

§ 1.20

37 CFR Ch. I (7-1-12 Edition)

(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)) ... \$110.00
By other than a small entity \$220.00

(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)) ... \$26.00
By other than a small entity \$52.00

(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)) ... \$70.00
By other than a small entity \$140.00

(e) For maintaining an original or reissue 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 being due by three years and six months after the original grant:

By a small entity (§ 1.27(a)) ... \$490.00
By other than a small entity \$980.00

(f) For maintaining an original or reissue 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 being due by seven years and six months after the original grant:

By a small entity
(§ 1.27(a)) \$1,240.00
By other than a small entity \$2,480.00

(g) For maintaining an original or reissue patent, except a design or plant patent, based on an application filed on or after December 12, 1980, in force beyond twelve years, the fee being due by eleven years and six months after the original grant:

By a small entity
(§ 1.27(a)) \$2,055.00
By other than a small entity \$4,110.00

(h) Surcharge for paying a maintenance fee during the six-month grace period following the expiration of three years and six months, seven years and six months and eleven years and six

U.S. Patent and Trademark Office, Commerce

§ 1.21

months after the date of the original grant of a patent based on an application filed on or after December 12, 1980:

By a small entity (§1.27(a)) \$65.00
By other than a small entity \$130.00

(i) Surcharge for accepting a maintenance fee after expiration of a patent for non-timely payment of a maintenance fee where the delay in payment is shown to the satisfaction of the Director to have been—

- (1) Unavoidable—\$700.00
- (2) Unintentional—\$1,640.00

(j) For filing an application for extension of the term of a patent (§1.740)—\$1,060.00

- (1) Application for extension under §1.740—\$1,120.00
- (2) Initial application for interim extension under §1.790—\$420.00
- (3) Subsequent application for interim extension under §1.790—\$220.00

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §1.20, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

§ 1.21 Miscellaneous fees and charges.

The Patent and Trademark Office has established the following fees for the services indicated:

(a) Registration of attorneys and agents:

(1) For admission to examination for registration to practice:

- (i) Application Fee (non-refundable)—\$40.00
- (ii) Registration examination fee
- (A) For test administration by commercial entity—\$200.00
- (B) For test administration by the USPTO—\$450.00

(2) On registration to practice or grant of limited recognition under §11.9(b) or (c)—\$100.00

- (3) [Reserved]
- (4) For certificate of good standing as an attorney or agent—\$10.00
- (i) Suitable for framing—\$20.00
- (ii) [Reserved]

(5) For review of decision:

- (i) By the Director of Enrollment and Discipline under § 11.2(c)—\$130.00
- (ii) Of the Director of Enrollment and Discipline under § 11.2(d)—\$130.00
- (6) [Reserved]

(7) Annual practitioner maintenance fee for registered attorney or agent.

- (i) Active Status—\$118.00.
- (ii) Voluntary Inactive Status—\$25.00.
- (iii) Fee for requesting restoration to active status from voluntary inactive status—\$50.00.

(iv) Balance due upon restoration to active status from voluntary inactive status—\$93.00.

(8) Annual practitioner maintenance fee for individual granted limited recognition—\$118.00.

- (9)(i) Delinquency fee—\$50.00.
- (ii) Administrative reinstatement fee—\$100.00.

(10) On application by a person for recognition or registration after disbarment or suspension on ethical grounds, or resignation pending disciplinary proceedings in any other jurisdiction; on application by a person for recognition or registration who is asserting rehabilitation from prior conduct that resulted in an adverse decision in the Office regarding the person's moral character; and on application by a person for recognition or registration after being convicted of a felony or crime involving moral turpitude or breach of fiduciary duty; on petition for reinstatement by a person excluded or suspended on ethical grounds, or excluded on consent from practice before the Office.—\$1,600.00

(b) Deposit accounts:

- (1) For establishing a deposit account—\$10.00
- (2) Service charge for each month when the balance at the end of the month is below \$1,000—\$25.00
- (3) Service charge for each month when the balance at the end of the month is below \$300 for restricted subscription deposit accounts used exclusively for subscription order of patent copies as issued—\$25.00

- (c) [Reserved]
- (d) Delivery box: Local delivery box rental, per annum—\$50.00
- (e) International type search reports: For preparing an international type search report of an international type search made at the time of the first action on the merits in a national patent application—\$40.00

- (f) [Reserved]