

Resources for Inventors and Entrepreneurs

**Collaborative Workshop Series,
Rhode Island Small Business Development Center
February 8, 2021**

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UNITED STATES
PATENT AND TRADEMARK OFFICE



Notice

This content is for informational purposes only and is not legal advice. Please consult with appropriate sources for legal authority and guidance on these matters.

The USPTO is America's innovation agency

Committed to:

- Fostering innovation and economic growth
- Creating a reliable, predictable, and high-quality IP system



Historical foundation of intellectual property

- Intellectual property (IP) is deeply rooted in our nation's history.
 - U.S. constitution Article 1, Section 8, Clause 8:
"The Congress shall have Power ... to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries ... "



What is a patent?

The right to **exclude others** from:

- making, using, selling, offering for sale, or importing the claimed invention
- Limited term
- Territorial: A U.S. patent provides protection only in the United States
 - No worldwide patents



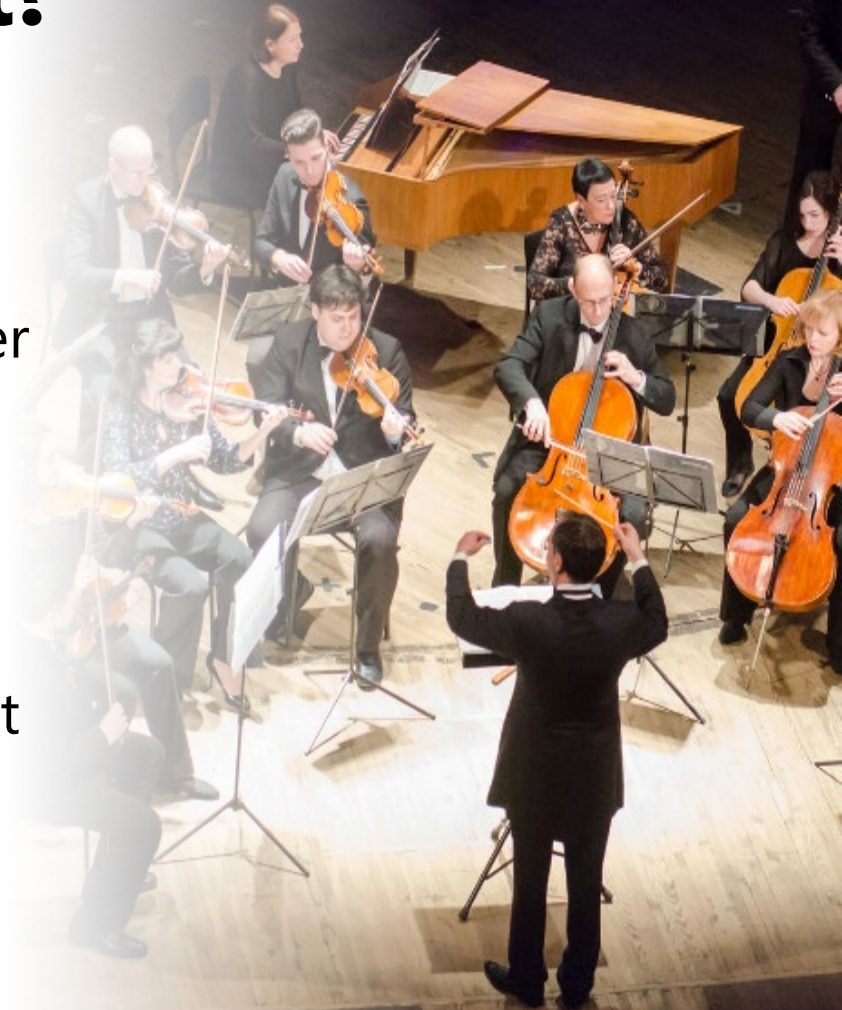
What is a trademark?

- Key Purposes:
 - Allow consumers to identify the source or producer of different products and services – helps their buying decisions
 - Encourage trademark owners to provide goods and services of consistent quality and to build goodwill in the trademark



What is a copyright?

- Protects “original works of authorship” including literary, dramatic, musical, artistic and other works fixed in a tangible medium
- Library of Congress administers registration; USPTO advises the Executive branch on intellectual property issues including copyright
- © symbol can be used without registration



What is a trade secret?

- Any information that derives economic value from not being generally known or ascertainable
- Can be formulas, patterns, compilations, programs, devices, methods, techniques or processes
- Protection stems from common law dating to the 1800's
- All states have some sort of trade secret protection
- Most laws based on the Uniform Trade Secrets Act



USPTO resources

www.uspto.gov

The screenshot shows the USPTO website homepage. At the top left is the 'uspto' logo and 'UNITED STATES PATENT AND TRADEMARK OFFICE'. To the right are links for 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO', along with a search bar for 'Search uspto.gov'. Below the header is a navigation menu with 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources'. The main content area features a large image of a woman in a pink top standing between two anatomical models, with the text 'Cultivating curiosity' and a link to 'Words of wisdom from a woman in STEM on how to encourage young innovators. FULL STORY>'. To the right is a 'Find It Fast' section with 'Quick links to applications and tools' and buttons for 'Patents' and 'Trademarks'. Below that is a 'New to IP?' section with a question mark icon and links for 'Patent basics >', 'Trademark basics >', and 'Find help in your area >'. At the bottom is a dark blue bar with links for 'COVID-19 Response Resource Center', 'Expanding innovation', 'Artificial intelligence', and 'USPTO in your region'.

Entrance into education for inventors, entrepreneurs, start-ups, kids, and teachers.

Inspiring stories of invention and innovation.

Easy access to COVID-19 relief and support

Find direct resources in your geographic location.

Includes demystifying the patent system toolkit.



Expanding Innovation Hub



"To maintain our technological leadership, the United States must seek to broaden our intellectual property ecosystem demographically, geographically, and economically." — USPTO Director Andrei Iancu



Demystifying the patent system

Explore our educational tools for understanding the patent system and leveraging intellectual property

> [View toolkit](#)



Mentoring programs

Discover how to make crucial connections for the next generation of innovators in your organization

> [Create a mentoring program](#)



Community groups

Learn about community groups and find out how to start and maintain one within your organization



> [Community group resources](#)




Visit <https://www.uspto.gov/initiatives/expanding-innovation>.





Find help in your area



 USPTO office location
 USPTO headquarters

 West Coast region
 Rocky Mountain region
 Texas region

 Midwest region
 East Coast region

USPTO offices:

Headquarters:

- Alexandria, VA

Regional offices:

- Detroit
- Denver
- Silicon Valley
- Dallas

Additional resources:

- Inventors Assistance Center
- Patent Pro Bono Program
- Law school clinics
- Patent and Trademark Resource Centers

[uspto.gov](https://www.uspto.gov)

Finding help in your area

The screenshot shows the USPTO website interface. At the top left is the USPTO logo and the text 'UNITED STATES PATENT AND TRADEMARK OFFICE'. To the right are links for 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO'. A search bar with the placeholder 'Search uspto.gov' and a magnifying glass icon is also present. Below the header is a navigation bar with tabs for 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources', along with a 'Find It Fast' button. The breadcrumb trail reads 'Home > Learning and Resources > Patents help > Inventor's Assistance by state > District of Columbia'. There are 'Share' and 'Print' icons. The main content area features a 'Main menu' on the left with links to 'Patents', 'Trademarks', 'IP Policy', 'Learning and Resources', 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO'. The main heading is 'District of Columbia'. The text below the heading states: 'District of Columbia residents have access to a host of unique resources and assistance in their state. Expand the categories below to see what is available to you. Additionally, our [USPTO headquarters](#) provides additional support and resources for customers in the Eastern region of the United States.' Below this is an 'Expand all | Collapse all' link. A list of resources is shown in a light gray box with expandable items: '> Get free patent and trademark legal assistance', '> Learn to search for inventions and trademarks at PTRCs', '> Attend inventor and entrepreneur workshops, trainings, and other events in your region', '> Find a registered patent attorney or agent in the District of Columbia', and '> Network with inventor and entrepreneur organizations in your area'. At the bottom, there is a contact prompt: 'Do you have suggestions for resources to include on this page? Please contact InnovationDevelopment@uspto.gov .

Inventor and entrepreneur resources

The screenshot shows the USPTO website's 'Inventor and entrepreneur resources' page. At the top left is the 'uspto' logo and 'UNITED STATES PATENT AND TRADEMARK OFFICE'. To the right are links for 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO', along with a search bar containing 'Search uspto.gov'. Below this is a navigation bar with tabs for 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources', and a 'Find It Fast' button. A breadcrumb trail reads 'Home > Learning and Resources > Inventor and entrepreneur resources', with 'Share' and 'Print' icons to the right. The main heading is 'Inventor and entrepreneur resources'. Below the heading is a collage of five diverse individuals' faces overlaid on technical drawings and patent diagrams. A welcome message follows: 'Welcome to the USPTO's hub for resources and information for inventors, entrepreneurs, and small businesses. This page provides you centralized access to a variety of products and services available from the USPTO and encourages active participation in the innovation ecosystem.' At the bottom, four icons represent 'Patents' (lightbulb), 'Trademarks' (TM symbol), 'Assess your IP' (factory), and 'Protect yourself' (warning triangle).

uspto UNITED STATES PATENT AND TRADEMARK OFFICE

About Us | Jobs | Contact Us | MyUSPTO

Search uspto.gov

Patents Trademarks IP Policy Learning and Resources Find It Fast

Home > Learning and Resources > Inventor and entrepreneur resources Share | Print

Inventor and entrepreneur resources

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Patents Trademarks Assess your IP Protect yourself



Startup Resources

Many startup businesses face unique IP-related challenges, such as IP portfolio prerequisites to secure funding, and the possibility of costly patent infringement demand letters and lawsuits. We have tailored this area of our website to suit the specific needs of startup businesses, a segment of our stakeholders that continues to be recognized as an outsized engine of job creation, economic growth, and unparalleled innovation in the United States.

This portal is part of our [Startup Partnership Initiative](#)—putting key resources and critical information for startups in a single place so it's easier to find what you may need when you need it.

Patents for Startups

The patent process can be challenging if you are not familiar with it. Here is basic information on the patent process.

- [Patent Process Overview](#)
- [Inventors Assistance Center](#)
- [Patent FAQs](#)
- [Patent Homepage](#)
- [Search for Patents](#)
- [Official Gazette for Patents](#)

Trademarks for Startups

The trademark process can be confusing for a beginner, so here is basic information on registering a trademark.

- [Trademark Basics](#)
- [Search for Trademarks](#)
- [Filing online](#)
- [Trademark Homepage](#)

Startup Assistance

The Inventors Assistance Center and Trademark Assistance Center provide information and services to the public. Center staff can answer questions on patent and trademark processes, but cannot provide specific legal advice.

- [Inventors Assistance Center](#)
- [Trademark Assistance Center](#)
- [Patents Ombudsman Program](#)
- [BusinessUSA \(link is external\)](#)

Current Events

Information about conferences, conventions and other opportunities to engage.

- [Upcoming Events](#)
- [Inventors Eye | Events & Announcements](#)

www.uspto.gov/startups

USPTOvideo Library

YouTube

Search

uspto

USPTOvideo
13.4K subscribers

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uspto.gov

USPTO Subscription Center

12 available subscriptions

- Patent Alerts
- Trademark Alerts
- Copyright Alerts
- Patent Trial and Appeal Board
- USPTO Regional Office Updates
- USPTO Press Releases
- USPTO Director's Forum Blog
- USPTO Monthly Review
- FYI at the USPTO
- Inventors Eye
- Intellectual Property for K-12 Educators
- USPTO Awards

Patent Alert



USPTO announces COVID-19 Prioritized Examination Pilot Program for small and micro entities

The United States Patent and Trademark Office (USPTO) today announced a new COVID-19 Prioritized Examination Pilot Program.

Under this new pilot program, the USPTO will grant requests for prioritized examination to applicants that qualify for small or micro entity status without payment of the typical fees associated with other prioritized examination. In addition, the USPTO will endeavor to reach final disposition of applications in this program within six months if applicants respond promptly to communications from the USPTO.

[Read the full press release](#) on the USPTO website.

USPTO Events Webpage

The screenshot shows the USPTO Events webpage. At the top, there is a navigation bar with the USPTO logo and the text "UNITED STATES PATENT AND TRADEMARK OFFICE". To the right of the logo is a search bar with the text "Search uspto.gov" and a magnifying glass icon. Below the navigation bar are tabs for "Patents", "Trademarks", "IP Policy", and "Learning and Resources". A "Find It Fast" button is located to the right of these tabs. Below the tabs is a breadcrumb trail: "Home > About Us > Events".

The main content area is titled "Events". Below the title, there is a sub-header: "You are currently viewing events in all locations. View only events from:". Below this sub-header are two rows of filters. The first row has a button for "USPTO headquarters". The second row has buttons for "Eastern region", "Midwest region", "Rocky Mountain region", "Texas region", and "West Coast region". To the right of these filters is a "Timeframe" dropdown menu set to "Future Events".

On the left side of the main content area, there are two vertical lists. The first list is titled "All Topics" and has 57 items. The items are: "Patents" (9), "Trademarks" (3), "General" (4), and "Technical" (0). The second list is titled "All Event Types" and has 57 items. The items are: "Public Events" (55), "Changes to Law and Policy" (1), "Guidance / Training" (24), "Student / Parent / Teacher Programming" (0), and "International Initiatives" (1).

