

FORM PTO-1209
(Rev. January 2008)

UNITED STATES PATENT AND TRADEMARK OFFICE

In the United States Patent and Trademark Office

OATH OR AFFIRMATION

I, _____

DO SOLEMNLY SWEAR OR AFFIRM THAT IF ADMITTED TO PRACTICE BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE:

I will observe the laws and rules of practice of the United States Patent and Trademark Office.

I will maintain the respect due to the United States Patent and Trademark Office and the officials thereof.

I will not counsel or maintain any application or proceeding which shall appear to me to be unjust, nor will I take any action except such as I believe to be honestly debatable under the law.

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor and will never employ political influence nor seek to mislead the officials of the Office by any artifice or false statements of fact or law.

I will maintain in confidence and preserve inviolate the secrets of my client and will accept no compensation in connection with his or her business except from him or her with his or her knowledge or approval.

I will abstain from all offensive personality and advance no fact prejudicial to the honor or reputation of a party or witness unless required by justice of the cause with which I am charged.

I will not delay any person's cause for lucre or malice.

Signature of Applicant

Submitted and sworn to, or affirmed before me this _____ day of _____, 200_____

(SEAL) _____
Signature of Notary Public

PRIVACY ACT ADVISORY STATEMENT

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with the request for information solicited on attached forms PTO-158, PTO-275 and PTO-1209. Accordingly, pursuant to the requirements of the Act, please be advised that (i) the authority for the collection of this data is 35 U.S.C. §§ 1 and 2(b)(2)(D), (ii) furnishing of the information solicited is voluntary, and (iii) the principal purpose for which the data will be used is to maintain current information relating to your eligibility and fitness for registration to practice before the United States Patent and Trademark Office in patent cases. If you do not furnish the requested information, you will not be admitted to the registration examination, registered or reinstated to practice before the United States Patent and Trademark Office.

The information provided by you in this form will be subject to the following routine uses:

1. Information from PTO-158 may be published by the United States Patent and Trademark Office in the Official Gazette to solicit information tending to affect your eligibility on moral, ethical, or other grounds for registration pursuant to 37 CFR § 11.7. Information from PTO-275 may be published to provide the public with a roster of registered practitioners pursuant to 37 CFR 11.11.
2. Disclosure may be made to any Government agency, professional organization, or individual if necessary to obtain information relevant to an investigation concerning the suitability of an applicant for registration to practice before the United States Patent and Trademark Office.
3. Disclosure may be made to a Federal, state, local, foreign, tribal, or other public authority, of the fact that this system of records contains information relevant to the retention of an employee, retention of a security clearance, the letting of a contract, or the issuance or retention of a license, grant, or other benefit. The other agency or licensing organization may then make a request supported by the written consent of the individual for the entire record if it so chooses. No disclosure will be made unless the information has been determined to be sufficiently reliable to support a referral to another office within the agency, or to another Federal agency for criminal, administrative, personnel, or regulatory action.
4. To a court or adjudicative body in a proceeding when: (a) the agency or any component thereof; or (b) any employee of the agency in his or her capacity; or (c) any employee of the agency in his or her official capacity where the agency has agreed to represent the employee; or (d) the United States government, is a party to litigation or has an interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.
5. Disclosure may be made to a member of Congress or to a congressional staff member in response to an inquiry of the Congressional office made at the written request of the constituent about whom the record is maintained.
6. Information may be disclosed to the Office of Management and Budget (OMB) in connection with a review of private relief legislation (as set forth in OMB Circular No. A-19) at any stage of the legislative coordination and clearance process described in the Circular.
7. The information may be disclosed to the agency contractors, grantees, experts, consultants, or volunteers who have been engaged by the agency to assist in the performance of a service related to this system of records and who have need to have access to the records in order to perform the activity. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. § 552a(m).
8. The information may be disclosed to the Office of Personnel Management (OPM) for personnel research purposes as a data source for management information, for the production of summary descriptive statistics and analysis.
9. Records from this system of records may be disclosed to the National Archives and Records Administration or to the General Services Administration for records management inspections conducted under 44 U.S.C. §§ 2904 and 2906.
10. When a record on its face, or in conjunction with other records, indicate a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order, issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, state, local or tribal, or other public authority responsible for enforcing, investigating, or prosecuting violations, or charged with enforcing or implementing the statute or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prospective responsibility of the receiving entity.