

# ePetitions

GET IMMEDIATE DECISIONS

## Overview

An ePetition is filed and immediately processed online through EFS-Web if all filing requirements are met. The USPTO offers 12 web-based ePetitions and two PDF-based ePetitions.



## Major Advantages

Filing a petition that is not automatically processed can take up to several months to be decided with a significant percent dismissed

for insufficient or incorrect information. Time savings and accuracy using ePetitions is especially advantageous for critical petitions where an automatic petition grant could reduce delays in withdrawing an application from issue, restoring of patent rights, expediting a withdrawal from representation, or initiating revival of an abandoned application.

## ePetitions Benefits



### Save Time

#### Faster Petition Processing

Filing an ePetition allows petitioners to directly input the requisite filing information into a secure Web interface and immediately receive an ePetition grant. Petitioners save time by avoiding delays associated with manually-processed petitions.

### Auto-Granting

#### Immediate Petition Grant upon Submission

Submitted ePetitions are auto-processed and immediately granted upon submission if all requirements are met. The auto-granting of submitted ePetitions is advantageous for time sensitive petitions.

### Instant Feedback

#### Instant Feedback on Requirements

Feedback is immediately provided throughout the ePetition filing process to assist petitioners in meeting all filing requirements necessary for compliance with petition rules and to assure that fees will not be collected by the Office until the petition is acceptable for submission and grant.

UNITED STATES  
PATENT AND TRADEMARK OFFICE

uspto

## ePetitions Types



### Web-based ePetitions (Filled out completely online through screens in EFS-Web)

- Petition to Make Special Based on Age (37 CFR 1.102)
- Request for Withdrawal as Attorney or Agent of Record (37 CFR 1.36)
- Petitions to Withdraw from Issue after Payment of the Issue Fee
  - Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2))
  - Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(3))
  - Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2) with Assigned Patent Number)
  - Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(3) with Assigned Patent Number)
- Petitions for Revival
  - Petition to Accept Late Payment of Issue Fee - Unintentional Late Payment (37 CFR 1.137(a))

- Petition for Revival of an Application based on Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137(f))
- Petition for Revival of an Application for Continuity Purposes Only (37 CFR 1.137(a))
- Petition for Revival of an Abandoned Patent Application Abandoned Unintentionally (37 CFR 1.137(a)) (For Cases Abandoned After 1st Action and Prior to Notice of Allowance)
- Petition to Correct Assignee After Payment of Issue Fee (37 CFR 3.81(b))
- Petition to Accept Unintentional Delayed Payment of the Maintenance Fee (37 CFR 1.378(b))



### PDF-Fillable Form ePetitions (Completed and attached in EFS-Web)

- Petition to Make Special Based on Age (37 CFR 1.102)
- Petition to Accept Unintentional Delayed Payment of the Maintenance Fee (37 CFR 1.378(b))

## ePetitions

### CANNOT Be Granted for the Cases Below

#### For Revivals If:

- The US application number is for a provisional, design, reexamination, re-issue or plant application.
- The US application has issued as a patent.
- A Notice of Abandonment has not been mailed by the Office.
- The abandonment date is over 2 years.
- Reply included on Petition is only an amendment filed after Final Rejection.

#### For Reinstatement of an Expired Patent If:

- US Patent has expired for longer than 2 years.

### Basic Requirement for Filing an ePetition



#### Must be a registered eFiler to file most ePetitions

*Filing ePetitions online using EFS-Web is a fast and convenient process providing petitioners with instant feedback to ensure all requirements are met for immediate petition grant.*



**USPTO ePetitions Resource Page**  
**[www.uspto.gov/epetitions](http://www.uspto.gov/epetitions)**

Patent Electronic Business Center (EBC)  
6 a.m. to 12 (Midnight) Eastern Time, Monday – Friday  
1-866-217-9197 (toll free) • 571-272-4100 (local)  
[ebc@uspto.gov](mailto:ebc@uspto.gov)



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