The main content area displays a table of events for May 2020. The table has columns for the date, the event title, the location, and the time. The events are:

May		2020	
12	Agents and attorneys: Learn to think like an examiner (STEPP) 3-day course - POSTPONED	Boston, MA US	8:30 AM ET
14	Learn to argue before PTAB	Virtual	12:00 AM ET
14	Small business owners: Learn to contract with the USPTO - POSTPONED	Fort Belvoir, VA US	9:00 AM ET
14	Attend Patent Center and DOCK filing training		1:00 PM ET
15	Learn how to draft patent claims - virtual only	San Jose, CA US	10:00 AM PT
15	Learn how to draft patent claims - teleconference only	Virtual and Denver, CO US	11:00 AM MT

Learn how to draft patent claims - virtual only

Claim drafting may be the most important part of protecting your invention. Learn the basics of claim drafting from USPTO experts in this interactive workshop. You will develop a better appreciation of how a patent examiner views a claim during the course of examination. This event is free and open to the public, so [register early](#).

The May 15 session will be offered virtually via WebEx for those that have registered for the class.

To get the most out of this workshop, you should have an intermediate knowledge of the intellectual property system and of patents specifically. We recommend that you complete the previous sessions, "Learn the basics of intellectual property with a focus on patents" and "Learn how to draft your patent application" before attending.

Please note that the Silicon Valley USPTO is a federal facility. **Attendees are required to present a valid form of government-issued identification (driver license or passport)** and may be subject to screening to gain access.

This event is accessible to individuals with disabilities. To request a reasonable accommodation, including captioning, sign language interpreting, or other, please email siliconvalley@uspto.gov or call 408-918-9900.

[Register today](#)



Helpful



Not Helpful



Share



Print

Inventors Assistance Center (IAC)

The Inventors Assistance Center (IAC) provides patent information and services to the public. The IAC is staffed by former supervisory patent examiners and experienced former primary examiners who answer general questions concerning patent examining policy and procedure.

Monday – Friday,
8:30 a.m. – 8 p.m. ET,
except federal holidays

- 800-PTO-9199
(800-786-9199)
- 571-272-1000

**TTY customers can dial
800-877-8339 for
customer assistance**



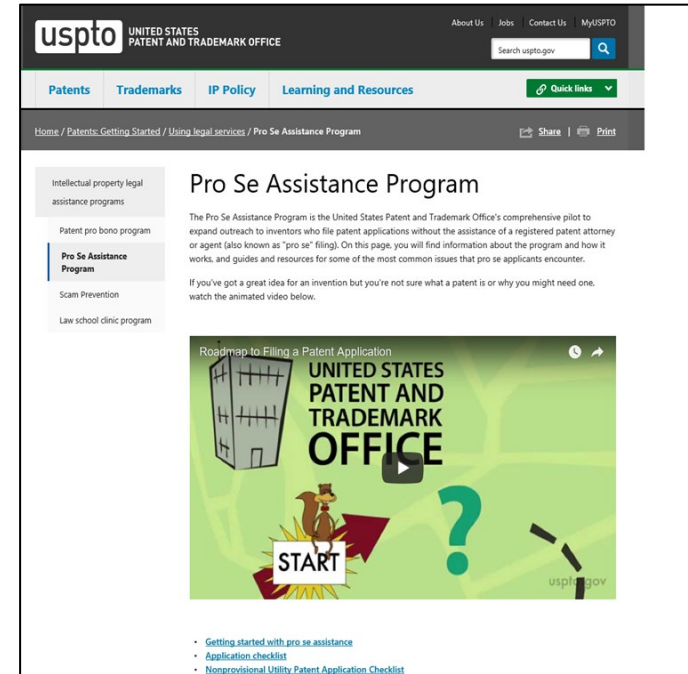
Trademark Assistance Center (TAC)

- Provides general information about the registration process
- Responds to status inquiries
- Hours of Operation
 - 8:30 a.m. – 8 p.m. (ET), Monday through Friday
- Phone
 - (571) 272-9250 or (800) 786-9199
- Email
 - TrademarkAssistanceCenter@uspto.gov
- Webpage: www.uspto.gov/TrademarkAssistance



Pro Se Assistance Program

- Hours of Operation
 - 8:30 a.m. – 5 p.m. (ET),
Monday through Friday
- Email
 - innovationdevelopment@uspto.gov
- Phone
 - (866) 757-3848
 - Webpage
www.uspto.gov/ProSePatents



The screenshot shows the USPTO website's Pro Se Assistance Program page. The header includes the USPTO logo and navigation links for Patents, Trademarks, IP Policy, and Learning and Resources. The main content area features a sidebar with links to various intellectual property legal assistance programs, including the Pro Se Assistance Program. The main text explains that the Pro Se Assistance Program is a pilot program designed to help inventors file patent applications without the assistance of a registered patent attorney or agent. It provides information on how the program works, common issues, and guides. A video titled "Roadmap to Filing a Patent Application" is featured, showing a cartoon squirrel character and a large question mark, with a "START" button and a red arrow pointing towards the question mark. Below the video, there are links to "Getting started with pro se assistance", "Application checklist", and "Nonprovisional Utility Patent Application Checklist".

USPTO Patent Pro Bono Program

A nationwide network that assists financially under-resourced independent inventors and small businesses

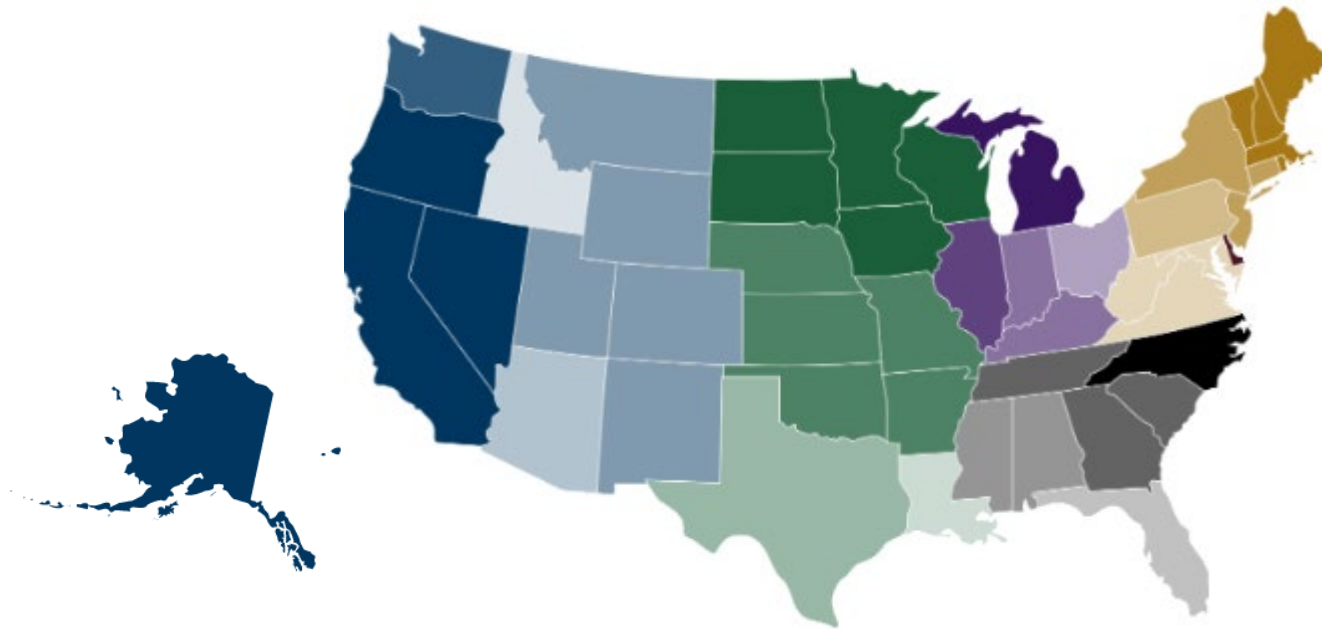
- Program participants must have income 300% below federal poverty guidelines



For more information, visit www.uspto.gov/probonopatents.



Pro Bono Program organizations



- | | | |
|--------------------------------------|--------------------------------------|------------------------------|
| ■ Washington Pro Bono Patent Network | ■ Gateway Venture Mentoring Service | ■ New York Tri State Program |
| ■ Idaho Patent Pro Bono | ■ TALA | ■ Delaware Program |
| ■ CLA | ■ The Ella Project | ■ FCBA (Mid-Atlantic) |
| ■ ProBoPat | ■ Chicago-Kent Patent Hub | ■ PA Patent |
| ■ Arizona Public Patent Program | ■ PatentConnect for Hoosiers (IN KY) | ■ NC Leap |
| ■ LegalCorps (MN) | ■ Ohio Invents | ■ Georgia Patents |
| ■ Pro Bono Patent Project (MI) | ■ BBVLP Patent Program (MS AL) | ■ Patent Pro Bono FL |
| | ■ New England Program | |



Law school clinics

The USPTO's Law School Clinic Certification Program allows law students enrolled in a participating law school's clinic program to practice before the USPTO under the guidance of a law school faculty clinic supervisor.

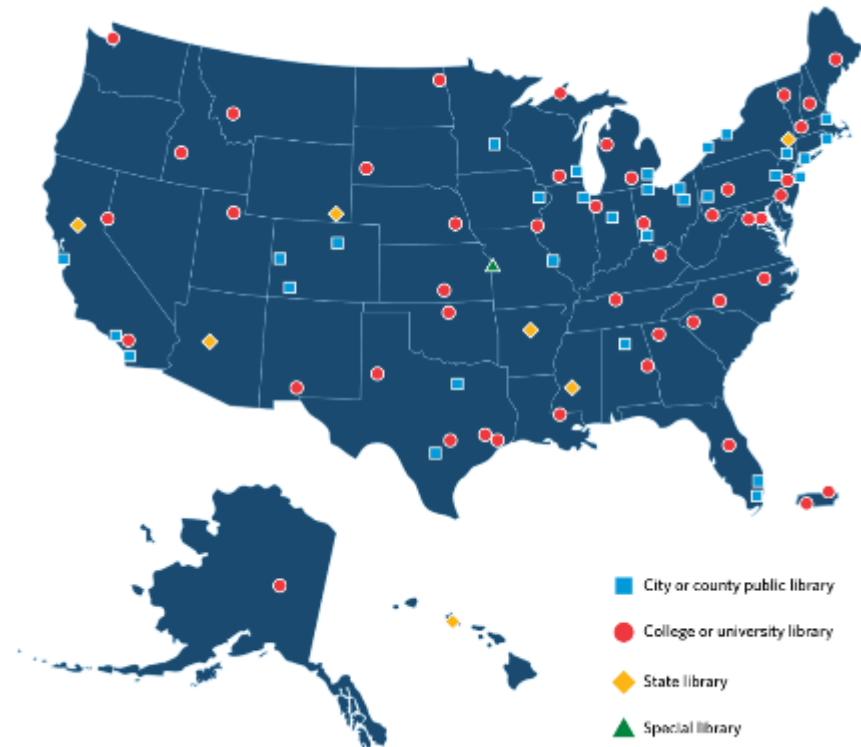


For more information, visit www.uspto.gov/lawschoolclinic.



Patent and Trademark Resource Centers (PTRC)

Nationwide network of public, state, and academic libraries designated by the USPTO to disseminate patent and trademark information and support the intellectual property needs of the public



For more information, visit www.uspto.gov/ptrc.

Reduced patent fees

Small Entity

- 50% reduction in most patent fees
- Must be an individual or
- A small business (less than 500 employees) or a non-profit organization

Micro-Entity

- 75% reduction in most patent fees
- Meet small entity requirement
- Filed no more than 4 previous applications
- Income not greater than 3x median income
- Not assigned to other than a micro-entity
- Inventions assigned to employer don't count against you

For more information on Micro Entity: www.uspto.gov/MicroEntity

Need patent protection fast?



Need to FAST track your patent? Use Track One!
Move your ideas quickly with USPTO's Track One

www.uspto.gov/patent/initiatives/usptos-prioritized-patent-examination-program



Other USPTO resources

Helpline: 1-800-PTO-9199

Resource	Website
Utility patent application guide	www.uspto.gov/patents/resources/types/utility.jsp
Patent process	www.uspto.gov/patents/process
Patent search guide	www.uspto.gov/patents/process/search
Inventor and entrepreneur resources	www.uspto.gov/inventors
Pro se assistance	www.uspto.gov/ProSePatents
Micro entity Information	www.uspto.gov/PatentMicroentity

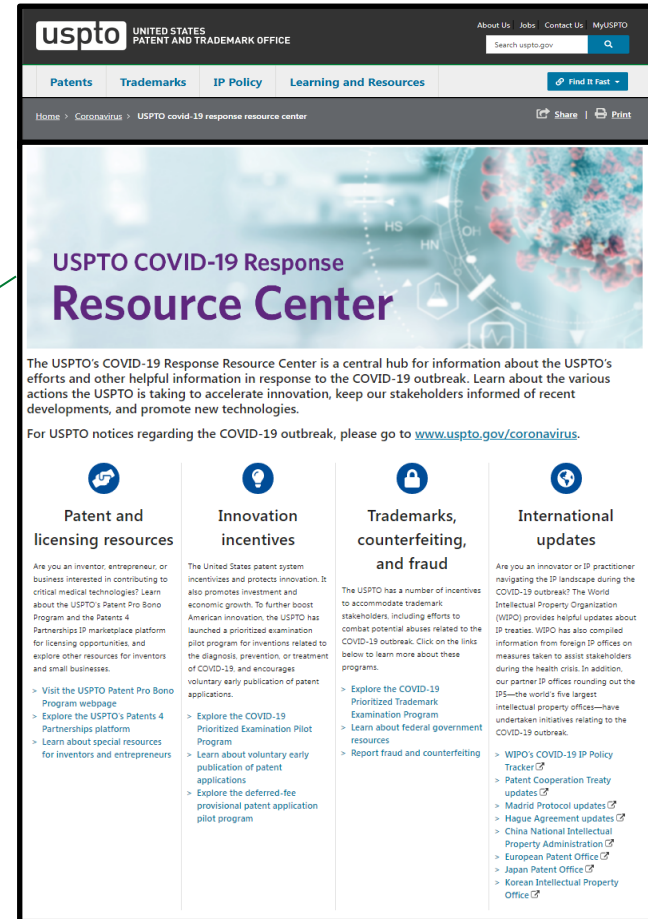
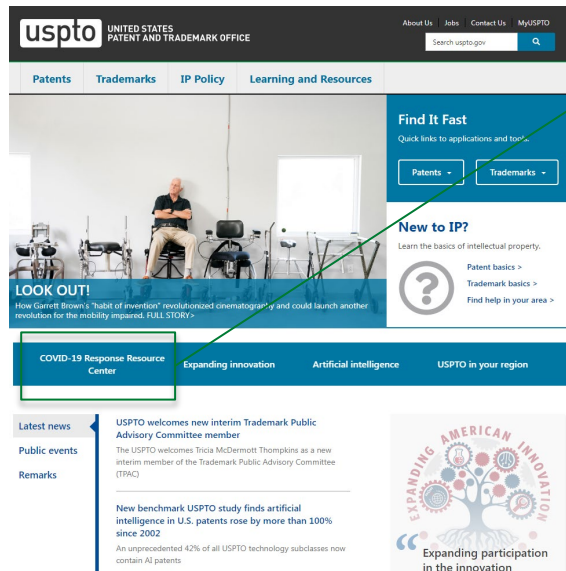


COVID-19 Response Resource Center

Response Resource Center

The United States Patent and Trademark Office (USPTO) has posted all COVID-19 resources and updates on a page dedicated solely to COVID-19.

