

**UNITED STATES  
PATENT AND TRADEMARK OFFICE**



# Petitions Process Flow and Statistics

Fenn Mathew, Deputy Director, Office of Petitions

Kristen Matter, Acting Deputy Director, Office of Petitions

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Patent Public Advisory Committee quarterly meeting

UNITED STATES  
PATENT AND TRADEMARK OFFICE



# Delegation of Authority – 37 CFR 1.181(g)

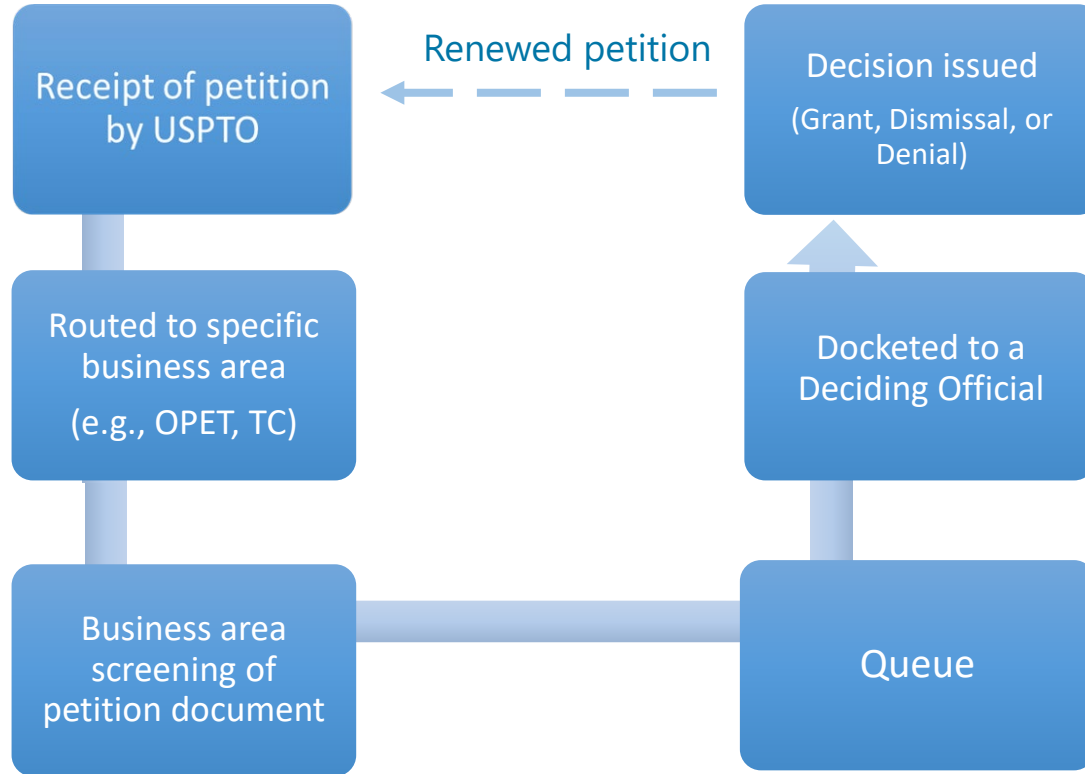
The authority to decide petitions to the Director of the USPTO not otherwise delegated, has been delegated to various Office officials such as:

- Deputy Commissioner for Patents who oversees the Office of Petitions (OPET)
- Technology Centers
- Office of Patent Application Processing (OPAP)
- International Patent Legal Administration (IPLA)

See MPEP 1002.02



# Petitions Process



# Petitions Statistics

## Office of Petitions

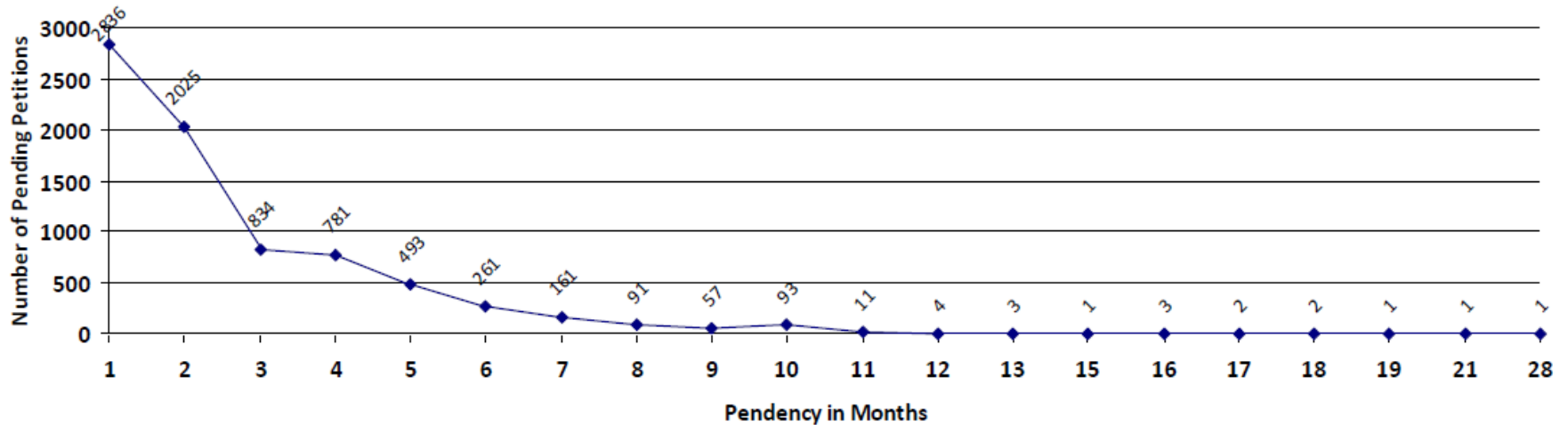
	FY19 Average Pendency	FY20 Average Pendency
Track 1	40 days	36 days
PPH	77 days	39 days
All	94 days	76 days
Total Petitions Decided	42,232	44,681



