



Cantor Colburn LLP

Intellectual Property Attorneys

Cantor Colburn Client Alert – Maintenance Fee Increase

As authorized by the Leahy-Smith America Invents Act, the United States Patent and Trademark Office (USPTO) will introduce significant changes in patent fees on **Tuesday, March 19, 2013**. The changes include notable increases in patent maintenance fees.

According to the new fee schedules published in the [Federal Register](#) Vol. 78, No. 13 on January 18, 2013, patent maintenance fees for large entities will increase by:

- 39% from \$1,150 to **\$1,600** for the first payment due at 3.5 years
- 24% from \$2,900 to **\$3,600** for the second payment due at 7.5 years
- 54% from \$4,810 to **\$7,400** for the third payment due at 11.5 years

Patent maintenance fees for small entities and microentities are also increasing. The fees for small entities are 50% of large entity fees. Microentity fees are further reduced by another 50%.

These increased fees are in addition to the interim fee increases introduced in October 2012, and will clearly have a significant impact on your patent maintenance costs.

The USPTO allows payments of patent maintenance fees up to six months ahead of their due dates. Patent owners can minimize their patent fees by paying any maintenance fee due prior to September 19, 2013 before the fee increase goes into effect on March 19, 2013.

We recommend that you contact your maintenance fee service provider to discuss early payment of your US patent maintenance fees to reduce your patent maintenance costs before the USPTO fee increase.

The AIA represents significant changes to U.S. patent law. We will continue to review the AIA and provide you with a more detailed analysis and recommended best practices for all of its provisions.

This alert is for informational purposes only and is not legal advice and may not be adequate or appropriate for a specific situation or circumstances. Please do not hesitate to contact Cantor Colburn LLP if you have any questions or would like to discuss your situation in depth.

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