The COVID-19 Response Resource Center webpage is accessible via the USPTO homepage.



Response Resource Center

- The COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.
- The webpage details:
 - Patent and licensing resources
 - Innovation incentives
 - Trademark counterfeiting and consumer fraud
 - International updates
 - Contact information for the USPTO

The screenshot shows the USPTO website's COVID-19 Response Resource Center. The header includes the USPTO logo, navigation links (About Us, Jobs, Contact Us, MyUSPTO), a search bar, and a main menu with categories: Patents, Trademarks, IP Policy, and Learning and Resources. The page title is 'USPTO COVID-19 response resource center'. The main content area features a large banner with the text 'USPTO COVID-19 Response Resource Center' and a background image of a virus particle. Below the banner, a paragraph explains the center's purpose: 'The USPTO's COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts and other helpful information in response to the COVID-19 outbreak. Learn about the various actions the USPTO is taking to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.' A link is provided for USPTO notices regarding the COVID-19 outbreak: www.uspto.gov/coronavirus. The page is organized into four columns, each with a blue icon and a title: 1. Patent and licensing resources (hand icon), 2. Innovation incentives (lightbulb icon), 3. Trademarks, counterfeiting, and fraud (lock icon), and 4. International updates (globe icon). Each column contains a brief description and a list of links to relevant resources.

Patent and licensing resources

Are you an inventor, entrepreneur, or business interested in contributing to critical medical technologies? Learn about the USPTO's Patent Pro Bono Program and the Patents 4 Partnerships IP marketplace platform for licensing opportunities, and explore other resources for inventors and small businesses.

- > Visit the USPTO Patent Pro Bono Program webpage
- > Explore the USPTO's Patents 4 Partnerships platform
- > Learn about special resources for inventors and entrepreneurs

Innovation incentives

The United States patent system incentivizes and protects innovation. It also promotes investment and economic growth. To further boost American innovation, the USPTO has launched a prioritized examination pilot program for inventions related to the diagnosis, prevention, or treatment of COVID-19, and encourages voluntary early publication of patent applications.

- > Explore the COVID-19 Prioritized Examination Pilot Program
- > Learn about voluntary early publication of patent applications
- > Explore the deferred-fee provisional patent application pilot program

Trademarks, counterfeiting, and fraud

The USPTO has a number of incentives to accommodate trademark stakeholders, including efforts to combat potential abuses related to the COVID-19 outbreak. Click on the links below to learn more about these programs.

- > Explore the COVID-19 Prioritized Trademark Examination Program
- > Learn about federal government resources
- > Report fraud and counterfeiting

International updates

Are you an innovator or IP practitioner navigating the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP treaties. WIPO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP offices rounding out the IP5—the world's five largest intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.

- > WIPO's COVID-19 IP Policy Tracker
- > Patent Cooperation Treaty updates
- > Madrid Protocol updates
- > Hague Agreement updates
- > China National Intellectual Property Administration
- > European Patent Office
- > Japan Patent Office
- > Korean Intellectual Property Office

Response Resource Center

Patent and licensing resources:

- The USPTO's Patent Pro Bono Program
- Patents 4 Partnerships platform
- Other special resources for inventors and entrepreneurs

Response Resource Center

Innovation incentives:

- COVID-19 Prioritized Examination Pilot Program
- Voluntary early publication of patent applications
- Deferred-Fee Provisional Patent Application Pilot Program

The USPTO's COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts and other helpful information in response to the COVID-19 outbreak. Learn about the various actions the USPTO is taking to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.

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- Patent and licensing resources**
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 - Visit the USPTO Patent Pro Bono Program webpage
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 - Learn about special resources for inventors and entrepreneurs
- Innovation incentives**
 - The USPTO is implementing a deferred fee provisional patent application pilot program and collaboration database to promote the expedient exchange of information about inventions designed to combat COVID-19. Under this program, USPTO will permit applicants to defer payment of the provisional application filing fee until the filing of a corresponding nonprovisional application. In turn, applicants must agree that the technical subject matter disclosed in their provisional application will be made available to the public via a searchable collaboration database maintained on the USPTO website.
 - The pilot program will accept notifications and requests for participation for a period of 12 months, beginning on September 27, 2020. The USPTO may extend the pilot program (with or without modifications) or terminate it depending on feedback and resources needed to administer it. Feedback from the public and its effectuation, depending on feedback and public comment, the technological scope could also be expanded beyond COVID-19 to other areas that are the focus of pressing or urgent innovation.
 - Searchable collaboration database**
 - Under this program, the USPTO will permit applicants to defer payment of the provisional application filing fee until the filing of a corresponding nonprovisional application.
 - Applicants must agree that the technical subject matter disclosed in their provisional applications will be made available to the public via a searchable collaboration database maintained on the USPTO website.
 - The subject matter disclosed in the provisional application must concern a product or process related to COVID-19.
 - Such product or process must be subject to an applicable Food and Drug Administration (FDA) approval for COVID-19 use, whether such approval has been obtained, is pending, or will be sought prior to marketing the subject matter for COVID-19.
 - Applicants must use Pilot Program Form PTO/SB/652 to request participation in the pilot.
 - Provisional applications accepted into the pilot:
 - Must include a technical disclosure
 - Must include a provisional application cover sheet
- Trademarks, counterfeiting, and fraud**
 - The USPTO has a number of incentives to accommodate trademark stakeholders, including efforts to combat potential abuses related to the COVID-19 outbreak. Click on the links below to learn more about these programs.
 - Explore the COVID-19 Prioritized Examination Pilot Program
 - Learn about voluntary early publication of patent applications
 - Explore the deferred-fee provisional patent application pilot program
- International updates**
 - Are you an innovator or IP practitioner navigating the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP treaties. WIPO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP offices rounding out the IP5—the world's five largest intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.
 - WIPO's COVID-19 IP Policy Tracker
 - Patent Cooperation Treaty updates
 - MADR Protocol updates
 - Hague Agreement updates
 - China National Intellectual Property Administration
 - European Patent Office
 - Japan Patent Office
 - Korean Intellectual Property Office

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The USPTO recognizes the value of free flowing technical information among the nation's brightest minds, and patent publications are an important source of information for researchers and inventors. Early publication of patent applications will yield a significant benefit to these communities, especially those seeking to find creative solutions to the COVID-19 outbreak. Early voluntary publication can facilitate collaborations, partnerships or joint ventures. These, in turn, can spur and expedite the development of critically needed technologies.

Generally, the USPTO publishes pending patent applications 18 months after the earliest effective filing date. No fee is required for publishing an application. Existing USPTO regulations also provide for earlier publication at the request of an applicant. Interested applicants may submit a request for early publication of their application in compliance with 37 CFR 1.2125. The USPTO will publish the application as soon as possible if it is otherwise ready for publication. For more information, visit the USPTO's [Manual of Patent Examining Procedure \(MPEP\)](https://www.uspto.gov/patents/basics/early-publication).

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The pilot program description:

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- Provisional applications accepted into the pilot:
 - Must include a technical disclosure
 - Must include a provisional application cover sheet

Response Resource Center

Trademarks, counterfeiting, and fraud:

- COVID-19 Prioritized Trademark Examination Program
- Federal government resources
- How to report fraud and counterfeiting

The screenshot shows a webpage with the following content:

- Header:** uspto UNITED STATES PATENT AND TRADEMARK OFFICE. Navigation: Patents, Trademarks, IP Policy, Learning and Resources. Search: Find It Fast.
- Breadcrumbs:** Home > Coronavirus > Trademark counterfeiting and consumer fraud related to the COVID-19 outbreak.
- Main Title:** Trademark counterfeiting and consumer fraud related to the COVID-19 outbreak.
- Text:** The COVID-19 outbreak has led to a surge in fraudulent activity, including the advertising and sale of counterfeit treatments and products. This is an immediate and growing concern, as criminals seek to take advantage of the high demand for healthcare and other consumer products. Below are several resources to help healthcare workers and the general public identify and report instances of fraud and counterfeiting related to the COVID-19 outbreak. Additional resources are available at the [USPTO COVID-19 response resource center](#).
- Federal government resources:** The following federal agencies offer information on the COVID-19 outbreak and ways to avoid scams:
 - [White House](#)
 - [Food and Drug Administration](#)
 - [Department of Homeland Security](#)
 - [Federal Trade Commission](#)
- Ways to report fraud and counterfeiting:** If you have encountered fraud or counterfeiting related to the COVID-19 outbreak, report:
 - [fraudulent schemes and suspected counterfeit products to the Department of Homeland Security](#)
 - [scams or other consumer problems to the Federal Trade Commission](#)
 - [unlawful internet sales of medical products related to the COVID-19 outbreak to the Food and Drug Administration](#)
- How to spot a counterfeit:** The "four Ps" for consumers and healthcare workers:
 - Place:** Are you buying from a trusted source, either in-person, online or at a physical store?
 - Price:** If the price sounds too good to be true, it probably is.
 - Packaging:** Does the packaging look "off"? e.g., graphics and printing blurred, colors imbalanced, labels not on straight, misspellings?
 - Product:** Does the product and labeling have a quality look? Does it look comparable to what you've purchased before? Is this product known to have been counterfeited?

The screenshot shows the USPTO COVID-19 Response Resource Center homepage with the following content:

- Header:** uspto UNITED STATES PATENT AND TRADEMARK OFFICE. Navigation: Patents, Trademarks, IP Policy, Learning and Resources. Search: Search uspto.gov. Find It Fast.
- Breadcrumbs:** Home > Coronavirus > USPTO covid-19 response resource center.
- Share/Print:** Share | Print
- Hero Image:** USPTO COVID-19 Response Resource Center. Background image showing a virus particle and a person's face.
- Text:** The USPTO's COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts and other helpful information in response to the COVID-19 outbreak. Learn about the various actions the USPTO is taking to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.
- Call to Action:** For USPTO notices regarding the COVID-19 outbreak, please go to www.uspto.gov/coronavirus.
- Four Main Columns:**
 - Patent and licensing resources:** Are you an inventor, entrepreneur, or business interested in contributing to critical medical technologies? Learn about the USPTO's Patent Pro Bono Program and the Statute 4 Partnerships IP marketplace platform for licensing opportunities, and explore other resources for inventors and small businesses.
 - > Visit the [USPTO Patent Pro Bono Program](#) webpage
 - > Explore the [USPTO's Patents 4 Partnerships](#) platform
 - > Learn about special resources for inventors and entrepreneurs
 - Innovation incentives:** The United States patent system incentivizes and protects innovation. It also promotes investment and economic growth. To further support American innovation, the USPTO has launched a prioritized examination pilot program for inventions related to the diagnosis, prevention, or treatment of COVID-19, and encourages voluntary early publication of patent applications.
 - > Explore the [COVID-19 Prioritized Examination Pilot Program](#)
 - > Learn about voluntary early publication of patent applications
 - > Explore the [deferred-fee provisional patent application pilot program](#)
 - Trademarks, counterfeiting, and fraud:** The USPTO has a number of incentives to accommodate trademark stakeholders, including efforts to combat potential abuses related to the COVID-19 outbreak. Click on the links below to learn more about these programs.
 - > Explore the [COVID-19 Prioritized Trademark Examination Program](#)
 - > Learn about federal government resources
 - > Report fraud and counterfeiting
 - International updates:** Are you an innovator or IP practitioner navigating the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP treaties. WIPO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP offices rounding out the IP5—the world's five largest intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.
 - > [WIPO's COVID-19 IP Policy Tracker](#)
 - > [Patent Cooperation Treaty updates](#)
 - > [Madrid Protocol updates](#)
 - > [Hague Agreement updates](#)
 - > [China National Intellectual Property Administration](#)
 - > [European Patent Office](#)
 - > [Japan Patent Office](#)
 - > [Korean Intellectual Property Office](#)

Response Resource Center

International updates:

- The World Intellectual Property Organization's COVID-19 IP Policy Tracker
- Patent Cooperation Treaty updates
- Madrid Protocol updates
- Hague Agreement updates
- Links to other patent offices

Country/Region	Office	Operational Status	Operational hours	Teleworking	Working Remotely with Customers	Concordance	Processing existing applications	Processing new applications	Time limits	Fee relief	Last updated	Details
Africa	AIPO	Open (partial)		Yes	Yes	Yes	Yes	Yes	Case-by-case basis	Case-by-case basis	2020-05-04	view
Asia	OAIP	Open (partial)	Reduced hours		Yes	Yes	Yes	Yes	Extended		2020-05-04	view
Europe	EAPO	Open	Reduced hours	Yes	Yes	Yes	Yes	Yes	Extended	Deadline extended	2020-04-10	view
North America	USPTO	Open	Reduced hours	Yes	Yes	Yes	Yes	Yes	Extended	Deadline extended	2020-04-23	view

The USPTO's COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts and other helpful information in response to the COVID-19 outbreak. Learn about the various actions the USPTO is taking to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.

