

SPECIAL**REPORT****USPTO ISSUES PROPOSED PATENT FEE SCHEDULE****February 9, 2012**

The U.S. Patent and Trademark Office (PTO) has just issued a preliminary proposed Fee Schedule (attached), initiating the exercise of its fee setting authority under the America Invents Act (AIA). The PTO announced that changes to the current fee schedule, such as those reflected in the attached Fee Schedule, should begin in the fall of 2012, and be entirely implemented by January of 2014. A majority of the new fees are planned to go into effect in February of 2013. We will provide further updates well in advance of any significant changes to the current fee schedule.

In view of the substantial increase in many fees proposed by the PTO, many clients will want to develop strategies to deal with such fee increases. Thus, we are providing this Special Report now, even though the attached proposed Fee Schedule may change.

The Patent Public Advisory Committee (PPAC) will hold public hearings and gather feedback from the public regarding the proposed fee changes. After the PPAC Hearings, the PTO will publish a final proposed Fee Schedule in a proposed rulemaking (anticipated in June 2012), which will open a 60-day period for the public to submit further written comments to the PTO.

Written comments regarding the attached preliminary proposed Fee Schedule can be submitted by the public either during a PPAC Hearing (February 15, 2012) and/or after a Notice of Proposed Rulemaking has issued (June 2012).

We will attend the February 15 PPAC Hearing. Please let us know if you would like us to submit any comments on your behalf and/or submit any comments once the proposed rulemaking is published.

Along with the preliminary proposed Fee Schedule, the PTO published various proposals regarding procedural rules for the new *inter partes* review, post grant review, business method patents, and derivation. We are reviewing these proposals and will provide updates and/or Specials Reports as they develop.

I. Proposed Fee Changes

Stated goals of the proposed fee structure include reducing the cost to obtain a patent if applicants simplify the work for the PTO, and increasing the cost for activities the PTO wants to discourage, or that relate to more valuable patents.

Thus, for example, to the extent applications are filed and prosecuted to avoid any additional fees (e.g., avoiding excess claims, extensions of time, appeals, RCEs, etc.), the proposed fee changes will decrease the government fees to obtain a patent. However, adding even a few extra independent claims will result in increased patenting fees. Post-issuance fees involve more dramatic increases, as they generally involve more commercially valuable patents.

February 9, 2012

A few of the more significant proposed changes (fee amounts are provided for large entity fees only) are listed below.

A. Increased Fees

- 47% increase in minimum fees for filing a utility application (basic search and examination fees) (from \$1,250 to \$1,840);¹
- 67% increase in the fee for each claim in excess of 20 (from \$60 to \$100);
- 84% increase in the fee for each independent claim in excess of 3 (from \$250 to \$460);
- 91% increase in the fee for presenting multiple dependent claims (from \$450 to \$860);
- 29% increase in the fee for each 50 sheets in an application in which the specification and drawings exceed 100 sheets of paper (from \$310 to \$400);
- 123% increase in the minimum fees for filing a design patent application (from \$530 to \$1,180);
- 33% increase in the fee for filing a first one-month Petition for an Extension of Time (from \$150 to \$200);
- 83% increase in the fee for filing a Request for Continued Examination (RCE) (from \$930 to \$1,700);
- 223% increase in the fees associated with a Notice of Appeal and Appeal Brief (from \$1240 to \$4,000);
- 42% increase in the Maintenance Fee due at 3.5 years (from \$1,130 to \$1,600);
- 26% increase in the Maintenance Fee due at 7.5 years (from \$2,850 to \$3,600);
- 61% increase in the Maintenance Fee due at 11.5 years (from \$4,730 to \$7,600); and
- 35% increase in the previously proposed fees for Supplemental Examination (reported in our January 30, 2012 Special Report), and 24% increase in the fee for conducting an *ex parte* reexamination ordered as a result of the Supplemental Examination.

B. Decreased Fees

- 53% decrease in the combined Issue and Publication Fees effective January 1, 2014 (from \$2,040 to \$960);² and
- 17% decrease in the fee for requesting prioritized examination (from \$4,800 to \$4,000).

