



# Report In Brief

U.S. Department of Commerce, Office of Inspector General

November 2009



## Why We Did This Review

The Federal Information Security Management Act of 2002 (FISMA) requires federal agencies to identify and provide security protection of information collected or maintained by it or on its behalf. Inspectors general are required to annually evaluate agencies' information security programs and practices. Such evaluations must include testing of a representative subset of systems and an assessment, based on that testing, of the entity's compliance with FISMA and applicable requirements.

This review covers our evaluation of USPTO's PCTSRS, which is one of a sample of systems we assessed in FY 2009.

## Background

PCTSRS is a contractor-owned system that provides services related to international patent applications. The contractor's employees use the system to perform searches and submit written opinions regarding the patentability of inventions.

C&A is a process by which security controls for IT systems are assessed to determine their overall effectiveness. Understanding the remaining vulnerabilities identified during the assessment is essential in determining the risk to the organization's operations and assets, to individuals, to other organizations, and to the nation resulting from the use of the system.

## United States Patent and Trademark Office (USPTO)

### *FY 2009 FISMA Assessment of the Patent Cooperation Treaty Search Recordation System (OAE-19731)*

## What We Found

Our objectives for this review were to determine whether (1) implemented controls adequately protect the system and its information, (2) continuous monitoring is keeping the authorizing official sufficiently informed about the operational status and effectiveness of security controls, and (3) the certification and accreditation (C&A) process produced sufficient information about remaining system vulnerabilities to enable the authorizing official to make a credible, risk-based accreditation decision.

Although we found minor deficiencies with PCTSRS' C&A activities, USPTO's C&A process produced sufficient information to enable the authorizing officials to make a credible, risk-based accreditation decision. Our evaluation of the system's security controls also found only minor deficiencies.

## What We Recommend

In order to ensure PCTSRS complies with FISMA requirements, USPTO should resolve the minor deficiencies we reported in our assessment. USPTO agrees with our findings, and has begun to take steps to implement our recommendations.