

entering, transiting through, anchoring in, or remaining within a limited area surrounding the Arthur Ravenel Jr. Bridge over the Cooper River. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

#### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T07-0151 to read as follows:

#### § 165.T07-0151 Security Zone; Cooper River Bridge Run, Charleston, SC

(a) *Location.* The following area is a security zone: All waters of the Cooper River, and Town Creek Reaches encompassed within the following points: beginning at 32°48'32" N, 079°56'08" W, thence east to 32°48'20" N, 079°54'18" W, thence south to 32°47'20" N, 079°54'29" W, thence west to 32°47'20" N, 079°55'28" W, thence north to origin. All coordinates are 1984 World Geodetic System (WGS 84).

(b) *Definitions.* As used in this section, *designated representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port Charleston (COTP) in the enforcement of the security zone.

(c) *Regulations.* (1) No person or vessel will be permitted to enter, transit, anchor, or remain within the security zone described in paragraph (a) of this section unless authorized by the COTP Charleston or a designated representative. If authorization is granted, persons and/or vessels receiving such authorization must comply with the instructions of the COTP Charleston or designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative by telephone at 843-740-7050 or via VHF radio on channel 16. Those in the security zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section will be enforced from 7:30 a.m. until 10:30 a.m., on April 1, 2023.

Dated: March 16, 2023.

J.D. Cole,

Captain, U.S. Coast Guard, Captain of the Port Charleston.

[FR Doc. 2023-05839 Filed 3-21-23; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Parts 1 and 41

[Docket No. PTO-P-2023-0005]

RIN 0651-AD66

### Reducing Patent Fees for Small Entities and Micro Entities Under the Unleashing American Innovators Act of 2022

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** The United States Patent and Trademark Office (Office or USPTO) amends patent fees for small and micro entities set forth in its regulations to implement the provisions of the Consolidated Appropriations Act, 2023—which included the Unleashing American Innovators Act of 2022 (UAIA). The UAIA, signed into law on December 29, 2022, supports the USPTO's efforts to reduce the innovation ecosystem's barriers to entry. The UAIA increased fee discounts for small entities from 50% to 60% and fee discounts for micro entities from 75% to 80% for fees for filing, searching, examining, issuing, appealing, and maintaining patent applications and patents. The UAIA also increased fee

discounts for small entities from 75% to 80% for filing a basic nonprovisional utility application electronically.

#### DATES:

*Effective date:* This final rule is effective March 22, 2023, except for the amendment to § 1.16(u) at instruction 3, which is effective on April 3, 2023.

*Applicability:* The amendments to §§ 1.445(a)(5) and 1.482 shall apply to those international applications under the Patent Cooperation Treaty having a receipt date on or after April 1, 2023. The amendments to § 1.18(b)(1) shall apply to those international design applications under the Hague Agreement having a date of international registration on or after May 1, 2023.

**FOR FURTHER INFORMATION CONTACT:** Brendan Hourigan, Director, Office of Planning and Budget, by telephone at 571-272-8966, or by email at [Brendan.Hourigan@uspto.gov](mailto:Brendan.Hourigan@uspto.gov); or Dianne Buie, Director, Forecasting and Analysis Division, by telephone at 571-272-6301, or by email at [Dianne.Buie@uspto.gov](mailto:Dianne.Buie@uspto.gov).

#### SUPPLEMENTARY INFORMATION:

##### Purpose of This Action

The Office issues this final rule to amend 37 CFR parts 1 and 41 to reflect amendments enacted by the UAIA on December 29, 2022. *See* Consolidated Appropriations Act, 2023, Public Law 117-328. Section 107 of the UAIA, "Fee Reduction for Small and Micro Entities," amended 35 U.S.C. 41(h)(1) and section 10(b) of the America Invents Act (AIA), Public Law 112-29, 125 Stat. 284, as amended by the SUCCESS Act, Public Law 115-273, 132 Stat. 4158, by (1) striking "50 percent" and inserting "60 percent" for fee reductions for small entities and (2) by striking "75 percent" and inserting "80 percent" for fee reductions for micro entities.

Consequently, the Office is now required under 35 U.S.C. 41(h)(1) and section 10(b) of the AIA to reduce patent fees for filing, searching, examining, issuing, appealing, and maintaining patent applications and patents by 60% for small entities and by 80% for micro entities. Section 107 of the UAIA also amended 35 U.S.C. 41(h)(3) by striking "75 percent" and inserting "80 percent" for fee reductions for small entities filing a basic nonprovisional utility application electronically under 35 U.S.C. 41(a)(1)(A). Fee rates reflecting these amended discounts for small and micro entities were made available to the public on December 29, 2022, and published on the USPTO's website, <https://www.uspto.gov/fees>.

The changes in this final rule apply to any small or micro entity that pays any patent fee set forth in this final rule. The reduced fee rates (60% for small entities and 80% for micro entities) apply to any small entity asserting small entity status and to any micro entity certifying micro entity status for filing, searching, examining, issuing, appealing, and maintaining patent applications and patents.

Due to the USPTO's requirement to provide advance notification to the World Intellectual Property Organization (WIPO) for certain fee

changes before such fee changes can take effect, as provided under the Hague Agreement and the Patent Cooperation Treaty, the discount to certain small and micro fees are delayed until the expiration of the applicable notification period. The changes to § 1.18(b)(1) shall apply to those international design applications under the Hague Agreement having a date of international registration on or after May 1, 2023. Certain changes to § 1.445(a)(2) and (a)(3) shall apply to those international applications under the Patent Cooperation Treaty having a

receipt date on or after April 1, 2023. The changes to § 1.445(a)(5) and § 1.482 shall take effect on April 1, 2023.

**Discussion of Specific Rules**

The following table shows all of the small entity and micro entity fees in 37 CFR parts 1 and 41 that are being adjusted in this final rule to reflect the new small entity and micro entity discounts. Only the fee amounts for small and micro entities set forth below are being adjusted. Any other fees paid by small and micro entities are not affected by this final rule.

TABLE 1—CFR FEE CHANGES

CFR section	Fee code	Description	Entity type	Previous fees (dollars)	Final rule fees (dollars)
1.16(a)	2011	Basic filing fee—Utility (paper filing also requires non-electronic filing fee under 1.16(t)).	Small	\$160	\$128
1.16(a)	3011	Basic filing fee—Utility (paper filing also requires non-electronic filing fee under 1.16(t)).	Micro	80	64
1.16(a)	4011	Basic filing fee—Utility (electronic filing for small entity)	Small	80	64
1.16(b)	2012	Basic filing fee—Design	Small	110	88
1.16(b)	2017	Basic filing fee—Design (CPA)	Small	110	88
1.16(b)	3012	Basic filing fee—Design	Micro	55	44
1.16(b)	3017	Basic filing fee—Design (CPA)	Micro	55	44
1.16(c)	2013	Basic filing fee—Plant	Small	110	88
1.16(c)	3013	Basic filing fee—Plant	Micro	55	44
1.16(d)	2005	Provisional application filing fee	Small	150	120
1.16(d)	3005	Provisional application filing fee	Micro	75	60
1.16(e)	2014	Basic filing fee—Reissue	Small	160	128
1.16(e)	2019	Basic filing fee—Reissue (Design CPA)	Small	160	128
1.16(e)	3014	Basic filing fee—Reissue	Micro	80	64
1.16(e)	3019	Basic filing fee—Reissue (Design CPA)	Micro	80	64
1.16(f)	2051	Surcharge—Late filing fee, search fee, examination fee, inventor's oath or declaration, or application filed without at least one claim or by reference.	Small	80	64
1.16(f)	3051	Surcharge—Late filing fee, search fee, examination fee, inventor's oath or declaration, or application filed without at least one claim or by reference.	Micro	40	32
1.16(g)	2052	Surcharge—Late provisional filing fee or cover sheet	Small	30	24
1.16(g)	3052	Surcharge—Late provisional filing fee or cover sheet	Micro	15	12
1.16(h)	2201	Each independent claim in excess of three	Small	240	192
1.16(h)	2204	Each reissue independent claim in excess of three	Small	240	192
1.16(h)	3201	Each independent claim in excess of three	Micro	120	96
1.16(h)	3204	Each reissue independent claim in excess of three	Micro	120	96
1.16(i)	2202	Each claim in excess of 20	Small	50	40
1.16(i)	2205	Each reissue claim in excess of 20	Small	50	40
1.16(i)	3202	Each claim in excess of 20	Micro	25	20
1.16(i)	3205	Each reissue claim in excess of 20	Micro	25	20
1.16(j)	2203	Multiple dependent claim	Small	430	344
1.16(j)	3203	Multiple dependent claim	Micro	215	172
1.16(k)	2111	Utility search fee	Small	350	280
1.16(k)	3111	Utility search fee	Micro	175	140
1.16(l)	2112	Design search Fee or Design CPA search fee	Small	80	64
1.16(l)	3112	Design Search Fee or Design CPA search fee	Micro	40	32
1.16(m)	2113	Plant search fee	Small	220	176
1.16(m)	3113	Plant search fee	Micro	110	88
1.16(n)	2114	Reissue search fee or Reissue (Design CPA) search fee	Small	350	280
1.16(n)	3114	Reissue search fee or Reissue (Design CPA) search fee	Micro	175	140
1.16(o)	2311	Utility examination fee	Small	400	320
1.16(o)	3311	Utility examination fee	Micro	200	160
1.16(p)	2312	Design examination fee or Design CPA examination fee	Small	320	256
1.16(p)	3312	Design examination fee or Design CPA examination fee	Micro	160	128
1.16(q)	2313	Plant examination fee	Small	330	264
1.16(q)	3313	Plant examination fee	Micro	165	132
1.16(r)	2314	Reissue examination fee or reissue (Design CPA) examination fee.	Small	1,160	928
1.16(r)	3314	Reissue examination fee or reissue (Design CPA) examination fee.	Micro	580	464