C. New Fees and Discounts

- A fee (\$3,000) to late-file an oath/declaration between the end of initial processing and the time a Notice of Allowance is mailed;
- Elimination of the Issue and Publication Fees under certain

¹ Similar increases apply to PCT U.S. National Phase filing fees.

² A small increase (from \$1,740 to \$1,780) is proposed for February to December 2013. Once the decrease is in place, the combined total of filing, publication and issue fees would be decreased from current levels.

February 9, 2012

- circumstances when a Final Rejection is withdrawn;
- Covered business methods post grant review fees (effective September 16, 2012) (ranging from \$35,800 for 20 claims or less to \$125,300 for 61-70 claims, and \$35,800 for each additional group of 10 claims beyond 70);
 - *Inter partes* review fees (effective September 16, 2012) (ranging from \$27,200 for 20 claims or less, to \$95,200 for 61-70 claims, and \$27,200 for each additional group of 10 claims beyond 70);
 - Small and micro entity discounts for submission of an Information Disclosure Statement (\$90 and \$45, respectively); and
 - Establishment of "micro entity" fees (75% discount as compared to the "small entity" 50% discount).

For other proposed fee changes, please see the attached proposed fee schedule.

D. PTO Explanations of Changes

Because of the complex and controversial nature of many of the proposed changes to the current fee schedule, the PTO has prepared five documents providing further details and information regarding these changes: (i) a transmittal letter from the PTO to PPAC explaining the fee setting philosophy; (ii) an

executive summary of the proposed fee schedule; (iii) detailed information about the proposed fee schedule; (iv) a table of proposed fee changes; and (v) aggregate revenue calculations. Copies of these documents are available on our website with this Special Report.

II. Recommendations

We will provide more detailed recommendations when the proposed rulemaking issues. Meanwhile, we expect and encourage submission of comments to the PTO on ways the fee changes can be made less burdensome.

Although the proposed Fee Schedule is far from final and subject to change, we recommend beginning to plan for potentially very significant fee changes by February of 2013.

* * * * *

Oliff & Berridge, PLC is a full-service Intellectual Property law firm based in historic Alexandria, Virginia. The firm specializes in patent, copyright, trademark, and antitrust law and litigation, and represents a large and diverse group of domestic and international clients, including businesses ranging from large multinational corporations to small privately owned companies, major universities, and individual entrepreneurs.

This Special Report is intended to provide information about legal issues of current interest. It is not intended as legal advice and does not constitute an opinion of Oliff & Berridge, PLC. Readers should seek the advice of professional counsel before acting upon any of the information contained herein.

For further information, please contact us by telephone at (703) 836-6400, facsimile at (703) 836-2787, email at email@oliff.com or mail at 277 South Washington Street, Suite 500, Alexandria, Virginia 22314. Information about our firm can also be found on our web site, www.oliff.com.

