **Data Storage Management System (DSMS)** - DSMS is an infrastructure system that provides archival and storage capabilities securely to the USPTO.
- **Enterprise Desktop Platform (EDP)** - EDP is an infrastructure information system that provides a standard enterprise-wide environment to manage desktops and laptops.
- **Information Delivery Product (IDP)** - IDP is a Master System composed of the following three subsystems: 1) Enterprise Data Warehouse; 2) Electronic Library for Financial Management System (EL4FMS); and 3) Financial Enterprise Data Management Tools (FEDMT).
- **Enterprise Unix Services (EUS)** - EUS consists of UNIX operating system (OS) variants, each comprised of many utilities along with the master control program, the kernel.
- **Network and Security Infrastructure System (NSI)** - NSI is an infrastructure information system that facilitates the communications, secure access, protective services, and network infrastructure support for all USPTO IT applications.
- **Service Oriented Infrastructure System (SOI)** - SOI provides a platform to deploy USPTO applications.
- **Enterprise Software Services (ESS)** - ESS provides Enterprise Directory Services, Role-Based Access Control System, Email as a Service, PTO Exchange Services, Symantec Endpoint Protection, Enterprise SharePoint Services, etc.
- **Patent Trial and Appeal Board (PTAB-E2E)**: PTAB E2E is a major application for supporting USPTO's administrative law body Patent Trial and Appeal Board for the purpose of electronically filing documents in connection with Inter Parties Disputes.
- **Trademark Processing System (External)(TPS-ES)** - TPS-ES is Major Application Information System that provides customer support for processing Trademark applications.
- **Patent Capture and Application Processing System (PCAPS-IP)** - PCAPS-IP is a Major Application Information System that supports USPTO patent application processes.
- **Patent End to End (PE2E)** - PE2E is a Master system portfolio for USPTO patent users.
- **Information Dissemination Support System (IDSS)** - IDSS is a Major Application that interconnects with Patent Capture and Application Processing System – Examination Support (PCAPS-ES), a collection of tools to facilitate USPTO examiners' ability to process, examine and review patent applications.
- **Intellectual Property Leadership Management System (IPLMSS)** - IPLMSS is an Application Information System that provides capabilities and functionality for patent examiners to perform their roles.
- **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).
- **U.S. Treasury (Bureau of the Fiscal Service) / Pay.gov** – Pay.gov is a federal program that provides a secure way to pay U.S. federal government agencies.
U.S. Treasury (Bureau of the Fiscal Service) / Over-the-Counter Channel Application (OTCnet) – OTCnet is a federal web-based application that offers federal agencies flexible solutions to streamline management and reporting of payment transactions and deposits.

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

The system's purpose is to allow customers to make payments for USPTO goods and services.

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

FPNG provides USPTO customers a modern payment system. FPNG provides services to the public and internal facing functionality that enables USPTO employees to support customers. FPNG allows internal and external users to manage payment accounts, perform profile updates, and make payments for USPTO goods and services, etc. via the

FPNG User Interface (UI). It also provides all functionality related to managing payments and replenishing and transferring deposit account balances.

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

FPNG collects basic identifying and financial information from USPTO customers in order to process payments.

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

Members of the general public have access to FPNG in order to pay for USPTO goods and services. Internal USPTO employees and contractors have access to FPNG in order to process payments and support customers.

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

Users retrieve information via the FPNG UI.

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

Communications utilize a minimum of TLS 1.1 with FIPS 140-2 compliant algorithms to provide transmission confidentiality and integrity for all connections outside the system boundary. The externally-facing VIPs supporting FPNG are configured to only support TLS 1.2.

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	<input type="checkbox"/>	d. Significant Merging	<input type="checkbox"/>	g. New Interagency Uses	<input type="checkbox"/>
b. Anonymous to Non-Anonymous	<input type="checkbox"/>	e. New Public Access	<input type="checkbox"/>	h. Internal Flow or Collection	<input type="checkbox"/>
c. Significant System Management Changes	<input type="checkbox"/>	f. Commercial Sources	<input type="checkbox"/>	i. Alteration in Character of Data	<input type="checkbox"/>
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 (version 01-2015 or 01-2017). *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 (version 01-2019 or later). *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	<input type="checkbox"/>	Building entry readers	<input type="checkbox"/>
Video surveillance	<input type="checkbox"/>	Electronic purchase transactions	<input checked="" type="checkbox"/>
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

I certify the criteria implied by one or more of the questions above **apply** to the Fee Processing Next Generation (FPNG) system and as a consequence of this applicability, I will perform and document a PIA for this IT system.

I certify the criteria implied by the questions above **do not apply** to the Fee Processing Next Generation (FPNG) and as a consequence of this non-applicability, a PIA for this IT system is not necessary.

<p>System Owner Name: Aarati Verma Office: Office of the Chief Financial Officer (OCFO) Phone: (571) 272-8887 Email: Aarati.Verma@uspto.gov</p> <p>Signature: <u>Users, Verma, Aarati</u> <small>Digitally signed by Users, Verma, Aarati Date: 2021.07.23 15:20:47 -04'00'</small></p> <p>Date signed: _____</p>	<p>Chief Information Security Officer Name: Don Watson Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-8130 Email: Don.Watson@uspto.gov</p> <p>Signature: <u>DON R Watson</u> <small>Digitally signed by DON R Watson Date: 2021.07.26 07:18:51 -04'00'</small></p> <p>Date signed: _____</p>
<p>Privacy Act Officer Name: John Heaton Office: Office of General Law (O/GL) Phone: (571) 270-7420 Email: Ricou.Heaton@upsto.gov</p> <p>Signature: <u>Users, Heaton, John (Ricou)</u> <small>Digitally signed by Users, Heaton, John (Ricou) Date: 2021.07.23 08:11:34 -04'00'</small></p> <p>Date signed: _____</p>	<p>Bureau Chief Privacy Officer and Co-Authorizing Official Name: Henry J. Holcombe Office: Office of the Chief Information Officer (OCIO) Phone: (571) 272-9400 Email: Jamie.Holcombe@uspto.gov</p> <p>Signature: <u>Users, Holcombe, Henry</u> <small>Digitally signed by Users, Holcombe, Henry Date: 2021.07.26 13:51:28 -04'00'</small></p> <p>Date signed: _____</p>
<p>Co-Authorizing Official Name: Dennis (Jay) Hoffman Office: Office of the Chief Financial Officer (OCFO) Phone: (571) 270-7793 Email: Jay.Hoffman@uspto.gov</p> <p>Signature: <u>Users, Hoffman, Dennis (Jay)</u> <small>Digitally signed by Users, Hoffman, Dennis (Jay) Date: 2021.07.27 14:09:28 -04'00'</small></p> <p>Date signed: _____</p>	

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