

USPTO Extends Certain Deadlines in Response to COVID-19 Pandemic

April 2, 2020

On March 31, 2020, the US Patent and Trademark Office (USPTO) [issued an alert](#) indicating that it had exercised its temporary authority under the recently signed Coronavirus Aid, Relief, and Economic Security Act (CARES Act) by announcing the availability of extensions of time to file certain patent- and trademark-related documents and to pay certain required fees. The alert also reminds stakeholders that, while the USPTO remains open for all patent and trademark business, all in-person meetings will be conducted virtually by phone and/or video until further notice.

Information regarding [patent-related extensions](#) is provided in a notice of waiver, as is information regarding [trademark-related extensions](#). Both notices indicate that the USPTO is extending the time to file certain documents or pay certain fees in situations where stakeholders are unable to meet near-term deadlines due to the COVID-19 pandemic.

The notices enumerate specific types of deadlines in patent and trademark proceedings that may be eligible for a 30-day extension. To qualify for an extension, the relevant patent or trademark deadline must fall between March 27, 2020, and April 30, 2020 (inclusive), and the filing or payment must be accompanied by a statement indicating that the delay was due to the COVID-19 outbreak, as specifically defined in the notices.

The patent notice also provides additional relief for specific Patent Trial and Appeal Board (PTAB) matters with deadlines falling between March 27, 2020, and April 30, 2020 (inclusive), and stakeholders are advised to reach out to the PTAB or the Trademark Trial and Appeal Board (TTAB) regarding other extensions or reopening of time that may be necessary.

Cooley's patent and trademark practitioners continue to work remotely, and our intention is to meet deadlines as originally scheduled in most cases. In light of the widespread impacts surrounding the COVID-19 situation, we understand that there may be circumstances where we, or our clients, cannot meet these deadlines. In such cases, we will take advantage of these newly announced patent and trademark extensions where available.

[Coronavirus resource hub](#)

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as "Cooley"). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. This content may be considered **Attorney Advertising** and is subject to our [legal notices](#).

Key Contacts

Christina Stock Boston	cstock@cooley.com +1 617 937 2383
Susan Piascik Christoff Washington, DC	schristoff@cooley.com +1 202 842 7854
John Paul Oleksiuk New York	jpo@cooley.com +1 212 479 6363

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.