



THE U.S. PATENT AND TRADEMARK OFFICE EXTENDS DEADLINES DUE TO COVID-19

The coronavirus pandemic has affected each of us in nearly every aspect of life and has significantly disrupted the operations of numerous businesses.

To aid individuals and businesses affected by the pandemic and the resulting economic downturn, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was enacted on March 27, 2020, and now constitutes the largest economic relief bill in U.S. history.

For those individuals and businesses with patent or trademark matters before the U.S. Patent and Trademark Office (USPTO), who are unable to meet timing deadlines due to the COVID-19 outbreak, the CARES Act allows the USPTO to waive certain deadlines.

On March 31, 2020, and in accordance with section 12004 of the CARES Act, the USPTO extended the time to file certain patent-related and trademark-related documents and fees which would otherwise have been due between, and inclusive of, both March 27, 2020 and April 30, 2020, for a period of thirty (30) days from the initial date it was due. A filing seeking such an extension, however, must be accompanied by a statement that the delay in filing or payment was due to the COVID-19 outbreak. The statement would need to substantiate the claim that the outbreak materially interfered with timely filing or payment by pointing to office closures, cash flow interruptions, inaccessibility of files or other materials, travel delays, personal or family illness, or similar circumstances.

If you would like to know whether you are eligible for such an extension or waiver, or what type of other relief is available under the act as it relates to your patent or trademark matter, please contact a member of Bulkley Richardson's Intellectual Property group.

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