

## USPTO Grants Another Extension of Time Due to

### COVID-19 Response Resource Center: Timely Counsel for your Business

By David Sar on 04.29.2020

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While the United States Patent and Trademark Office (USPTO) remains open for online filings, it has further extended many trademark and patent deadlines due to the COVID-19 outbreak.

#### Trademark

Under the authority of the CARES Act, the USPTO announced yesterday evening that if one of the deadlines listed below fell between March 27, 2020 and May 31, 2020, then such a filing is timely if made on or before June 1, 2020. This enlarges by a month the prior range of deadlines subject to the prior COVID-19 extension and generally imposes a fixed deadline by which the filings should be made.

The extended deadlines include:

- Office Action responses, including appeals
- Statements of use, and extension requests
- Notices of Opposition, and extension requests
- Priority filings under certain statutory provisions
- Transformations of specific types of extensions of international trademark protection to US applications
- Affidavits of use or excusable nonuse
- Renewal applications

When the filing is made, it must be accompanied by a statement that the delay in filing/payment was due to the COVID-19 outbreak. "Due to" means that the practitioner, applicant, registrant or other person associated with the filing was personally affected by the COVID-19 outbreak, including, without limitation, personal or family illness, office closures, cash flow interruptions, inaccessibility of files, travel delays or similar circumstances.

The USPTO will also waive certain fees if there is a need to petition to reinstate or revive a registration or application for which a deadline passed during this time period.

USPTO Grants Another Extension of Time Due to COVID-19, Provided That Filings Are Made  
by June 1, 2020

The Trademark Trial and Appeal Board (TTAB) at the USPTO also has authority, upon request, to extend deadlines in cases if COVID-19 prevented or interfered with a filing.

For more information, please visit this link on the USPTO website.

### Patent

The USPTO has also extended many patent deadlines. For more detail, please review this link.

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Brooks Pierce is dedicated to keeping our clients fully informed during the COVID-19 crisis. For more information, please visit our COVID-19 Response Resources page.

**Tags:** CARES Act, USPTO