

**Closing of the United States Patent and Trademark Office
on Monday, January 25, 2016, and Tuesday, January 26, 2016**

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Monday, January 25, 2016, and Tuesday, January 26, 2016, the USPTO will consider Monday, January 25, 2016, and Tuesday, January 26, 2016, to be a “Federal holiday within the District of Columbia” under 35 U.S.C. § 21 and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196. Any action or fee due on Monday, January 25, 2016, or Tuesday, January 26, 2016, will be considered as timely for the purposes of, e.g., 15 U.S.C. §§ 1051(b), 1058, 1059, 1062(b), 1063, 1064, and 1126(d), or 35 U.S.C. §§ 119, 120, 133, and 151, if the action was taken, or the fee paid, on the next succeeding business day on which the USPTO was open, that is, Wednesday, January 27, 2016 (37 C.F.R. §§ 1.7(a) and 2.196).

As indicated in the preceding paragraph, the USPTO will consider actions or fees due on January 25, 2016, or January 26, 2016, to be timely if taken or paid on the next business day on which the USPTO was open, that is, Wednesday, January 27, 2016. An actual filing date of January 25, 2016, or January 26, 2016, was also available under existing procedures. Specifically, 37 C.F.R. §§ 1.6(a)(2), 2.195(a)(4), and 2.198 provide that certain correspondence deposited in the Priority Mail Express® service of the United States Postal Service (USPS) in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be considered filed on the date of deposit (as shown by the “date accepted” on the mailing label) with the USPS. Thus, any paper or fee properly deposited in the Priority Mail Express® service of the USPS on January 25, 2016, or January 26, 2016, in accordance with 37 C.F.R. §§ 1.10 or 2.198, will be considered filed on its respective date of deposit in the Priority Mail Express® service of the USPS (as shown by a “date accepted” of January 25, 2016, or January 26, 2016, on the mailing label).

In addition, 37 C.F.R. §§ 1.6(a)(4) and 2.195(a)(2) provide that patent- and trademark-related correspondence transmitted electronically to the USPTO will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Thus, any patent- or trademark-related correspondence transmitted electronically to the USPTO on Monday, January 25, 2016, or Tuesday, January 26, 2016, will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Patent correspondence successfully received by the USPTO through the Electronic Filing System (EFS-Web) and filed in compliance with the EFS-Web Legal Framework will receive the date indicated on the Acknowledgement Receipt. See the Manual of Patent Examining Procedure (MPEP) § 502.05 and the USPTO website. Trademark filings properly filed through TEAS, TEASi, and ESSTA will receive the date indicated in the e-mail confirmation sent at the time of a successful filing. See the Trademark

Manual of Examining Procedure (TMEP) § 301 and Trademark Trial and Appeal Board Manual of Procedure (TBMP) § 110.09 regarding electronic filing.

Date: 2/10/16



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