



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF THE GENERAL COUNSEL

October 23, 2012

VIA U.S. MAIL

Mr. Steven Aftergood
Federation of American Scientists
1725 DeSales Street, NW, 6th Floor
Washington, DC 20036

Re: Freedom of Information Act (FOIA) Request No. F-13-00004

Dear Mr. Aftergood:

The United States Patent and Trademark Office (USPTO) FOIA Office received your e-mail October 01, 2012, in which you requested, under the provisions of the Freedom of Information Act, 5 U.S.C. § 552, a copy of:

The annual tabulation of patent secrecy orders imposed, renewed or rescinded, as well as the total number in effect at the end of FY 2012, all broken down by sponsoring agency, by type of secrecy order, and by whether they are government sponsored, foreign PSA, or "John Doe" orders.

The USPTO identified a 1-page document that is responsive to your request. A copy of this material is enclosed.

Since the cost associated with processing this request was less than \$20.00, the processing fee is waived. See 37 C.F.R. § 102.11(d)(4).

The enclosed documents constitute a full disclosure in response to your request. However, you have the right to appeal this initial decision to the General Counsel, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. An appeal must be received within 30 calendar days from the date of this letter. See 37 C.F.R. § 102.10(a). The appeal must be in writing. You must include a copy of your original request, this letter, and a statement of the reasons why the enclosed response is insufficient. Both the letter and the envelope must be clearly marked "Freedom of Information Appeal."

Sincerely,

A handwritten signature in cursive script that reads "Kathryn Siehndel".

Kathryn Siehndel
USPTO FOIA Officer
Office of General Law

Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

GENERAL COUNSEL

OCT 22 2004

Mr. Steven Aftergood
Federation of American Scientists
1717 K Street NW, Suite 209
Washington, DC 20036

Re: Freedom of Information Act (FOIA) Request No. 05-007

Dear Mr. Aftergood:

The Office of the General Counsel has received your e-mail dated October 8, 2004, in which you requested, under the provisions of the Freedom of Information Act, 5 U.S.C. § 552, a copy of: "the latest Secrecy Review Activity Report for fiscal year 2004 reflecting activity under the Invention Secrecy Act."

The United States Patent and Trademark Office has identified two pages of documents that are responsive to your request. A copy of this material is enclosed.

It should be noted that this information is often available at:
www.fas.org/sgp/othergov/invention/stats.html. You may wish to consult that site for future Invention Secrecy Act reports.

The processing fee has been waived. See 37 C.F.R. § 102.11(d)(4).

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Fawcett".

Robert Fawcett
Program Analyst

Enclosure

ACTIVITY	FY88	FY89	FY90	FY91	FY92	FY93	FY94
SO's new	630	847	731	774	452	297	205
SO's rescinded	237	413	496	372	543	490	574
Total SO's in effect, end of period	5122	5556	5791	6193	6102	5909	5540
Sponsoring Agencies for new SO's							
ASPAB/DTSA	113 17.9%	153 18.1%	170 23.3%	181 23.4%	75 16.6%	62 20.9%	68 33.2%
ARMY	179 28.4%	107 12.6%	145 19.8%	93 12.0%	50 11.1%	29 9.8%	20 9.8%
NAVY	159 25.2%	275 32.5%	205 28.0%	220 28.4%	132 29.2%	76 25.6%	48 23.4%
AF	166 26.3%	292 34.5%	194 26.5%	265 34.2%	174 38.5%	105 35.4%	58 28.3%
DOE	13 2.1%	20 2.4%	16 2.2%	15 1.9%	21 4.6%	25 8.4%	11 5.4%
NASA	0 0.0%	0 0.0%	1 0.1%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
New DOD SO's imposed by Type							
DOD Type 1 (export control)	299 47.5%	356 42.0%	296 40.5%	362 46.8%	201 44.5%	31 10.4%	6 2.9%
DOD Type 2 (classified/classifiable)	158 25.1%	261 30.8%	151 20.7%	116 15.0%	95 21.0%	89 30.0%	64 31.2%
DOD Type 2 (foreign PSA)	113 17.9%	153 18.1%	170 23.3%	181 23.4%	75 16.6%	60 20.2%	67 32.7%
DOD Type 3	47 7.5%	57 6.7%	97 13.3%	100 12.9%	60 13.3%	92 31.0%	57 27.8%
New Non-DOD SO's imposed (DOE,NASA)	13 2.1%	20 2.4%	17 2.3%	15 1.9%	21 4.6%	25 8.4%	11 5.4%