For USPTO notices regarding the COVID-19 outbreak, please go to www.uspto.gov/coronavirus.

Patent and licensing resources

Are you an inventor, entrepreneur, or business interested in contributing to critical medical technologies? Learn about the USPTO's Patent Pro Bono Program and the Patents 4 Partnerships IP marketplace platform for licensing opportunities, and explore other resources for inventors and small businesses.

- > Visit the USPTO Patent Pro Bono Program webpage
- > Explore the USPTO's Patents 4 Partnerships platform
- > Learn about special resources for inventors and entrepreneurs

Innovation incentives

The United States patent system incentivizes and protects innovation. It also promotes investment and economic growth. To further support American innovators, the USPTO has launched a prioritized examination pilot program for inventions related to the diagnosis, prevention, or treatment of COVID-19, and encourages voluntary early publication of patent applications.

- > Explore the COVID-19 Prioritized Examination Pilot Program
- > Learn about voluntary early publication of patent applications
- > Explore the deferred-fee provisional patent application pilot program

Trademarks, counterfeiting, and fraud

The USPTO has a number of incentives to accommodate trademark stakeholders, including efforts to combat potential abuses related to the COVID-19 outbreak. Click on the links below to learn more about these programs.

- > Explore the COVID-19 Prioritized Trademark Examination Program
- > Learn about federal government resources
- > Report fraud and counterfeiting

International updates

Are you an innovator or IP practitioner navigating the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP treaties. WIPO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP offices rounding out the IP5—the world's five largest intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.

- > WIPO's COVID-19 IP Policy Tracker
- > Patent Cooperation Treaty updates
- > Madrid Protocol updates
- > Hague Agreement updates
- > China National Intellectual Property Administration
- > European Patent Office
- > Japan Patent Office
- > Korean Intellectual Property Office

Response Resource Center

We encourage our stakeholders to send any recommendations or suggestions for us to consider as we assist the intellectual property community to COVIDcomments@uspto.gov.

The screenshot shows the USPTO COVID-19 Response Resource Center website. The header includes the USPTO logo, navigation links (About Us, Jobs, Contact Us, MyUSPTO), a search bar, and a menu with categories: Patents, Trademarks, IP Policy, and Learning and Resources. The main content area features a large banner with the title "USPTO COVID-19 Response Resource Center" and a background image of a virus particle. Below the banner is a paragraph explaining the center's purpose as a central hub for information about the USPTO's efforts in response to the COVID-19 outbreak. A link is provided for USPTO notices regarding the COVID-19 outbreak. The page is organized into four columns, each with a specific icon and title: Patent and licensing resources, Innovation incentives, Trademarks, counterfeiting, and fraud, and International updates. Each column contains a brief description and a list of links to relevant resources.

uspto UNITED STATES PATENT AND TRADEMARK OFFICE

About Us Jobs Contact Us MyUSPTO

Search uspto.gov

Patents Trademarks IP Policy Learning and Resources Find It Fast

Home Coronavirus USPTO covid-19 response resource center Share Print

USPTO COVID-19 Response Resource Center

The USPTO's COVID-19 Response Resource Center is a central hub for information about the USPTO's efforts and other helpful information in response to the COVID-19 outbreak. Learn about the various actions the USPTO is taking to accelerate innovation, keep our stakeholders informed of recent developments, and promote new technologies.

For USPTO notices regarding the COVID-19 outbreak, please go to www.uspto.gov/coronavirus.

Patent and licensing resources

Are you an inventor, entrepreneur, or business interested in contributing to critical medical technologies? Learn about the USPTO's Patent Pro Bono Program and the Patents 4 Partnerships IP marketplace platform for licensing opportunities, and explore other resources for inventors and small businesses.

- > Visit the USPTO Patent Pro Bono Program webpage
- > Explore the USPTO's Patents 4 Partnerships platform
- > Learn about special resources for inventors and entrepreneurs

Innovation incentives

The United States patent system incentivizes and protects innovation. It also promotes investment and economic growth. To further boost American innovation, the USPTO has launched a prioritized examination pilot program for inventions related to the diagnosis, prevention, or treatment of COVID-19, and encourages voluntary early publication of patent applications.

- > Explore the COVID-19 Prioritized Examination Pilot Program
- > Learn about voluntary early publication of patent applications
- > Explore the deferred-fee provisional patent application pilot program

Trademarks, counterfeiting, and fraud

The USPTO has a number of incentives to accommodate trademark stakeholders, including efforts to combat potential abuses related to the COVID-19 outbreak. Click on the links below to learn more about these programs.

- > Explore the COVID-19 Prioritized Trademark Examination Program
- > Learn about federal government resources
- > Report fraud and counterfeiting

International updates

Are you an innovator or IP practitioner navigating the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP treaties. WIPO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP offices rounding out the IP5—the world's five largest intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.

- > WIPO's COVID-19 IP Policy Tracker
- > Patent Cooperation Treaty updates
- > Madrid Protocol updates
- > Hague Agreement updates
- > China National Intellectual Property Administration
- > European Patent Office
- > Japan Patent Office
- > Korean Intellectual Property Office

Patents 4 Partnerships

Patents 4 Partnerships

A searchable repository of patents and published patent applications related to the COVID-19 pandemic that are indicated as available for licensing.

The screenshot shows the USPTO COVID-19 Response Resource Center. The header includes the USPTO logo and navigation links for Patents, Trademarks, IP Policy, and Learning and Resources. The main content area features a large banner with the title "USPTO COVID-19 Response Resource Center" and a sub-header "Patents 4 Partnerships". Below the banner, there is a paragraph explaining the center's purpose as a central hub for information on the USPTO's efforts in response to the COVID-19 outbreak. A link is provided for USPTO notices regarding the COVID-19 outbreak. The page is divided into four columns, each with a heading and a brief description of the resources available:

- Patent and licensing resources:** Are you an inventor, entrepreneur, or business interested in contributing to critical medical technologies? Learn about the USPTO's Patent the Bone Program and the Patent 4 Partnerships platform for licensing opportunities and explore other resources for inventors and small businesses.
- Innovation incentives:** The United States patent system incentivizes and protects innovation. It also promotes investment and economic growth. To further boost American innovation, the USPTO has launched a prioritized examination pilot program for inventions related to the diagnosis, prevention, or treatment of COVID-19, and encourage voluntary submission of patent applications.
- Trademarks, counterfeiting, and fraud:** The USPTO has a number of incentives to accommodate trademark stakeholders' ongoing efforts to combat counterfeit activities related to the COVID-19 outbreak. Click on the links below to learn more about these programs.
- International updates:** Are you a inventor or IP practitioner operating in the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP matters. WIPO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP office rounding out the IP—the world's five largest intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.

A green box highlights the link "Explore the USPTO's Patents 4 Partnerships platform" in the Patent and licensing resources section.

The screenshot shows the USPTO Patents 4 Partnerships IP Marketplace Platform search results page. The header includes the USPTO logo and navigation links for About Us, Jobs, and Contact Us. The main content area features a large banner with the title "Patents 4 Partnerships" and a sub-header "IP Marketplace Platform". Below the banner, there is a search bar with the text "Search Inventions" and a search button. The search results are displayed in a table with the following columns: Title, Patent/Pub Number, First Named Inventor, Issue/Pub Date, and Licensing Options. The table contains 201 results found, and the first five results are shown:

Title	Patent/Pub Number	First Named Inventor	Issue/Pub Date	Licensing Options
Ultra-Sensitive And Universal Species Detection Pipeline For Next Generation Sequencing Data	20200131509	Jiang, Chao	04/30/2020	Available
Recombinant Adenovirus-Based Interferon Biotherapeutics In Swine	20200100479	Zhu, James J.	04/02/2020	Available
Aerosol Particle Growth Systems Using Polymer Electrolyte Membranes	10583410	Kulkarni, Pramod S.	03/10/2020	Available
Prefusion Coronavirus Spike Proteins And Their Use	20200061185	Graham, Barney;	02/27/2020	Available
Microfluidic Diffusion Devices And Systems, And Methods Of Manufacturing And Licen	20200061271	Potkay, Joseph A.;	02/27/2020	Available

A green arrow points from the highlighted link in the previous screenshot to the search bar on this page.



Patents 4 Partnerships

- Currently, listings are limited to those technologies that the owner believes are reasonably related to the prevention, treatment, diagnosis, protection from, or alleviation of the symptoms of coronaviruses in general, and COVID-19, in particular.
- You can search and sort the information by keyword, inventor name, assignee, and issue date.
- Content has been drawn from:
 - USPTO
 - Federal Laboratory Consortium for Technology Transfer (FLC Business)
 - AUTM Innovation Marketplace (AIM)
 - Universities
 - National Institutes of Health
 - Department of Energy
 - National Aeronautics and Space Administration
 - Food and Drug Administration
 - Centers for Disease Control and Prevention
 - Department of Defense
 - Department of Veterans Affairs databases



Patents 4 Partnerships

You can list additional technology on the platform by emailing the completed form to IPMarketplace@uspto.gov.

The screenshot shows the USPTO Patents 4 Partnerships IP Marketplace Platform search results page. The header includes the USPTO logo and navigation links for 'About Us', 'Jobs', and 'Contact Us'. The main heading is 'Patents 4 Partnerships IP Marketplace Platform'. Below the header is a search bar with the text 'Search Inventions' and a search button. The search results are displayed in a table with columns for 'Title', 'Patent/Pub Number', 'First Named Inventor', 'Issue/Pub Date', and 'Licensing Options'. A 'Refine by' sidebar is visible on the left, and a callout box provides contact information for listing additional patents.

Title	Patent/Pub Number	First Named Inventor	Issue/Pub Date	Licensing Options
Ultra-Sensitive And Universal Species Detection Pipeline For Next Generation Sequencing Data	20200131509	Jiang, Chao	04/30/2020	Available
Recombinant Adenovirus-Based Interferon Biotherapeutics In Swine	20200100479	Zhu, James J.	04/02/2020	Available
Aerosol Particle Growth Systems Using Polymer Electrolyte Membranes	10583410	Kulkarni, Pramod S.	03/10/2020	Available
Prefusion Coronavirus Spike Proteins And Their Use	20200061185	Graham, Barney;	02/27/2020	Available
Microfluidic Diffusion Devices And Systems, And Methods Of Manufacturing And Using	20200061271	Potkay, Joseph A.;	02/27/2020	Available

The form is titled 'United States Patent and Trademark Office IP Marketplace Platform Submission Form'. It includes a thank you message and instructions for submitting technology for inclusion. The form contains several input fields for patent information, assignee details, and contact information. A 'SENDER'S INFORMATION' section at the bottom requires the sender's name, title, address, phone number, and email.

United States Patent and Trademark Office

IP Marketplace Platform Submission Form

Thank you for your interest in listing your technology on the Platform. Currently listings are limited to those technologies that the owner believes are reasonably related to the prevention, treatment, diagnosis, protection from or alleviation of symptoms of coronaviruses in general, and COVID-19, in particular.

To have your technology considered for inclusion and marked as "Available" for licensing, please provide the information below and email this form to IPMarketplace@uspto.gov.

Patent or Patent Application Publication Number(s): _____

Assignee information:
(if not already recorded at USPTO) _____

Web link to licensing information or contact information
(address, phone, and email) for licensing inquiries: _____

By submitting this form, I certify that I am authorized to make the above submission(s) and agree to [the terms and conditions of use](#). I also consent to the USPTO making any contact information for licensing inquiries I have provided available to the public on the Platform.

SENDER'S INFORMATION:

Name (Print/Typed) _____ Date _____

Official Title _____

Address _____

Phone Number _____ Email _____

COVID-19 Prioritized Examination Pilot Programs

Patent Prioritized Examination Pilot Program

For COVID-19 related patent applications:

- The USPTO will grant requests for prioritized examination to patent applicants that qualify for small or micro entity status **without payment of the typical fees associated with other prioritized examinations.**
- The aim is to provide final disposition of applications in this program within six months if applicants respond promptly to communications from the USPTO.

28932 Federal Register / Vol. 85, No. 94 / Thursday, May 14, 2020 / Notices

Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until May 19, 2020, unless extended.^{1,1}

This notice is published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.213(d)(4).

Dated: May 8, 2020.

James Maeder,
Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.
[FR Doc. 2020-10350 Filed 5-13-20; 8:45 am]
BILLING CODE 3510-06-P

DEPARTMENT OF COMMERCE
National Institute of Standards and Technology

Open Meeting of the Information Security and Privacy Advisory Board

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: The Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, June 24, 2020 from 9:00 a.m. until 5:00 p.m., Eastern Time, and Thursday, June 25, 2020 from 9:00 a.m. until 4:30 p.m., Eastern Time. All sessions will be open to the public.

DATES: The meeting will be held on Wednesday, June 24, 2020, from 9:00

Standards and Technology. Telephone: (301) 975-2489. Email address: jeffrey.brewer@nist.gov.

