

§ 1.18

37 CFR Ch. I (7–1–99 Edition)

(q) For filing a petition to the Commissioner under a section listed below which refers to this paragraph—\$50.00.

§ 1.41—To supply the name or names of the inventor or inventors after the filing date without a cover sheet as prescribed by § 1.51(c)(1) in a provisional application.

§ 1.48—For correction of inventorship in a provisional application.

§ 1.53—To accord a provisional application a filing date or 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 (§ 1.9(f))—\$380.00

By other than a small entity—\$760.00

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

By a small entity (§ 1.9(f))—\$380.00

By other than a small entity—\$760.00

[56 FR 65152, Dec. 13, 1991, as amended at 57 FR 2033, Jan 17, 1992; 57 FR 32439, July 22, 1992; 58 FR 38723, July 20, 1993; 58 FR 45841, Aug. 31, 1993; 59 FR 43740, Aug. 25, 1994; 60 FR 20221, Apr. 25, 1995; 60 FR 41022, Aug. 11, 1995; 61 FR 39587, July 30, 1996; 62 FR 40452, July 29, 1997; 62 FR 53182, Oct. 10, 1997; 62 FR 61235, Nov. 17, 1997; 63 FR 67580, Dec. 8, 1998]

§ 1.18 Patent issue fees.

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

By a small entity (§ 1.9(f))—\$605.00

By other than a small entity—\$1,210.00

(b) Issue fee for issuing a design patent:

By a small entity (§ 1.9(f))—\$215.00

By other than a small entity—\$430.00

(c) Issue fee for issuing a plant patent:

By a small entity (§ 1.9(f))—\$290.00

By other than a small entity—\$580.00

[63 FR 67580, Dec. 8, 1998]

§ 1.19 Document supply fees.

The Patent and Trademark Office will supply copies of the following documents upon payment of the fees indicated:

(a) Uncertified copies of patents:

(1) Printed copy of a patent, including a design patent, statutory invention registration, or defensive publication document, except patent or statutory invention registration containing color drawing:

(i) Regular service—\$3.00

(ii) Overnight delivery to PTO Box or overnight fax—\$6.00

(iii) Expedited service for copy ordered by expedited mail or fax delivery service and delivered to the customer within two workdays—\$25.00

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

(3) Copy of a utility patent or statutory invention registration containing color drawing (see § 1.84(a)(2))—\$25.00

(b) Certified and uncertified copies of Office documents:

(1) Certified or uncertified copy of patent application as filed

(i) Regular service—\$15.00

(ii) Expedited regular service—\$30.00

(2) Certified or uncertified copy of patent-related file wrapper and contents—\$150.00

(3) Certified or uncertified copies of Office records, per document except as otherwise provided in 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) To compare and certify copies made from Patent and Trademark Office records, but not prepared by the Patent and Trademark Office, per copy of document—\$25.00

(h) Additional filing receipts; duplicate; or corrected due to applicant error—\$25.00

[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]

§ 1.20 Post issuance fees.

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

(§ 1.323)—\$100.00

(b) Petition for correction of inventorship in patent (§ 1.324)—\$130.00

(c) For filing a request for reexamination (§ 1.510(a))—\$2,520.00

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

By a small entity (§ 1.9(f))—\$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 (§ 1.9(f))—\$470.00

By other than a small entity—\$940.00

(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 seven years and six months after the original grant:

By a small entity (§ 1.9(f))—\$950.00

By other than a small entity—\$1,900.00

(g) 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 twelve years; the fee is due by eleven years and six months after the original grant:

By a small entity (§ 1.9(f))—\$1,455.00

By other than a small entity—\$2,910.00

(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 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 (§ 1.9(f))—\$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 Commissioner 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

[56 FR 65153, Dec. 13, 1991, as amended at 57 FR 38195, Aug. 21, 1992; 57 FR 56450, Nov. 30, 1992; 58 FR 44280, Aug. 20, 1993; 60 FR 41022, Aug. 11, 1995; 61 FR 39588, July 30, 1996; 62 FR 40453, July 29, 1997; 63 FR 67580, Dec. 8, 1998]

§ 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—\$310.00

(2) On registration to practice—\$100.00

(3) For reinstatement to practice—\$40.00

(4) For certificate of good standing as an attorney or agent—\$10.00

Suitable for framing—\$20.00

(5) For review of a decision of the Director of Enrollment and Discipline under § 10.2(c)—\$130.00

(6) For requesting regrading of an examination under § 10.7(c):

(i) Regrading of morning section (PTO Practice and Procedure)—\$230.00

(ii) Regrading of afternoon section (Claim Drafting)—\$230.00

(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) Disclosure document: For filing a disclosure document—\$10.00

(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