

USPTO's Terminated Global Patent Prosecution Highway Relationship With Rospatent Frequently Asked Questions (FAQs)

Q1: If my Patent Prosecution Highway (PPH) request based on work performed by Rospatent was filed before March 11, 2022, is my application still potentially eligible for PPH special status?

A1: No. All PPH requests pending on March 11, 2022, based on work performed by Rospatent in a counterpart application, regardless of when the requests were filed, have been or will be dismissed.

Q2: If my initial PPH request based on work performed by Rospatent was dismissed on grounds of an unsatisfied requirement (e.g., a missing translation), can a renewed PPH request be granted?

A2: No. Regardless of the reason the initial PPH request was dismissed, any renewed PPH request based on work performed by Rospatent will not be granted.

Q3: My pending application has already been accorded PPH special status based on work performed by Rospatent. Will my application retain PPH special status after March 11, 2022?

A3: No. The PPH special status for your application was removed on March 11, 2022, and your application was placed in the regular processing and examination queue.

Q4: Can my application maintain its PPH special status based on work performed by Rospatent if I file a continuation application or a Request for Continued Examination (RCE)?

A4: No. PPH special status does not carry over to continuing applications. Furthermore, PPH special status based on work performed by Rospatent ceased on March 11, 2022, and the filing of an RCE will not restore the PPH special status.

Q5: When the PPH special status for my application based on work performed by Rospatent was removed on March 11, 2022, were limitations imposed by the PPH program (e.g., limited scope of claim amendments) also removed?

A5: Yes. As of March 11, 2022, an application that previously had PPH special status based on work performed by Rospatent will be subject to regular processing and examination procedures. However, if the USPTO revisits this policy in the future, the application will not be returned to special status if amendments are not consistent with the PPH program limitations.

Q6: Will my dismissed PPH request based on work performed by Rospatent automatically be reconsidered if this policy is ended?

A6: If the policy is ended, the USPTO will provide public notice that will specify the status of applications for which PPH special status was requested and dismissed.

Q7: Will the PPH special status for my application based on work performed by Rospatent automatically be reinstated if this policy is ended?

A7: If the policy is ended, the USPTO will provide public notice that will specify the status of applications for which PPH special status was removed.