SUPPLEMENTARY INFORMATION: Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. App., notice is hereby given that the ISPAB will hold an open meeting Wednesday, June 24, 2020 from 9:00 a.m. until 5:00 p.m., Eastern Time, and Thursday, June 25, 2020 from 9:00 a.m. until 4:30 p.m. Eastern Time. All sessions will be open to the public. The ISPAB is authorized by 15 U.S.C. 278g-4, as amended, and advises the National Institute of Standards and Technology (NIST), the Secretary of Homeland Security, and the Director of the Office of Management and Budget (OMB) on information security and privacy issues pertaining to Federal government information systems, including through review of proposed standards and guidelines developed by NIST. Details regarding the ISPAB's activities are available at <https://csrc.nist.gov/projects/ispab>.

The agenda is expected to include the following items:

- Discussion of the United States Methods of Product Testing and Standards Conformance,
- Presentation from the United States Government Testing Programs,
- Discussion of International Testing requirements and conformance regimes,
- Discussion of Executive Order 13905—Strengthening National Resilience Through Use of Positioning, Navigation, and Timing (PNT) Services,
- Discussion on telework cybersecurity and privacy, and potential lessons learned

Note that agenda items may change without notice. The final agenda will be posted on the ISPAB event page at: <https://csrc.nist.gov/Events/2020/ispab-june-meeting>.

Public Participation: Written questions or comments from the public are invited and may be submitted electronically by email to Jeff Brewer at

statements, those who had wished to submit a question or comment but could not be accommodated on the agenda, and those who were unable to attend the meeting via webinar are invited to submit written statements. In addition, written statements are invited and may be submitted to the ISPAB at any time. All written statements should be directed to the ISPAB Secretariat, Information Technology Laboratory by email to: jeffrey.brewer@nist.gov.

Admittance Instructions: All participants will be attending via webinar and must register on ISPAB's event page at: <https://csrc.nist.gov/Events/2020/ispab-june-meeting> by 5 p.m. Eastern Time, June 22, 2020.

Kevin A. Kimball,
Chief of Staff.
[FR Doc. 2020-10375 Filed 5-13-20; 8:45 am]
BILLING CODE 3510-13-P

DEPARTMENT OF COMMERCE
Patent and Trademark Office

[Docket No.: PTO-P-2020-0026]

COVID-19 Prioritized Examination Pilot Program

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO or Office) is implementing a pilot program to provide prioritized examination of certain patent applications. To qualify, the claim(s) of an application must cover a product or process related to COVID-19, and such product or process must be subject to an applicable FDA approval for COVID-19 use.

Under this pilot program, the USPTO will grant qualified requests for prioritized examination without payment of certain fees associated with prioritized examination for applicants

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Patent Prioritized Examination Pilot Program

- The USPTO launched a webpage that provides additional resources and information.
- The webpage details:
 - Criteria of the pilot program
 - How to request participation
 - Announcements and public comments
 - Questions and answers

The screenshot shows the USPTO homepage navigation menu with four main categories: Patent and licensing resources, Innovation incentives, Trademarks, counterfeiting, and fraud, and International updates. A green box highlights the link to 'Explore the COVID-19 Prioritized Examination Pilot Program' under the Innovation incentives section.

The screenshot shows the COVID-19 Prioritized Examination Pilot Program webpage. The page title is 'COVID-19 Prioritized Examination Pilot Program'. The main content area contains the following text:

The United States Patent and Trademark Office (USPTO) will accept requests for prioritized examination of up to 500 qualifying patent applications without requiring payment of certain fees associated with prioritized examination. Under this pilot, the USPTO will advance out of turn certain patent applications related to COVID-19 for examination, resulting in their prioritized examination. The USPTO aims to provide final disposition of patent applications in the pilot in one year or less after it grants prioritized status.

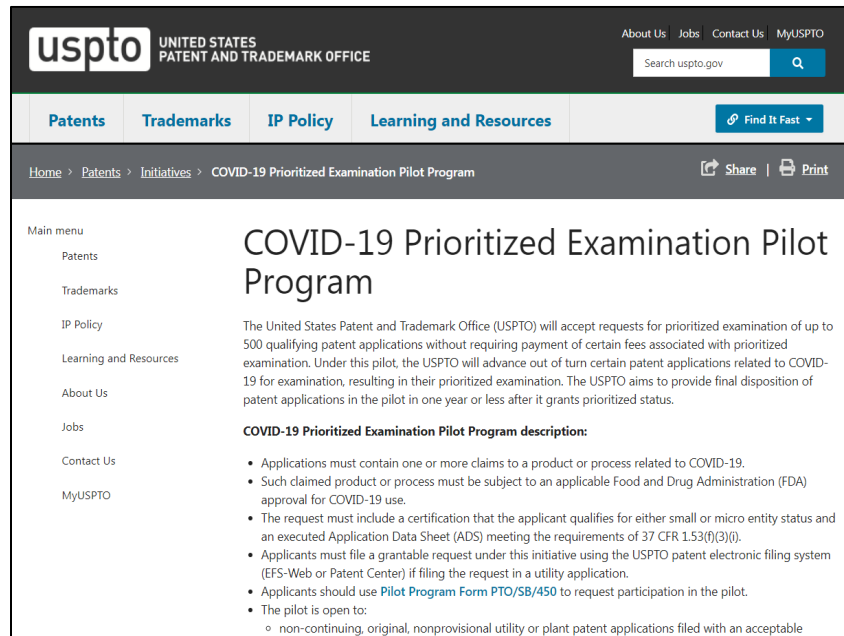
COVID-19 Prioritized Examination Pilot Program description:

- Applications must contain one or more claims to a product or process related to COVID-19.
- Such claimed product or process must be subject to an applicable Food and Drug Administration (FDA) approval for COVID-19 use.
- The request must include a certification that the applicant qualifies for either small or micro entity status and an executed Application Data Sheet (ADS) meeting the requirements of 37 CFR 1.53(f)(3)(i).
- Applicants must file a grantable request under this initiative using the USPTO patent electronic filing system (EFS-Web or Patent Center) if filing the request in a utility application.
- Applicants should use [Pilot Program Form PTO/SB/450](#) to request participation in the pilot.
- The pilot is open to:
 - non-continuing, original, nonprovisional utility or plant patent applications filed with an acceptable

Patent Prioritized Examination Pilot Program

Criteria of the pilot program:

- There are no fees required to participate in the program.
- Applications must contain one or more claims related to COVID-19 and must be subject to an applicable Food and Drug Administration approval for COVID-19 use.
- Applicants must certify that they qualify for either small or micro entity status.
- Applicants should file the [Pilot Program Form PTO/SB/450](#) using the USPTO patent electronic filing system, [EFS-Web](#).



The screenshot shows the USPTO website's page for the COVID-19 Prioritized Examination Pilot Program. The page header includes the USPTO logo and navigation links for 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO'. A search bar is located in the top right corner. Below the header, there are navigation tabs for 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources', along with a 'Find It Fast' button. The main content area features a breadcrumb trail: 'Home > Patents > Initiatives > COVID-19 Prioritized Examination Pilot Program'. A 'Main menu' sidebar on the left lists 'Patents', 'Trademarks', 'IP Policy', 'Learning and Resources', 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO'. The main heading is 'COVID-19 Prioritized Examination Pilot Program'. The text below the heading states: 'The United States Patent and Trademark Office (USPTO) will accept requests for prioritized examination of up to 500 qualifying patent applications without requiring payment of certain fees associated with prioritized examination. Under this pilot, the USPTO will advance out of turn certain patent applications related to COVID-19 for examination, resulting in their prioritized examination. The USPTO aims to provide final disposition of patent applications in the pilot in one year or less after it grants prioritized status.' Below this, a section titled 'COVID-19 Prioritized Examination Pilot Program description:' lists the following requirements:

- Applications must contain one or more claims to a product or process related to COVID-19.
- Such claimed product or process must be subject to an applicable Food and Drug Administration (FDA) approval for COVID-19 use.
- The request must include a certification that the applicant qualifies for either small or micro entity status and an executed Application Data Sheet (ADS) meeting the requirements of 37 CFR 1.53(f)(3)(i).
- Applicants must file a grantable request under this initiative using the USPTO patent electronic filing system (EFS-Web or Patent Center) if filing the request in a utility application.
- Applicants should use [Pilot Program Form PTO/SB/450](#) to request participation in the pilot.
- The pilot is open to:
 - non-continuing, original, nonprovisional utility or plant patent applications filed with an acceptable

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Patent Prioritized Examination Pilot Program

How to request participation:

- Fill out [Pilot Program Form PTO/SB/450](#).
- Save the form and upload it via the patent electronic filing system [EFS-Web](#).
 - When uploading your form, select document description “COVID-19 Prioritized Examination Request” (found under both the “Track I - Prioritized Examination” and “Pilot Programs” categories) on the EFS-Web Attach Documents screen to ensure processing.

Doc Code: TRACK1.COVID
Document Description: COVID-19 Prioritized Examination Request
PTO/SB/450 (05-20)

CERTIFICATION AND REQUEST FOR COVID-19 PRIORITIZED EXAMINATION PILOT PROGRAM UNDER 37 CFR 1.102(e) (Page 1 of 1)	
First Named Inventor:	Nonprovisional Application Number (if known):
Title of Invention:	

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION UNDER THE COVID-19 PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The claim(s) of the above-identified application cover a product or process relating to COVID-19 and such product or process is subject to an applicable FDA approval for COVID-19 use.
2. Applicant qualifies for small entity (37 CFR 1.27) or micro entity (37 CFR 1.29) status.
3. If the application contains a benefit claim under 35 U.S.C. 120, 121, or 365(c), it is to only one prior nonprovisional U.S. application or international application designating the United States.
4. The basic filing fee, search fee, and examination fee are filed with this request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application. The fees set in 37 CFR 1.17(c) and 1.17(i)(1) are waived.
5. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding request to be dismissed.
6. The applicable box is checked below:
 - I. **Original Application - Prioritized Examination under § 1.102(e)(1)**
 - i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via EFS-Web or Patent Center.

--OR--
 - (b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application.
 - ii. An application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.
- II. **Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)**
 - i. A request for continued examination has been filed with, or prior to, this form.
 - ii. If the application is a utility application, this certification and request is being filed via EFS-Web or Patent Center.
 - iii. The application is an original nonprovisional utility or plant application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
 - iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
 - v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Patent Prioritized Examination Pilot Program

The webpage also details announcements and public comments:

- Link to the Federal Register Notice (85 Fed. Reg. 28,932)
- The USPTO's announcements regarding the pilot program
- Up-to-date information on how many applications have been granted prioritized examination under this program
- Public comments in response to the Federal Register Notice

Questions and Answers

[Expand all](#) | [Collapse all](#)

▼ When does the pilot go into effect?

The pilot is effective upon the publication of the notice in the Federal Register. Note, the initial published notice erroneously stated that the effective date was July 13. The effective date is May 14.

▼ How long will the pilot last?

The USPTO will accept requests for the prioritized examination pilot program until such time as the USPTO has accepted 500 requests. The USPTO may extend the pilot program (with or without modifications) or terminate it depending on the workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. If the pilot program is extended or terminated, the USPTO will notify the public.

▼ What does "subject to an applicable FDA approval for COVID-19 use" mean?

U.S. FDA approvals may include, but are not limited to, an Investigational New Drug (IND) application, an Investigational Device Exemption (IDE), a New Drug Application (NDA), a Biologics License Application (BLA), a Premarket Approval (PMA), or an Emergency Use Authorization (EUA). Information on these items are available at www.fda.gov

▼ Is an invention that is an apparatus or composition of matter that is related to COVID-19 and subject to an applicable FDA approval eligible for the pilot program?

Yes. To qualify, the claim(s) of an application must cover a product or process related to COVID-19, and such product or process must be subject to an applicable FDA approval for COVID-19 use. The phrase "product or process" includes any process, machine, manufacture, or composition of matter as set forth in 35 U.S.C. 101.

▼ Can a large entity (i.e., an applicant that does not qualify for small or micro entity status) file a request for the pilot program?

No. The pilot program is only for applicants that qualify for either small entity (37 CFR 1.27) or micro entity (37 CFR 1.29) status. An applicant that does not qualify as either a small or a micro entity applicant may request prioritized examination under 37 CFR 1.102(e).

▼ Why does the pilot program include RCEs when COVID-19 is a new virus?

Some inventions that are useful in treating COVID-19 patients were invented prior to the known cases of



Trademark Prioritized Examination Program

For trademark applications related to COVID-19:

- The USPTO will accept petitions to advance the initial examination of applications for marks used to identify qualifying COVID-19 medical-related products and services and **waive the petition fee.**
- The goal is to expedite the **initial** examination process by approximately two months if the petition is granted and applicants promptly respond to the examining attorney.



The screenshot shows the USPTO website's press release page. At the top, the USPTO logo and 'UNITED STATES PATENT AND TRADEMARK OFFICE' are visible. A search bar and navigation links like 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO' are present. Below the navigation, there are tabs for 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources'. The main content area features a breadcrumb trail: 'Home > About Us > News & Updates > USPTO announces COVID-19 Prioritized Examination Program for certain trademark and service mark applications'. The headline reads 'USPTO announces COVID-19 Prioritized Examination Program for certain trademark and service mark applications'. The date is 'June 15, 2020' and the category is 'Press Release: 20-14'. A contact box for Paul Fucito is provided. The main text states that the USPTO will accept petitions to advance the initial examination of applications for marks used to identify qualifying COVID-19 medical products and services, and will waive the fee for such petitions. A quote from Andrei Iancu, Under Secretary of Commerce for Intellectual Property and Director of the USPTO, is included. At the bottom, it notes that the application must cover a product that is subject to U.S. Food and Drug Administration (FDA) approval for use in the prevention and/or treatment of COVID-19 or a medical or medical research service for the prevention and/or treatment of COVID-19.

