**JUSTIFICATION FOR NONMATERIAL/NONSUBSTANTIVE CHANGE**

**Initial Patent Applications**

**OMB Control 0651-0032**

Background

The United States Patent and Trademark Office (USPTO) is required by Title 35 of the United States Code, including 35 U.S.C. 131, to examine applications for patents. The USPTO administers the patent statutes relating to examination through various rules in Chapter 37 of the Code of Federal Regulations (CFR), such as, for example, 37 CFR 1.16 through 1.84. Each patent applicant must provide sufficient information to allow the USPTO to properly examine the application to determine whether it meets the criteria set forth in the patent statutes and regulations for issuance as a patent.

In addition, this information collection covers certain other papers filed by applicants, such as, for example, petitions to accept an unintentionally delayed priority or benefit claim, petitions to accept a filing by other than all of the inventors or a person not the inventor, and petitions requesting that applications filed under 37 CFR 1.495(b) be accorded a receipt date.

In support of RIN 0651-AD64 (Setting and Adjusting Patent Fees During Fiscal Year 2025; 89 FRN 91898)[[1]](#footnote-3), the USPTO is changing 70 fees and adding nine fees in this information collection.

Additionally, five forms are being revised to reflect changes made by the rulemaking. The four forms being revised are:

* PTO/SB/06 (Patent Application Fee Determination Record – Substitute for Form PTO-875)
* PTO/SB/16 (Provisional Application for Patent Cover Sheet)
* PTO/SB/17 (Fee Transmittal)
* PTO/SB/445 (Petition to Accept an Uninteinoallly Delayed Claim under 35 U.S.C. 119(e) (37 CFR 1.78(c)) and/or to Accept an Unintentionally Delayed Claim under 35 U.S.C. 120, 121, 365(c), or 386(c) (37 CFR 1.78(e)) for the Benefit of a Prior-Filed Application
* PTO/SB/458 (Petition to Accept an Unintentionally Delayed Claim under 35 U.S.C. 119(a)-(d) or (f), 365(a) or (b), or 386(a) or (b) for the Right of Priority to a Prior-Filed Foreign Application (37 CFR 1.55(e))

