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ADDITIONAL INFORMATION CONCERNING FEE REDUCTIONS BY THE OFFICES

Document prepared by the International Bureau

Information concerning current practice of the United States Patent and Trademark Office concerning fee reductions with respect to patents, contained in the Annex of this document, is additional to the information contained in Annex I of document SCP/3/6.

[Annex follows]

ANNEX

Additional Information Concerning Fee Reductions of Patent Offices with Respect to Patents

State/ Organization	Applicant/Owner Who is Entitled to Fee Reduction	Types of Patent Fees Reduced	Amount of Reduction	Notes	Legislation
United States	Small Entities: 1) Independent Inventors 2) Small Businesses 3) Nonprofit Organization	- Filing fees - Issue or reissue fees - Maintenance fees - Extensions fees - Revival fees - Appeals/Interference fees - Statutory disclaimer fees - PCT National Stage fees	50%	<p>A “small business concern” is defined as a business employing fewer than 500 people.</p> <p>“Independent inventor” and “nonprofit organization” are defined by regulations issued by the Commissioner of Patents and Trademarks (37 CFR 1.9(c), (e)).</p> <p>Governmental organizations, whether domestic or foreign, do not qualify as nonprofit organizations; however, a license to a Federal agency resulting from a funding agreement will not preclude the claiming of small entity status.</p> <p>To qualify for a reduction in fees, a statement must be filed to establish status prior to or with payment of the first fee. The statement must state how the applicant qualifies as a small entity, and that all of the rights are owned by small entities.</p> <p>All of the rights in the invention must be owned by small business concerns, nonprofit organizations, or independent inventors. Each party that owns rights to the invention must file a status statement.</p>	<p>Patent Law, Section 41 (35 USC § 41)</p> <p>Small Business Act (15 USC § 632)</p>