# Petitions Statistics (cont.)

## Total Current Pending Petitions Continued

### Number of Pending Petitions Vs. Pendency in Months: ALL Petitions



# Petitions Statistics (cont.)

## Technology Centers

	FY19 Average Pendency	FY20 Average Pendency
Review of Final Restriction Requirement	129 days	53 days
Relating to Prematureness of Final Rejection	74 days	69 days
For Matters Before Technology Center	98 days	168 days
All	86 days	95 days
Total Petitions Decided	4,576	4,595

# Patents Dashboard – Petition Data

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## Petition Data May 2021

### Frequently Filed Petitions in the Office of Petitions

Petition Type	Avg Days Pending of Decided Petitions in the Past 12 Months	Grant Rate Percent of Total Petitions Decided in the Past 12 Months
To Make Entity Status Large from Small	106	79%
To Join Track One (Prioritized Examination)	44	94%
To Join Patent Prosecution Highway (PPH)	35	78%

### E-Petitions and Non-E-Petitions Data

Petition Type	Total E-Petitions Decided/Filed in Past 12 Months	Average Days Pending of E-Petitions	Grant Rate Percent of Total E-Petitions Decided in the Past 12 Months	Total Non-E-Petitions Decided in the Past 12 Months	Average Days Pending of Non-E-Petitions Decided in the Past 12 Months	Grant Rate Percent of Total Non-E-Petitions Decided in the Past 12 Months
To Make Application Special on Grounds of Age or Health	2342	0	100%	1,536	23	92%
Revival based on Unintentional delay in abandoned application	953	0	100%	5,559	69	69%





# Petitions Timeline

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## Patents Petitions Timeline

The **Patents Petitions Timeline** provides applicants access to petitions that can be submitted during each stage of patent prosecution process and information related to each specific petition and deciding office. Also, the timeline provides information on both the historical grant rates and the pendency of decided petitions.

### 1 PRIOR TO EXAMINATION

### 2 DURING EXAMINATION

### 3 AFTER CLOSE OF PROSECUTION

### 4 ALLOWANCE/AFTER PAYMENT OF ISSUE FEE

### 5 POST ISSUANCE

## PRIOR TO EXAMINATION

- [Abandonment Related](#)
- [Access](#)
- [Advancement of Examination](#)
- [Application Publications](#)
- [Assignee Related](#)
- [Conversion of Applications](#)
- [Correction of Inventorship](#)
- [Entity Status](#)
- [Expunging Papers](#)
- [Extensions of Time](#)
- [Filing Date Related](#)
- [Foreign Priority or Domestic Benefit Related](#)
- [General and Misc](#)
- [Public Use Related](#)

uspto

# Petitions Timeline (cont.)

## Advancement of Examination Petitions

[IPLA – International Patent Legal Administration](#)

[OPET – Office of Petitions](#)

[TC – Technology Center](#)

### Generally Available

Petition Type	Avg. Days Pending of Decided Petitions	Grant Rate Percentage	Deciding Office	ePetition Option
643 - Prioritized Examination	47	94%	OPET	
644 - To Make Special under the Law School Pilot Program	46	100%*	OPET	
646 - To Make Special for Accelerated Examination (MPEP 708.02 (a))	98	45%	TC	
652 - Patent Prosecution Highway (PPH)	36	79%	OPET	





# Thank you!

Fenn Mathew

[fenn.mathew@uspto.gov](mailto:fenn.mathew@uspto.gov)

(571) 272-4978

Kristen Matter

[kristen.matter@uspto.gov](mailto:kristen.matter@uspto.gov)

(571) 272-5270

[www.uspto.gov](http://www.uspto.gov)