

Q. What happens to a patent application once the examiner allows it for issuance as a patent?

A. Listed below are the stages through which an allowed patent application goes within the PTO.

1. When the examiner allows a file it is sent to the Office of Patent Publication Allowed Files area.

2. The application is then forwarded to Initial Data Capture (IDC) for electronic capture of the patent file.

3. It takes approximately 6 weeks from the date that the allowed file is received for the completion of the Initial Data Capture of the application.

4. The application is then sent to the File Maintenance Facility (FMF) for matching of the issue fee and any other correspondence. The application may stay in the FMF for approximately 1-2 weeks. However, if all requirements are not yet fulfilled the application will remain at the FMF until the requirements are met.

5. Once the fee and any correspondence and/or drawings are matched with the application and all requirements have been met for issuance as a patent, the application is then forwarded to the Final Data Capture (FDC) stage of the process. The FDC makes any updates necessary to the electronic file and places the allowed patent application in an issue. The average time that an allowed application is in the FDC process is 5 weeks. The “Issue Notification” is mailed approximately 3 weeks prior to the issue date of the patent.

6. The patent grant is mailed on the issue date of the patent. It includes any references to prior patents, the inventor(s)' names, specification, and claims (to name a few). It is bound in an attractive cover and includes a gold seal and red ribbon on the cover.