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Home > About Us > News & Updates > USPTO announces COVID-19 Prioritized Examination Program for certain trademark and service mark applications

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USPTO announces COVID-19 Prioritized Examination Program for certain trademark and service mark applications

June 15, 2020 Press Release: 20-14

CONTACT: (Media Only)
Paul Fucito
(571) 272-8400 or
paul.fucito@uspto.gov

The United States Patent and Trademark Office (USPTO) today announced a new COVID-19 prioritized examination program for certain trademark and service mark applications.

Under this new program, the USPTO will accept petitions to advance the initial examination of applications for marks used to identify qualifying COVID-19 medical products and services. Additionally, the USPTO will waive the fee for such petitions.





"Inventors and entrepreneurs are working around the clock to develop products that will help prevent, diagnose, treat, or cure COVID-19," said Andrei Iancu, Under Secretary of Commerce for Intellectual Property and Director of the USPTO. "Accelerating initial examination of COVID-19-related trademark applications for these products, as well as service mark applications for medical and medical research services, will help to bring important and possibly life-saving treatments to market more quickly."

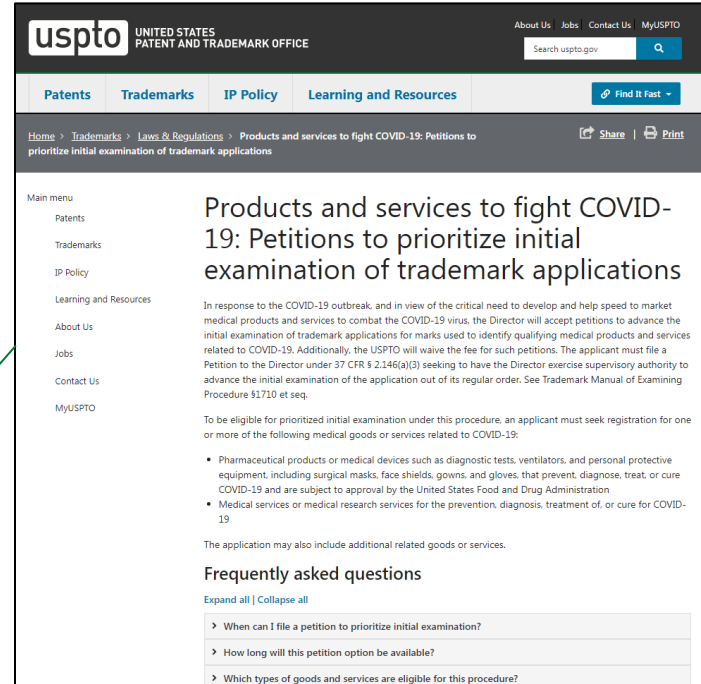
To qualify for the new program, the application must cover a product that is subject to U.S. Food and Drug Administration (FDA) approval for use in the prevention and/or treatment of COVID-19 or a medical or medical research service for the prevention and/or treatment of COVID-19. See the [notice](#) for more information.

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Trademark Prioritized Examination Program

- The USPTO launched a webpage that provides additional resources and information.
- The webpage details:
 - Criteria of the program
 - How to request participation
 - Frequently asked questions

 <h3>Patent and licensing resources</h3> <p>Are you an inventor, entrepreneur, or business interested in contributing to critical medical technologies? Learn about the USPTO's Patent Pro Bono Program and the Patents 4 Partnerships IP marketplace platform for licensing opportunities, and explore other resources for inventors and small businesses.</p> <ul style="list-style-type: none">> Visit the USPTO Patent Pro Bono Program webpage> Explore the USPTO's Patents 4 Partnerships platform> Learn about special resources for inventors and entrepreneurs	 <h3>Innovation incentives</h3> <p>The United States patent system incentivizes and protects innovation. It also promotes investment and economic growth. To further boost American innovation, the USPTO has launched a prioritized examination pilot program for inventions related to the diagnosis, prevention, or treatment of COVID-19, and encourages voluntary early publication of patent applications.</p> <ul style="list-style-type: none">> Explore the COVID-19 Prioritized Examination Pilot Program> Learn about voluntary early publication of patent applications	 <h3>Trademarks, counterfeiting, and fraud</h3> <p>The USPTO has a number of incentives to accommodate trademark stakeholders, including efforts to combat potential abuses related to the COVID-19 outbreak. Click on the links below to learn more about these programs.</p> <ul style="list-style-type: none">> Explore the COVID-19 Prioritized Trademark Examination Program> Learn about federal government resources> Report fraud and counterfeiting	 <h3>International updates</h3> <p>Are you an innovator or IP practitioner navigating the IP landscape during the COVID-19 outbreak? The World Intellectual Property Organization (WIPO) provides helpful updates about IP treaties. USPTO has also compiled information from foreign IP offices on measures taken to assist stakeholders during the health crisis. In addition, our partner IP offices rounding out the IP—the world's five largest Intellectual property offices—have undertaken initiatives relating to the COVID-19 outbreak.</p> <ul style="list-style-type: none">> WIPO's COVID-19 IP Policy Tracker> Patent Cooperation Treaty updates> Madrid Protocol updates> Hague Agreement updates
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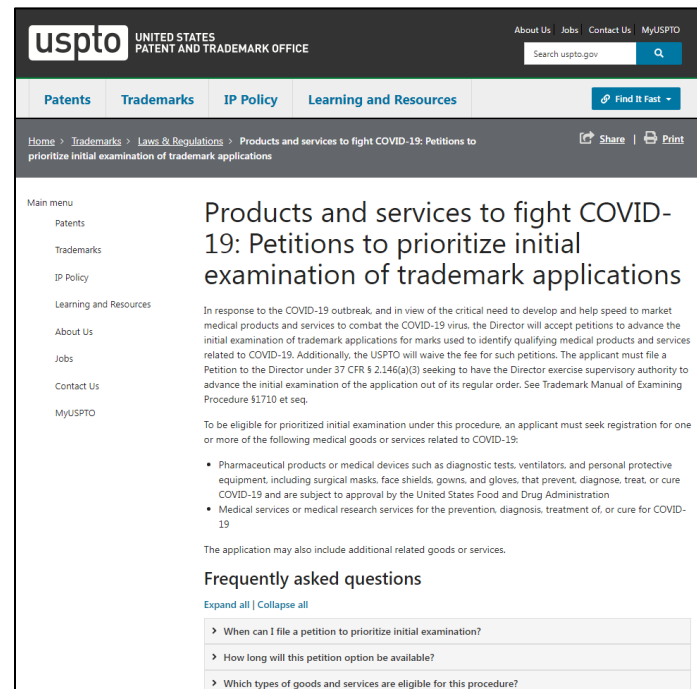


The screenshot shows the USPTO website interface. At the top, there is a navigation bar with 'uspto UNITED STATES PATENT AND TRADEMARK OFFICE' and a search bar. Below the navigation bar, there are tabs for 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources'. The main content area is titled 'Products and services to fight COVID-19: Petitions to prioritize initial examination of trademark applications'. The page includes a 'Main menu' on the left with links to Patents, Trademarks, IP Policy, Learning and Resources, About Us, Jobs, Contact Us, and MyUSPTO. The main text explains that in response to the COVID-19 outbreak, the Director will accept petitions to advance the initial examination of trademark applications for marks used to identify qualifying medical products and services related to COVID-19. It also lists criteria for eligibility, such as pharmaceutical products or medical devices, and provides a link to frequently asked questions.

Trademark Prioritized Examination Program

Criteria of the program:

- There are no fees required to participate in the program.
- Applicants must first file the application and then file a Petition to the Director that includes the assigned serial number.
- The application must be for COVID-19 medical-related goods or services subject to FDA approval.



The screenshot shows the USPTO website interface. At the top, there is a navigation bar with the USPTO logo, the text 'UNITED STATES PATENT AND TRADEMARK OFFICE', and links for 'About Us', 'Jobs', 'Contact Us', and 'MyUSPTO'. A search bar is also present. Below the navigation bar, there are tabs for 'Patents', 'Trademarks', 'IP Policy', and 'Learning and Resources', along with a 'Find It Fast' button. The main content area features a breadcrumb trail: 'Home > Trademarks > Laws & Regulations > Products and services to fight COVID-19: Petitions to prioritize initial examination of trademark applications'. The page title is 'Products and services to fight COVID-19: Petitions to prioritize initial examination of trademark applications'. The main text explains that in response to the COVID-19 outbreak, the Director will accept petitions to advance the initial examination of trademark applications for marks used to identify qualifying medical products and services related to COVID-19. It also lists eligibility criteria and frequently asked questions.

Products and services to fight COVID-19: Petitions to prioritize initial examination of trademark applications

In response to the COVID-19 outbreak, and in view of the critical need to develop and help speed to market medical products and services to combat the COVID-19 virus, the Director will accept petitions to advance the initial examination of trademark applications for marks used to identify qualifying medical products and services related to COVID-19. Additionally, the USPTO will waive the fee for such petitions. The applicant must file a Petition to the Director under 37 CFR § 2.146(a)(3) seeking to have the Director exercise supervisory authority to advance the initial examination of the application out of its regular order. See Trademark Manual of Examining Procedure §1710 et seq.

To be eligible for prioritized initial examination under this procedure, an applicant must seek registration for one or more of the following medical goods or services related to COVID-19:

- Pharmaceutical products or medical devices such as diagnostic tests, ventilators, and personal protective equipment, including surgical masks, face shields, gowns, and gloves, that prevent, diagnose, treat, or cure COVID-19 and are subject to approval by the United States Food and Drug Administration
- Medical services or medical research services for the prevention, diagnosis, treatment of, or cure for COVID-19

The application may also include additional related goods or services.

Frequently asked questions

Expand all | Collapse all

- > When can I file a petition to prioritize initial examination?
- > How long will this petition option be available?
- > Which types of goods and services are eligible for this procedure?

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Trademark Prioritized Examination Program

How to request participation:

- After filing the application, applicants must file a Petition to the Director using the USPTO [Trademark Electronic Application System](#) (TEAS).
- The petition must provide:
 - a **statement of facts**, supported by an affidavit or declaration setting forth the applicant's COVID-19 medical-related goods or services; and
 - an **explanation** of why the goods or services are of a type that qualifies for prioritized examination, including the section of the Code of Federal Regulations under which the goods or services are regulated.

The screenshot shows the USPTO Trademark Electronic Application System (TEAS) interface. At the top, there is a navigation bar with the USPTO logo and links for 'About Us', 'Jobs', 'Contact Us', and 'Logout'. Below this is the title 'Trademark Electronic Application System' and a disclaimer: 'Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number. PTO Form 2301 (Rev 02/2020) OMB No. 0651-0054 (Exp. 12/31/2020)'. The main heading is 'Petition to Director' with the subtitle 'TEAS - Version 7.1'. A box titled 'GENERAL FORM INFORMATION:' contains three bullet points: 'TIME OUT WARNING: After 25 minutes of inactivity, you will be prompted to continue your session. If you do not continue within 5 minutes, the session will end, you will be logged out of your USPTO.gov account, and you will lose any unsaved data in the form. Please have all of your information ready before you start.', 'DO NOT USE YOUR BROWSER BACK/FORWARD BUTTONS: Use only the navigation buttons at the bottom of each page.', and 'REQUIRED FIELDS: All have an ASTERISK (*), and the form will not validate if these fields are not filled-out.' Below this is the section 'TO ACCESS THE PETITION FORM:' with two steps: 'STEP 1: Use this option ONLY if a specific TEAS form does not already exist for the purpose of this filing. Please double-check all possible TEAS forms before attempting to proceed.' and 'STEP 2: ENTER APPLICATION SERIAL NUMBER/REGISTRATION NUMBER BELOW OR ACCESS PREVIOUSLY FILLED-OUT/SAVED FORM.' There is a text input field for '* Serial/Registration Number:' with a note '(Do not enter serial/registration number if you are accessing your saved form.)' and the word 'OR' below it. A blue box contains instructions: 'To upload a previously saved form file, first review the TEAS Help instructions for accessing previously saved data and then use the "Browse..." button below to access the form file saved on your computer. WARNING: Failure to follow the TEAS Help instructions will result in the inability to edit your data.' A yellow box contains a warning: 'Do NOT upload or attach any other file(s) (for example, a specimen or foreign registration certificate) using the button below. You must upload other attachments within the proper section of the actual form, after answering "Yes" to the appropriate wizard question(s) on the next page.' At the bottom, there is a 'Choose File' button with the text 'No file chosen' and a 'Continue' button.

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>



Trademark Prioritized Examination Program

- The USPTO will monitor the workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program.
- Questions:
 - Members of the public may submit comments or questions regarding the program to TMPolicy@uspto.gov.
 - Questions regarding how to access or submit the TEAS Petition to Director form should be addressed to TEAS@uspto.gov.
 - To reach the Trademark Assistance Center, call 1-800-786-9199 or email TrademarkAssistanceCenter@uspto.gov.



Deferred-Fee Provisional Pilot Program

Deferred-Fee Provisional Patent Program

For COVID-19 related provisional patent applications:

- The USPTO will permit applicants to **defer payment** of the provisional filing fee until the filing of a non-provisional if the applicant agrees to publication of the provisional on the Office's **searchable collaboration database**.
- The goal is to provide a cost-effective means for inventors to disclose ideas quickly to facilitate collaborations, partnerships, or joint ventures.

58038 Federal Register / Vol. 85, No. 181 / Thursday, September 17, 2020 / Notices

policies set forth in Section 2 of the ESA.

Authority: The requested permits have been issued under the MMPA of 1972, as amended (16 U.S.C. 1561 et seq.), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the ESA of 1973, as amended (16 U.S.C. 1531 et seq.), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), as applicable.

Dated: September 14, 2020.

Julia Marie Harrison,
Chief, Permits and Conservation Division,
Office of Protected Resources, National
Marine Fisheries Service.
[FR Doc. 2020–20495 Filed 9–16–20; 8:45 am]
BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
[RTID 0648–XA453]

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will hold a 1-day meeting via webinar of its Reef Fish Advisory Panel (AP).