**Table 1: Changes in Fee Amount**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Fee Code** | **Item** | **Current Fee** | **New Fee** | **Changes in Fee Amount** |
| **1, 4** | 1011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (undiscounted entity) | $320 | $350 | +$30 |
| **1, 4** | 2011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (small entity) | $128 | $140 | +$12 |
| **1, 4** | 3011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (micro entity) | $64 | $70 | +$6 |
| **1, 4** | 4011 | Basic filing fee – Utility (electronic filing for small entities) | $64 | $70 | +$6 |
| **1, 4** | 1081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | $420 | $450 | +$30 |
| **1, 4** | 2081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | $168 | $180 | +$12 |
| **1, 4** | 3081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | $84 | $90 | +$6 |
| **1, 4** | 1111 | Utility Search Fee (undiscounted entity) | $700 | $770 | +$70 |
| **1, 4** | 2111 | Utility Search Fee (small entity) | $280 | $308 | +$28 |
| **1, 4** | 3111 | Utility Search Fee (micro entity) | $140 | $154 | +$14 |
| **1, 4** | 1311 | Utility Examination Fee (undiscounted entity) | $800 | $880 | +$80 |
| **1, 4** | 2311 | Utility Examination Fee (small entity) | $320 | $352 | +$32 |
| **1, 4** | 3311 | Utility Examination Fee (micro entity) | $160 | $176 | +$16 |
| **1,2 4-6, and 9** | 1201 | Each Independent Claim in Excess of Three (undiscounted entity) | $480 | $600 | +$120 |
| **1,2 4-6, and 9** | 2201 | Each Independent Claim in Excess of Three (small entity) | $192 | $240 | +$48 |
| **1,2 4-6, and 9** | 3201 | Each Independent Claim in Excess of Three (micro entity) | $96 | $120 | +$24 |
| **1,2 4-6, and 9** | 1202 | Each Claim in Excess of 20 (undiscounted entity) | $100 | $200 | +$100 |
| **1,2 4-6, and 9** | 2202 | Each Claim in Excess of 20 (small entity) | $40 | $80 | +$40 |
| **1,2 4-6, and 9** | 3202 | Each Claim in Excess of 20 (micro entity) | $20 | $40 | +$20 |
| **1,2 4-6, and 9** | 1203 | Multiple Dependent Claim (undiscounted entity) | $860 | $925 | +$65 |
| **1,2 4-6, and 9** | 2203 | Multiple Dependent Claim (small entity) | $344 | $370 | +$26 |
| **1,2 4-6, and 9** | 3203 | Multiple Dependent Claim (micro entity) | $172 | $185 | +$13 |
| **2, 5** | 1313 | Plant Examination Fee (undiscounted entity) | $660 | $725 | +$65 |
| **2, 5** | 2313 | Plant Examination Fee (small entity) | $264 | $290 | +$26 |
| **2, 5** | 3313 | Plant Examination Fee (micro entity) | $132 | $145 | +$13 |
| **2, 5** | 1013 | Basic filing fee – Plant (undiscounted entity) | $220 | $240 | +$20 |
| **2, 5** | 2013 | Basic filing fee – Plant (small entity) | $88 | $96 | +$8 |
| **2, 5** | 3013 | Basic filing fee – Plant (micro entity) | $44 | $48 | +$4 |
| **2, 5** | 1113 | Plant Search fee (undiscounted entity) | $440 | $485 | +$45 |
| **2, 5** | 2113 | Plant Search fee (small entity) | $176 | $194 | +$18 |
| **2, 5** | 3113 | Plant Search fee (micro entity) | $88 | $97 | +$9 |
| **2, 5** | 1083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (undiscounted entity) | $420 | $450 | +$30 |
| **2, 5** | 2083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (small entity) | $168 | $180 | +$12 |
| **2, 5** | 3083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (micro entity) | $84 | $90 | +$6 |
| **3, 6** | 1012 | Basic Filing Fee – Design (undiscounted entity) | $220 | $300 | +$80 |
| **3, 6** | 2012 | Basic Filing Fee – Design (small entity) | $88 | $120 | +$32 |
| **3, 6** | 3012 | Basic Filing Fee – Design (micro entity) | $44 | $60 | +$16 |
| **3, 6** | 1017 | Basic Filing Fee – Design (CPA) (undiscounted entity) | $220 | $300 | +$80 |
| **3, 6** | 2017 | Basic Filing Fee – Design (CPA) (small entity) | $88 | $120 | +$32 |
| **3, 6** | 3017 | Basic Filing Fee – Design (CPA) (micro entity) | $44 | $60 | +$16 |
