

§ 1.18

By other than a small entity \$790.00

(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) \$1,370.00

[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.

§ 1.18 Patent post allowance (including issue) fees.

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

By a small entity (§ 1.27(a))—\$700.00.

By other than a small entity—\$1,400.00.

(b) Issue fee for issuing an original design patent:

By a small entity (§ 1.27(a))—\$400.00.

By other than a small entity—\$800.00.

(c) Issue fee for issuing an original plant patent:

By a small entity (§ 1.27(a))—\$550.00.

By other than a small entity—\$1,100.00.

(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; 68 FR 41534, July 14, 2003; 69 FR 52606, Aug. 27, 2004; 70 FR 3888, Jan. 27, 2005]

§ 1.19 Document supply fees.

The United States Patent and Trademark Office will supply copies of the following patent-related documents upon payment of the fees indicated. Paper copies will be in 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) Copies of Office documents to be provided in paper, or in electronic form, as determined by the Director (for other patent-related materials see § 1.21(k)):

(1) Copy of a patent application as filed, or a patent-related file wrapper and contents, stored in paper in a paper file wrapper, in an image format in an image file wrapper, or if color documents, stored in paper in an Artifact Folder:

(i) If provided on paper:

(A) Application as filed: \$20.00.

(B) File wrapper and contents of 400 or fewer pages: \$200.00.

(C) Additional fee for each additional 100 pages or portion thereof of file wrapper and contents: \$40.00.

(D) Individual application documents, other than application as filed, per document: \$25.00.

(ii) If provided on compact disc or other physical electronic medium in a single order:

(A) Application as filed: \$20.00.

(B) File wrapper and contents, first physical electronic medium: \$55.00.

(C) Additional fee for each continuing physical electronic medium in

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the single order of paragraph (b)(1)(ii)(B) of this section: \$15.00.

(iii) If provided electronically (*e.g.*, by electronic transmission) other than on a physical electronic medium as specified in paragraph (b)(1)(ii) of this section:

(A) Application as filed: \$20.00.

(B) File wrapper and contents: \$55.00.

(iv) If provided to a foreign intellectual property office pursuant to a priority document exchange agreement (see §1.14(h)(1)) 0.00.

(2) Copy of patent-related file wrapper contents that were submitted and are stored on compact disc or other electronic form (*e.g.*, compact discs stored in an Artifact Folder), other than as available in paragraph (b)(1) of this section:

(i) If provided on compact disc or other physical electronic medium in a single order:

(A) First physical electronic medium in a single order: \$55.00.

(B) Additional fee for each continuing physical electronic medium in the single order of paragraph (b)(2)(i) of this section: \$15.00.

(ii) If provided electronically other than on a physical electronic medium per order: \$55.00.

(3) Copy of Office records, except copies available under paragraph (b)(1) or (2) of this section: \$25.00.

(4) 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) Petitions for documents in a form other than that provided by this part, or in a form other than that generally provided by the Director, will be decided in accordance with the merits of each situation. Any petition seeking a decision under this section must be accompanied by the petition fee set forth

in §1.17(h) and, if the petition is granted, the documents will be provided at cost.

(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; 69 FR 56537, Sept. 21, 2004; 72 FR 1668, Jan. 16, 2007]

§ 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.

(3) For filing with a request for reexamination or later presentation at any other time of each claim in independent form in excess of 3 and also in excess of the number of claims in independent form in the patent under reexamination:

By a small entity (§1.27(a))—\$100.00.

By other than a small entity—\$200.00.

(4) For filing with a request for reexamination or later presentation at any other time of each claim (whether dependent or independent) in excess of 20 and also in excess of the number of claims in the patent under reexamination (note that §1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes):

By a small entity (§1.27(a))—\$25.00.

By other than a small entity—\$50.00.

(5) If the excess claims fees required by paragraphs (c)(3) and (c)(4) are not paid with the request for reexamination or on later presentation of the claims for which the excess claims fees are due, the fees required by paragraphs (c)(3) and (c)(4) must be paid or the claims canceled by amendment prior to the expiration of the time period set for reply by the Office in any notice of fee deficiency in order to avoid abandonment.

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

By a small entity (§1.27(a))—\$65.00.