DATES: The meeting will be held on Tuesday, October 6, 2020, from 9 a.m. to 5:30 p.m., EDT.

ADDRESSES: The meeting will take place via webinar; you may register by visiting www.gulfcouncil.org and clicking on the Advisory Panel meeting on the calendar.

Council address: Gulf of Mexico Fishery Management Council, 4107 W Spruce Street, Suite 200, Tampa, FL 33607; telephone: (813) 348–1630.

FOR FURTHER INFORMATION CONTACT: Ryan Rindone, Lead Fishery Biologist, Gulf of Mexico Fishery Management Council, ryan.rindone@gulfcouncil.org, telephone: (813) 348–1630.

SUPPLEMENTARY INFORMATION:

Tuesday, October 6, 2020; 9 a.m.–3:30 p.m. EDT

The meeting will begin with Introductions and Adoption of Agenda, and review of Scope of Work. The AP will review presentations, documents, Draft Reef Fish Amendment 53: Red Grouper Allocations and Annual Catch Levels and Targets, SEDAR 67: Gulf of Mexico Vermilion Snapper Stock Assessment, SEDAR 64: Southeastern U.S. Yellowtail Snapper Stock Assessment, Gray Triggerfish Interim Analysis, and Draft Reef Fish Framework Action: Modification of the Gulf of Mexico Lane Snapper Annual Catch Limit.

The AP will review a Public Hearing Draft Amendment 36B: Modifications to Commercial Individual Fishing Quota (IFQ) Program, receive a presentation on *Testing assumptions about sex change and spatial management in the protogynous gag grouper, *Mycteroperca microlophus**; and receive public comments.

—Meeting Adjourns

The meeting will be broadcast via webinar. You may register for the webinar by visiting www.gulfcouncil.org and clicking on the AP meeting on the calendar.

The Agenda is subject to change, and the latest version along with other meeting materials will be posted on www.gulfcouncil.org as they become available.

Although other non-emergency issues not on the agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Actions of the Advisory Panel will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under section 205(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Dated: September 14, 2020.

Tracy L. Thompson,
Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 2020–20335 Filed 9–16–20; 8:45 am]
BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE
Patent and Trademark Office
[Docket No. PTO–P–2020–0036]

Deferred-Fee Provisional Patent Application Pilot Program and Collaboration Database To Encourage Inventions Related To COVID–19

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: Patents and published patent applications provide a key source of free-flowing technical information among the world's brightest minds, thus promoting further innovation. The United States Patent and Trademark Office (USPTO or Office) recognizes that its charge to issue high-quality patents to inventors goes hand-in-hand with dissemination of this important information. Such information flow is now more important than ever in view of the urgent challenges posed by COVID–19. Therefore, the USPTO is implementing a deferred-fee provisional patent application pilot program (the program) to promote the expedited exchange of information about inventions designed to combat COVID–19. Under this program, the USPTO will permit applicants to defer payment of the provisional application filing fee until the filing of a corresponding nonprovisional application. In turn, applicants must agree that the technical subject matter disclosed in their provisional applications will be made available to the public via a searchable collaboration database maintained on the USPTO's website. To qualify for the program, the subject matter disclosed in the provisional application must concern a product or process related to COVID–19, and such product or process must be subject to an applicable Food and Drug Administration (FDA) approval for COVID–19 use, whether such approval has been obtained, is pending, or will be sought prior to marketing the subject matter for COVID–19.

DATES: Comments must be received by November 16, 2020 to ensure consideration.

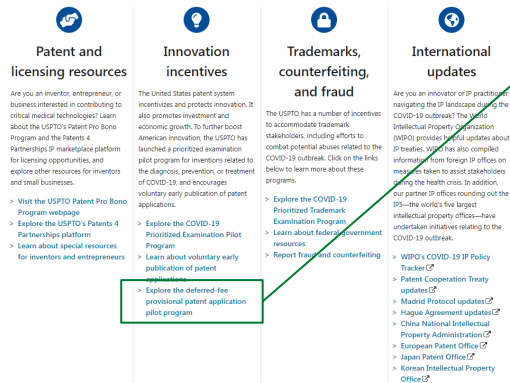
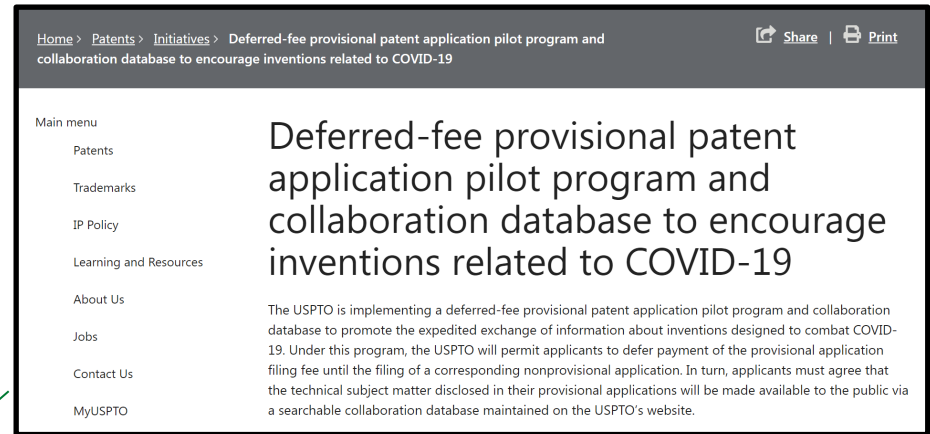
Pilot Duration: The deferred-fee provisional patent application pilot program will accept certifications and requests for participation for a period of 12 months, beginning on September 17, 2020. The USPTO may extend the pilot program (with or without modifications) or terminate it depending on the workload and resources needed to administer it, feedback from the public, and its effectiveness. Depending on feedback and public interest, the technological scope could also be expanded beyond COVID–19 to other areas that are the focus of pioneering or rapid innovation. If the pilot program is extended or terminated, the USPTO will notify the public. The USPTO may also make the program permanent via the rule-making process.

ADDRESSES: Comments should be sent by email addressed to Covid19ProvisionalApplication@uspto.gov. If submission of comments by

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Deferred-Fee Provisional Pilot Program

- The USPTO launched a webpage that provides additional resources and information.
- The webpage details:
 - Criteria of the pilot program
 - How to request participation
 - Announcements
 - Questions and answers



Deferred-Fee Provisional Pilot Program

Criteria of the pilot program:

- Certification that the product or process is related to COVID-19 and subject to applicable FDA approval.
- Agree to public disclosure of the technical subject matter via the Office's searchable collaboration database.
- Applicants should file the [Pilot Program Form PTO/SB/452](#) using the USPTO patent electronic filing system, [EFS-Web](#).

The screenshot shows a webpage with a dark header containing navigation links: Home > Patents > Initiatives > Deferred-fee provisional patent application pilot program and collaboration database to encourage inventions related to COVID-19. On the right side of the header are icons for Share and Print. Below the header is a main content area with a left sidebar menu and a main text area. The sidebar menu includes: Main menu, Patents, Trademarks, IP Policy, Learning and Resources, About Us, Jobs, Contact Us, and MyUSPTO. The main text area features the title "Deferred-fee provisional patent application pilot program and collaboration database to encourage inventions related to COVID-19" and a paragraph of text: "The USPTO is implementing a deferred-fee provisional patent application pilot program and collaboration database to promote the expedited exchange of information about inventions designed to combat COVID-19. Under this program, the USPTO will permit applicants to defer payment of the provisional application filing fee until the filing of a corresponding nonprovisional application. In turn, applicants must agree that the technical subject matter disclosed in their provisional applications will be made available to the public via a searchable collaboration database maintained on the USPTO's website."

Deferred-Fee Provisional Pilot Program

How to request participation:

- Fill out [Pilot Program form PTO/SB/452](#).
- Save the form and upload it via [Patent Center](#) with the provisional application including all required parts.
 - When uploading your form, select document description “COVID-19 Collab Database Request for Prov Appl” (found under “Pilot Programs” category) on the Patent Center Attach Documents screen to ensure processing.

Doc Code: CV19.PUB.PRO
Document Description: COVID-19 Collab Database Request for Prov Appl
PTO/SB/452 (09-20)

CERTIFICATION AND REQUEST FOR COVID-19 PROVISIONAL PATENT APPLICATION PROGRAM (Page 1 of 1)	
First Named Inventor:	
Title of Invention:	
Contact information to include in database (optional)	
APPLICANT HEREBY MAKES THE FOLLOWING CERTIFICATIONS AND REQUESTS THAT THE USPTO INCLUDE THE DESCRIPTION OF THE ACCOMPANYING PROVISIONAL PATENT APPLICATION IN A PUBLIC DATABASE.	
<ol style="list-style-type: none">1. The description of the accompanying provisional patent application concerns a product or process relating to COVID-19 and such product or process is subject to an applicable FDA approval for COVID-19 use.2. The accompanying application is in the English language.3. The accompanying application is being filed in DOCX format via the USPTO's Patent Center filing system, together with this form.4. The applicant understands that while the required filing fee for the accompanying provisional application may be deferred by acceptance into this program, the appropriate filing fee must be paid in order for a subsequent U.S. nonprovisional application to claim the benefit of the filing date of the accompanying provisional application. Applicant recognizes that the filing fee due in the future may be more than the current fee due and that by deferring payment of the filing fee, there may be an increase in the total fee due.5. Applicant authorizes and requests that the description, including the specification and any drawings, claims and/or abstract of the accompanying provisional patent application, as well as this form, be included in a searchable online public database.6. Applicant understands that inclusion in the public database is a publication of the description and this form.	
Signature	Date
Name (Print/Typed)	Practitioner Registration Number
Note: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.*	
<input type="checkbox"/> *Total of _____ forms are submitted.	

Deferred-Fee Provisional Pilot Program

The webpage contains additional information:

- Link to the Federal Register Notice ([Federal Register notice 85 Fed. Reg. 58038](#))
- The USPTO's announcements regarding the pilot program

Questions and Answers

[Expand all](#) | [Collapse all](#)

▼ 1 When is the pilot effective?

The pilot is effective or starts on September 17, 2020, the date of publication of the notice in the Federal Register.

▼ 2 How long will the pilot last?

The pilot will last for one year from September 17, 2020, unless subsequently revised by the Office.

▼ 3 May I file a request in a previously filed provisional application?

No, the request can only be made with the filing of a provisional application.

▼ 4 How do I file a request for the pilot program?

Participation is requested by filing a technical disclosure in legible DOCX format as well as a provisional application cover sheet and a certification and request to participate in the program (form PTO/SB/452, titled "Certification and Request for COVID-19 Provisional Patent Application Program," available at <https://www.uspto.gov/patent/forms/forms-patent-applications-filed-or-after-september-16-2012>). The filing fee for a provisional application does not need to be paid at the time of filing. A submission that fails to include a legible specification in DOCX format will not be treated as a program submission, even if it is accompanied by form PTO/SB/452. The submission will be handled as a provisional application, and a notice will be sent pursuant to [37 CFR 1.53\(g\)](#), including a requirement for payment of the basic filing fee ordinarily within two months of the date of the notice. See [MPEP 601.01\(b\)](#).



Deferred-Fee Provisional Pilot Program

- The USPTO will monitor the workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program.
- Questions:
 - Members of the public may submit comments or questions regarding the program to COVID19ProvisionalApplication@uspto.gov
 - Requests for assistance with electronic filing should be directed to the Patent Electronic Business Center at EBC@uspto.gov.

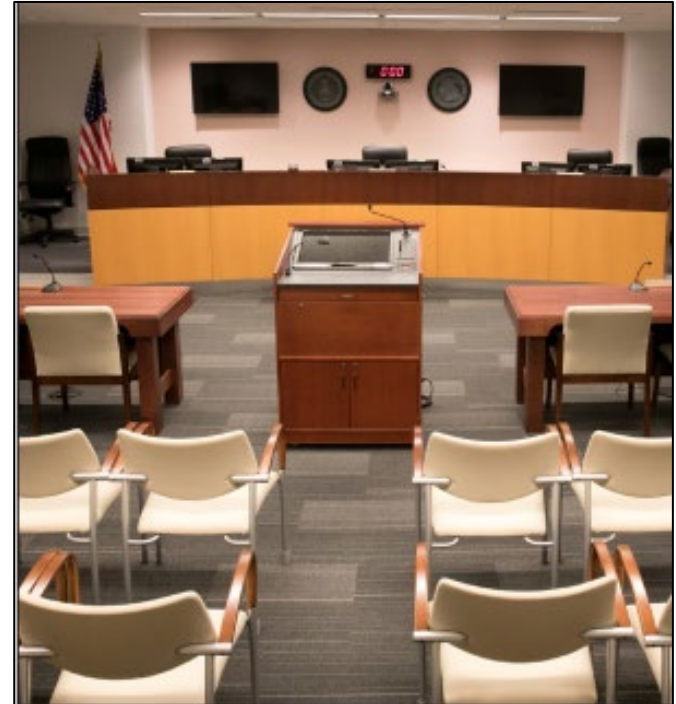


Stakeholder support

Remote interviews and hearings

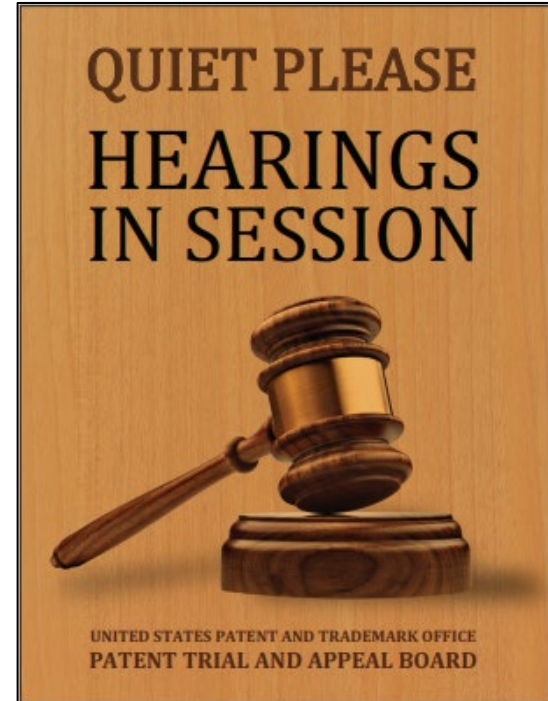
Interviews, oral hearings, and in-person meetings have all been conducted remotely by video or telephone since March 13:

- For interviews, applicants should contact the patent examiner or managing attorney directly.
- For Patent Trial and Appeal Board (PTAB) oral hearings, practitioners should contact PTABHearings@uspto.gov.
 - The PTAB has also given a Boardside Chat Webinar discussing everything practitioners need to know about appearing before the PTAB.
- For Trademark Trial and Appeal Board (TTAB) oral hearings, practitioners should contact TTABHearings@uspto.gov.