| **3, 6** | 1082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | $420 | $450 | +$30 |
| **3, 6** | 2082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | $168 | $180 | +$12 |
| **3, 6** | 3082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | $84 | $90 | +$6 |
| **3, 6** | 1112 | Design Search Fee (undiscounted entity) | $160 | $300 | +$140 |
| **3, 6** | 2112 | Design Search Fee (small entity) | $64 | $120 | +$56 |
| **3, 6** | 3112 | Design Search Fee (micro entity) | $32 | $60 | +$28 |
| **3, 6** | 1312 | Design Examination Fee (undiscounted entity) | $640 | $700 | +$60 |
| **3, 6** | 2312 | Design Examination Fee (small entity) | $256 | $280 | +$24 |
| **3, 6** | 3312 | Design Examination Fee (micro entity) | $128 | $140 | +$12 |
| **11** | 1085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | $420 | $450 | +$30 |
| **11** | 2085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | $168 | $180 | +$12 |
| **11** | 3085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | $84 | $90 | +$6 |
| **11** | 1005 | Provisional Application Filing Fee (undiscounted entity) | $300 | $325 | +$25 |
| **11** | 2005 | Provisional Application Filing Fee (small entity) | $120 | $130 | +$10 |
| **11** | 3005 | Provisional Application Filing Fee (micro entity) | $60 | $65 | +$5 |
| **1-11** | 1051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (undiscounted entity) | $160 | $170 | +$10 |
| **1-11** | 2051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (small entity) | $64 | $68 | +$4 |
| **1-11** | 3051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (micro entity) | $32 | $34 | +$2 |
| **1-11** | 1052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (undiscounted entity) | $60 | $65 | +$5 |
| **1-11** | 2052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (small entity) | $24 | $26 | +$2 |
| **1-11** | 3052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (micro entity) | $12 | $13 | +$1 |
| **12** | 10C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (undiscounted entity) | New fee | $2,700 | +$2,700 |
| **12** | 20C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (small entity) | New fee | $1,080 | +$1,080 |
| **12** | 30C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (micro entity) | New fee | $540 | +$540 |
| **12** | 10C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (undiscounted entity) | New fee | $4,000 | +$4,000 |
| **12** | 20C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (small entity) | New fee | $1,600 | +$1,600 |
| **12** | 30C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (micro entity) | New fee | $800 | +$800 |
| **12** | 14D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (undiscounted entity) | New fee | $3,000 | +$3,000 |
| **12** | 24D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (small entity) | New fee | $1,200 | +$1,200 |
| **12** | 34D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (micro entity) | New fee | $600 | +$600 |
| **13** | 1463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (undiscounted entity) | $220 | $235 | +$15 |
| **13** | 2463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (small entity) | $88 | $94 | +$6 |
| **13** | 3463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (micro entity) | $44 | $47 | +$3 |
| **15** | 1454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (undiscounted entity) | $2,100 | $2,260 | +$160 |
| **15** | 2454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (small entity) | $840 | $904 | +$64 |
| **15** | 3454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (micro entity) | $420 | $452 | +$32 |
| **15** | 1454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (undiscounted entity) | $2,100 | $2,260 | +$160 |
| **15** | 2454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (small entity) | $840 | $904 | +$64 |
| **15** | 3454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (micro entity) | $420 | $452 | +$32 |