TABLE 1—CFR FEE CHANGES—Continued

CFR section	Fee code	Description	Entity type	Previous fees (dollars)	Final rule fees (dollars)
1.16(s) .....	2081	Utility application size fee—for each additional 50 sheets that exceeds 100 sheets.	Small .....	210	168
1.16(s) .....	2082	Design application size fee—for each additional 50 sheets that exceeds 100 sheets.	Small .....	210	168
1.16(s) .....	2083	Plant application size fee—for each additional 50 sheets that exceeds 100 sheets.	Small .....	210	168
1.16(s) .....	2084	Reissue application size fee—for each additional 50 sheets that exceeds 100 sheets.	Small .....	210	168
1.16(s) .....	2085	Provisional application size fee—for each additional 50 sheets that exceeds 100 sheets.	Small .....	210	168
1.16(s) .....	3081	Utility application size fee—for each additional 50 sheets that exceeds 100 sheets.	Micro .....	105	84
1.16(s) .....	3082	Design application size fee—for each additional 50 sheets that exceeds 100 sheets.	Micro .....	105	84
1.16(s) .....	3083	Plant application size fee—for each additional 50 sheets that exceeds 100 sheets.	Micro .....	105	84
1.16(s) .....	3084	Reissue application size fee—for each additional 50 sheets that exceeds 100 sheets.	Micro .....	105	84
1.16(s) .....	3085	Provisional application size fee—for each additional 50 sheets that exceeds 100 sheets.	Micro .....	105	84
1.16(u) .....	2054	Non-DOCX filing surcharge fee .....	Small .....	200	160
1.16(u) .....	3054	Non-DOCX filing surcharge fee .....	Micro .....	100	80
1.17(a)(1) .....	2251	Extension for response within first month .....	Small .....	110	88
1.17(a)(1) .....	3251	Extension for response within first month .....	Micro .....	55	44
1.17(a)(2) .....	2252	Extension for response within second month .....	Small .....	320	256
1.17(a)(2) .....	3252	Extension for response within second month .....	Micro .....	160	128
1.17(a)(3) .....	2253	Extension for response within third month .....	Small .....	740	592
1.17(a)(3) .....	3253	Extension for response within third month .....	Micro .....	370	296
1.17(a)(4) .....	2254	Extension for response within fourth month .....	Small .....	1,160	928
1.17(a)(4) .....	3254	Extension for response within fourth month .....	Micro .....	580	464
1.17(a)(5) .....	2255	Extension for response within fifth month .....	Small .....	1,580	1,264
1.17(a)(5) .....	3255	Extension for response within fifth month .....	Micro .....	790	632
1.17(c) .....	2817	Request for prioritized examination .....	Small .....	2,100	1,680
1.17(c) .....	3817	Request for prioritized examination .....	Micro .....	1,050	840
1.17(d) .....	2819	Correction of inventorship after first action on merits .....	Small .....	320	256
1.17(d) .....	3819	Correction of inventorship after first action on merits .....	Micro .....	160	128
1.17(e)(1) .....	2801	Request for continued examination (RCE)—1st request (see 37 CFR 1.114).	Small .....	680	544
1.17(e)(1) .....	3801	Request for continued examination (RCE)—1st request (see 37 CFR 1.114).	Micro .....	340	272
1.17(e)(2) .....	2820	Request for continued examination (RCE)—2nd and subsequent request (see 37 CFR 1.114).	Small .....	1,000	800
1.17(e)(2) .....	3820	Request for continued examination (RCE)—2nd and subsequent request (see 37 CFR 1.114).	Micro .....	500	400
1.17(f) .....	2462	Petitions requiring the petition fee set forth in 37 CFR 1.17(f) (Group I).	Small .....	210	168
1.17(f) .....	3462	Petitions requiring the petition fee set forth in 37 CFR 1.17(f) (Group I).	Micro .....	105	84
1.17(g) .....	2463	Petitions requiring the petition fee set forth in 37 CFR 1.17(g) (Group II).	Small .....	110	88
1.17(g) .....	3463	Petitions requiring the petition fee set forth in 37 CFR 1.17(g) (Group II).	Micro .....	55	44
1.17(h) .....	2464	Petitions requiring the petition fee set forth in 37 CFR 1.17(h) (Group III).	Small .....	70	56
1.17(h) .....	3464	Petitions requiring the petition fee set forth in 37 CFR 1.17(h) (Group III).	Micro .....	35	28
1.17(i)(1) .....	2053	Non-English translation .....	Small .....	70	56
1.17(i)(1) .....	2830	Processing fee, except in provisional applications .....	Small .....	70	56
1.17(i)(1) .....	3053	Non-English translation .....	Micro .....	35	28
1.17(i)(1) .....	3830	Processing fee, except in provisional applications .....	Micro .....	35	28
1.17(k) .....	2802	Request for expedited examination of a design application .....	Small .....	800	640
1.17(k) .....	3802	Request for expedited examination of a design application .....	Micro .....	400	320
1.17(m) .....	2453	Petition for revival of an abandoned application for a patent, for the delayed payment of the fee for issuing each patent, or for the delayed response by the patent owner in any reexamination proceeding.	Small .....	1,050	840
1.17(m) .....	2454	Petition for the delayed submission of a priority or benefit claim, or to restore the right of priority or benefit.	Small .....	1,050	840
1.17(m) .....	2558	Petition for the delayed payment of the fee for maintaining a patent in force.	Small .....	1,050	840