スペシャル・レポートの日本語版は、英語版の発行後、二週間以内にウェブ・サイトでご覧いただけます。

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
Patent Application Filing Fees										
1011/2011	1.16(a)(1)	41(a)(1)(A)	Basic filing fee - Utility	380.00	190.00	400.00	200.00	100.00	20.00	5%
4011	1.16(a)(1)	41(h)(3)	Basic filing fee - Utility (electronic filing for small entities)	n/a	95.00	n/a	100.00	50.00	5.00	5%
1051/2051	1.16(f)		Surcharge - Late filing fee, search fee, examination fee or oath or declaration	130.00	65.00	140.00	70.00	35.00	10.00	8%
1012/2012	1.16(b)(1)	41(a)(1)(B)	Basic filing fee - Design	250.00	125.00	260.00	130.00	65.00	10.00	4%
1017/2017	1.16(b)(1)	41(a)(1)(B)	Basic filing fee - Design (CPA)	250.00	125.00	260.00	130.00	65.00	10.00	4%
1013/2013	1.16(c)(1)	41(a)(1)(C)	Basic filing fee - Plant	250.00	125.00	320.00	160.00	80.00	70.00	28%
1014/2014	1.16(e)(1)	41(a)(1)(E)	Basic filing fee - Reissue	380.00	190.00	400.00	200.00	100.00	20.00	5%
1019/2019	1.16(e)(1)	41(a)(1)(E)	Basic filing fee - Design Reissue (CPA)	380.00	190.00	400.00	200.00	100.00	20.00	5%
1005/2005	1.16(d)	41(a)(1)(D)	Provisional application filing fee	250.00	125.00	260.00	130.00	65.00	10.00	4%
1052/2052	1.16(g)		Surcharge - Late provisional filing fee or cover sheet	50.00	25.00	60.00	30.00	15.00	10.00	20%
1631/2631	1.492(a)	41(a)(1)(F)	Basic National Stage Fee	380.00	190.00	400.00	200.00	100.00	20.00	5%
1053	1.17(i)		Non-English specification	130.00		140.00	70.00	35.00	10.00	8%
Patent Search Fees										
1111/2111	1.16(k)	41(d)(1)(B)(i)	Utility Search Fee	620.00	310.00	660.00	330.00	165.00	40.00	6%
1112/2112	1.16(l)	41(d)(1)(B)(ii)	Design Search Fee	120.00	60.00	420.00	210.00	105.00	300.00	250%
1113/2113	1.16(m)	41(d)(1)(B)(v)	Plant Search Fee	380.00	190.00	520.00	260.00	130.00	140.00	37%
1114/2114	1.16(n)	41(d)(1)(B)(iii)	Reissue Search Fee	620.00	310.00	660.00	330.00	165.00	40.00	6%
1640/2640	1.492(b)(1)		National Stage Search Fee - U.S. was the ISA or IPEA and all claims satisfy PCT Article 33(1)-(4)	0.00	0.00	0.00	0.00	0.00	0.00	0%
1641/2641	1.492(b)(2)		National Stage Search Fee - U.S. was the ISA	120.00	60.00	140.00	70.00	35.00	20.00	17%
1642/2642	1.492(b)(3)		National Stage Search Fee - search report prepared and provided to USPTO	490.00	245.00	640.00	320.00	160.00	150.00	31%
1632/2632	1.492(b)(4)	41(d)(1)(B)(iv)	National Stage Search Fee - all other situations	620.00	310.00	660.00	330.00	165.00	40.00	6%
Patent Examination Fees										
1311/2311	1.16(o)	41(a)(3)(A)	Utility Examination Fee	250.00	125.00	780.00	390.00	195.00	530.00	212%
1312/2312	1.16(p)	41(a)(3)(B)	Design Examination Fee	160.00	80.00	500.00	250.00	125.00	340.00	213%
1313/2313	1.16(q)	41(a)(3)(C)	Plant Examination Fee	200.00	100.00	620.00	310.00	155.00	420.00	210%
1314/2314	1.16(r)	41(a)(3)(E)	Reissue Examination Fee	750.00	375.00	780.00	390.00	195.00	30.00	4%
1643/2643	1.492(c)(1)		National Stage Examination Fee - U.S. was the ISA or IPEA and all claims satisfy PCT Article 33(1)-(4)	0.00	0.00	0.00	0.00	0.00	0.00	0%
1633/2633	1.492(c)(2)	41(a)(3)(D)	National Stage Examination Fee - all other situations	250.00	125.00	780.00	390.00	195.00	530.00	212%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
Request for Continuing Examination Fees										
1801/2801	1.17(e)		Request for continued examination (RCE) (see 37 CFR 1.114)	930.00	465.00	1,700.00	850.00	425.00	770.00	83%
Track I Fees										
1817/2817	1.17(c)		Request for prioritized examination	4,800.00	2,400.00	4,000.00	2,000.00	1,000.00	-800.00	-17%
Pre-Grant Publication Fees										
1504	1.18(d)		Publication fee for early, voluntary, or normal publication	300.00		300.00			0.00	0%
1505	1.18(d)		Publication fee for republication	300.00		300.00			0.00	0%
Issue Fees										
1501/2501	1.18(a)	41(a)(4)(A)	Utility issue fee - Through 12/31/2013	1,740.00	870.00	1,780.00	890.00	445.00	40.00	2%
