



covid-19 triggers savings

Your Trademark and the COVID-19 Outbreak

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MSK Client Alert

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This week, the U.S. Patent and Trademark Office (USPTO) announced that it considers the effects of the Coronavirus outbreak to be an "extraordinary situation" within the meaning of 37 CFR 2.146 for affected trademark applicants and trademark owners. In response, it is waiving the petition fees (set by regulation, rather than statute) that it normally charges to revive an abandoned trademark application and to reinstate a canceled or expired trademark registration if they were abandoned or canceled/expired as a result of the impact of the Coronavirus outbreak. Other trademark-related deadlines and fees will not change.

Specifically, the USPTO is waiving the petition fee to revive an abandoned application or to reinstate a canceled or expired registration if it was abandoned or canceled/expired "due to an inability to timely respond to a trademark-related Office communication as a result of the effects of the Coronavirus outbreak." A petition must be accompanied by a statement that explains "how the failure to respond to the Office communication was due to the effects of the Coronavirus outbreak."

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