ACTIVITY	FY95	FY96	FY97	FY98	FY99	FY00	FY01
New Secrecy Orders	124	105	102	151	72	83	83
SO's rescinded	324	277	210	170	210	245	88
Total SO's in effect, end of period	5340	5168	5060	5041	4903	4741	4736
Sponsoring Agencies for new SO's							
ASPAB/DTSA	38 30.6%	16 15.2%	35 34.0%	38 24.7%	0 0.0%	23 27.7%	17 20.5%
ARMY	11 8.9%	14 13.3%	4 3.9%	17 11.0%	24 33.3%	16 19.3%	11 13.3%
NAVY	23 18.5%	39 37.1%	39 37.9%	28 18.2%	13 18.1%	23 27.7%	30 36.1%
AF	37 29.8%	28 26.7%	24 23.3%	67 43.5%	20 27.8%	12 14.5%	25 30.1%
DOE	15 12.1%	8 7.6%	1 1.0%	4 2.6%	15 20.8%	9 10.8%	0 0.0%
NASA	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
New DOD SO's imposed by Type							
DOD Type 1 (export control)	3 2.4%	14 13.3%	14 13.7%	11 7.3%	5 6.9%	16 19.3%	7 8.4%
DOD Type 2 (classified/classifiable)	31 25.0%	45 42.9%	42 41.2%	37 24.5%	14 19.4%	20 24.1%	22 26.5%
DOD Type 2 (foreign PSA)	33 26.6%	16 15.2%	24 23.5%	15 9.9%	19 26.4%	24 28.9%	21 25.3%
DOD Type 3	42 33.9%	22 21.0%	21 20.6%	84 55.6%	19 26.4%	14 16.9%	33 39.8%
New Non-DOD SO's imposed (DOE,NASA)	15 12.1%	8 7.6%	1 1.0%	4 2.6%	15 20.8%	9 10.8%	0 0.0%
<u>John Doe Sos</u>			<u>23</u>	<u>99</u>	<u>18</u>	<u>24</u>	<u>44</u>

ACTIVITY	FY02		FY03		FY04		FY05	
New Secrecy Orders	139		136		124		106	
SO's rescinded	83		87		80		76	
Total SO's in effect, end of period	4792		4841		4885		4915	
Sponsoring Agencies for new SO's								
ASPAB	60	43.5%	38	27.9%	22	17.7%	23	21.7%
ARMY	15	10.9%	23	16.9%	16	12.9%	14	13.2%
NAVY	16	11.6%	6	4.4%	8	6.5%	8	7.5%
AF	44	31.9%	65	47.8%	69	55.6%	46	43.4%
DOE	3	2.2%	4	2.9%	3	2.4%	6	5.7%
NSA	0	0.0%	0	0.0%	5	4.0%	9	8.5%
NIH	0	0.0%	0	0.0%	1	0.8%	0	0.0%
New DOD SO's imposed by Type								
DOD Type 1 (export control)	13	9.4%	8	5.9%	18	14.5%	11	10.4%
DOD Type 2 (classified/classifiable)	41	29.5%	36	26.5%	27	21.8%	42	39.6%
DOD Type 2 (foreign PSA)	60	43.2%	38	27.9%	23	18.5%	24	22.6%
DOD Type 3	22	15.8%	50	36.8%	52	41.9%	23	21.7%
Non-DOD SO's imposed (DOE,NASA)	3	2.2%	4	2.9%	4	3.2%	6	5.7%
<u>John Doe SOs</u>	<u>37</u>		<u>51</u>		<u>61</u>		<u>32</u>	

ACTIVITY	FY04		FY05		FY06		FY07		FY08		FY09		FY10		FY11		FY12	
New Secrecy Orders	124		106		108		128		68		103		86		143		98	
SO's rescinded	80		76		81		68		47		45		32		37		18	
Total SO's in effect, end of period	4885		4915		4942		5002		5023		5081		5135		5241		5321	
Sponsoring Agencies for new SO's																		
Foreign Origin	22	17.7%	23	21.7%	3	2.8%	10	7.8%	10	14.7%	23	22.1%	18	20.9%	33	23.1%	14	14.3%
ARMY	16	12.9%	14	13.2%	2	1.9%	22	17.2%	8	11.8%	9	8.7%	12	14.0%	19	13.3%	33	33.7%
NAVY	8	6.5%	8	7.5%	36	33.3%	28	21.9%	8	11.8%	39	37.5%	35	40.7%	41	28.7%	29	29.6%
AF	69	55.6%	46	43.4%	40	37.0%	45	35.2%	20	29.4%	21	20.2%	13	15.1%	10	7.0%	13	13.3%
DOE	3	2.4%	6	5.7%	7	6.5%	0	0.0%	2	2.9%	0	0.0%	1	1.2%	15	10.5%	0	0.0%
NSA	5	4.0%	9	8.5%	20	18.5%	21	16.4%	20	29.4%	12	11.5%	6	7.0%	25	17.5%	9	9.2%
DTSA							2	1.6%	0	0.0%	0	0.0%	1	1.2%		0.0%	0	0.0%
NIH	1	0.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
New DOD SO's imposed by Type																		
DOD Type 1 (export control)	18	14.5%	11	10.4%	19	17.6%	15	11.7%	21	30.9%	41	39.8%	31	36.0%	33	23.1%	27	27.6%
DOD Type 2 (classified/classifiable)	27	21.8%	42	39.6%	52	48.1%	68	53.1%	25	36.8%	24	23.3%	19	22.1%	41	28.7%	18	18.4%
DOD Type 2 (foreign PSA)	23	18.5%	24	22.6%	3	2.8%	11	8.6%	10	14.7%	23	22.3%	19	22.1%	33	23.1%	13	13.3%
DOD Type 3	52	41.9%	23	21.7%	27	25.0%	34	26.6%	10	14.7%	15	14.6%	16	18.6%	21	14.7%	40	40.8%
New Non-DOD SO's imposed (DOE,NSA)	4	3.2%	6	5.7%	7	6.5%	0	0.0%	2	2.9%		0.0%	1	1.2%	15	10.5%	0	0.0%
John Doe SO's	61		32		29		53		22		21		26		11		11	