1502/2502	1.18(b)	41(a)(4)(B)	Design issue fee - Through 12/31/2013	990.00	495.00	1,020.00	510.00	255.00	30.00	3%
1503/2503	1.18(c)	41(a)(4)(C)	Plant issue fee - Through 12/31/2013	1,370.00	685.00	1,400.00	700.00	350.00	30.00	2%
1511/2511	1.18(a)	41(a)(4)(D)	Reissue issue fee - Through 12/31/2013	1,740.00	870.00	1,780.00	890.00	445.00	40.00	2%
XXXX			Utility issue fee (with Pre-Grant Publication) - NEW Effective 1/1/2014			960.00	480.00	240.00	-1,080.00	-53%
1502/2502	1.18(b)	41(a)(4)(B)	Design issue fee - Effective 1/1/2014			560.00	280.00	140.00	-430.00	-43%
XXXX			Plant issue fee (with Pre-Grant Publication) - NEW Effective 1/1/2014			760.00	380.00	190.00	-910.00	-54%
1511/2511	1.18(a)	41(a)(4)(D)	Reissue issue fee - Effective 1/1/2014			960.00	480.00	240.00	-780.00	-45%
Patent Maintenance Fees										
1551/2551	1.20(e)	41(b)(1)	Due at 3.5 years	1,130.00	565.00	1,600.00	800.00	400.00	470.00	42%
1552/2552	1.20(f)	41(b)(2)	Due at 7.5 years	2,850.00	1,425.00	3,600.00	1,800.00	900.00	750.00	26%
1553/2553	1.20(g)	41(b)(3)	Due at 11.5 years	4,730.00	2,365.00	7,600.00	3,800.00	1,900.00	2,870.00	61%
1554/2554	1.20(h)		Surcharge - 3.5 year - Late payment within 6 months	150.00	75.00	160.00	80.00	40.00	10.00	7%
1555/2555	1.20(h)		Surcharge - 7.5 year - Late payment within 6 months	150.00	75.00	160.00	80.00	40.00	10.00	7%
1556/2556	1.20(h)		Surcharge - 11.5 year - Late payment within 6 months	150.00	75.00	160.00	80.00	40.00	10.00	7%
1557/2557	1.20(i)(1)		Surcharge after expiration - Late payment is unavoidable	700.00		700.00	350.00	175.00	0.00	0%
1558/2558	1.20(i)(2)		Surcharge after expiration - Late payment is unintentional	1,640.00		1,640.00	820.00	410.00	0.00	0%
Patent Appeals Fees										
1405	41.20(a)		Petitions to the Chief Administrative Patent Judge under 37 CFF 41.3	400.00		400.00			0.00	0%
1401/2401	41.20(b)(1)	41(a)(6)(A)	Notice of appeal	620.00	310.00	1,500.00	750.00	375.00	880.00	142%
1402/2402	41.20(b)(2)	41(a)(6)(B)	Filing a brief in support of an appeal	620.00	310.00	0.00	0.00	0.00	-620.00	-100%
XXXX			Filing an Appeal - NEW			2,500.00	1,250.00	625.00	2,500.00	N/A
XXXX			Patent issue fee (with PG Pub) After Examiner Withdrawal fo Final Rejection - NEW			0.00	0.00	0.00	0.00	
1403/2403	41.20(b)(3)	41(a)(6)(B)	Request for oral hearing	1,240.00	620.00	1,300.00	650.00	325.00	60.00	5%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
Post Grant Review Fees										
XXXX			Covered business method patent and post grant review, 20 or fewer claims	35,800.00		35,800.00			0.00	0%
XXXX			Covered business method patent and post grant review, 21 - 30 claims	44,750.00		44,750.00			0.00	0%
XXXX			Covered business method patent and post grant review, 31 - 40 claims	53,700.00		53,700.00			0.00	0%
XXXX			Covered business method patent and post grant review, 41 - 50 claims	71,600.00		71,600.00			0.00	0%
XXXX			Covered business method patent and post grant review, 51 - 60 claims	89,500.00		89,500.00			0.00	0%
XXXX			Covered business method patent and post grant review, 61 - 70 claims	125,300.00		125,300.00			0.00	0%
XXXX			Covered business method patent and post grant review, each additional group of 10 claims	35,800.00		35,800.00			0.00	0%
Re-exam Ex Partes Fees										
1812	1.20(c)(1)		Request for ex parte reexamination	2,520.00		17,760.00	8,880.00	4,440.00	15,240.00	605%
XXXX			Petition in an ex parte or inter partes reexamination proceeding	1,930.00		1,940.00	970.00	485.00	10.00	1%
Excess Claims Fees										
1201/2201	1.16(h)	41(a)(2)(A)	Independent claims in excess of three	250.00	125.00	460.00	230.00	115.00	210.00	84%
1202/2202	1.16(i)	41(a)(2)(B)	Claims in excess of 20	60.00	30.00	100.00	50.00	25.00	40.00	67%
1203/2203	1.16(j)	41(a)(2)(C)	Multiple dependent claim	450.00	225.00	860.00	430.00	215.00	410.00	91%
