

Bodman PLC

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Patent & Trademark Office to Begin Issuing Electronic Patent Grants

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The U.S. Patent & Trademark Office (USPTO) announced that it will no longer issue patents in a printed “ribbon copy” form as of April 18, 2023. Instead, patents will now only be issued electronically in a digital form. This is part of the USPTO’s efforts to move to fully electronic processing of patent applications, which it believes will provide various benefits for the USPTO and patentees.

Implementing this change, the USPTO has removed 37 CFR 1.315, which stated that “[t]he patent will be delivered or mailed upon issuance to the correspondence of record.” Instead, the electronic issuance will be via the Patent Office’s electronic filing system, Patent Center. Patent Center will allow patentees and the public to view and print the official electronic patent immediately upon issuance. The digital form will be nearly identical in appearance to the prior format, except that the cover page will include a new authenticatable digital USPTO seal and a digital signature from the USPTO Director.

Moving to electronic issuances will reduce the interval between payment of the issue fee and when the patent issues. Therefore, applicants will have less time to evaluate and consider whether to seek additional protection with divisional and continuation patent applications. Also, applicants will have less time to ensure that all potentially relevant prior art is considered by the examiner.

During a limited transition period, the USPTO will provide a ceremonial paper copy and after the transitional period, bound paper copies will be available for a fee. The Patent Office did not provide a set duration for the transitional period. Additionally, the USPTO will continue to offer certified copies and presentation copies of issued patents. Additional details can be found in the Federal Register [notice](#) or at the USPTO’s [eGrant website](#).

Patent owners that want to discuss how this change impacts their patent strategy and procedures can contact any member of **Bodman’s [Patent Practice Group](#)**. Bodman cannot respond to your questions or receive information from you without first clearing potential conflicts with other clients. Thank you for your patience and understanding.

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