**Table 2: Proposed Burden**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Fee Code** | **Item** | **Reponses**  **(a)** | **New Fee**  **(b)** | **New Non-hour Cost Burden**  **(a) x (b) = (c)** |
| **1, 4** | 1011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (undiscounted entity) | 250,450 | $350 | $87,657,500 |
| **1, 4** | 2011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (small entity) | 260 | $140 | $36,400 |
| **1, 4** | 3011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (micro entity) | 14,520 | $70 | $1,016,400 |
| **1, 4** | 4011 | Basic filing fee – Utility (electronic filing for small entities) | 84,760 | $70 | $5,933,200 |
| **1, 4** | 1081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | 20,640 | $450 | $9,288,000 |
| **1, 4** | 2081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | 11,630 | $180 | $2,093,400 |
| **1, 4** | 3081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | 220 | $90 | $19,800 |
| **1, 4** | 1111 | Utility Search Fee (undiscounted entity) | 248,740 | $770 | $191,529,800 |
| **1, 4** | 2111 | Utility Search Fee (small entity) | 83,900 | $308 | $25,841,200 |
| **1, 4** | 3111 | Utility Search Fee (micro entity) | 14,330 | $154 | $2,206,820 |
| **1, 4** | 1311 | Utility Examination Fee (undiscounted entity) | 249,600 | $880 | $219,648,000 |
| **1, 4** | 2311 | Utility Examination Fee (small entity) | 84,100 | $352 | $29,603,200 |
| **1, 4** | 3311 | Utility Examination Fee (micro entity) | 14,360 | $176 | $2,527,360 |
| **1,2 4-6, and 9** | 1201 | Each Independent Claim in Excess of Three (undiscounted entity) | 42,020 | $600 | $25,212,000 |
| **1,2 4-6, and 9** | 2201 | Each Independent Claim in Excess of Three (small entity) | 14,500 | $240 | $3,480,000 |
| **1,2 4-6, and 9** | 3201 | Each Independent Claim in Excess of Three (micro entity) | 1,400 | $120 | $168,000 |
| **1,2 4-6, and 9** | 1202 | Each Claim in Excess of 20 (undiscounted entity) | 304,230 | $200 | $60,846,000 |
| **1,2 4-6, and 9** | 2202 | Each Claim in Excess of 20 (small entity) | 158,280 | $80 | $12,662,400 |
| **1,2 4-6, and 9** | 3202 | Each Claim in Excess of 20 (micro entity) | 7,790 | $40 | $311,600 |
| **1,2 4-6, and 9** | 1203 | Multiple Dependent Claim (undiscounted entity) | 730 | $925 | $675,250 |
| **1,2 4-6, and 9** | 2203 | Multiple Dependent Claim (small entity) | 470 | $370 | $173,900 |
| **1,2 4-6, and 9** | 3203 | Multiple Dependent Claim (micro entity) | 70 | $185 | $12,950 |
| **2, 5** | 1313 | Plant Examination Fee (undiscounted entity) | 490 | $725 | $355,250 |
| **2, 5** | 2313 | Plant Examination Fee (small entity) | 480 | $290 | $139,200 |
| **2, 5** | 3313 | Plant Examination Fee (micro entity) | 10 | $145 | $1,450 |
| **2, 5** | 1013 | Basic filing fee – Plant (undiscounted entity) | 490 | $240 | $117,600 |
| **2, 5** | 2013 | Basic filing fee – Plant (small entity) | 480 | $96 | $46,080 |
| **2, 5** | 3013 | Basic filing fee – Plant (micro entity) | 10 | $48 | $480 |
| **2, 5** | 1113 | Plant Search fee (undiscounted entity) | 490 | $485 | $237,650 |
| **2, 5** | 2113 | Plant Search fee (small entity) | 480 | $194 | $93,120 |
| **2, 5** | 3113 | Plant Search fee (micro entity) | 10 | $97 | $970 |
| **2, 5** | 1083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (undiscounted entity) | 1 | $450 | $450 |
| **2, 5** | 2083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (small entity) | 1 | $180 | $180 |
| **2, 5** | 3083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (micro entity) | 1 | $90 | $90 |
| **3, 6** | 1012 | Basic Filing Fee – Design (undiscounted entity) | 20,020 | $300 | $6,006,000 |
| **3, 6** | 2012 | Basic Filing Fee – Design (small entity) | 19,480 | $120 | $2,337,600 |
| **3, 6** | 3012 | Basic Filing Fee – Design (micro entity) | 15,890 | $60 | $953,400 |
| **3, 6** | 1017 | Basic Filing Fee – Design (CPA) (undiscounted entity) | 920 | $300 | $276,000 |
| **3, 6** | 2017 | Basic Filing Fee – Design (CPA) (small entity) | 500 | $120 | $60,000 |
| **3, 6** | 3017 | Basic Filing Fee – Design (CPA) (micro entity) | 85 | $60 | $5,100 |
