



Office of the Chief
Records Officer for the
U.S. Government

Sent Via Email. No Hard Copy to Follow.

April 12, 2021

Mr. Frederick W. Steckler
Chief Administrative Officer
Department of Commerce
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313

Dear Mr. Steckler:

After a careful review of your letter dated January 22, 2021, requesting NARA's approval of digitized trademarks as the official recordkeeping copies, we believe that there has been an unauthorized disposition of U.S. Patent and Trademark Office (USPTO) records. More specifically, your letter confirms the destruction of hard copy trademarks from 2006 to 2010. USPTO's Trademarks and Registrations schedule, N1-241-06-002, Item 2 is not media neutral, and therefore, the destruction of the permanent hard copy records upon digitization was not authorized by NARA. Also, please note that per 36 CFR 1230.14, if records have been removed or destroyed without NARA's proper authorization, agencies must report these incidents promptly to NARA.

In order to obtain approval to make the digitized versions of the trademark records the official recordkeeping copy, you must submit a new records schedule to NARA. Please contact your appraisal archivist, Valerie Terray, directly to submit this schedule in ERA for review and approval.

In accordance with 36 CFR 1230.16, NARA requests that USPTO investigate this matter and provide a response within 30 days that includes, specific details of the disposition incident, a description (including volume) of the permanent records affected, and a statement of the safeguards that have been or will be implemented to prevent future unauthorized dispositions of records.

Thank you for your attention to this matter. If you wish to discuss further, including your plans to schedule and store the records in question, please do not hesitate to contact me directly at Laurence.Brewer@nara.gov

Sincerely,

A handwritten signature in blue ink that reads "Laurence v. Brewer". The signature is written in a cursive style with a large initial 'L'.

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

cc:
Kimberly Hardy, Agency Records Officer, Kimberly.hardy@uspto.gov
Christopher G. Baker, Alternate Agency Records Officer,
Christopher.baker@uspto.gov



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April 17, 2024

Lisa Lawn
Department of Commerce
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Lisa Lawn,

The National Archives and Records Administration (NARA) acknowledges receipt of the Department of Commerce, United States Patent and Trademark Office's report regarding the destruction of hard copy trademarks from 2006 to 2010 located in a non-compliant facility in Boyers, PA.

NARA appraisal staff reviewed executive summary pages related to patent documents that are currently stored at the Washington National Records Center (WNRC) and determined that these records can be used to partially replace the records related to this unauthorized disposition. All other existing analog records are in compliant record centers or are currently being accessioned by NARA.

Thank you for your attention to this matter. Based on this information, NARA considers this allegation of unauthorized disposition closed. If you have any questions, please contact me at laurence.brewer@nara.gov.

Sincerely,

LAURENCE BREWER
Chief Records Officer
for the U.S. Government