TABLE 1—CFR FEE CHANGES—Continued

CFR section	Fee code	Description	Entity type	Previous fees (dollars)	Final rule fees (dollars)
1.17(m) .....	2628	Petition for the extension of the twelve-month (six-month for designs) period for filing a subsequent application.	Small .....	1,050	840
1.17(m) .....	2784	Petition to excuse applicant's failure to act within prescribed time limits in an international design application.	Small .....	1,050	840
1.17(m) .....	3453	Petition for revival of an abandoned application for a patent, for the delayed payment of the fee for issuing each patent, or for the delayed response by the patent owner in any reexamination proceeding.	Micro .....	525	420
1.17(m) .....	3454	Petition for the delayed submission of a priority or benefit claim, or to restore the right of priority or benefit.	Micro .....	525	420
1.17(m) .....	3558	Petition for the delayed payment of the fee for maintaining a patent in force.	Micro .....	525	420
1.17(m) .....	3628	Petition for the extension of the twelve-month (six-month for designs) period for filing a subsequent application.	Micro .....	525	420
1.17(m) .....	3784	Petition to excuse applicant's failure to act within prescribed time limits in an international design application.	Micro .....	525	420
1.17(o) .....	2818	Document fee for third-party submissions (see 37 CFR 1.290(f))	Small .....	90	72
1.17(p) .....	2806	Submission of an Information Disclosure Statement .....	Small .....	130	104
1.17(p) .....	3806	Submission of an Information Disclosure Statement .....	Micro .....	65	52
1.17(r) .....	2809	Filing a submission after final rejection (see 37 CFR 1.129(a)) ...	Small .....	440	352
1.17(r) .....	3809	Filing a submission after final rejection (see 37 CFR 1.129(a)) ...	Micro .....	220	176
1.17(s) .....	2810	For each additional invention to be examined (see 37 CFR 1.129(b)).	Small .....	440	352
1.17(s) .....	3810	For each additional invention to be examined (see 37 CFR 1.129(b)).	Micro .....	220	176
1.17(t) .....	2783	Petition to convert an international design application to a design application under 35 U.S.C. chapter 16.	Small .....	90	72
1.17(t) .....	3783	Petition to convert an international design application to a design application under 35 U.S.C. chapter 16.	Micro .....	45	36
1.18(a)(1) .....	2501	Utility issue fee .....	Small .....	600	480
1.18(a)(1) .....	2511	Reissue issue fee .....	Small .....	600	480
1.18(a)(1) .....	3501	Utility issue fee .....	Micro .....	300	240
1.18(a)(1) .....	3511	Reissue issue fee .....	Micro .....	300	240
1.18(b)(1) .....	2502	Design issue fee .....	Small .....	370	296
1.18(b)(1) .....	3502	Design issue fee .....	Micro .....	185	148
1.18(c)(1) .....	2503	Plant issue fee .....	Small .....	420	336
1.18(c)(1) .....	3503	Plant issue fee .....	Micro .....	210	168
1.20(c)(1) .....	2831	Ex parte reexamination (§ 1.510(a)) Streamlined .....	Small .....	3,150	2,520
1.20(c)(1) .....	3831	Ex parte Reexamination (§ 1.510(a)) streamlined .....	Micro .....	1,575	1,260
1.20(c)(2) .....	2812	Ex parte reexamination (§ 1.510(a)) non-streamlined .....	Small .....	6,300	5,040
1.20(c)(2) .....	3812	Ex parte reexamination (§ 1.510(a)) non-streamlined .....	Micro .....	3,150	2,520
1.20(c)(3) .....	2821	Each reexamination independent claim in excess of three and also in excess of the number of such claims in the patent under reexamination.	Small .....	240	192
1.20(c)(3) .....	3821	Each reexamination independent claim in excess of three and also in excess of the number of such claims in the patent under reexamination.	Micro .....	120	96
1.20(c)(4) .....	2822	Each reexamination claim in excess of 20 and also in excess of the number of claims in the patent under reexamination.	Small .....	50	40
1.20(c)(4) .....	3822	Each reexamination claim in excess of 20 and also in excess of the number of claims in the patent under reexamination.	Micro .....	25	20
1.20(c)(6) .....	2824	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d).	Small .....	1,020	816
1.20(c)(6) .....	3824	Petitions in a reexamination proceeding, except for those specifically enumerated in 37 CFR 1.550(i) and 1.937(d).	Micro .....	510	408
1.20(e) .....	2551	For maintaining an original or any reissue patent, due at 3.5 years.	Small .....	1,000	800
1.20(e) .....	3551	For maintaining an original or any reissue patent, due at 3.5 years.	Micro .....	500	400
1.20(f) .....	2552	For maintaining an original or any reissue patent, due at 7.5 years.	Small .....	1,880	1,504
1.20(f) .....	3552	For maintaining an original or any reissue patent, due at 7.5 years.	Micro .....	940	752
1.20(g) .....	2553	For maintaining an original or any reissue patent, due at 11.5 years.	Small .....	3,850	3,080
1.20(g) .....	3553	For maintaining an original or any reissue patent, due at 11.5 years.	Micro .....	1,925	1,540
1.20(h) .....	2554	Surcharge—3.5 year—late payment within 6 months .....	Small .....	250	200
1.20(h) .....	2555	Surcharge—7.5 year—late payment within 6 months .....	Small .....	250	200
1.20(h) .....	2556	Surcharge—11.5 year—late payment within 6 months .....	Small .....	250	200
1.20(h) .....	3554	Surcharge—3.5 year—late payment within 6 months .....	Micro .....	125	100

TABLE 1—CFR FEE CHANGES—Continued

CFR section	Fee code	Description	Entity type	Previous fees (dollars)	Final rule fees (dollars)
1.20(h) .....	3555	Surcharge—7.5 year—late payment within 6 months .....	Micro .....	125	100
1.20(h) .....	3556	Surcharge—11.5 year—late payment within 6 months .....	Micro .....	125	100
1.20(k)(1) .....	2826	Request for supplemental examination .....	Small .....	2,310	1,848
1.20(k)(1) .....	3826	Request for supplemental examination .....	Micro .....	1,155	924
1.20(k)(2) .....	2827	Reexamination ordered as a result of supplemental examination .....	Small .....	6,350	5,080
1.20(k)(2) .....	3827	Reexamination ordered as a result of supplemental examination .....	Micro .....	3,175	2,540
1.20(k)(3)(i) .....	2828	Supplemental examination document size fee—for nonpatent document having between 21 and 50 sheets.	Small .....	90	72
1.20(k)(3)(i) .....	3828	Supplemental examination document size fee—for nonpatent document having between 21 and 50 sheets.	Micro .....	45	36
1.20(k)(3)(ii) .....	2829	Supplemental examination document size fee—for each additional 50 sheets or a fraction thereof in a nonpatent document.	Small .....	150	120
1.20(k)(3)(ii) .....	3829	Supplemental examination document size fee—for each additional 50 sheets or a fraction thereof in a nonpatent document.	Micro .....	75	60
1.21(o)(1) .....	2091	Submission of sequence listings of 300Mb to 800Mb .....	Small .....	530	424
1.21(o)(1) .....	3091	Submission of sequence listings of 300Mb to 800Mb .....	Micro .....	265	212
1.21(o)(2) .....	2092	Submission of sequence listings of more than 800Mb .....	Small .....	5,250	4,200
1.21(o)(2) .....	3092	Submission of sequence listings of more than 800Mb .....	Micro .....	2,625	2,100
1.445(a)(1)(i)(A) .....	2601	Transmittal fee .....	Small .....	130	104
1.445(a)(1)(i)(A) .....	3601	Transmittal fee .....	Micro .....	65	52
1.445(a)(2)(i) .....	2602	Search fee—regardless of whether there is a corresponding application (see 35 U.S.C. 361(d) and PCT Rule 16).	Small .....	1,090	872
1.445(a)(2)(i) .....	3602	Search fee—regardless of whether there is a corresponding application (see 35 U.S.C. 361(d) and PCT Rule 16).	Micro .....	545	436
1.445(a)(3)(i) .....	2604	Supplemental search fee when required, per additional invention .....	Small .....	1,090	872
1.445(a)(3)(i) .....	3604	Supplemental search fee when required, per additional invention .....	Micro .....	545	436
1.445(a)(4) .....	2621	Transmitting application to Intl. Bureau to act as receiving office .....	Small .....	130	104
1.445(a)(4) .....	3621	Transmitting application to Intl. Bureau to act as receiving office .....	Micro .....	65	52
1.445(a)(5)/1.482(c) .....	2627	Late furnishing fee for providing a sequence listing in response to an invitation under PCT Rule 13ter.	Small .....	160	128
1.445(a)(5)/1.482(c) .....	3627	Late furnishing fee for providing a sequence listing in response to an invitation under PCT Rule 13ter.	Micro .....	80	64
1.482(a)(1)(i) .....	2605	Preliminary examination fee—U.S. was the ISA .....	Small .....	320	256
1.482(a)(1)(i) .....	3605	Preliminary examination fee—U.S. was the ISA .....	Micro .....	160	128
1.482(a)(1)(iii) .....	2606	Preliminary examination fee—U.S. was not the ISA .....	Small .....	400	320
1.482(a)(1)(iii) .....	3606	Preliminary examination fee—U.S. was not the ISA .....	Micro .....	200	160
1.482(a)(2) .....	2607	Supplemental examination fee per additional invention .....	Small .....	320	256
1.482(a)(2) .....	3607	Supplemental examination fee per additional invention .....	Micro .....	160	128
1.492(a) .....	2631	Basic national stage fee .....	Small .....	160	128
1.492(a) .....	3631	Basic national stage fee .....	Micro .....	80	64
1.492(b)(2) .....	2641	National stage search fee—U.S. was the ISA .....	Small .....	70	56
1.492(b)(2) .....	3641	National stage search fee—U.S. was the ISA .....	Micro .....	35	28
1.492(b)(3) .....	2642	National stage search fee—search report prepared and provided to USPTO.	Small .....	270	216
1.492(b)(3) .....	3642	National stage search fee—search report prepared and provided to USPTO.	Micro .....	135	108
1.492(b)(4) .....	2632	National stage search fee—all other situations .....	Small .....	350	280
1.492(b)(4) .....	3632	National stage search fee—all other situations .....	Micro .....	175	140
1.492(c)(2) .....	2633	National stage examination fee—all other situations .....	Small .....	400	320
1.492(c)(2) .....	3633	National stage examination fee—all other situations .....	Micro .....	200	160
1.492(d) .....	2614	Each independent claim in excess of three .....	Small .....	240	192
1.492(d) .....	3614	Each independent claim in excess of three .....	Micro .....	120	96
1.492(e) .....	2615	Each claim in excess of 20 .....	Small .....	50	40
1.492(e) .....	3615	Each claim in excess of 20 .....	Micro .....	25	20
1.492(f) .....	2616	Multiple dependent claim .....	Small .....	430	344
1.492(f) .....	3616	Multiple dependent claim .....	Micro .....	215	172
1.492(h) .....	2617	Search fee, examination fee or oath or declaration after the date of commencement of the national stage.	Small .....	80	64
1.492(h) .....	3617	Search fee, examination fee or oath or declaration after the date of commencement of the national stage.	Micro .....	40	32
1.492(i) .....	2618	English translation after thirty months from priority date .....	Small .....	70	56
1.492(i) .....	3618	English translation after thirty months from priority date .....	Micro .....	35	28
1.492(j) .....	2681	National stage application size fee—for each additional 50 sheets that exceeds 100 sheets.	Small .....	210	168
1.492(j) .....	3681	National stage application size fee—for each additional 50 sheets that exceeds 100 sheets.	Micro .....	105	84
1.1031(a) .....	2781	Hague International design application—Transmittal Fee .....	Small .....	60	48
1.1031(a) .....	3781	Hague International design application—Transmittal Fee .....	Micro .....	30	24
41.20(b)(1) .....	2401	Notice of appeal .....	Small .....	420	336
41.20(b)(1) .....	3401	Notice of appeal .....	Micro .....	210	168

