

**Interim Reduction of Certain Fees Paid to the USPTO In Its Capacity as an International  
Searching Authority or International Preliminary Examination Authority  
Under the Patent Cooperation Treaty (PCT)**

**Summary**

In response to the enactment of the *Unleashing American Innovators Act of 2022* on December 29, 2022, reducing most small and micro entity fees, the United States Patent and Trademark Office (USPTO) temporarily reduced the amounts of certain Patent Cooperation Treaty (PCT) fees appearing in the USPTO fee schedule and in the USPTO patent electronic filing system prior to the fee reduction taking effect under the PCT. To prevent any potential harm to applicants that might result from the temporary reduction, the USPTO is using its authority under 35 U.S.C. 376(b) to accept payment of certain small and micro entity fees paid to the USPTO in its capacity as an International Search Authority (ISA) or International Preliminary Examining Authority (IPEA) in a reduced amount where such fee was paid between December 29, 2022, and January 17, 2023, inclusive, or where the applicant pays or paid such fee in the reduced amount in response to a USPTO notice requiring the reduced fee.

**Discussion**

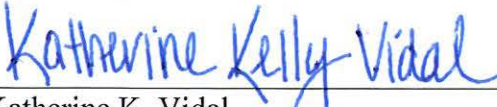
Most small and micro entity fees decreased with the enactment of the *Consolidated Appropriations Act, 2023*, which included the *Unleashing American Innovators Act of 2022*, signed into law on December 29, 2022. The law increased most small entity discounts from 50 percent to 60 percent and micro entity discounts from 75 percent to 80 percent. The effective date of these changes was December 29, 2022. Consequently, small and micro entity fees indicated in the USPTO fee schedule and in Patent Center/EFS-Web were immediately revised. However, certain of the revised PCT fees required by the USPTO in its capacity as an ISA or IPEA require two months advance notification to the Director General of the World Intellectual Property Organization before the revised fees can take effect. These fees are: the search fee (37 CFR 1.445(a)(2)), supplemental search fee (37 CFR 1.445(a)(3)), late sequence listing furnishing fee (37 CFR 1.445(a)(5) and 37 CFR 1.482(c)), preliminary examination fee (37 CFR 1.482(a)(1)), and additional preliminary examination fee (37 CFR 1.482(a)(2)). On January 18, 2023, these PCT fees were reverted back to their pre-December 29, 2022, amounts in the USPTO fee schedule and in the USPTO patent electronic filing system. The USPTO published a final rule on March 22, 2023, updating the fee amounts appearing under Title 37 of the Code of Federal Regulations, including updates to these PCT fees. See *Reducing Patent Fees for Small Entities and Micro Entities Under the Unleashing American Innovators Act of 2022*, 88 FR 17147 (March 22, 2023).

For applicants who paid any of the above-mentioned PCT fees in the reduced amount between December 29, 2022, and January 17, 2023, inclusive, or who paid or pay such fees in the reduced amount in response to a USPTO notice requiring such fees in the reduced amount, the USPTO will accept payment of such fees in the reduced amount as payment of the required amount pursuant to the authority granted to the Director under 35 U.S.C. 376(b).

**Contact information**

You can direct any inquiries concerning this notice to Boris Milef, International Patent Legal Administration, at 571-272-3288 or [Boris.Milef@uspto.gov](mailto:Boris.Milef@uspto.gov).

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Katherine K. Vidal

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