

U.S. Patent and Trademark Office, Commerce

§ 104.1

or persons for a given position or contract. Special note is made of the limitation on the extent to which this exemption may be asserted. The existence and general character of the infor-

mation exempted will be made known to the individual to whom it pertains. (c) At the present time, USPTO claims no exemption under 5 U.S.C. 552a(k) (3), (4), (6) and (7).

APPENDIX TO PART 102—SYSTEMS OF RECORDS NOTICED BY OTHER FEDERAL AGENCIES¹ AND APPLICABLE TO USPTO RECORDS AND APPLICABILITY OF THIS PART THERETO

Category of records	Other federal agency
Federal Personnel Records	Office of Personnel Management. ²
Federal Employee Compensation Act Program	Department of Labor. ³
Equal Employment Opportunity Appeal Complaints	Equal Employment Opportunity Commission. ⁴
Formal Complaints/Appeals of Adverse Personnel Actions	Merit Systems Protection Board. ⁵

²The provisions of this part do not apply to these records covered by notices of systems of records published by the Office of Personnel Management for all agencies. The regulations of OPM alone apply.
³The provisions of this part apply only initially to these records covered by notices of systems of records published by the U.S. Department of Labor for all agencies. The regulations of that department attach at the point of any denial for access or for correction or amendment.
⁴The provisions of this part do not apply to these records covered by notices of systems of records published by the Equal Employment Opportunity Commission for all agencies. The regulations of the Commission alone apply.
⁵The provisions of this part do not apply to these records covered by notices of systems of records published by the Merit Systems Protection Board for all agencies. The regulations of the Board alone apply.

PART 104—LEGAL PROCESSES

104.32 Procedure for requesting indemnification.

Subpart A—General Provisions

Subpart E—Tort Claims

- Sec.
- 104.1 Definitions.
- 104.2 Address for mail and service; telephone number.
- 104.3 Waiver of rules.
- 104.4 Relationship of this Part to the Federal Rules of Civil and Criminal Procedure.

- 104.41 Procedure for filing claims.
- 104.42 Finality of settlement or denial of claims.
- AUTHORITY: 35 U.S.C. 2(b)(2), 10, 23, 25; 44 U.S.C. 3101, except as otherwise indicated.
- SOURCE: 66 FR 47389, Sept. 12, 2001, unless otherwise noted.

Subpart B—Service of Process

Subpart A—General Provisions

- 104.11 Scope and purpose.
- 104.12 Acceptance of Service of Process.

§ 104.1 Definitions.

Subpart C—Employee Testimony and Production of Documents in Legal Proceedings

Demand means a request, order, or subpoena for testimony or documents for use in a legal proceeding.

- 104.21 Scope and purpose.
- 104.22 Demand for testimony or production of documents.
- 104.23 Expert or opinion testimony.
- 104.24 Demands or requests in legal proceedings for records protected by confidentiality statutes.

Director means the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (see § 1.9(j)).

Subpart D—Employee Indemnification

Document means any record, paper, and other property held by the Office, including without limitation, official letters, telegrams, memoranda, reports, studies, calendar and diary entries, maps, graphs, pamphlets, notes,

¹Other than systems of records noticed by the Department of Commerce. Where the system of records applies only to USPTO, these regulations apply. Where the system of records applies generally to components of

the Department of Commerce, the regulations of that department attach at the point of any denial for access or for correction or amendment.