1204/2204	1.16(h)	41(a)(2)(A)	Reissue independent claims in excess of three	250.00	125.00	460.00	230.00	115.00	210.00	84%
1205/2205	1.16(i)	41(a)(2)(B)	Reissue claims in excess of 20	60.00	30.00	100.00	50.00	25.00	40.00	67%
1614/2614	1.492(d)	41(a)(2)(A)	[PCT National Stage] Claims - extra independent (over three)	250.00	125.00	460.00	230.00	115.00	210.00	84%
1615/2615	1.492(e)	41(a)(2)(B)	[PCT National Stage] Claims - extra total (over 20)	60.00	30.00	100.00	50.00	25.00	40.00	67%
1616/2616	1.492(f)	41(a)(2)(C)	[PCT National Stage] Claims - multiple dependent	450.00	225.00	860.00	430.00	215.00	410.00	91%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
Patent Extension of Time Fees										
1251/2251	1.17(a)(1)	41(a)(8)	Extension for response within first month	150.00	75.00	200.00	100.00	50.00	50.00	33%
1252/2252	1.17(a)(2)	41(a)(8)	Extension for response within second month	560.00	280.00	600.00	300.00	150.00	40.00	7%
1253/2253	1.17(a)(3)	41(a)(8)	Extension for response within third month	1,270.00	635.00	1,400.00	700.00	350.00	130.00	10%
1254/2254	1.17(a)(4)	41(a)(8)	Extension for response within fourth month	1,980.00	990.00	2,200.00	1,100.00	550.00	220.00	11%
1255/2255	1.17(a)(5)	41(a)(8)	Extension for response within fifth month	2,690.00	1,345.00	3,000.00	1,500.00	750.00	310.00	12%
Application Size Fees										
1081/2081	1.16(s)	41(a)(1)(G)	Utility Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	310.00	155.00	400.00	200.00	100.00	90.00	29%
1082/2082	1.16(s)	41(a)(1)(G)	Design Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	310.00	155.00	400.00	200.00	100.00	90.00	29%
1083/2083	1.16(s)	41(a)(1)(G)	Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	310.00	155.00	400.00	200.00	100.00	90.00	29%
1084/2084	1.16(s)	41(a)(1)(G)	Reissue Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	310.00	155.00	400.00	200.00	100.00	90.00	29%
1085/2085	1.16(s)	41(a)(1)(G)	Provisional Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	310.00	155.00	400.00	200.00	100.00	90.00	29%
1681/2681	1.492(j)	41(a)(1)(G)	National Stage Application Size Fee - for each additional 50 sheets that exceeds 100 sheets	310.00	155.00	400.00	200.00	100.00	90.00	29%
Revival Fees										
1452/2452	1.17(l)	41(a)(7)	Petition to revive unavoidably abandoned application	620.00	310.00	640.00	320.00	160.00	20.00	3%
1453/2453	1.17(m)	41(a)(7)	Petition to revive unintentionally abandoned application	1,860.00	930.00	1,900.00	950.00	475.00	40.00	2%
Miscellaneous Patent Fees										
1808	1.17(i)		Processing fee, except in provisional applications	130.00		130.00			0.00	0%
1803	1.17(i)		Request for voluntary publication or republication	130.00		130.00			0.00	0%
1802	1.17(k)		Request for expedited examination of a design application	900.00		900.00	450.00	225.00	0.00	0%
1804	1.17(n)		Request for publication of SIR - Prior to examiner's action	920.00		920.00			0.00	0%
1805	1.17(o)		Request for publication of SIR - After examiner's action	1,840.00		1,840.00			0.00	0%
1806	1.17(p)		Submission of an Information Disclosure Statement	180.00		180.00	90.00	45.00	0.00	0%
1807	1.17(q)		Processing fee for provisional applications	50.00		50.00			0.00	0%
1809/2809	1.17(r)		Filing a submission after final rejection (see 37 CFR 1.129(a))	810.00	405.00	840.00	420.00	210.00	30.00	4%
1810/2810	1.17(s)		For each additional invention to be examined (see 37 CFR 1.129(b))	810.00	405.00	840.00	420.00	210.00	30.00	4%
XXXX			Supplemental Examination Request	5,180.00		7,000.00	3,500.00	1,750.00	1,820.00	35%
XXXX			Supplemental Examination Reexamination	16,120.00		20,000.00	10,000.00	5,000.00	3,880.00	24%
XXXX			Supplemental examination document size fees; 21-50	170.00		180.00	90.00	45.00	10.00	6%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
XXXX			Supplemental examination document size fees; each additional 50 pages	280.00		280.00	140.00	70.00	0.00	0%
