Insights: Alerts

Further Extensions for EPO Deadlines Available

April 17, 2020

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Please note: The below information may require updating, including additional clarification, as the COVID-19 pandemic continues to develop. Please monitor our main COVID-19 Task Force page and/or your email for updates.

We previously published an alert that the European Patent Office (EPO), the European Union Intellectual Property Office (EUIPO) and United States Patent and Trademark Office (USPTO) had issued Notices that extended the times to file papers that could not be filed due to disruptions caused by the COVID-19 pandemic.

The EPO extensions, which previously expired on April 17, 2020, have now been extended to May 4, 2020, by a second Notice, available here. As stated in this second Notice, it is otherwise identical to the prior Notice. The same limitations, caveats, and precautions regarding the availability of extensions thus still apply.

No analogous Notices have yet been issued by either the EUIPO or the USPTO.

However, the USPTO did not provide for an expiration date, other than the limitation that fees for petitions to revise could be waived as long as the petition was filed within two months of a Notice of Abandonment or termination or limitation of reexamination prosecution, or, if no Notice was issued, within six months after the date of abandonment, and the like.

The original EUIPO Notice extended all time limits expiring between March 5 and April 30, 2020 until May 1, 2020; so the extensions available from the EUIPO have not yet expired.

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