

Office Actions, Notices of Allowance, and Other Office Notices Previously Mailed to Areas of Puerto Rico, the U.S. Virgin Islands, and Florida Affected by Hurricane Irma

The United States Patent and Trademark Office (USPTO) has issued a notice announcing that the USPTO considers the effects of Hurricane Irma in Puerto Rico, the U.S. Virgin Islands, Florida, Georgia, and South Carolina that began on September 6, 2017, to be an "extraordinary situation" within the meaning of 37 CFR 1.183. That notice provides additional relief for affected applicants and reexamination parties in certain situations. See <https://www.uspto.gov/learning-and-resources/operational-status/customers-affected-hurricane-harvey>. The instant notice supplements that notice.

For patent applications and reexamination proceedings pending in the USPTO as of September 6, 2017, having a correspondence address in the areas of Puerto Rico, the U.S. Virgin Islands, and Florida affected by Hurricane Irma that the USPTO has identified as being in affected areas based on the zip code of the correspondence address, in which a reply to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding, and for which the statutory or non-statutory time period set for reply has not yet expired, the USPTO is withdrawing the Office communication, and re-issuing the Office communication with a new time period for reply. See MPEP § 710.06 (Situations When Reply Period Is Reset or Restarted). The Office communication must have been outstanding on September 6, 2017. Note that the USPTO will not restart any time period for reply once the statutory or non-statutory time period has expired.

The United States Postal Service (USPS) has indicated that there is a service disruption in the areas of Puerto Rico, the U.S. Virgin Islands, and Florida affected by Hurricane Irma. Therefore, the USPTO is withdrawing the previous Office communication in its image file wrapper (IFW) of the application or reexamination proceeding, for applications or reexamination proceedings having a correspondence address in the following USPS zip codes in Puerto Rico, the U.S. Virgin Islands, and Florida: 006XX, 007XX, 008XX, 009XX, 330XX, 331XX, 332XX, 333XX, 334XX, 336XX, 337XX, 339XX, 341XX, and 342XX. This Official Gazette notice is the notice required by 35 U.S.C. 133 and 37 CFR 1.33.

Applicants and reexamination parties may view the notice restarting the period for reply and the Office communication in their application or reexamination proceeding via the USPTO's Patent Application Information Retrieval (PAIR) system, either Private PAIR (for those with access) or Public PAIR (for published applications and reexamination proceedings).

Inquiries concerning this notice may be directed to a legal advisor in the Office of Patent Legal Administration at (571) 272-7704, or by e-mail at PatentPractice@uspto.gov.

Dated: 10.17.17



Joseph Matal
Performing the Functions and Duties of the
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office