XXXX			Derivation proceeding	400.00		400.00	200.00	100.00	0.00	0%
1814/2814	1.20(d)	41(a)(2)(B)	Statutory disclaimer, including terminal disclaimer	160.00	80.00	160.00			0.00	0%
XXXX			File and oath/declaration up to the notice of allowance - NEW	0.00		3,000.00	1,500.00	750.00	3,000.00	
XXXX			Correct inventorship during examination where the oath/declaration was not provided before examination - NEW	0.00		1,700.00	850.00	425.00	1,700.00	
Post Issuance Fees										
1811	1.20(a)		Certificate of correction	100.00		100.00			0.00	0%
1816	1.20(b)		Processing fee for correcting inventorship in a patent	130.00		130.00			0.00	0%
1813	1.20(c)(2)		Request for inter partes reexamination	8,800.00					-8,800.00	-100%
XXXX			Petition for inter partes review, 20 or fewer claims	27,200.00		27,200.00			0.00	0%
XXXX			Petition for inter partes review, 21 - 30 claims	34,000.00		34,000.00			0.00	0%
XXXX			Petition for inter partes review, 31 - 40 claims	40,800.00		40,800.00			0.00	0%
XXXX			Petition for inter partes review, 41 - 50 claims	54,400.00		54,400.00			0.00	0%
XXXX			Petition for inter partes review, 51 - 60 claims	68,000.00		68,000.00			0.00	0%
XXXX			Petition for inter partes review, 61 - 70 claims	95,200.00		95,200.00			0.00	0%
XXXX			Petition for inter partes review, each additional group of 10 claims	27,200.00		27,200.00			0.00	0%
1821/2821	1.20(c)(3)	41(a)(2)(A)	Reexamination independent claims in excess of three and also in excess of the number of such claims in the patent under reexamination	250.00	125.00	460.00	230.00	115.00	210.00	84%
1822/2822	1.20(c)(4)	41(a)(5)	Reexamination claims in excess of 20 and also in excess of the number of claims in the patent under reexamination	60.00	30.00	100.00	50.00	25.00	40.00	67%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
Patent Petition Fees										
1462	1.17(f)		Petitions requiring the petition fee set forth in 37 CFR 1.17(f) (Group I)	400.00		400.00	200.00	100.00	0.00	0%
1463	1.17(g)		Petitions requiring the petition fee set forth in 37 CFR 1.17(g) (Group II)	200.00		200.00	100.00	50.00	0.00	0%
1464	1.17(h)		Petitions requiring the petition fee set forth in 37 CFR 1.17(h) (Group III)	130.00		140.00	70.00	35.00	10.00	8%
1451	1.17(j)		Petition to institute a public use proceeding	1,510.00		1,520.00	760.00	380.00	10.00	1%
1454	1.17(t)		Acceptance of an unintentionally delayed claim for priority, or for filling a request for the restoration of the right of priority	1,410.00		1,420.00	710.00	355.00	10.00	1%
1455	1.18(e)		Filing an application for patent term adjustment	200.00		200.00			0.00	0%
1456	1.18(f)		Request for reinstatement of term reduced	400.00		400.00			0.00	0%
1457	1.20(j)(1)		Extension of term of patent	1,120.00		1,120.00			0.00	0%
1458	1.20(j)(2)		Initial application for interim extension (see 37 CFR 1.790)	420.00		420.00			0.00	0%
1459	1.20(j)(3)		Subsequent application for interim extension (see 37 CFR 1.790)	220.00		220.00			0.00	0%
PCT Fees - National Stage										
1617/2617	1.492(h)		Search fee, examination fee or oath or declaration after thirty months from priority date	130.00	65.00	140.00	70.00	35.00	10.00	8%
1618/2618	1.492(i)		English translation after thirty months from priority date	130.00		140.00	70.00	35.00	10.00	8%
PCT Fees - International Stage										
1601	1.445(a)(1)		Transmittal fee	240.00		240.00	120.00	60.00	0.00	0%
1602	1.445(a)(2)		Search fee - regardless of whether there is a corresponding application (see 35 U.S.C. 361(d) and PCT Rule 16)	2,080.00		2,080.00	1,040.00	520.00	0.00	0%
1604	1.445(a)(3)		Supplemental search fee when required, per additional inventor	2,080.00		2,080.00	1,040.00	520.00	0.00	0%
1605	1.482(a)(1)		Preliminary examination fee - U.S. was the ISA	600.00		600.00	300.00	150.00	0.00	0%