TABLE 1—CFR FEE CHANGES—Continued

CFR section	Fee code	Description	Entity type	Previous fees (dollars)	Final rule fees (dollars)
41.20(b)(2)(ii) ....	2404	Filing a brief in support of an appeal in an inter partes reexamination proceeding.	Small .....	1,050	840
41.20(b)(2)(ii) ....	3404	Filing a brief in support of an appeal in an inter partes reexamination proceeding.	Micro .....	525	420
41.20(b)(3) .....	2403	Request for oral hearing .....	Small .....	680	544
41.20(b)(3) .....	3403	Request for oral hearing .....	Micro .....	340	272
41.20(b)(4) .....	2413	Forwarding an appeal in an application or ex parte reexamination proceeding to the Board.	Small .....	1,180	944
41.20(b)(4) .....	3413	Forwarding an appeal in an application or ex parte reexamination proceeding to the Board.	Micro .....	590	472

**Rulemaking Considerations**

*A. Administrative Procedure Act (APA):* This final rule implements amendments enacted in section 107 of the UAIA on December 29, 2022, which amended 35 U.S.C. 41(h) and section 10(b) of the America Invents Act (AIA), Public Law 112–29, 125 Stat. 284, to require the Office to reduce patent fees for filing, searching, examining, issuing, appealing, and maintaining patent applications and patents by 60% for small entities and by 80% for micro entities and to reduce the basic filing fee for nonprovisional utility applications filed electronically by 80% for small entities. The changes in this final rule simply implement the provisions of the UAIA, and involve the rules of agency practice and procedure, and/or interpretive rules. *See Perez v. Mortgage Bankers Ass’n*, 135 S. Ct. 1199, 1204 (2015) (interpretive rules “advise the public of the agency’s construction of the statutes and rules which it administers”) (citations and internal quotation marks omitted); *Nat’l Org. of Veterans’ Advocates v. Sec’y of Veterans Affairs*, 260 F.3d 1365, 1375 (Fed. Cir. 2001) (rule that clarifies interpretation of a statute is interpretive); *Bachow Commc’ns Inc. v. FCC*, 237 F.3d 683, 690 (D.C. Cir. 2001) (rules governing an application process are procedural under the Administrative Procedure Act); *Inova Alexandria Hosp. v. Shalala*, 244 F.3d 342, 350 (4th Cir. 2001) (rules for handling appeals are procedural where they do not change the substantive standard for reviewing claims).

Accordingly, prior notice and opportunity for public comment for the changes in this rulemaking are not required pursuant to 5 U.S.C. 553(b) or (c), or any other law. *See Perez*, 135 S. Ct. at 1206 (notice-and-comment procedures are not required when an agency “issue[s] an initial interpretive rule” or when it amends or repeals that interpretive rule); *Cooper Techs. Co. v. Dudas*, 536 F.3d 1330, 1336–37 (Fed.

Cir. 2008) (stating that 5 U.S.C. 553, and thus 35 U.S.C. 2(b)(2)(B), do not require notice-and-comment rulemaking for “interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice” (quoting 5 U.S.C. 553(b)(A))).

In addition, the Office finds good cause pursuant to the authority at 5 U.S.C. 553(b)(B) and (d)(3) to dispense with prior notice and opportunity for public comment, and to publish this final rule with an immediate effective date, because such procedures are impracticable and contrary to the public interest. The discount percentages and the fees to which they are applicable are set by the terms of the UAIA, and the Office has no discretion to make changes in those areas. The UAIA amendments were effective as of the date of enactment of the statute, which is December 29, 2022. Thus, this final rule revises the patent fees for filing, searching, examining, issuing, appealing, and maintaining patent applications and patents, to reflect the new discount percentages immediately. If this rulemaking were to be delayed to allow for prior notice and opportunity for public comment and a 30-day delay in effective date, USPTO’s regulations would remain out of date with the current fees adjusted by statute, which would create confusion as to current fee amounts. Thus, the USPTO implements this final rule without prior notice and opportunity for comment and with immediate effect.

*B. Regulatory Flexibility Act:* As prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 or any other law, neither a Regulatory Flexibility Act analysis nor a certification under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) is required. *See* 5 U.S.C. 603.

*C. Executive Order 12866 (Regulatory Planning and Review):* This rulemaking has been determined to be not significant for purposes of Executive Order (E.O.) 12866 (Sept. 30, 1993).

*D. Executive Order 13563 (Improving Regulation and Regulatory Review):* The Office has complied with E.O. 13563 (Jan. 18, 2011). Specifically, the Office has, to the extent feasible and applicable: (1) made a reasoned determination that the benefits justify the costs of this final rule; (2) tailored this final rule to impose the least burden on society consistent with obtaining the regulatory objectives; (3) selected a regulatory approach that maximizes net benefits; (4) specified performance objectives; (5) identified and assessed available alternatives; (6) involved the public in an open exchange of information and perspectives among experts in relevant disciplines, affected stakeholders in the private sector, and the public as a whole, and provided online access to the rulemaking docket; (7) attempted to promote coordination, simplification, and harmonization across government agencies and identified goals designed to promote innovation; (8) considered approaches that reduce burdens and maintain flexibility and freedom of choice for the public; and (9) ensured the objectivity of scientific and technological information and processes.

*E. Executive Order 13132 (Federalism):* This rulemaking does not contain policies with federalism implications sufficient to warrant preparation of a Federalism Assessment under E.O. 13132 (Aug. 4, 1999).

*F. Executive Order 13175 (Tribal Consultation):* This rulemaking will not: (1) have substantial direct effects on one or more Indian tribes, (2) impose substantial direct compliance costs on Indian tribal governments, or (3) preempt tribal law. Therefore, a tribal summary impact statement is not required under E.O. 13175 (Nov. 6, 2000).