| **3, 6** | 1082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | 170 | $450 | $76,500 |
| **3, 6** | 2082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | 90 | $180 | $16,200 |
| **3, 6** | 3082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | 30 | $90 | $2,700 |
| **3, 6** | 1112 | Design Search Fee (undiscounted entity) | 20,660 | $300 | $6,198,000 |
| **3, 6** | 2112 | Design Search Fee (small entity) | 19,690 | $120 | $2,362,800 |
| **3, 6** | 3112 | Design Search Fee (micro entity) | 15,880 | $60 | $952,800 |
| **3, 6** | 1312 | Design Examination Fee (undiscounted entity) | 20,670 | $700 | $14,469,000 |
| **3, 6** | 2312 | Design Examination Fee (small entity) | 19,710 | $280 | $5,518,800 |
| **3, 6** | 3312 | Design Examination Fee (micro entity) | 15,880 | $140 | $2,223,200 |
| **11** | 1085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | 11,180 | $450 | $5,031,000 |
| **11** | 2085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | 11,360 | $180 | $2,044,800 |
| **11** | 3085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | 110 | $90 | $9,900 |
| **11** | 1005 | Provisional Application Filing Fee (undiscounted entity) | 63,710 | $325 | $20,705,750 |
| **11** | 2005 | Provisional Application Filing Fee (small entity) | 69,250 | $130 | $9,002,500 |
| **11** | 3005 | Provisional Application Filing Fee (micro entity) | 23,150 | $65 | $1,504,750 |
| **1-11** | 1051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (undiscounted entity) | 78,200 | $170 | $13,294,000 |
| **1-11** | 2051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (small entity) | 33,010 | $68 | $2,244,680 |
| **1-11** | 3051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (micro entity) | 3,370 | $34 | $114,580 |
| **1-11** | 1052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (undiscounted entity) | 1,700 | $65 | $110,500 |
| **1-11** | 2052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (small entity) | 2,440 | $26 | $63,440 |
| **1-11** | 3052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (micro entity) | 2,574 | $13 | $33,462 |
| **12** | 10C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (undiscounted entity) | 11,052 | $2,700 | $29,840,400 |
| **12** | 20C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (small entity) | 4,691 | $1,080 | $5,066,280 |
| **12** | 30C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (micro entity) | 240 | $540 | $129,600 |
| **12** | 10C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (undiscounted entity) | 8,079 | $4,000 | $32,316,000 |
| **12** | 20C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (small entity) | 4,491 | $1,600 | $7,185,600 |
| **12** | 30C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (micro entity) | 69 | $800 | $55,200 |
| **12** | 14D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (undiscounted entity) | 280 | $3,000 | $840,000 |
| **12** | 24D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (small entity) | 226 | $1,200 | $271,200 |
| **12** | 34D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (micro entity) | 46 | $600 | $27,600 |
| **13** | 1463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (undiscounted entity) | 1,800 | $235 | $423,000 |
| **13** | 2463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (small entity) | 900 | $94 | $84,600 |
| **13** | 3463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (micro entity) | 300 | $47 | $14,100 |
| **15** | 1454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (undiscounted entity) | 310 | $2,260 | $700,600 |
| **15** | 2454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (small entity) | 65 | $904 | $58,760 |
| **15** | 3454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (micro entity) | 25 | $452 | $11,300 |
| **15** | 1454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (undiscounted entity) | 310 | $2,260 | $700,600 |
| **15** | 2454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (small entity) | 65 | $904 | $58,760 |
| **15** | 3454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (micro entity) | 25 | $452 | $11,300 |
|  |  | **Totals** | **2,112,646** | **- - -** | **$855,348,062** |