1606	1.482(a)(1)		Preliminary examination fee - U.S. was not the ISA	750.00		760.00	380.00	190.00	10.00	1%
1607	1.482(a)(2)		Supplemental examination fee per additional invention	600.00		600.00	300.00	150.00	0.00	0%
1619			Late payment fee	variable		variable	variable	variable		
1621	1.445(a)(4)		Transmitting application to Intl. Bureau to act as receiving office	240.00		240.00	120.00	60.00	0.00	0%
Patent Service Fees										
8001	1.19(a)(1)		Printed copy of patent w/o color, delivery by USPS, USPTO Box, or electronic means	3.00		3.00			0.00	0%
8003	1.19(a)(2)		Printed copy of plant patent in color	15.00		15.00			0.00	0%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
8004	1.19(a)(3)		Color copy of patent (other than plant patent) or SIR containing a color drawing	25.00		25.00			0.00	0%
8005	1.19(a)(1)		Patent Application Publication (PAP)	3.00		3.00			0.00	0%
8007	1.19(b)(1)(i)(A)		Copy of patent application as filed	20.00		20.00			0.00	0%
8008	1.19(b)(1)(i)(B)		Copy of patent-related file wrapper and contents of 400 or fewer pages, if provided on paper	200.00		200.00			0.00	0%
8009	1.19(b)(1)(i)(C)		Additional fee for each additional 100 pages of patent-related file wrapper and (paper) contents, or portion thereof	40.00		40.00			0.00	0%
8010	1.19(b)(1)(i)(D)		Individual application documents, other than application as filed, per document	25.00		25.00			0.00	0%
8011	1.19(b)(1)(ii)(B)		Copy of patent-related file wrapper and contents if provided electronically or on a physical electronic medium as specified in 1.19(b)(1)(ii)	55.00		55.00			0.00	0%
8012	1.19(b)(1)(ii)(C)		Additional fee for each continuing physical electronic medium in single order of 1.19(b)(1)(ii)(B)	15.00		15.00			0.00	0%
8041	1.19(b)(2)(i)(A)		Copy of patent-related file wrapper contents that were submitted and are stored on compact disk or other electronic form (e.g., compact disks stored in Artifact folder), other than as available in 1.19(b)(1); first physical electronic medium in a single order	55.00		55.00			0.00	0%
8042	1.19(b)(2)(i)(B)		Additional fee for each continuing copy of patent-related file wrapper contents as specified in 1.19(b)(2)(i)(A)	15.00		15.00			0.00	0%
8043	1.19(b)(2)(ii)		Copy of patent-related file wrapper contents that were submitted and are stored on compact disk, or other electronic form, other than as available in 1.19(b)(1); if provided electronically other than on a physical electronic medium, per order	55.00		55.00			0.00	0%
8013	1.19(b)(3)		Copy of office records, except copies of applications as filed	25.00		25.00			0.00	0%
8014	1.19(b)(4)		For assignment records, abstract of title and certification, per patent	25.00		25.00			0.00	0%
8904	1.19(c)		Library service	50.00		50.00			0.00	0%
8015	1.19(d)		List of U.S. patents and SIRs in subclass	3.00		3.00			0.00	0%
8016	1.19(e)		Uncertified statement re status of maintenance fee payments	10.00		10.00			0.00	0%
8017	1.19(f)		Copy of non-U.S. document	25.00		25.00			0.00	0%
8050	1.19(g)		Petitions for documents in form other than that provided by this part, or in form other than that generally provided by Director, to be decided in accordance with merits	AT COST		AT COST				
8020	1.21(e)		International type search report	40.00		40.00			0.00	0%
8902	1.21(g)	41(d)(2)(B)	Self-service copy charge, per page	0.25		0.25			0.00	0%
8021	1.21(h)	41(d)(2)(A)	Recording each patent assignment, agreement or other paper, per property	40.00		40.00			0.00	0%
8022	1.21(i)		Publication in Official Gazette	25.00		25.00			0.00	0%
8023	1.21(j)		Labor charges for services, per hour or fraction thereof	40.00		40.00			0.00	0%
8024	1.21(k)		Unspecified other services, excluding labor	AT COST		AT COST				
8026	1.21(n)		Handling fee for incomplete or improper application	130.00		130.00			0.00	0%
8027	1.296		Handling fee for withdrawal of SIR	130.00		130.00			0.00	0%

