



USPTO ANNOUNCES NEW COVID-19 PRIORITIZED EXAMINATION PILOT PROGRAM





While the COVID-19 pandemic and ensuing shutdowns around the globe have seemingly brought much of society to a grinding halt, that’s not necessarily the case with patents—especially those related to COVID-19.

As we’ve explored previously, ([COVID-19 & IP Laws: Should Drug Patent Holders Be Concerned?](#) and [How COVID-19 is Impacting Intellectual Property Laws](#)), governments and other entities are streamlining or even reducing patent requirements in an effort to get potentially lifesaving medications and procedures to market.

And it doesn’t end there. The USPTO recently announced its new [COVID-19 Prioritized Examination Pilot Program](#) . . . and if your patent application is related to a product or process “for use in the prevention and/or treatment of COVID-19” you just might qualify.

This [new program](#) potentially waives fees for applicants who qualify for small- or micro-entity status and who are seeking prioritized (expedited) examination. It seems the downturn in the number of new applications as a result of the pandemic and resulted slowdowns has actually increased the ability of the USPTO to process and respond to applications.

We’ll take it. During these often chaotic and uncertain times, any silver lining is welcome.

Additionally, provided that applicants respond in a timely manner and all their “ducks are in a row,” the USPTO expects final disposition on patent applications within six months.

The USPTO also extended (for the second time) filing deadlines and fees for trademark owners affected by the COVID-19 pandemic. Essentially, those unable to meet filing deadlines and fees between March 27, 2020, and May 31, 2020, will not be impacted if they file on or before June 1, 2020. They also granted extensions for responses to notices of appeal, renewal applications, motions for trial cases, and more.

Here is a link to the full [Notice of Extended Waiver of Trademark-Related Timing Deadlines](#) (pdf) at the USPTO site.

“In times of crisis it’s good to see the USPTO recognize that all patent and trademark owners may need more time to file, pay certain fees, and respond to requests for information,” explains Eric Ludwig, ESQ, an experienced, US-based trial lawyer with an extensive background in intellectual property and business litigation around the globe. “COVID-19 is presenting many new challenges to all of us economically and health-wise, so this responsiveness is both necessary and appreciated.”

In addition, those innovators and inventors operating in COVID-19-related spaces benefit from having their filings for coronavirus-related patents prioritized in the interest of bringing valuable discoveries to market.

“Regardless of when you file for a patent, but especially now during the pandemic and ensuing economic turmoil, it’s important to work with a qualified and experienced IP lawyer,” says Ludwig. “You benefit greatly when you work with someone who can conduct the due diligence necessary to ensure you are not infringed upon and that you do not infringe upon the rights of anyone else.”

Protect Your Product. Your Business. Your Dreams.

Contact *Eric Ludwig* today for one-hour consultation to discuss whether you need to apply for copyright, patent, and/or trademark protection in the United States.

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