**Table 3: Changes in Cost**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Fee Code** | **Items** | **Current Cost**  **(a)** | **New Cost**  **(b)** | **Change in Non-hour Cost Burden**  **(b) – (a) = (c)** |
| **1, 4** | 1011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (undiscounted entity) | $80,144,000 | $87,657,500 | +$7,513,500 |
| **1, 4** | 2011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (small entity) | $33,280 | $36,400 | +$3,120 |
| **1, 4** | 3011 | Basic Filing fee – Utility (Paper Filing – Also Requires Non-Electronic Filing Fee Under 1.16(t)) (micro entity) | $929,280 | $1,016,400 | +$87,120 |
| **1, 4** | 4011 | Basic filing fee – Utility (electronic filing for small entities) | $5,424,640 | $5,933,200 | +$508,560 |
| **1, 4** | 1081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | $8,668,800 | $9,288,000 | +$619,200 |
| **1, 4** | 2081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | $1,953,840 | $2,093,400 | +$139,560 |
| **1, 4** | 3081 | Utility Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | $18,480 | $19,800 | +$1,320 |
| **1, 4** | 1111 | Utility Search Fee (undiscounted entity) | $174,118,000 | $191,529,800 | +$17,411,800 |
| **1, 4** | 2111 | Utility Search Fee (small entity) | $23,492,000 | $25,841,200 | +$2,349,200 |
| **1, 4** | 3111 | Utility Search Fee (micro entity) | $2,006,200 | $2,206,820 | +$200,620 |
| **1, 4** | 1311 | Utility Examination Fee (undiscounted entity) | $199,680,000 | $219,648,000 | +$19,968,000 |
| **1, 4** | 2311 | Utility Examination Fee (small entity) | $26,912,000 | $29,603,200 | +$2,691,200 |
| **1, 4** | 3311 | Utility Examination Fee (micro entity) | $2,297,600 | $2,527,360 | +$229,760 |
| **1,2 4-6, and 9** | 1201 | Each Independent Claim in Excess of Three (undiscounted entity) | $20,169,600 | $25,212,000 | +$5,042,400 |
| **1,2 4-6, and 9** | 2201 | Each Independent Claim in Excess of Three (small entity) | $2,784,000 | $3,480,000 | +$696,000 |
| **1,2 4-6, and 9** | 3201 | Each Independent Claim in Excess of Three (micro entity) | $134,400 | $168,000 | +$33,600 |
| **1,2 4-6, and 9** | 1202 | Each Claim in Excess of 20 (undiscounted entity) | $30,423,000 | $60,846,000 | +$30,423,000 |
| **1,2 4-6, and 9** | 2202 | Each Claim in Excess of 20 (small entity) | $6,331,200 | $12,662,400 | +$6,331,200 |
| **1,2 4-6, and 9** | 3202 | Each Claim in Excess of 20 (micro entity) | $155,800 | $311,600 | +$155,800 |
| **1,2 4-6, and 9** | 1203 | Multiple Dependent Claim (undiscounted entity) | $627,800 | $675,250 | +$47,450 |
| **1,2 4-6, and 9** | 2203 | Multiple Dependent Claim (small entity) | $161,680 | $173,900 | +$12,220 |
| **1,2 4-6, and 9** | 3203 | Multiple Dependent Claim (micro entity) | $12,040 | $12,950 | +$910 |
| **2, 5** | 1313 | Plant Examination Fee (undiscounted entity) | $323,400 | $355,250 | +$31,850 |
| **2, 5** | 2313 | Plant Examination Fee (small entity) | $126,720 | $139,200 | +$12,480 |
| **2, 5** | 3313 | Plant Examination Fee (micro entity) | $1,320 | $1,450 | +$130 |
| **2, 5** | 1013 | Basic filing fee – Plant (undiscounted entity) | $107,800 | $117,600 | +$9,800 |
| **2, 5** | 2013 | Basic filing fee – Plant (small entity) | $42,240 | $46,080 | +$3,840 |
| **2, 5** | 3013 | Basic filing fee – Plant (micro entity) | $440 | $480 | +$40 |
| **2, 5** | 1113 | Plant Search fee (undiscounted entity) | $215,600 | $237,650 | +$22,050 |
| **2, 5** | 2113 | Plant Search fee (small entity) | $84,480 | $93,120 | +$8,640 |
| **2, 5** | 3113 | Plant Search fee (micro entity) | $880 | $970 | +$90 |
| **2, 5** | 1083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (undiscounted entity) | $420 | $450 | +$30 |
| **2, 5** | 2083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (small entity) | $168 | $180 | +$12 |
| **2, 5** | 3083 | Plant Application Size Fee - for each additional 50 sheets that exceeds 100 sheets (micro entity) | $84 | $90 | +$6 |
| **3, 6** | 1012 | Basic Filing Fee – Design (undiscounted entity) | $4,404,400 | $6,006,000 | +$1,601,600 |
| **3, 6** | 2012 | Basic Filing Fee – Design (small entity) | $1,714,240 | $2,337,600 | +$623,360 |
| **3, 6** | 3012 | Basic Filing Fee – Design (micro entity) | $699,160 | $953,400 | +$254,240 |
| **3, 6** | 1017 | Basic Filing Fee – Design (CPA) (undiscounted entity) | $202,400 | $276,000 | +$73,600 |
| **3, 6** | 2017 | Basic Filing Fee – Design (CPA) (small entity) | $44,000 | $60,000 | +$16,000 |
| **3, 6** | 3017 | Basic Filing Fee – Design (CPA) (micro entity) | $3,740 | $5,100 | +$1,360 |
| **3, 6** | 1082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | $71,400 | $76,500 | +$5,100 |
| **3, 6** | 2082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | $15,120 | $16,200 | +$1,080 |
| **3, 6** | 3082 | Design Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | $2,520 | $2,700 | +$180 |
| **3, 6** | 1112 | Design Search Fee (undiscounted entity) | $3,305,600 | $6,198,000 | +$2,892,400 |
| **3, 6** | 2112 | Design Search Fee (small entity) | $1,260,160 | $2,362,800 | +$1,102,640 |
| **3, 6** | 3112 | Design Search Fee (micro entity) | $508,160 | $952,800 | +$444,640 |