TABLE OF PATENT FEE CHANGES

USPTO Patent Fees										
USPTO Large/Small Fee Codes	37 CFR	35 USC	Description	Current (Alternative) Fees		Proposed Fees			Change in Large Entity Fees	
				Large	Small	Large	Small	Micro	Dollar Change	Percent Change
Patent Enrollment Fees										
9001	1.21(a)(1)(i)		Application fee (non-refundable)	40.00		40.00			0.00	0%
9003	1.21(a)(2)		Registration to practice or grant of limited recognition under §11.9(b) or (c)	100.00		100.00			0.00	0%
9004	1.21(a)(9)(ii)		Reinstatement to practice	100.00		100.00			0.00	0%
9005	1.21(a)(4)		Certificate of good standing as an attorney or agent	10.00		10.00			0.00	0%
9006	1.21(a)(4)		Certificate of good standing as an attorney or agent, suitable for framing	20.00		20.00			0.00	0%
9010	1.21(a)(1)(ii)(A)		For test administration by commercial entity	200.00		200.00			0.00	0%
9011	1.21(a)(1)(ii)(B)		For test administration by the USPTO	450.00		450.00			0.00	0%
9012	1.21(a)(5)(i)		Review of decision by the Director of Enrollment and Discipline under §11.2(c)	130.00		130.00			0.00	0%
9013	1.21(a)(5)(ii)		Review of decision of the Director of Enrollment and Discipline under §11.2(d)	130.00		130.00			0.00	0%
9014	1.21(a)(10)		Application fee for person disciplined, convicted of a felony or certain misdemeanors under §11.7(h)	1,600.00		1,600.00			0.00	0%
9015	1.21(a)(7)(i)		Annual fee for registered attorney or agent in active status	118.00		120.00			2.00	2%
9016	1.21(a)(7)(ii)		Annual fee for registered attorney or agent in voluntary inactive status	25.00		25.00			0.00	0%
9017	1.21(a)(7)(iii)		Requesting restoration to active status from voluntary inactive status	50.00		50.00			0.00	0%
9018	1.21(a)(7)(iv)		Balance of annual fee due upon restoration to active status from voluntary inactive status	93.00		100.00			7.00	8%
9019	1.21(a)(8)		Annual fee for individual granted limited recognition	118.00		120.00			2.00	2%
9020	1.21(a)(9)(i)		Delinquency fee for annual fee	50.00		50.00			0.00	0%
9024	1.21(k)		Unspecified other services,excluding labor	AT COST		AT COST				
9025	1.21(a)(2)		Registration to practice for change of practitioner type	100.00		100.00			0.00	0%