

ADVANTAGES OF PAYING PATENT MAINTENANCE FEE BEFORE MARCH 19

Intellectual Property Alert
March 11, 2013

A new fee schedule from the United States Patent and Trademark Offices (USPTO) will take effect on March 19, 2013. As a result, most of the patent related fees—including maintenance fees—will increase significantly. For example, patent maintenance fees for large entities due at 3.5 years, 7.5 years, and 11.5 years will increase by 39 percent, 24 percent, and 54 percent respectively. After March 19, a 75 percent discount will be available for applicants that qualify as micro-entities. The 50 percent discount for small entities will continue to be available.

The USPTO allows patent owners to pay maintenance fees without surcharge during a period starting six months before the maintenance fee due date and for six months after that with a surcharge. Consequently, patent owners may want to take advantage of the applicable payment windows and pay any maintenance fees due on or before March 18, 2013, to avoid the increased fees.

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