*G. Executive Order 13211 (Energy Effects):* This rulemaking is not a significant energy action under E.O. 13211 (May 18, 2001) because this rulemaking is not likely to have a significant adverse effect on the supply,

distribution, or use of energy. Therefore, a Statement of Energy Effects is not required under E.O. 13211.

*H. Executive Order 12988 (Civil Justice Reform):* This rulemaking meets applicable standards to minimize litigation, eliminate ambiguity, and reduce burden as set forth in sections 3(a) and 3(b)(2) of E.O. 12988 (Feb. 5, 1996).

*I. Executive Order 13045 (Protection of Children):* This rulemaking does not concern an environmental risk to health or safety that may disproportionately affect children under E.O. 13045 (Apr. 21, 1997).

*J. Executive Order 12630 (Taking of Private Property):* This rulemaking will not affect a taking of private property or otherwise have taking implications under E.O. 12630 (Mar. 15, 1988).

*K. Congressional Review Act:* Under the Congressional Review Act provisions of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 801 *et seq.*), the USPTO will submit a report containing the final rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the Government Accountability Office. The changes in this rulemaking are not expected to result in an annual effect on the economy of \$100 million or more, a major increase in costs or prices, or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets. Therefore, this rulemaking is not expected to result in a “major rule” as defined in 5 U.S.C. 804(2).

*L. Unfunded Mandates Reform Act of 1995:* The changes set forth in this rulemaking do not involve a federal intergovernmental mandate that will result in the expenditure by state, local, and tribal governments, in the aggregate, of \$100 million (as adjusted) or more in any one year, or a federal private sector mandate that will result in the expenditure by the private sector of \$100 million (as adjusted) or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995. *See* 2 U.S.C. 1501 *et seq.*

*M. National Environmental Policy Act:* This rulemaking will not have any effect on the quality of the environment and is thus categorically excluded from review under the National Environmental Policy Act of 1969. *See* 42 U.S.C. 4321 *et seq.*

*N. National Technology Transfer and Advancement Act:* The requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) are not applicable because this rulemaking does not contain provisions that involve the use of technical standards.

*O. Paperwork Reduction Act:* The Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) requires that the Office consider the impact of paperwork and other information collection burdens imposed on the public. This Final Rule involves information collection requirements that are subject to review by the OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3549). The collection of information involved in this Final Rule have been reviewed and previously approved by the OMB under control numbers: 0651–0016, 0651–0021, 0651–0024, 0651–0031, 0651–0032, 0651–0033, 0651–0059, 0651–0062, 0651–0063, 0651–0064, and 0651–0073. In addition, updates to the aforementioned information collections as a result of this Final Rule have been submitted to the OMB as non-substantive change requests.

Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

*P. E-Government Act Compliance:* The USPTO is committed to compliance with the E-Government Act to promote the use of the internet and other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes.

**List of Subjects**

*37 CFR Part 1*

Administrative practice and procedure, Biologics, Courts, Freedom of information, Inventions and patents, Reporting and recordkeeping requirements, Small businesses.

*37 CFR Part 41*

Administrative practice and procedure, Inventions and patents, Lawyers, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, the USPTO amends 37 CFR parts 1 and 41 as follows:

**PART 1—RULES OF PRACTICE IN PATENT CASES**

■ 1. The authority citation for 37 CFR part 1 continues to read as follows:

**Authority:** 35 U.S.C. 2(b)(2), unless otherwise noted.

■ 2. Effective March 22, 2023, § 1.16 is amended by revising the tables in paragraphs (a) through (s) to read as follows:

**§ 1.16 National application filing, search, and examination fees.**

(a) \* \* \*

TABLE 1 TO PARAGRAPH (a)

By a micro entity (§ 1.29) .....	\$64.00
By a small entity (§ 1.27(a)) .....	128.00
By a small entity (§ 1.27(a)) if the application is submitted in compliance with the USPTO patent electronic filing system (§ 1.27(b)(2)) .....	64.00
By other than a small or micro entity .....	320.00

(b) \* \* \*

TABLE 2 TO PARAGRAPH (b)

By a micro entity (§ 1.29) .....	\$44.00
By a small entity (§ 1.27(a)) .....	88.00
By other than a small or micro entity .....	220.00

(c) \* \* \*

TABLE 3 TO PARAGRAPH (c)

By a micro entity (§ 1.29) .....	\$44.00
By a small entity (§ 1.27(a)) .....	88.00
By other than a small or micro entity .....	220.00

(d) \* \* \*

TABLE 4 TO PARAGRAPH (d)

By a micro entity (§ 1.29) .....	\$60.00
By a small entity (§ 1.27(a)) .....	120.00
By other than a small or micro entity .....	300.00

(e) \* \* \*

TABLE 5 TO PARAGRAPH (e)

By a micro entity (§ 1.29) .....	\$64.00
By a small entity (§ 1.27(a)) .....	128.00
By other than a small or micro entity .....	320.00

(f) \* \* \*

TABLE 6 TO PARAGRAPH (f)

By a micro entity (§ 1.29) .....	\$32.00
By a small entity (§ 1.27(a)) .....	64.00

TABLE 6 TO PARAGRAPH (f)—  
Continued

By other than a small or micro entity .....	160.00
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(g) \* \* \*

TABLE 7 TO PARAGRAPH (g)

By a micro entity (§ 1.29) .....	\$12.00
By a small entity (§ 1.27(a)) .....	24.00
By other than a small or micro entity .....	60.00

(h) \* \* \*

TABLE 8 TO PARAGRAPH (h)

By a micro entity (§ 1.29) .....	\$96.00
By a small entity (§ 1.27(a)) .....	192.00
By other than a small or micro entity .....	480.00

(i) \* \* \*

TABLE 9 TO PARAGRAPH (i)

By a micro entity (§ 1.29) .....	\$20.00
By a small entity (§ 1.27(a)) .....	40.00
By other than a small or micro entity .....	100.00

(j) \* \* \*

TABLE 10 TO PARAGRAPH (j)

By a micro entity (§ 1.29) .....	\$172.00
By a small entity (§ 1.27(a)) .....	344.00
By other than a small or micro entity .....	860.00

(k) \* \* \*

TABLE 11 TO PARAGRAPH (k)

By a micro entity (§ 1.29) .....	\$140.00
By a small entity (§ 1.27(a)) .....	280.00
By other than a small or micro entity .....	700.00

(l) \* \* \*

TABLE 12 TO PARAGRAPH (l)

By a micro entity (§ 1.29) .....	\$32.00
By a small entity (§ 1.27(a)) .....	64.00
By other than a small or micro entity .....	160.00

(m) \* \* \*

TABLE 13 TO PARAGRAPH (m)

By a micro entity (§ 1.29) .....	\$88.00
By a small entity (§ 1.27(a)) .....	176.00
By other than a small or micro entity .....	440.00

(n) \* \* \*

TABLE 14 TO PARAGRAPH (n)

By a micro entity (§ 1.29) .....	\$140.00
By a small entity (§ 1.27(a)) .....	280.00
By other than a small or micro entity .....	700.00

(o) \* \* \*

TABLE 15 TO PARAGRAPH (o)

By a micro entity (§ 1.29) .....	\$160.00
By a small entity (§ 1.27(a)) .....	320.00
By other than a small or micro entity .....	800.00

(p) \* \* \*

TABLE 16 TO PARAGRAPH (p)

By a micro entity (§ 1.29) .....	\$128.00
By a small entity (§ 1.27(a)) .....	256.00
By other than a small or micro entity .....	640.00

(q) \* \* \*

TABLE 17 TO PARAGRAPH (q)

By a micro entity (§ 1.29) .....	\$132.00
By a small entity (§ 1.27(a)) .....	264.00
By other than a small or micro entity .....	660.00

(r) \* \* \*

TABLE 18 TO PARAGRAPH (r)

By a micro entity (§ 1.29) .....	\$464.00
By a small entity (§ 1.27(a)) .....	928.00
By other than a small or micro entity .....	2,320.00

(s) \* \* \*

TABLE 19 TO PARAGRAPH (s)

By a micro entity (§ 1.29) .....	\$84.00
By a small entity (§ 1.27(a)) .....	168.00
By other than a small or micro entity .....	420.00

