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For Immediate Release

Contact: Paul Esatto
Scully, Scott, Murphy & Presser
516-742-4343
esatto@ssmp.com

David Pinkowitz
DCP Marketing Services LLC
631-491-5343
dpinkowitz@dcpmarketing.com

New Federal Legislation Substantially Increases Patent User Fees

Scully Scott notifies clients of 20%-30% typical fee increases

Garden City, NY -- Scully, Scott, Murphy & Presser, a leading Intellectual Property (IP) law firm, has notified its clients and friends that the new Consolidated Appropriations Act (H.R. 4818) substantially increases fees for patent users. Enacted on December 8th, the legislation addresses the backlog of nearly a half-million patent applications at the U.S. Patent and Trademark Office (USPTO) by hiking user fees and making other changes to streamline the patent examiners' workload. In a typical example, the previous fee of \$790 for large entities filing a regular, "non-provisional" patent application has been increased by 27% to \$1,000.

The larger fees are expected to increase the USPTO's budget by 25% to \$1.5 billion, thereby allowing it to hire a substantial number of new examiners and pursue other initiatives. The fee increases will impact individual inventors, corporations, universities and others. While increasing fees to benefit the USPTO, the new legislation does not end the undesirable practice of diverting some patent user fees from the USPTO to the government's general fund.

Other changes included in the legislation are: separate filing, searching and examination fees; provisions for partial refunds on withdrawn applications; provision for outsourcing of searches; and additional fees for excessively long patent applications. Discounts for individual inventors, non-profit organizations and small companies (so-called "small entities") remain in force in most cases.

"The patent applicant will need to budget for increased fees at all stages of the application process, as well as for after a patent is issued," said Paul Esatto, Senior Partner at Scully, Scott, Murphy & Presser. "Also, patent applicants should consider tailoring the number of claims and the length of the patent to avoid additional fees."

About Scully, Scott, Murphy & Presser

Founded in 1973, Garden City-based Scully, Scott, Murphy & Presser is one of Long Island's largest and most preeminent law firms exclusively dedicated to Intellectual Property. Comprised of highly skilled attorneys with highly technical backgrounds, SSMP confidently sits at the crossroads of cutting edge science, technology and law where it offers detailed, bankable opinions and secures, protects and enforces intellectual property for its clients. For more information, visit Web site <http://www.ssmp.com>.

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