

U.S. PATENT OFFICE FEES DECREASE ON JANUARY 1, 2014

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Practices & Industries

Copyrights

The United States Patent and Trademark Office (USPTO) has announced that it will reduce fees for the following services on January 1, 2014.

Issuance

For an application with allowed claims to proceed to issuance, an applicant is required to pay an issue fee. If the application was published under 37 C.F.R. § 1.211, then the applicant also has to pay a publication fee. Both the issue fee and the publication fee have to be paid within three months of the date of a notice of allowance. Effective January 1, 2014, the USPTO will reduce the issue fee by nearly 50 percent and eliminate the \$300 publication fee. The reduction in issue fee is available for all applicants (i.e., large entities, small entities, and micro entities).

Because applicants pay fees that are in effect *on the date of payment*, applicants may wish to consider delaying payment of issue fees until January 1 in order to take advantage of these significant savings.

Small and Micro-Entity PCT Application filings

There are no discounts currently available for applicants claiming small entity status or micro-entity status. Effective January 1, 2014, applicants filing Patent Cooperation Treaty (PCT) applications will be eligible for fee reductions based on small or micro-entity status. Similar to other USPTO fees, small entities will receive a 50 percent discount, and micro-entities will receive a 75 percent discount. Applicants eligible to claim small entity or micro-entity status should revisit their international patent filing strategies to determine if they can postpone filing of PCT applications to take advantage of these discounts.

Recordation of Assignments

Effective January 1, 2014, the USPTO will eliminate the \$40 fee to record patent assignments if the assignments are filed electronically. Applicants contemplating recording assignments may want to postpone doing so until after January 1. Further, patent owners and applicants should review the chain of title for each patent and patent application in their portfolio to ensure that the chain of title is up to date.

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Assignment data filed with the USPTO can be viewed at <http://assignments.uspto.gov/assignments/?db=pat>.

We can assist applicants and patent owners with developing patent strategies that take advantage of these changes.

