



## ALERTS

### USPTO Looks To Expedite Patents For COVID-19 Prevention And Treatment

May 18, 2020

#### Highlights

The USPTO will be providing free examination of COVID-19 related patent applications for small and micro entities

Expedited examination and issuance of nonprovisional COVID-19 related patent applications to occur within 6-12 months

Patent applications will be accepted beginning July 13, 2020 and are currently capped at 500 submissions

Many public and private entities are seeking to expedite patents related to treating or preventing COVID-19 and the U.S. Patent and Trademark Office (USPTO) is no different. The USPTO's new COVID-19 Prioritized Examination Pilot Program (PEPP) will allow applicants to obtain an issued patent quicker and at no cost.

The new program will be available only to patent applicants who qualify as small or micro entities.

The USPTO is seeking [comments](#) on the pilot program, and they must be received by July 13 to be appropriately considered.

Small and micro entities are encouraged to apply for free patent

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examination under the program when the application process opens on July 13; only the first 500 applications will be accepted currently. This pilot program may save applicants significant time and fees to obtain an issued patent directed to compositions, devices, and methods for coronavirus prevention and treatment.

The USPTO hopes to reach final disposition of qualifying applications within six to 12 months, which is significantly faster than a typical decision issued in two to five years. The agency also indicated the program may be extended or terminated at any time.

Qualifying nonprovisional patent applications must include claims covering a product or process subject to U.S. FDA approval for prevention or treatment of COVID-19, and must claim priority to no more than one other nonprovisional application.

For more information, please contact the Barnes & Thornburg attorney with whom you work or Angela B. Freeman at 317-231-7479 or [afreeman@btlaw.com](mailto:afreeman@btlaw.com).

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