

Continued COVID-19 Relief as USPTO Waives Fees for Trademark Petitions

In accordance with the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the United States Patent and Trademark Office (USPTO) previously provided two extensions of time to file certain trademark-related documents and to pay certain fees. That relief expired May 31, 2020. In a May 27 notice, the USPTO indicated that it will continue to waive the fees for certain petitions until **June 30, 2020**, to revive trademark applications or to reinstate trademark registrations that became abandoned, expired, or canceled as a result of the COVID-19 outbreak.

The latest notice provides the following guidance to trademark applicants and owners:

- Applicants who were unable to submit a response to an Office action should file a petition to revive the application;
- Applicants who missed the 36-month statutory deadline for filing a Statement of Use, which resulted in the abandonment of their application, should submit a petition to the director of the USPTO to revive the application; and
- Registrants who missed a statutory deadline, resulting in a canceled/expired registration, or who were unable to submit a timely response or fee in response to an Office communication regarding their registration should submit a petition to the director to reinstate the registration.

The fees typically associated with filing these petitions will be waived until June 30, 2020, provided that such petitions are accompanied with a statement that the delay in filing or payment was due to the COVID-19 outbreak

If your trademark application has been abandoned or your trademark registration has been cancelled or expired as a result of the adverse effects of the COVID-19 outbreak, please contact one of the members of the [Chambliss Intellectual Property section](#) to discuss your next steps.

*(**UPDATE: June 4, 2020** This [post](#) was originally published on April 2, 2020, and has been updated to reflect updated guidance issued by the U.S. Patent and Trademark Office on May 27, 2020.)*

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