

REDUCED FILING FEE FOR CERTAIN REEXAMINATION REQUESTS

Effective January 16, 2018, the USPTO implemented an updated fee schedule that includes a reduced fee for filing certain reexamination requests, i.e., “streamlined” requests. A “streamlined” reexamination request is a request that has forty (40) or fewer pages and meets other format requirements. This reexamination filing option was created to make it financially less burdensome for requesters with limited resources.

Under the new fee schedule, the fee for filing an *ex parte* reexamination request will be reduced if the request has forty (40) or fewer pages and meets other format requirements. For compliant requests, the filing fees are \$6,000 for a large entity, \$3,000 for a small entity and \$1,500 for a micro entity. Micro entity status is only available to the owner of the patent for which reexamination is being requested, not a third party requester.

This reexamination filing option only affects the fee for filing the request. A request which is filed under this filing option remains subject to all applicable filing requirements, with the sole exception that the filing fee is reduced. This reexamination filing option does not impact the subsequent reexamination process, including the order in which the case is taken up for action by the examiner. The filing of a request under this reexamination filing option will not cause the prosecution of any resulting reexamination proceeding to be accelerated or prioritized.

Details regarding the reduced fee for filing certain reexamination requests may be found in *Setting and Adjusting Patent Fees During Fiscal Year 2017*, 82 Fed. Reg. 52780, 52789 (Tuesday, November 14, 2017) (<https://www.gpo.gov/fdsys/pkg/FR-2017-11-14/pdf/2017-24390.pdf>). See also 37 CFR 1.20(c)(1) and 1.20(c)(2).