\* \* \* \* \*

■ 3. Effective April 3, 2023, § 1.16 is further amended by revising the table in paragraph (u), as added Aug. 3, 2020, at 85 FR 46985, effective Jan. 1, 2022, and delayed until Jan 1, 2023, at 86 FR 66193, Nov. 22, 2021, and further delayed until Apr. 3, 2023, at 87 FR 80073, Dec. 29, 2022, to read as follows:

**§ 1.16 National application filing, search, and examination fees.**

\* \* \* \* \*

(u) \* \* \*

TABLE 21 TO PARAGRAPH (u)

By a micro entity (§ 1.29) .....	\$80.00
By a small entity (§ 1.27(a)) .....	160.00

TABLE 21 TO PARAGRAPH (u)—  
Continued

By a small entity (§ 1.27(a)) if the application is submitted in compliance with the USPTO patent electronic filing system (§ 1.27(b)(2)) .....	160.00
By other than a small or micro entity .....	400.00

■ 4. Effective March 22, 2023, § 1.17 is amended by revising the tables in paragraphs (a)(1) through (5), (c), (d), (e)(1) and (2), (f) through (h), (i)(1), (k), (m), (o), (p), and (r) through (t) to read as follows:

**§ 1.17 Patent application and reexamination processing fees.**

(a) \* \* \*

(1) \* \* \*

TABLE 1 TO PARAGRAPH (a)(1)

By a micro entity (§ 1.29) .....	\$44.00
By a small entity (§ 1.27(a)) .....	88.00
By other than a small or micro entity .....	220.00

(2) \* \* \*

TABLE 2 TO PARAGRAPH (a)(2)

By a micro entity (§ 1.29) .....	\$128.00
By a small entity (§ 1.27(a)) .....	256.00
By other than a small or micro entity .....	640.00

(3) \* \* \*

TABLE 3 TO PARAGRAPH (a)(3)

By a micro entity (§ 1.29) .....	\$296.00
By a small entity (§ 1.27(a)) .....	592.00
By other than a small or micro entity .....	1,480.00

(4) \* \* \*

TABLE 4 TO PARAGRAPH (a)(4)

By a micro entity (§ 1.29) .....	\$464.00
By a small entity (§ 1.27(a)) .....	928.00
By other than a small or micro entity .....	2,320.00

(5) \* \* \*

TABLE 5 TO PARAGRAPH (a)(5)

By a micro entity (§ 1.29) .....	\$632.00
By a small entity (§ 1.27(a)) .....	1,264.00
By other than a small or micro entity .....	3,160.00

\* \* \* \* \*

(c) \* \* \*



TABLE 6 TO PARAGRAPH (c)

By a micro entity (§ 1.29) .....	\$840.00
By a small entity (§ 1.27(a)) .....	1,680.00
By other than a small or micro entity .....	4,200.00

(d) \* \* \*

TABLE 7 TO PARAGRAPH (d)

By a micro entity (§ 1.29) .....	\$128.00
By a small entity (§ 1.27(a)) .....	256.00
By other than a small or micro entity .....	640.00

(e) \* \* \*

(1) \* \* \*

TABLE 8 TO PARAGRAPH (e)(1)

By a micro entity (§ 1.29) .....	\$272.00
By a small entity (§ 1.27(a)) .....	544.00
By other than a small or micro entity .....	1,360.00

(2) \* \* \*

TABLE 9 TO PARAGRAPH (e)(2)

By a micro entity (§ 1.29) .....	\$400.00
By a small entity (§ 1.27(a)) .....	800.00
By other than a small or micro entity .....	2,000.00

(f) \* \* \*

TABLE 10 TO PARAGRAPH (f)

By a micro entity (§ 1.29) .....	\$84.00
By a small entity (§ 1.27(a)) .....	168.00
By other than a small or micro entity .....	420.00

§ 1.36(a)—for revocation of a power of attorney by fewer than all of the applicants.  
 § 1.53(e)—to accord a filing date.  
 § 1.182—for a decision on a question not specifically provided for in an application for a patent.  
 § 1.183—to suspend the rules in an application for a patent.  
 § 1.741(b)—to accord a filing date to an application under § 1.740 for an extension of a patent term.  
 § 1.1023—to review the filing date of an international design application.

(g) \* \* \*

TABLE 11 TO PARAGRAPH (g)

By a micro entity (§ 1.29) .....	\$44.00
By a small entity (§ 1.27(a)) .....	88.00
By other than a small or micro entity .....	220.00

§ 1.12—for access to an assignment record.  
 § 1.14—for access to an application.

§ 1.46—for filing an application on behalf of an inventor by a person who otherwise shows sufficient proprietary interest in the matter.

§ 1.55(f)—for filing a belated certified copy of a foreign application.

§ 1.55(g)—for filing a belated certified copy of a foreign application.

§ 1.57(a)—for filing a belated certified copy of a foreign application.

§ 1.59—for expungement of information.

§ 1.103(a)—to suspend action in an application.

§ 1.136(b)—for review of a request for an extension of time when the provisions of § 1.136(a) are not available.

§ 1.377—for review of a decision refusing to accept and record payment of a maintenance fee filed prior to the expiration of a patent.

§ 1.550(c)—for patent owner requests for an extension of time in ex parte reexamination proceedings.

§ 1.956—for patent owner requests for an extension of time in inter partes reexamination proceedings.

§ 5.12 of this chapter—for expedited handling of a foreign filing license.

§ 5.15 of this chapter—for changing the scope of a license.

§ 5.25 of this chapter—for a retroactive license.

(h) \* \* \*

TABLE 12 TO PARAGRAPH (h)

By a micro entity (§ 1.29) .....	\$28.00
By a small entity (§ 1.27(a)) .....	56.00
By other than a small or micro entity .....	140.00

§ 1.84—for accepting color drawings or photographs.

§ 1.91—for entry of a model or exhibit.

§ 1.102(d)—to make an application special.

§ 1.138(c)—to expressly abandon an application to avoid publication.

§ 1.313—to withdraw an application from issue.

§ 1.314—to defer issuance of a patent.

(i) \* \* \*

(1) \* \* \*

TABLE 13 TO PARAGRAPH (i)(1)

By a micro entity (§ 1.29) .....	\$28.00
By a small entity (§ 1.27(a)) .....	56.00
By other than a small or micro entity .....	140.00

§ 1.28(c)(3)—for processing a non-itemized fee deficiency based on an error in small entity status.

§ 1.29(k)(3)—for processing a non-itemized fee deficiency based on an error in micro entity status.

§ 1.41(b)—for supplying the name or names of the inventor or joint

inventors in an application without either an application data sheet or the inventor's oath or declaration, except in provisional applications.

§ 1.48—for correcting inventorship, except in provisional applications.

§ 1.52(d)—for processing a nonprovisional application filed with a specification in a language other than English.

§ 1.53(c)(3)—to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).

§ 1.71(g)(2)—for processing a belated amendment under § 1.71(g).

§ 1.102(e)—for requesting prioritized examination of an application.

§ 1.103(b)—for requesting limited suspension of action, continued prosecution application for a design patent (§ 1.53(d)).

§ 1.103(c)—for requesting limited suspension of action, request for continued examination (§ 1.114).

§ 1.103(d)—for requesting deferred examination of an application.

§ 1.291(c)(5)—for processing a second or subsequent protest by the same real party in interest.

§ 3.81—for a patent to issue to assignee, assignment submitted after payment of the issue fee.

