

U.S. Patent and Trademark Office, Commerce

§ 1.19

§ 1.53(c)(2)—to convert a nonprovisional application filed under § 1.53(b) to a provisional application under § 1.53(c).

(r) For entry of a submission after final rejection under § 1.129(a):

By a small entity (§ 1.27(a))—\$375.00
By other than a small entity—\$750.00

(s) For each additional invention requested to be examined under § 1.129(b):

By a small entity (§ 1.27(a))—\$375.00
By other than a small entity—\$750.00

(t) For the acceptance of an unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365(a) or (c) (§§ 1.55 and 1.78)—\$1,300.00

[56 FR 65152, Dec. 13, 1991]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 1.17, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: At 68 FR 38626, June 30, 2003, § 1.17 was amended by revising paragraph (h), effective July 30, 2003. For the convenience of the user, the revised text is set forth as follows:

§ 1.17 Patent application and reexamination processing fees.

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(h) For filing a petition under one of the following sections which refers to this paragraph: \$130.00.

- § 1.12—for access to an assignment record.
- § 1.14—for access to an application.
- § 1.47—for filing by other than all the inventors or a person not the inventor.
- § 1.53(e)—to accord a filing date.
- § 1.59—for expungement of information.
- § 1.84—for accepting color drawings or photographs.
- § 1.91—for entry of a model or exhibit.
- § 1.102—to make an application special.
- § 1.103(a)—to suspend action in an application.
- § 1.138(c)—to expressly abandon an application to avoid publication.
- § 1.182—for decision on a question not specifically provided for.
- § 1.183—to suspend the rules.
- § 1.295—for review of refusal to publish a statutory invention registration.
- § 1.313—to withdraw an application from issue.
- § 1.314—to defer issuance of a patent.
- § 1.377—for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.378(e)—for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.644(e)—for petition in an interference.
§ 1.644(f)—for request for reconsideration of a decision on petition in an interference.

§ 1.666(b)—for access to an interference settlement agreement.

§ 1.666(c)—for late filing of interference settlement agreement.

§ 1.741(b)—to accord a filing date to an application under § 1.740 for extension of a patent term.

§ 5.12—for expedited handling of a foreign filing license.

§ 5.15—for changing the scope of a license.

§ 5.25—for retroactive license.

§ 104.3—for waiver of a rule in Part 104 of this title.

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§ 1.18 Patent post allowance (including issue) fees.

(a) Issue fee for issuing each original or reissue patent, except a design or plant patent:

By a small entity (§ 1.27(a))—\$650.00
By other than a small entity—\$1,300.00

(b) Issue fee for issuing a design patent:

By a small entity (§ 1.27(a))—\$235.00
By other than a small entity—\$470.00

(c) Issue fee for issuing a plant patent:

By a small entity (§ 1.27(a))—\$315.00
By other than a small entity—\$630.00

(d)
Publication fee \$300.00.

(e) For filing an application for patent term adjustment under § 1.705: \$200.00.

(f) For filing a request for reinstatement of all or part of the term reduced pursuant to § 1.704(b) in an application for patent term adjustment under § 1.705: \$400.00.

[65 FR 49195, Aug. 11, 2000, as amended at 65 FR 56391, Sept. 18, 2000; 65 FR 57053, Sept. 20, 2000; 65 FR 78960, Dec. 18, 2000; 66 FR 49449, July 31, 2001; 67 FR 70849, Nov. 27, 2002]

§ 1.19 Document supply fees.

The United States Patent and Trademark Office will supply copies of the following documents upon payment of the fees indicated. The copies will be in

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black and white unless the original document is in color, a color copy is requested and the fee for a color copy is paid.

(a) Uncertified copies of patent application publications and patents:

(1) Printed copy of the paper portion of a patent application publication or patent, including a design patent, statutory invention registration, or defensive publication document. Service includes preparation of copies by the Office within two to three business days and delivery by United States Postal Service; and preparation of copies by the Office within one business day of receipt and delivery to an Office Box or by electronic means (e.g., facsimile, electronic mail)—\$3.00.

(2) Printed copy of a plant patent in color: \$15.00.

(3) Color copy of a patent (other than a plant patent) or statutory invention registration containing a color drawing ... \$25.00.

(b) Certified and uncertified copies of Office documents:

(1) Certified or uncertified copy of the paper portion of patent application as filed processed within seven calendar days—\$20.00

(2) Certified or uncertified copy of paper portion of patent-related file wrapper and contents:

(i) File wrapper and paper contents of 400 or fewer pages—\$200.00

(ii) Additional fee for each additional 100 pages or portion thereof—\$40.00

(iii) Additional fee for certification—\$25.00

(3) Certified or uncertified copy on compact disc of patent-related file-wrapper contents that were submitted on compact disc:

(i) First compact disc in a single order—\$55.00

(ii) Each additional compact disc in the single order of paragraph (b)(3)(i) of this section—\$15.00

(4) Certified or uncertified copy of Office records, per document except as

otherwise provided in this section—\$25.00

(5) For assignment records, abstract of title and certification, per patent—\$25.00

(c) Library service (35 U.S.C. 13): For providing to libraries copies of all patents issued annually, per annum—\$50.00

(d) For list of all United States patents and statutory invention registrations in a subclass—\$3.00

(e) Uncertified statement as to status of the payment of maintenance fees due on a patent or expiration of a patent—\$10.00

(f) Uncertified copy of a non-United States patent document, per document—\$25.00

(g)-(h) [Reserved]

[56 FR 65152, Dec. 13, 1991, as amended at 57 FR 38195, Aug. 21, 1992; 58 FR 38723, July 20, 1993; 60 FR 41022, Aug. 11, 1995; 62 FR 40452, July 29, 1997; 64 FR 67486, Dec. 2, 1999; 65 FR 54658, Sept. 8, 2000; 65 FR 57053, Sept. 20, 2000; 67 FR 70849, Nov. 27, 2002]

§ 1.20 Post issuance fees.

(a) For providing a certificate of correction for applicant's mistake:

(§1.323)—\$100.00

(b) Processing fee for correcting inventorship in a patent (§1.324)—\$130.00.

(c) In reexamination proceedings

(1) For filing a request for *ex parte* reexamination (§1.510(a))—\$2,520.00

(2) For filing a request for *inter partes* reexamination (§1.915(a))—\$8,800.00

(d) For filing each statutory disclaimer (§1.321):

By a small entity (§1.27(a)) \$55.00

By other than a small entity \$110.00

(e) For maintaining an original or re-issue patent, except a design or plant patent, based on an application filed on or after December 12, 1980, in force beyond four years; the fee is due by three years and six months after the original grant:

By a small entity (§1.27(a))—\$445.00

By other than a small entity—\$890.00

(f) For maintaining an original or re-issue patent, except a design or plant patent, based on an application filed on or after December 12, 1980, in force beyond eight years; the fee is due by