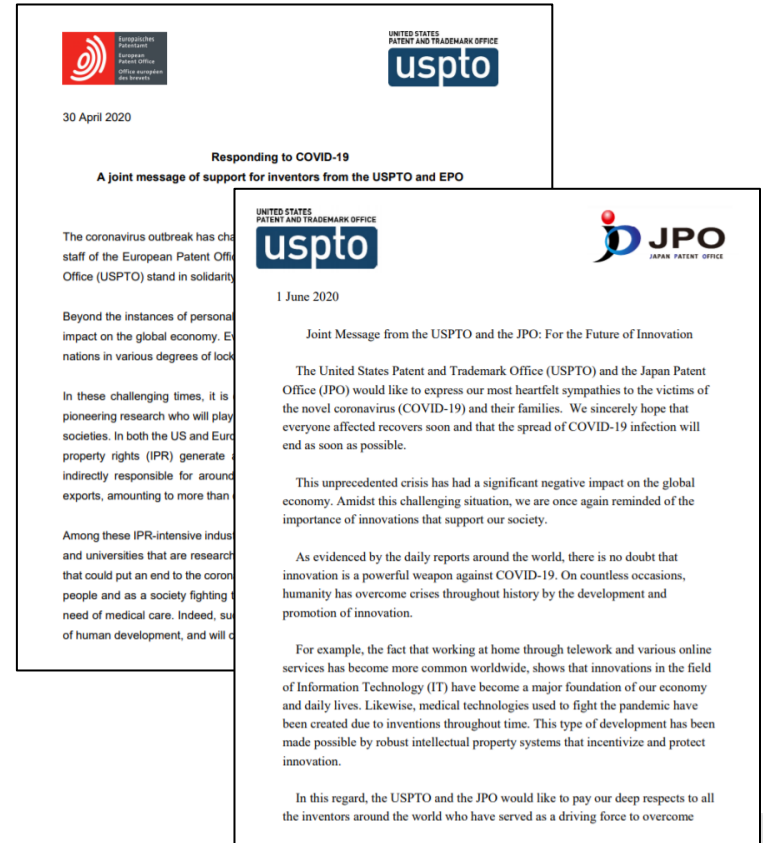
Remote hearings generally

- The PTAB addressed the logistics for virtual proceedings and public remote viewing of hearings on May 1, 2020 in their [Boardside Chat Webinar](#).
- Oral hearings for appeals are by telephone.
- Oral hearings for AIA trials are by video or telephone.
- Parties will receive a Hearing Order with relevant instructions.
 - Appeals: a few days before oral hearing date
 - AIA trials: approximately three weeks before oral hearing date
- You can email questions or special requests to PTABHearings@uspto.gov.
- You can request public access to hearings at least three business days prior to the oral hearing date.



International unity

- A joint statement from the USPTO and the EPO about standing united in supporting the public during this crucial time was published on April 30, 2020.
- A joint statement from the USPTO and the JPO about standing united for the future of innovation was published on June 1, 2020.



Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>

Waivers

The USPTO considers the effects of the COVID-19 outbreak to be an “extraordinary situation” within the meaning of 37 CFR § 1.183. As a result, the USPTO has:

- Waived the original **handwritten signature** requirement of 37 CFR § 1.4(e)(1) and (2)
 - eSignature = typed name between two forward slashes (e.g., /Dr. James T. Jones, Jr./)
- Allowed the filing of **plant patent applications** and correspondence via the patent electronic filing system, [EFS-Web or Patent Center](#)

Relief Available to Plant Patent Applicants in View of the COVID-19 Outbreak: File Plant Patent Applications and Correspondence via USPTO Patent Electronic Filing Systems

The United States Patent and Trademark Office (USPTO) considers the effects of the COVID-19 outbreak to be an “extraordinary situation” within the meaning of 37 CFR 1.183. Accordingly, the USPTO will permit the filing of plant patent applications and follow-on documents via USPTO patent electronic filing systems (EFS-Web or Patent Center) in accordance with this notice.

As set forth in the Legal Framework for Patent Electronic Filing Systems (see 35 U.S.C. 161) filed under 35 U.S.C. 161(a), plant patent applications have not been permitted to be filed with the USPTO via USPTO patent electronic filing systems (see [online/legal-framework-efs-plant-patent-applications](#)) and hereby waived on a temporary basis until further notice. Filers are reminded that only registered users of USPTO patent electronic filing systems may file follow-on documents into existing applications via USPTO patent electronic filing systems.

The requirements for filing plant patent applications and follow-on documents via USPTO patent electronic filing systems are as follows:

- (1) The USPTO’s transmittal form, PTO/AIA/19, Plant Patent Application Transmittal, must accompany the application;
- (2) The document description “Transmittal of New Application” (Doc Code TRNA) must be selected for PTO/AIA/19 in USPTO patent electronic filing systems;
- (3) An indication must be made on the appropriate screen in USPTO patent electronic filing systems that a utility patent application is being filed (there is no option for a plant patent application);
- (4) If fees are being paid, an authorization to charge all fees to a USPTO deposit account (e.g., in a fee transmittal form such as USPTO form PTO/SB/17) or an authorization to charge all fees to a credit card using the Credit Card Payment Form (PTO-2038) must be provided. This Credit Card Payment Form can be filed via USPTO patent electronic filing systems or facsimile; and
- (5) The document description “Drawings-other than black and white line drawings” (Doc Code DRW.NONBW) must be used for the drawings so that they will load into the Supplemental Complex Repository for Examiners (SCORE).

As discussed in Section 1605 of the Manual of Patent Examining Procedure (MPEP, e9 r-08.2017), where color is a distinctive feature of the plant, the color should be positively identified in the specification by reference to a designated color as given by a recognized color dictionary or color chart, such as the Horticultural Colour Chart of the Royal Horticultural

Relief Available to Plant Patent Applicants in View of the COVID-19 Outbreak: File Plant Patent Applications and Correspondence via USPTO Patent Electronic Filing Systems

The United States Patent and Trademark Office (USPTO) considers the effects of the COVID-19 outbreak to be an “extraordinary situation” within the meaning of 37 CFR 1.183. Accordingly, the USPTO will permit the filing of plant patent applications and follow-on documents via USPTO patent electronic filing systems (EFS-Web or Patent Center) in accordance with this notice.

As set forth in the Legal Framework for Patent Electronic System, plant patent applications (see 35 U.S.C. 161) filed under 35 U.S.C. 111(a) and follow-on documents associated with plant patent applications have not been permitted to be filed with the USPTO via USPTO patent electronic filing systems (see [https://www.uspto.gov/patents-application-process/filing-online/legal-framework-efs-arch](#)). Due to the COVID-19 outbreak, any prohibition against filing plant patent applications and follow-on documents via USPTO patent electronic filing systems is hereby waived on a temporary basis until further notice. Filers are reminded that only registered users of USPTO patent electronic filing systems may file follow-on documents into existing applications via USPTO patent electronic filing systems.

The requirements for filing such plant patent applications and follow-on documents via USPTO patent electronic filing systems were developed to assist filers and facilitate the USPTO’s identification and processing of the plant patent applications and follow-on documents. The requirements are as follows:

- (1) The USPTO’s transmittal form, PTO/AIA/19, Plant Patent Application Transmittal, must accompany the application;
- (2) The document description “Transmittal of New Application” (Doc Code TRNA) must be selected for PTO/AIA/19 in USPTO patent electronic filing systems;
- (3) An indication must be made on the appropriate screen in USPTO patent electronic filing systems that a utility patent application is being filed (there is no option for a plant patent application);
- (4) If fees are being paid, an authorization to charge all fees to a USPTO deposit account (e.g., in a fee transmittal form such as USPTO form PTO/SB/17) or an authorization to charge all fees to a credit card using the Credit Card Payment Form (PTO-2038) must be provided. This Credit Card Payment Form can be filed via USPTO patent electronic filing systems or facsimile; and
- (5) The document description “Drawings-other than black and white line drawings” (Doc Code DRW.NONBW) must be used for the drawings so that they will load into the Supplemental Complex Repository for Examiners (SCORE).

As discussed in Section 1605 of the Manual of Patent Examining Procedure (MPEP, e9 r-08.2017), where color is a distinctive feature of the plant, the color should be positively identified in the specification by reference to a designated color as given by a recognized color dictionary or color chart, such as the Horticultural Colour Chart of the Royal Horticultural

Waivers

The USPTO considers the effects of the COVID-19 outbreak to be an “extraordinary situation” within the meaning of 37 CFR § 1.183. As a result, the USPTO has:

- Permitted patentees to file **initial patent term extension applications** that meet certain criteria via [EFS-Web or Patent Center](#)
- Extended the time period for petitioning for **certain rights of priority or benefit** and waived the associated petition fee

Relief Available to Patentees in View of the COVID-19 Outbreak for Submission of Initial Patent Term Extension Applications Filed Pursuant to 35 U.S.C. 156

The United States Patent and Trademark Office (USPTO) considers the effects of the COVID-19 outbreak to be an “extraordinary situation” within the meaning of 37 CFR 1.183. In accordance with this notice, the USPTO will permit the filing of initial patent term extension applications pursuant to 35 U.S.C. 156 via the USPTO patent electronic filing systems (EFS-Web or Patent Center).

According to the “Legal Framework for Patent Electronic System” (<https://www.uspto.gov/patents-application-process/electronic-filing-systems>), certain documents are prohibited systems. See section B2 of the “of documents. Item number 4 on 35 U.S.C. 156.” Additionally, M section B2] is submitted via EFS will not be considered officially certificate of transmission under

Due to the COVID-19 outbreak, applications in accordance with filing systems is hereby waived filing system filings only, the additional copies of the initial extension application filed via the following must be provided:

1. An appropriate document:
 - a. “Patent Term Extension (PTE) Application” (PTERM.REQ) 156(d)(1) (37 CFR 1.179);
 - b. “PTE Interim Application” (PTI) selected for an application (37 CFR 1.790);
2. An email address in the name of the applicant, representative, and
3. The applicable fee:
 - a. the fee set forth in 37 CFR 1.179(m) for a patent term extension application;

Notice of the United States Patent and Trademark Office's COVID-19 Outbreak Relief Relating to Restoring the Right of Priority or Benefit to Patent Applicants

On March 13, 2020, the President declared a national emergency under the National Emergencies Act as a result of the COVID-19 outbreak. Subsequently, the Director of the United States Patent and Trademark Office (USPTO) determined that the emergency prejudiced the rights of applicants, patent owners, or others appearing before the USPTO in patent matters and may have prevented them from filing documents or fees with the Office. The Director also determined that the effects of the COVID-19 outbreak have created an extraordinary situation for affected patent applicants and patentees. Therefore, pursuant to subsection 12004(a) of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and 37 CFR § 1.183, the USPTO is extending the time period for petitioning for certain rights of priority or benefit and waiving the associated petition fee.

Restoration of the Right of Priority to or Benefit of a Prior-Filed Application

Ordinarily, if an applicant seeks to claim priority to or benefit of a prior-filed foreign or provisional application, the application seeking priority or benefit must be filed within 12 months (or 6 months in the case of a design application claiming foreign priority) of the prior-filed application. After this period expires, the patent laws permit an applicant two more months to file an application seeking priority or benefit in order to be able to petition for restoration of the right to claim priority to or benefit of a prior-filed foreign or provisional application under 37 CFR § 1.55(c) or 1.78(b), if the delay in filing the application seeking priority or benefit was unintentional. See Manual of Patent Examining Procedure 211.01(a) and 213.03. The petition fee under 37 CFR § 1.17(m) is required for a petition under 37 CFR § 1.55(c) or 1.78(b).

Pursuant to subsection 12004(a) of the CARES Act and 37 CFR § 1.183, the USPTO provides the following additional relief:

Nonprovisional Applications and 35 U.S.C. §§ 119(a) and 172

For any nonprovisional application seeking priority of a prior-filed foreign application for which the 12-month time period under 35 U.S.C. § 119(a) (or 6-month time period under 35 U.S.C. § 172) ended between, and inclusive of both, March 27, 2020, and July 30, 2020, the USPTO will:

- 1) Permit the two-month time period under 35 U.S.C. § 119(a) for restoring the right of priority to a foreign application to run until the later of:
 - a) July 31, 2020; or
 - b) the expiration of the two-month period set forth in 35 U.S.C. § 119(a); and
- 2) Waive the petition fee in 37 CFR § 1.17(m) for a petition under 37 CFR § 1.55(c);

Accessible via the COVID-19 Response Resource Center, available at <https://www.uspto.gov/coronavirus/uspto-covid-19-response-resource-center>



Thank you!

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