Regulation in Intellectual Property Law

Jurisdiction: United States Patent and Trademark Office (USPTO)

Regulation Number: USPTO-IPR-2024-112

Date Issued: 01/15/2024

# USPTO Regulation on Patent Application Procedures

## Section 1: Purpose

The purpose of this regulation is to establish clear guidelines and procedures for the submission, examination, and approval of patent applications by the United States Patent and Trademark Office (USPTO).

## Section 2: Definitions

For the purposes of this regulation, the following definitions apply:

(a) "Patent" means a property right granted by the USPTO to an inventor to exclude others from making, using, or selling their invention for a limited time.

(b) "Applicant" means any individual or entity seeking a patent for their invention.

(c) "Examination" means the process by which USPTO examiners review patent applications to determine their compliance with legal requirements.

## Section 3: Submission of Patent Applications

Patent applications must be submitted electronically through the USPTO’s online filing system. Applications must include:

(a) A complete description of the invention.

(b) One or more claims defining the scope of the invention.

(c) Drawings or diagrams, if necessary, to understand the invention.

(d) Payment of the required filing fee.

## Section 4: Examination Procedures

The USPTO will assign each patent application to a qualified examiner who will:

(a) Conduct a prior art search to determine the novelty of the invention.

(b) Review the application for compliance with legal requirements, including clarity and completeness.

(c) Issue an office action detailing any objections or rejections and providing the applicant an opportunity to respond.

## Section 5: Approval and Issuance of Patents

If the examiner determines that the application meets all legal requirements, a notice of allowance will be issued. The applicant must then:

(a) Pay the issue fee within the prescribed time.

(b) Submit any necessary final drawings or documents.

Upon receipt of the issue fee and final documents, the USPTO will issue the patent and publish it in the Official Gazette.

## Section 6: Effective Date

This regulation shall take effect on March 1, 2024.

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Director of the USPTO

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General Counsel of the USPTO