\* \* \* \* \*

(k) \* \* \*

TABLE 15 TO PARAGRAPH (k)

By a micro entity (§ 1.29) .....	\$320.00
By a small entity (§ 1.27(a)) .....	640.00
By other than a small or micro entity .....	1,600.00

\* \* \* \* \*

(m) \* \* \*

TABLE 16 TO PARAGRAPH (m)

By a micro entity (§ 1.29) .....	\$420.00
By a small entity (§ 1.27(a)) .....	840.00
By other than a small or micro entity .....	2,100.00

\* \* \* \* \*

(o) \* \* \*

TABLE 17 TO PARAGRAPH (o)

By a small entity (§ 1.27(a)) or micro entity (§ 1.29) .....	\$72.00
By other than a small or micro entity .....	180.00

(p) \* \* \*

TABLE 18 TO PARAGRAPH (p)

By a micro entity (§ 1.29) .....	\$52.00
By a small entity (§ 1.27(a)) .....	104.00

TABLE 18 TO PARAGRAPH (p)—  
Continued

By other than a small or micro entity .....	260.00
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\* \* \* \* \*  
(r) \* \* \*

TABLE 19 TO PARAGRAPH (r)

By a micro entity (§ 1.29) .....	\$176.00
By a small entity (§ 1.27(a)) .....	352.00
By other than a small or micro entity .....	880.00

(s) \* \* \*

TABLE 20 TO PARAGRAPH (s)

By a micro entity (§ 1.29) .....	\$176.00
By a small entity (§ 1.27(a)) .....	352.00
By other than a small or micro entity .....	880.00

(t) \* \* \*

TABLE 21 TO PARAGRAPH (t)

By a micro entity (§ 1.29) .....	\$36.00
By a small entity (§ 1.27(a)) .....	72.00
By other than a small or micro entity .....	180.00

■ 5. Effective March 22, 2023 § 1.18 is amended by revising the tables in paragraphs (a), (b)(1), and (c) to read as follows:

**§ 1.18 Patent post allowance (including issue) fees.**

(a) \* \* \*

TABLE 1 TO PARAGRAPH (a)

By a micro entity (§ 1.29) .....	\$240.00
By a small entity (§ 1.27(a)) .....	480.00
By other than a small or micro entity .....	1,200.00

(b)(1) \* \* \*

TABLE 2 TO PARAGRAPH (b)(1)

By a micro entity (§ 1.29) .....	\$148.00
By a small entity (§ 1.27(a)) .....	296.00
By other than a small or micro entity .....	740.00

\* \* \* \* \*  
(c) \* \* \*

TABLE 3 TO PARAGRAPH (c)

By a micro entity (§ 1.29) .....	\$168.00
By a small entity (§ 1.27(a)) .....	336.00
By other than a small or micro entity .....	840.00

\* \* \* \* \*

■ 6. Effective March 22, 2023, § 1.20 is amended by revising the tables in paragraphs (c)(1)(i), (c)(2) through (4), (c)(6) and (7), (e) through (h), (k)(1) and (2), and (k)(3)(i) and (ii) to read as follows:

**§ 1.20 Post-issuance fees.**

\* \* \* \* \*

(c) \* \* \*

(1)(i) \* \* \*

TABLE 1 TO PARAGRAPH (c)(1)(i)

By a micro entity (§ 1.29) .....	\$1,260.00
By a small entity (§ 1.27(a)) .....	2,520.00
By other than a small or micro entity .....	6,300.00

\* \* \* \* \*

(2) \* \* \*

TABLE 2 TO PARAGRAPH (c)(2)

By a micro entity (§ 1.29) .....	\$2,520.00
By a small entity (§ 1.27(a)) .....	5,040.00
By other than a small or micro entity .....	12,600.00

(3) \* \* \*

TABLE 3 TO PARAGRAPH (c)(3)

By a micro entity (§ 1.29) .....	\$96.00
By a small entity (§ 1.27(a)) .....	192.00
By other than a small or micro entity .....	480.00

(4) \* \* \*

TABLE 4 TO PARAGRAPH (c)(4)

By a micro entity (§ 1.29) .....	\$20.00
By a small entity (§ 1.27(a)) .....	40.00
By other than a small or micro entity .....	100.00

\* \* \* \* \*

(6) \* \* \*

TABLE 5 TO PARAGRAPH (c)(6)

By a micro entity (§ 1.29) .....	\$408.00
By a small entity (§ 1.27(a)) .....	816.00
By other than a small or micro entity .....	2,040.00

(7) \* \* \*

TABLE 6 TO PARAGRAPH (c)(7)

By a micro entity (§ 1.29) .....	\$756.00
By a small entity (§ 1.27(a)) .....	1,512.00
By other than a small or micro entity .....	3,780.00

\* \* \* \* \*

(e) \* \* \*

TABLE 7 TO PARAGRAPH (e)

By a micro entity (§ 1.29) .....	\$400.00
By a small entity (§ 1.27(a)) .....	800.00
By other than a small or micro entity .....	2,000.00

(f) \* \* \*

TABLE 8 TO PARAGRAPH (f)

By a micro entity (§ 1.29) .....	\$752.00
By a small entity (§ 1.27(a)) .....	1,504.00
By other than a small or micro entity .....	3,760.00

(g) \* \* \*

TABLE 9 TO PARAGRAPH (g)

By a micro entity (§ 1.29) .....	\$1,540.00
By a small entity (§ 1.27(a)) .....	3,080.00
By other than a small or micro entity .....	7,700.00

(h) \* \* \*

TABLE 10 TO PARAGRAPH (h)

By a micro entity (§ 1.29) .....	\$100.00
By a small entity (§ 1.27(a)) .....	200.00
By other than a small or micro entity .....	\$500.00

\* \* \* \* \*

(k) \* \* \*

(1) \* \* \*

TABLE 12 TO PARAGRAPH (k)(1)

By a micro entity (§ 1.29) .....	\$924.00
By a small entity (§ 1.27(a)) .....	1,848.00
By other than a small or micro entity .....	4,620.00

(2) \* \* \*

TABLE 13 TO PARAGRAPH (k)(2)

By a micro entity (§ 1.29) .....	\$2,540.00
By a small entity (§ 1.27(a)) .....	5,080.00
By other than a small or micro entity .....	12,700.00

(3) \* \* \*

(i) \* \* \*

TABLE 14 TO PARAGRAPH (k)(3)(i)

By a micro entity (§ 1.29) .....	\$36.00
By a small entity (§ 1.27(a)) .....	72.00
By other than a small or micro entity .....	180.00

(ii) \* \* \*

TABLE 15 TO PARAGRAPH (k)(3)(ii)

By a micro entity (§ 1.29) .....	\$60.00
By a small entity (§ 1.27(a)) .....	120.00

TABLE 15 TO PARAGRAPH (k)(3)(ii)—  
Continued

By other than a small or micro entity .....	300.00
---	--------

7. Effective March 22, 2023, § 1.21 is amended by revising the tables in paragraphs (o)(1) and (2) to read as follows:

**§ 1.21 Miscellaneous fees and charges.**

* * * * *	
(o) * * *	
(1) * * *	

TABLE 1 TO PARAGRAPH (o)(1)

By a micro entity (§ 1.29) .....	\$212.00
By a small entity (§ 1.27(a)) .....	424.00
By other than a small or micro entity .....	1,060.00

(2) \* \* \*

TABLE 2 TO PARAGRAPH (o)(2)

By a micro entity (§ 1.29) .....	\$2,100.00
By a small entity (§ 1.27(a)) .....	4,200.00
By other than a small or micro entity .....	10,500.00

\* \* \* \* \*

■ 8. Effective March 22, 2023, § 1.445 is amended by:

- a. Redesignating paragraphs (a)(1)(i)(A) through (C), as paragraphs (a)(1)(i)(B) through (D);
- b. Adding new paragraph (a)(1)(i)(A);
- c. Revising newly redesignated paragraph (a)(1)(i)(B) introductory text and table heading;
- d. Revising the table heading in newly redesignated paragraph (a)(1)(i)(C);
- e. Revising the table heading in paragraph (a)(1)(ii);
- f. Redesignating paragraphs (a)(2)(i) through (iii) as paragraphs (a)(2)(ii) through (iv);
- g. Adding new paragraph (a)(2)(i);
- h. Revising newly redesignated paragraph (a)(2)(ii) introductory text and table heading;
- i. Revising the table heading in newly redesignated paragraph (a)(2)(iii);
- j. Redesignating paragraphs (a)(3)(i) through (iii) as paragraphs (a)(3)(ii) through (iv);
- k. Adding new paragraph (a)(3)(i);
- l. Revising newly redesignated paragraph (a)(3)(ii) introductory text and table heading;
- m. Revising the table heading in newly redesignated paragraph (a)(3)(iii); and
- n. Revising the table in paragraph (a)(5).

The revisions and additions read as follows:

**§ 1.445 International application filing, processing and search fees.**

- (a) \* \* \*
- (1) \* \* \*
- (i) \* \* \*

(A) For an international application having a receipt date that is on or after December 29, 2022:

TABLE 1 TO PARAGRAPH (a)(1)(i)(A)

By a micro entity (§ 1.29) .....	\$52.00
By a small entity (§ 1.27(a)) .....	104.00
By other than a small or micro entity .....	260.00

(B) For an international application having a receipt date that is on or after October 2, 2020 and before December 29, 2022:

TABLE 2 TO PARAGRAPH (a)(1)(i)(B)

* * * * *	
(C) * * *	

TABLE 2 TO PARAGRAPH (a)(1)(i)(B)

* * * * *	
(C) * * *	

TABLE 3 TO PARAGRAPH (a)(1)(i)(C)

* * * * *	
(ii) * * *	

TABLE 4 TO PARAGRAPH (a)(1)(i)(B)

* * * * *	
(2) * * *	

(i) For an international application having a receipt date that is on or after April 1, 2023:

TABLE 5 TO PARAGRAPH (a)(2)(i)

By a micro entity (§ 1.29) .....	\$436.00
By a small entity (§ 1.27(a)) .....	872.00
By other than a small or micro entity .....	2,180.00

(ii) For an international application having a receipt date that is on or after October 2, 2020, and before April 1, 2023:

TABLE 6 TO PARAGRAPH (a)(2)(ii)

* * * * *	
(iii) * * *	

TABLE 7 TO PARAGRAPH (a)(2)(iii)

* * * * *				
(3) * * *				
(i) For an international application having a receipt date that is on or after April 1, 2023:				

TABLE 8 TO PARAGRAPH (a)(3)(i)

By a micro entity (§ 1.29) .....	\$436.00
By a small entity (§ 1.27(a)) .....	872.00
By other than a small or micro entity .....	2,180.00

(ii) For an international application having a receipt date that is on or after October 2, 2020 and before April 1, 2023:

TABLE 9 TO PARAGRAPH (a)(3)(ii)

* * * * *				
(iii) * * *				

TABLE 10 TO PARAGRAPH (a)(3)(iii)

* * * * *				
(5) * * *				

TABLE 11 TO PARAGRAPH (a)(5)

By a micro entity (§ 1.29) .....	\$64.00
By a small entity (§ 1.27(a)) .....	128.00
By other than a small or micro entity .....	320.00

\* \* \* \* \*

■ 9. Effective March 22, 2023, § 1.482 is amended by revising the tables in paragraphs (a)(1)(i) and (ii), (a)(2), and (c) to read as follows:

**§ 1.482 International preliminary examination and processing fees.**

- (a) \* \* \*
- (1) \* \* \*
- (i) \* \* \*

TABLE 1 TO PARAGRAPH (a)(1)(i)

By a micro entity (§ 1.29) .....	\$128.00
By a small entity (§ 1.27(a)) .....	256.00
By other than a small or micro entity .....	640.00

(ii) \* \* \*

TABLE 2 TO PARAGRAPH (a)(1)(ii)

By a micro entity (§ 1.29) .....	\$160.00
By a small entity (§ 1.27(a)) .....	320.00
By other than a small or micro entity .....	800.00

(2) \* \* \*

TABLE 3 TO PARAGRAPH (a)(2)

By a micro entity (§ 1.29) .....	\$128.00
By a small entity (§ 1.27(a)) .....	256.00
By other than a small or micro entity .....	640.00

\* \* \* \* \*

(c) \* \* \*

TABLE 4 TO PARAGRAPH (c)

By a micro entity (§ 1.29) .....	\$64.00
By a small entity (§ 1.27(a)) .....	128.00
By other than a small or micro entity .....	320.00

10. Effective March 22, 2023, § 1.492 is amended by revising the tables in paragraphs (a), (b)(2) through (4), (c)(2), (d) through (f), and (h) through (j) to read as follows.

**§ 1.492 National stage fees.**

\* \* \* \* \*

(a) \* \* \*

TABLE 1 TO PARAGRAPH (a)

By a micro entity (§ 1.29) .....	\$64.00
By a small entity (§ 1.27(a)) .....	128.00
By other than a small or micro entity .....	320.00

(b) \* \* \*

(2) \* \* \*

TABLE 3 TO PARAGRAPH (b)(2)

By a micro entity (§ 1.29) .....	\$28.00
By a small entity (§ 1.27(a)) .....	56.00
By other than a small or micro entity .....	140.00

(3) \* \* \*

TABLE 4 TO PARAGRAPH (b)(3)

By a micro entity (§ 1.29) .....	\$108.00
By a small entity (§ 1.27(a)) .....	216.00
By other than a small or micro entity .....	540.00

(4) \* \* \*

TABLE 5 TO PARAGRAPH (b)(4)

By a micro entity (§ 1.29) .....	\$140.00
By a small entity (§ 1.27(a)) .....	280.00
By other than a small or micro entity .....	700.00

(c) \* \* \*

(2) \* \* \*

TABLE 7 TO PARAGRAPH (c)(2)

By a micro entity (§ 1.29) .....	\$160.00
By a small entity (§ 1.27(a)) .....	320.00

TABLE 7 TO PARAGRAPH (c)(2)—Continued

By other than a small or micro entity .....	800.00
---	--------

(d) \* \* \*

TABLE 8 TO PARAGRAPH (d)

By a micro entity (§ 1.29) .....	\$96.00
By a small entity (§ 1.27(a)) .....	192.00
By other than a small or micro entity .....	480.00

(e) \* \* \*

TABLE 9 TO PARAGRAPH (e)

By a micro entity (§ 1.29) .....	\$20.00
By a small entity (§ 1.27(a)) .....	40.00
By other than a small or micro entity .....	100.00

(f) \* \* \*

TABLE 10 TO PARAGRAPH (f)

By a micro entity (§ 1.29) .....	\$172.00
By a small entity (§ 1.27(a)) .....	344.00
By other than a small or micro entity .....	860.00

\* \* \* \* \*

(h) \* \* \*

TABLE 11 TO PARAGRAPH (h)

By a micro entity (§ 1.29) .....	\$32.00
By a small entity (§ 1.27(a)) .....	64.00
By other than a small or micro entity .....	160.00

(i) \* \* \*

TABLE 12 TO PARAGRAPH (i)

By a micro entity (§ 1.29) .....	\$28.00
By a small entity (§ 1.27(a)) .....	56.00
By other than a small or micro entity .....	140.00

(j) \* \* \*

TABLE 13 TO PARAGRAPH (j)

By a micro entity (§ 1.29) .....	\$84.00
By a small entity (§ 1.27(a)) .....	168.00
By other than a small or micro entity .....	420.00

■ 11. Effective March 22, 2023, § 1.1031 is amended by revising the table in paragraph (a) to read as follows:

**§ 1.1031 International design application fees.**

(a) \* \* \*

TABLE 1 TO PARAGRAPH (a)

By a micro entity (§ 1.29) .....	\$24.00
By a small entity (§ 1.27(a)) .....	48.00
By other than a small or micro entity .....	120.00

\* \* \* \* \*

**PART 41—PRACTICE BEFORE THE PATENT TRIAL AND APPEAL BOARD**

■ 12. The authority citation for 37 CFR part 41 continues to read as follows:

**Authority:** 35 U.S.C. 2(b)(2), 3(a)(2)(A), 21, 23, 32, 41, 134, 135, and Pub. L. 112–29.

■ 13. Effective March 22, 2023, § 41.20 is amended by revising the tables in paragraphs (b)(1), (b)(2)(ii), and (b)(3) and (4) to read as follows:

**§ 41.20 Fees.**

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

TABLE 1 TO PARAGRAPH (b)(1)

By a micro entity (§ 1.29) .....	\$168.00
By a small entity (§ 1.27(a)) .....	336.00
By other than a small or micro entity .....	840.00

(2) \* \* \*

(ii) \* \* \*

TABLE 2 TO PARAGRAPH (b)(2)(ii)

By a micro entity (§ 1.29) .....	\$420.00
By a small entity (§ 1.27(a)) .....	840.00
By other than a small or micro entity .....	2,100.00

(3) \* \* \*

TABLE 3 TO PARAGRAPH (b)(3)

By a micro entity (§ 1.29) .....	\$272.00
By a small entity (§ 1.27(a)) .....	544.00
By other than a small or micro entity .....	1,360.00

(4) \* \* \*

TABLE 4 TO PARAGRAPH (b)(4)

By a micro entity (§ 1.29) .....	\$472.00
By a small entity (§ 1.27(a)) .....	944.00
By other than a small or micro entity .....	2,360.00

**Katherine K. Vidal,**

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

[FR Doc. 2023–05382 Filed 3–21–23; 8:45 am]

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