| **3, 6** | 1312 | Design Examination Fee (undiscounted entity) | $13,228,800 | $14,469,000 | +$1,240,200 |
| **3, 6** | 2312 | Design Examination Fee (small entity) | $5,045,760 | $5,518,800 | +$473,040 |
| **3, 6** | 3312 | Design Examination Fee (micro entity) | $2,032,640 | $2,223,200 | +$190,560 |
| **11** | 1085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (undiscounted entity) | $4,695,600 | $5,031,000 | +$335,400 |
| **11** | 2085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (small entity) | $1,908,480 | $2,044,800 | +$136,320 |
| **11** | 3085 | Provisional Application Size Fee – for Each Additional 50 Sheets That Exceeds 100 Sheets (micro entity) | $9,240 | $9,900 | +$660 |
| **11** | 1005 | Provisional Application Filing Fee (undiscounted entity) | $19,113,000 | $20,705,750 | +$1,592,750 |
| **11** | 2005 | Provisional Application Filing Fee (small entity) | $8,310,000 | $9,002,500 | +$692,500 |
| **11** | 3005 | Provisional Application Filing Fee (micro entity) | $1,389,000 | $1,504,750 | +$115,750 |
| **1-11** | 1051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (undiscounted entity) | $12,512,000 | $13,294,000 | +$782,000 |
| **1-11** | 2051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (small entity) | $2,112,640 | $2,244,680 | +$132,040 |
| **1-11** | 3051 | Surcharge – Late Filing Fee, Search Fee, Examination Fee, Inventor's Oath or Declaration, or Application Filed Without at least One Claim or by Reference (micro entity) | $107,840 | $114,580 | +$6,740 |
| **1-11** | 1052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (undiscounted entity) | $102,000 | $110,500 | +$8,500 |
| **1-11** | 2052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (small entity) | $58,560 | $63,440 | +$4,880 |
| **1-11** | 3052 | Surcharge – Late Provisional Filing Fee or Cover Sheet (micro entity) | $30,888 | $33,462 | +$2,574 |
| **12** | 10C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (undiscounted entity) | New fee | $29,840,400 | +$29,840,400 |
| **12** | 20C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (small entity) | New fee | $5,066,280 | +$5,066,280 |
| **12** | 30C3 | Filing an application or presentation of benefit claim more than six years after earliest benefit date (micro entity) | New fee | $129,600 | +$129,600 |
| **12** | 10C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (undiscounted entity) | New fee | $32,316,000 | +$32,316,000 |
| **12** | 20C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (small entity) | New fee | $7,185,600 | +$7,185,600 |
| **12** | 30C7 | Filing an application or presentation of benefit claim more than nine years after earliest benefit date (micro entity) | New fee | $55,200 | +$55,200 |
| **12** | 14D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (undiscounted entity) | New fee | $840,000 | +$840,000 |
| **12** | 24D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (small entity) | New fee | $271,200 | +$271,200 |
| **12** | 34D2 | Petition for the delayed submission of a priority or benefit claim, delay greater than two years (micro entity) | New fee | $27,600 | +$27,600 |
| **13** | 1463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (undiscounted entity) | $396,000 | $423,000 | +$27,000 |
| **13** | 2463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (small entity) | $79,200 | $84,600 | +$5,400 |
| **13** | 3463 | Electronic Petition to be the applicant under 37 CFR 1.46 by a person who otherwise shows sufficient proprietary interest in the matter (micro entity) | $13,200 | $14,100 | +$900 |
| **15** | 1454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (undiscounted entity) | $651,000 | $700,600 | +$49,600 |
| **15** | 2454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (small entity) | $54,600 | $58,760 | +$4,160 |
| **15** | 3454 | Grantable Petition to Restore the Right of Priority under 37 CFR 1.55(c) (micro entity) | $10,500 | $11,300 | +$800 |
| **15** | 1454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (undiscounted entity) | $651,000 | $700,600 | +$49,600 |
| **15** | 2454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (small entity) | $54,600 | $58,760 | +$4,160 |
| **15** | 3454 | Grantable Petition to Restore the Benefit of a Prior-Filed Provisional Application under 37 CFR 1.78(b) (micro entity) | $10,500 | $11,300 | +$800 |
|  |  | **Totals** | **$672,189,140** | **$855,348,062** | **+$183,158,922** |

Summary of Changes

The aforementioned rulemaking results in the revision of 70 fees and the introduction of 9 new fees, with an increase of $183,158,922 in annual non-hourly costs to collection 0651-0032.

Changes in Burden

|  |  |  |  |
| --- | --- | --- | --- |
| **Burden Type** | **Currently Approved** | **Proposed Change** | **New Estimate** |
| Non-hourly Cost Burden | $1,156,505,487 | +$183,158,922 | $1,330,664,409 |

0651-0032’s revised burden is as follows:

* 588.255 annual responses (unchanged)
* 12,543,215 annual hourly burden (unchanged)
* $1,330,664,409 annual non-hourly burden costs

1. <https://www.govinfo.gov/content/pkg/FR-2024-11-20/pdf/2024-26821.pdf> [↑](#footnote-ref-3)