

**Closing of the United States Patent and Trademark Office  
on Tuesday, December 24, 2019**

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Tuesday, December 24, 2019, the USPTO will consider Tuesday, December 24, 2019, to be a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21 and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196. Since Wednesday, December 25, 2019, is a holiday, any action or fee due on Tuesday, December 24, 2019, or Wednesday, December 25, 2019, will be deemed as timely for the purposes of, e.g., 15 U.S.C. §§ 1051(d), 1058, 1059, 1062(b), 1063, 1064, 1126(d), and 1141k, or 35 U.S.C. §§ 119, 120, 133, and 151, if the action is taken, or the fee paid, on the next succeeding business day on which the USPTO is open, that is, Thursday, December 26, 2019 (37 C.F.R. §§ 1.7(a) and 2.196), no later than 11:59 pm ET.

As indicated in the preceding paragraph, the USPTO will consider actions or fees due on Tuesday, December 24, 2019, or Wednesday, December 25, 2019, to be timely if taken or paid on the next business day on which the USPTO is open, that is, Thursday, December 26, 2019. An actual filing date of Tuesday, December 24, 2019, or Wednesday, December 25, 2019, also is available under existing procedures. Specifically, 37 C.F.R. §§ 1.6(a)(2), 2.195(a)(4), and 2.198 provide that any correspondence properly deposited in the Priority Mail Express® service of the United States Postal Service (USPS) in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be deemed filed on the date of deposit (as shown by the "date accepted" on the mailing label) with the USPS. Thus, any correspondence properly deposited in the Priority Mail Express® service of the USPS on Tuesday, December 24, 2019, or Wednesday, December 25, 2019, in accordance with 37 C.F.R. §§ 1.10 or 2.198, will be deemed filed on its respective date of deposit in the Priority Mail Express® service of the USPS (as shown by a "date accepted" of Tuesday, December 24, 2019, or Wednesday, December 25, 2019 on the mailing label). See the Manual of Patent Examining Procedure (MPEP) § 513 and the Trademark Manual of Examining Procedure (TMEM) § 305.03. For correspondence being mailed or transmitted with a certificate of mailing or transmission in accordance with 37 C.F.R. § 1.8 and 2.197, see MPEP § 512 and TMEM § 305.02, respectively.

In addition, 37 C.F.R. §§ 1.6(a)(4) and 2.195(a)(2) provide that patent- and trademark-related correspondence transmitted electronically to the USPTO will be deemed filed in the USPTO on the date the USPTO received the electronic transmission. Thus, any patent- or trademark-related correspondence transmitted electronically to the USPTO on Tuesday, December 24, 2019, or Wednesday, December 25, 2019, will be deemed filed in the USPTO on the date the USPTO received the electronic transmission. Patent correspondence successfully received by the USPTO through the Electronic Filing System (EFS-Web) and filed in compliance with the EFS-Web Legal Framework will receive the date indicated on the Acknowledgement Receipt. See MPEP § 502.05 and the USPTO website. Trademark filings properly filed through TEAS, TEASi, and ESTTA will receive the date indicated in the e-mail confirmation sent at the time of a successful filing. See TMEM § 301 and Trademark Trial and Appeal Board Manual of Procedure § 110.09 regarding electronic filing.

Date: 12/23/2019

  
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Laura Peter

Acting Under Secretary of Commerce for Intellectual Property and  
Acting Director of the United States Patent and Trademark Office