



ARE Trademark Alert: The USPTO Announces Extension of Certain Trademark and Trademark-Related Deadlines Under the CARES Act

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On March 31, 2020, the USPTO announced extensions to the time allowed to file certain patent and trademark-related documents and to pay certain required fees, all under temporary authority provided to the USPTO by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), unanimously passed by the U.S. Senate on March 25 and signed by President Trump on March 27, 2020.

As far as trademarks are concerned, these extensions apply to the matters with original deadlines falling on or after March 27, 2020 and until April 30, 2020, and including the following:

- Response to an Office Action;
- Filing Notice of Appeal on a Final Office Action;
- Filing Statement of Use or requesting an extension of time to file the Statement of Use;
- Filing a Notice of Opposition or requesting an extension of time to file the Notice of Opposition;
- Filing a Declaration of Use or Excusable Non-Use;
- Filing a request to renew the registration.

Such matters will enjoy a 30 days extension from the initial due date falling on or between the above dates, provided that the actual filing or payment is accompanied by a statement that the delay in filing was due to the COVID-19 outbreak.

This delay applies to trademark applicants and registrants and their counsel if personally affected by the COVID-19 outbreak including, without limitation, office closures, cash flow interruptions, inaccessibility of files or other materials, travel delays, personal or family illness, or similar circumstances, such that the outbreak materially interfered with timely filing or payment.

We will continue to monitor the situation. For more information, please feel free to contact us.

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