

U.S. Patent and Trademark Office, Commerce

§ 1.16

international design application may be made available under paragraph (j)(1) of this section where contained in the file of the international design application maintained by the Office for national processing. Also, if benefit of the international design application is claimed under 35 U.S.C. 386(c) in a U.S. patent or published application, the file contents of the application may be made available to the public, or the file contents of the application, a copy of the application-as-filed, or a specific document in the file of the application may be provided to any person upon written request and payment of the appropriate fee (§ 1.19(b)).

[68 FR 38624, June 30, 2003, as amended at 68 FR 59886, Oct. 20, 2003; 68 FR 67805, Dec. 4, 2003; 68 FR 71006, Dec. 22, 2003; 69 FR 49997, Aug. 12, 2004; 69 FR 56536, Sept. 21, 2004; 72 FR 1667, Jan. 16, 2007; 77 FR 48812, Aug. 14, 2012; 78 FR 11052, Feb. 14, 2013; 80 FR 17953, Apr. 2, 2015]

§ 1.15 [Reserved]

FEEES AND PAYMENT OF MONEY

AUTHORITY: Sections 1.16 through 1.22 also issued under 35 U.S.C. 41, 111, 119, 120, 132(b), 156, 157, 255, 302, and 311, Public Laws 103-465, 106-113, and 112-29.

§ 1.16 National application filing, search, and examination fees.

(a) Basic fee for filing each application under 35 U.S.C. 111 for an original patent, except design, plant, or provisional applications:

By a micro entity (§1.29)	\$70.00
By a small entity (§1.27(a)) ...	140.00
By a small entity (§1.27(a)) if the application is submitted in compliance with the Office electronic filing system (§1.27(b)(2))	70.00
By other than a small or micro entity	280.00

(b) Basic fee for filing each application under 35 U.S.C. 111 for an original design patent:

By a micro entity (§1.29)	\$45.00
By a small entity (§1.27(a)) ...	90.00
By other than a small or micro entity	180.00

(c) Basic fee for filing each application for an original plant patent:

By a micro entity (§1.29)	\$45.00
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By a small entity (§1.27(a)) ...	90.00
By other than a small or micro entity	180.00

(d) Basic fee for filing each provisional application:

By a micro entity (§1.29)	\$65.00
By a small entity (§1.27(a)) ...	130.00
By other than a small or micro entity	260.00

(e) Basic fee for filing each application for the reissue of a patent:

By a micro entity (§1.29)	\$70.00
By a small entity (§1.27(a)) ...	140.00
By other than a small or micro entity	280.00

(f) Surcharge for filing the basic filing fee, search fee, examination fee, or inventor's oath or declaration on a date later than the filing date of the application, an application that does not contain at least one claim on the filing date of the application, or an application filed by reference to a previously filed application under §1.57(a), except provisional applications:

By a micro entity (§1.29)	\$35.00
By a small entity (§1.27(a)) ...	70.00
By other than a small or micro entity	140.00

(g) Surcharge for filing the basic filing fee or cover sheet (§1.51(c)(1)) on a date later than the filing date of the provisional application:

By a micro entity (§1.29)	\$15.00
By a small entity (§1.27(a)) ...	30.00
By other than a small or micro entity	60.00

(h) In addition to the basic filing fee in an application, other than a provisional application, for filing or later presentation at any other time of each claim in independent form in excess of 3:

By a micro entity (§1.29)	\$105.00
By a small entity (§1.27(a)) ...	210.00
By other than a small or micro entity	420.00

(i) In addition to the basic filing fee in an application, other than a provisional application, for filing or later presentation at any other time of each claim (whether dependent or independent) in excess of 20 (note that

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§ 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes):

By a micro entity (§ 1.29)	\$20.00
By a small entity (§ 1.27(a)) ...	40.00
By other than a small or micro entity	80.00

(j) In addition to the basic filing fee in an application, other than a provisional application, that contains, or is amended to contain, a multiple dependent claim, per application:

By a micro entity (§ 1.29)	\$195.00
By a small entity (§ 1.27(a)) ...	390.00
By other than a small or micro entity	780.00

(k) Search fee for each application filed under 35 U.S.C. 111 for an original patent, except design, plant, or provisional applications:

By a micro entity (§ 1.29)	\$150.00
By a small entity (§ 1.27(a)) ...	300.00
By other than a small or micro entity	600.00

(l) Search fee for each application under 35 U.S.C. 111 for an original design patent:

By a micro entity (§ 1.29)	\$30.00
By a small entity (§ 1.27(a)) ...	60.00
By other than a small or micro entity	120.00

(m) Search fee for each application for an original plant patent:

By a micro entity (§ 1.29)	\$95.00
By a small entity (§ 1.27(a)) ...	190.00
By other than a small or micro entity	380.00

(n) Search fee for each application for the reissue of a patent:

By a micro entity (§ 1.29)	\$150.00
By a small entity (§ 1.27(a)) ...	300.00
By other than a small or micro entity	600.00

(o) Examination fee for each application filed under 35 U.S.C. 111 for an original patent, except design, plant, or provisional applications:

By a micro entity (§ 1.29)	\$180.00
By a small entity (§ 1.27(a)) ...	360.00
By other than a small or micro entity	720.00

(p) Examination fee for each application under 35 U.S.C. 111 for an original design patent:

By a micro entity (§ 1.29)	\$115.00
By a small entity (§ 1.27(a)) ...	230.00
By other than a small or micro entity	460.00

(q) Examination fee for each application for an original plant patent:

By a micro entity (§ 1.29)	\$145.00
By a small entity (§ 1.27(a)) ...	290.00
By other than a small or micro entity	580.00

(r) Examination fee for each application for the reissue of a patent:

By a micro entity (§ 1.29)	\$540.00
By a small entity (§ 1.27(a)) ...	1,080.00
By other than a small or micro entity	2,160.00

(s) Application size fee for any application filed under 35 U.S.C. 111 for the specification and drawings which exceed 100 sheets of paper, for each additional 50 sheets or fraction thereof:

By a micro entity (§ 1.29)	\$100.00
By a small entity (§ 1.27(a)) ...	200.00
By other than a small or micro entity	400.00

(t) Non-electronic filing fee for any application under 35 U.S.C. 111(a) that is filed on or after November 15, 2011, other than by the Office electronic filing system, except for a reissue, design, or plant application:

By a small entity (§ 1.27(a)) ...	\$200.00
By other than a small entity	\$400.00

NOTE TO § 1.16: See §§ 1.445, 1.482 and 1.492 for international application filing and processing fees.

[70 FR 3887, Jan. 27, 2005, as amended at 70 FR 30365, May 26, 2005; 72 FR 46901, Aug. 22, 2007; 73 FR 47540, Aug. 14, 2008; 76 FR 70653, Nov. 15, 2011; 77 FR 48812, Aug. 14, 2012; 77 FR 54365, Sept. 5, 2012; 78 FR 4284, Jan. 18, 2013; 78 FR 62395, Oct. 21, 2013; 80 FR 17954, Apr. 2, 2015]

§ 1.17 Patent application and reexamination processing fees.

(a) Extension fees pursuant to § 1.136(a):

(1) For reply within first month:

By a micro entity (§ 1.29)	\$50.00
By a small entity (§ 1.27(a)) ..	\$100.00
By other than a small or micro entity	\$200.00

(2) For reply within second month: