

## USPTO Issues Third Notice Extending Certain Patent & Trademark Deadlines Due to COVID-19

By: Frank A. Bruno, Randy M. Friedberg, Ilaria Maggioni and Katherine Todd

*Intellectual Property*

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On April 28, 2020, the United States Patent and Trademark Office (USPTO) issued its third Official Notice (the Notice) in the wake of the COVID-19 crisis, further extending certain specifically enumerated trademark and patent deadlines falling between **March 27, 2020 and May 31, 2020**, to **June 1, 2020** due to the "national emergency" as proscribed in the recently enacted CARES Act. The third Notice supersedes the prior Official Notices of March 16, 2020 and March 31, 2020.

For both patents and trademarks, the Notice continues to offer relief to those impacted by the COVID-19 crisis due to office closures, cash flow interruptions, lack of accessibility to files or related materials, travel delays, personal or family illness, or other similar circumstances.

For both trademark and patent owners/applicants, the categories of deadlines and conditions required to be eligible for the extensions remain the same as the ones enumerated in the prior Notices, as does the mandatory COVID-related statement that must accompany the filings when they are made. Our previous alert provides details about these requirements.

### What's New

**Trademark Notice:** For trademark owners/applicants, the third Notice limits the fee waiver to revive eligible abandoned applications and cancelled registrations (as set forth in the Notice) to those that became abandoned on or before **May 31, 2020** as a result of the COVID-19 outbreak.

**Patent Notice:** For patent owners/applicants, the third Notice limits the fee waiver for eligible applications and reexamination proceedings to those that became abandoned on or before **May 31, 2020** as a result of the COVID-19 outbreak.

For those applicants and owners who were unable to submit a filing or payment in response to an Office communication having a due date on before May 31, 2020, the USPTO will waive the fee provided the applicant or owner provides the mandatory COVID-19 statement.

If you have any questions or would like additional information, please contact: for trademark inquiries, Ilaria Maggioni ([maggionii@whiteandwilliams.com](mailto:maggionii@whiteandwilliams.com); 212.868.4838) and Randy Friedberg ([Friedbergr@whiteandwilliams.com](mailto:Friedbergr@whiteandwilliams.com); 212.714.3079) or for patent inquiries, Frank Bruno ([brunof@whiteandwilliams.com](mailto:brunof@whiteandwilliams.com); 215.864.6225).

As we continue to monitor the novel coronavirus (COVID-19), White and Williams lawyers are working collaboratively to stay current on developments and counsel clients through the various legal and business issues that may arise across a variety of sectors. Read all of the updates [here](#).

This correspondence should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only and you are urged to consult a lawyer concerning your own situation and legal questions.