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USPTO Further Extends Certain Filing Deadlines

Legal Update

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The U.S. Patent and Trademark Office (USPTO) has again extended the time to file certain patent and trademark-related documents and to pay certain fees. Deadlines between March 27 and May 31 have been extended to June 1, 2020, provided the filing is accompanied by a statement that the delay was due to COVID-19.

Delay is deemed excusable if the filer or attorney or their family is personally affected by the COVID-19 outbreak, including through office closure, cash flow interruptions, inaccessibility of files or other materials, travel delays, personal or family illness, or similar circumstances, such that the outbreak materially interfered with timely filing or payment.

Not all patent and trademark situations (including those of their respective Trial and Appeal Boards) are covered by the USPTO extension; however, a party may request (in ex parte appeals) or motion (for trial cases) for an extension or reopening of time, as appropriate.

The USPTO remains open to file patent and trademark-related documents and to pay fees. The USPTO will continue to evaluate the evolving situation around the COVID-19 outbreak and issued a joint message of support for inventors with the European Patent Office to reaffirm that it “stand[s] in solidarity with everyone affected.”

For more information, contact a member of the Advertising, Marketing & Trademark Group or the Patents Group.