

ACT NOW: USPTO ANNOUNCES FILING FEE INCREASES AND OTHER KEY CONSIDERATIONS

As of **Jan. 2, 2021**, the United States Patent and Trademark Office (USPTO) will be increasing its filing fees, including the fees for new trademark applications. Whether you are contemplating new marks or need to audit and update your existing portfolio, now is the time to file any last-minute trademark applications before 2020 comes to a close.

Fee increases

To file a trademark application using our recommended format, the USPTO application fee will increase from \$275 per class to \$350 per class. Similarly, the filing fee of \$125 per class for a Section 8 or Section 71 Declaration will increase to \$225 per class.

The USPTO will also implement the following new fees:

- **New fee** for deleting goods, services and/or classes from a registration after filing a Section 8 or 71 declaration, but before the declaration is accepted: \$250 per class
- **New fee** for letter of protest: \$50 per application
- **New fee** for second, and subsequent, requests for an extension of time to file an appeal brief in an ex parte appeal: \$100 per application
- **New fee** for appeal briefs in an ex parte appeal: \$200 per class
- **New fee** for requests for oral hearings: \$500 per proceeding

A full listing of all trademark fee changes is available [on the USPTO's website](#).

When approaching new filings, the following should be taken into consideration:

NEW MARKS

From new house marks to new product names to new brand extensions, filing your applications for newly contemplated marks before the end of the year may result in a significant cost savings.

PEOPLE

Donna Frazier Schmitt

SERVICES AND INDUSTRIES

Trademark

Intellectual Property



**Armstrong
Teasdale**

NEW GOODS AND SERVICES

If you have recently changed your business model and/or product offerings, for instance due to new COVID-19 restrictions, your existing trademark portfolio may not reflect all the goods and services that are now important to your company.

NEW GEOGRAPHIC MARKETS

Your company may also be expanding its offerings into new geographic areas. Each country, and in some cases, each region, has its own trademark office and may require trademark registrations for certain types of protections against infringement.

ACT NOW

There is no better time than now to consider filing new applications. The fee increases will apply to both the USPTO for U.S. filings and the World Intellectual Property Organization (WIPO) for international filings using the Madrid Protocol system.