

**May 2020 Update Regarding Certain Trademark-Related Timing Deadlines under the
Coronavirus Aid, Relief, and Economic Security Act and Other Relief Available to
Applicants, Registrants, and Others**

The United States Patent and Trademark Office (USPTO) recognizes that the COVID-19 pandemic has imposed significant hardships on many of our stakeholders. As a result, the USPTO has waived certain fees under existing authority, through the March 16, 2020 Notice, and has extended certain Trademark and Trademark Trial and Appeal Board (TTAB) deadlines twice under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), through the March 31, 2020 Notice and the April 28, 2020 Notice. This relief will expire on May 31, 2020.

As businesses begin to reopen or resume operations, some stakeholders will continue to require relief, particularly small businesses and individuals. By this notice, under the CARES Act authority and its existing authority in Trademark and TTAB matters, the USPTO will begin to direct relief as described below.

- Applicants who were unable to submit a timely response or fee in response to an Office communication should file a petition to revive the application. See 37 CFR §§ 2.6(a)(15), 2.66.
- Applicants who missed the 36-month statutory deadline for filing a Statement of Use, and therefore their application has been abandoned, should use the TEAS “Petition to the Director” form. See 37 CFR § 2.146.
- Registrants who missed a statutory deadline, resulting in a cancelled/expired registration, or who were unable to submit a timely response or fee in response to an Office communication regarding a registration, should use the TEAS “Petition to the Director” form. See 37 CFR § 2.146.

The USPTO will continue to waive the petition fee for petitions to revive applications or reinstate registrations that became abandoned or expired/cancelled as a result of the COVID-19 outbreak, with a statement that the delay in filing or payment was due to the COVID-19 outbreak. Thus, by this notice, the relief waiving the petition fee provided in the April 28, 2020 Notice will continue until June 30, 2020.

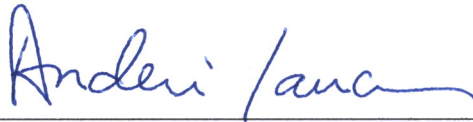
With regard to proceedings before the TTAB, if the COVID-19 outbreak has prevented or interfered with a filing, parties can make a request (in ex parte appeals) or motion (for trial cases) for an extension or reopening of time, as appropriate.

The USPTO recognizes that the COVID-19 pandemic continues to impose various hardships, especially on small businesses and individuals, and will continue to evaluate the evolving situation around the COVID-19 outbreak and the impact on the USPTO’s operations and stakeholders.

Comments and Contact Information

Comments and Trademark-related inquiries concerning this notice may be addressed to TMPolicy@uspto.gov. TTAB-related inquiries may be addressed to TTABInfo@uspto.gov.

Date: MAY 27 2020

A handwritten signature in blue ink that reads "Andrei Iancu". The signature is written in a cursive style with a long horizontal flourish at the end.

Andrei Iancu
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office