

> Covid-19 Client Alert

USPTO Grants Further Relief for Trademark Filings Amid COVID-19

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Authors and Key Contacts

If you have any questions regarding trademark applications or upcoming filings, you may directly contact our Intellectual Property attorneys who are carefully monitoring these changes:

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The United States Patent and Trademark Office announced late last week that additional extensions of time to make required trademark filings will be now be evaluated upon specific request, if such failure was due to COVID-19, where:

- Trademark applicants were unable to submit a timely response or fee in response to a USPTO communication;
- Trademark applicants missed statutory deadlines for filing a statement of use; or
- Registration owners missed a statutory deadline resulting in abandonment of their mark.

Petitions must be accompanied by a statement that the delay in filing or payment was due to the COVID-19 outbreak, including through office closures, cash flow interruptions, inaccessibility of files or other materials, travel delays, personal or family illness, or similar circumstances.

Earlier in the course of the pandemic the USPTO had announced extensions of time to make filings, and the waiver of applicable fees for petitioning for the reinstatement of trademark applications and registrations that were abandoned or canceled or had expired due to the inability to timely respond to a pertinent USPTO communication.

The PTO also said it would waive certain fees for petitions to revive abandoned or expired applications up to June 30, 2020.

Where the COVID-19 outbreak has prevented or interfered with a filing before the Trademark Trial and Appeal Board, the USPTO indicated that a request for an extension or reopening of time may be made.

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Morrison Cohen LLP has created the [COVID-19 Resource Taskforce](#), a multidisciplinary taskforce comprised of attorneys with deep expertise in a broad range of legal areas, to assist clients navigating the challenging and uncertain business and legal environment caused by the COVID-19 pandemic. We encourage clients to utilize our capabilities by reaching out to their primary Morrison Cohen attorney contact, who will put you in touch with the appropriate Taskforce person. You may also reach out directly to Joe Moldovan and Alec Nealon, the Taskforce co-chairs:

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