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Navigating The USPTO First Action Interview Pilot Program

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Most options for expediting U.S. patent prosecution require the applicant to incur additional expenses. For instance, the Track One program requires payment of additional fees to the U.S. patent office, and even the Patent Prosecution Highway, which lacks any fee requirement, involves the expense of submitting an application to an office of first filing. By contrast, the First Action Interview pilot program (FAIPP) provides a low-cost alternative that often results in faster consideration of applications. And, unlike other options for expediting prosecution, the FAIPP often provides an opportunity to shape the examiner's opinions early in the examination process, thereby smoothing the path to allowance for certain applications.

Practitioners who are well versed in the procedures and strategic considerations of the FAIPP can fully leverage its advantages on behalf of clients. In this article Kilpatrick Townsend's Robert Curylo guides applicants through each phase of the FAIPP, including enrollment, pre-interview considerations, and various outcomes following the interview.
