



Cantor Colburn Client Alert: USPTO Modernization Efforts Expedite Patent Issuance

Summary

Effective May 13, 2025, the U.S. Patent and Trademark Office (USPTO) will accelerate Issue Dates for patents and new patents will issue approximately *two weeks* following the Issue Notification. This is a part of the USPTO's efforts over the past two years to modernize the patent system.

Overview

Over the past two years, the U.S. Patent and Trademark Office (USPTO) has undertaken initiatives to modernize processing of U.S. patents and patent applications, including publishing electronic grants and Certificates of Correction (eGrants and eCofCs), establishment of Patent Center, and elimination of redundancies in the patent procurement process. All these efforts have reduced the time between grant notification and the issue date.

In its latest modernization effort, and effective May 13, 2025, the USPTO will be accelerating the Issue Dates for patents. Previously, the time between Issue Notification and Issue Date was on average three weeks. Starting May 13, 2025, the USPTO will be reducing that time to approximately two weeks.

What This Means to You

Practically, accelerated patent issuance will provide earlier protection for inventions and may avoid the need to file a Quick Path Information Disclosure Statement for newly cited art from corresponding foreign applications. However, the reduced time between Issue Notification and patent Issuance will also require greater diligence and quicker action following allowance of the application. Patent applicants should be aware of these changes for planning and scheduling purposes:

- A shorter timeframe between Issue Notification and patent Issuance means that any decisions of whether to file Continuing applications must be made as early as possible and preferably following receipt of the Notice of Allowance.
- Continuing applications should be filed before or at the same time as paying the issue fee to ensure co-pendency and retain all priority filing dates.
- Upon preparing to pay the issue fee, related U.S. and foreign counterpart applications should be reviewed to determine whether any additional references must be submitted.

For Further Information and Assistance

Cantor Colburn has substantial experience representing clients in all matters regarding patents. If you have any questions about these developments, please contact Todd E. Garabedian at tgarabedian@cantorcolburn.com or your Cantor Colburn attorney with any questions you may have regarding this matter and your IP in general. More information at www.cantorcolburn.com.

Please note that each situation has its own unique circumstances and ramifications. This Client Alert is for informational purposes only and is not legal advice.