Quick Start Guide

Quick Path Information Disclosure Statement (QPIDDS) Program
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1. Introduction

The QPIDS program seeks to reduce pendency and applicant costs when an information disclosure statement (IDS) is filed after payment of the issue fee. The program permits consideration of an IDS after payment of the issue fee without having to reopen prosecution in response to a request for continued examination (RCE). An examiner can consider a compliant IDS filed in accordance with this program and pass the application to issue where the examiner determines that no item of information in the IDS necessitates reopening prosecution. In addition to reducing pendency, this program promotes efficiency in the examination process.

This Quick Start Guide will provide you with the information you need in order to rapidly understand how to file a Quick Path Information Disclosure Statement in EFS-Web through the Petition to Withdraw from Issue After Payment of the Issue Fee.

2. Basic Guidelines for Filing a QPIDS ePetition:

- The user must be a registered eFiler.
- Registered eFiler users are strongly advised to transmit their electronic filings sufficiently early in the day to allow time to contact the Patent EBC for assistance when the transmission cannot be initiated or correctly completed.
- The ability to submit a QPIDS ePetition under EFS-Web Contingency is not permitted.
- The user must have an established USPTO deposit account (see http://www.uspto.gov/about/offices/cfo/finance/Dep_Account_Rules_and_Info.jsp for information on USPTO deposit accounts)

Warning: For your protection, your EFS-Web session will time-out after one hour of inactivity. A QPIDS ePetition request that has not been submitted after one hour of inactivity will be lost unless it is saved. You will need to login to EFS-Web again and re-enter the ePetition from the start.

Application Process

Once you have signed on to EFS-Web as a registered user, you will need to certify that you are the certificate holder or working under the authority of the certificate holder.

To submit a QPIDS ePetition, you must select the radio button located next to “Existing application/patent”. The Web screen will expand to display additional options. Select the radio button next to “ePetition (for automatic processing and immediate grant, if all
petitions requirements are met).
When the “ePetition” option is selected, the screen will display all available ePetition types – the two legacy PDF-based ePetitions and the eleven Web-based ePetitions.

**Note:** Information entered on the Certification screen cannot be edited on subsequent screens. Please review the application number, confirmation number, and other data entered carefully before continuing. If you need to make a change to the data entered on the Certification screen after you have proceeded to later screens, please click the **Cancel** button at the bottom of page to restart the ePetition.

**Note:** The Petitions to Withdraw from Issue after Payment of the Issue Fee and the Petitions for Revival are grouped and when selected additional petition types are shown.
a. **Quick Path Information Disclosure Statement** through the Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2))

- The user must be a registered eFiler.
- The user must have an established USPTO deposit account (see [http://www.uspto.gov/about/offices/cfo/finance/Dep_Account_Rules_and_Info.jsp](http://www.uspto.gov/about/offices/cfo/finance/Dep_Account_Rules_and_Info.jsp) for information on USPTO deposit accounts)
- The user must enter a valid US application number.
- The US application number entered may not be for an issued patent.
- The US application may not be in an abandoned status.
- The Issue fee must have been paid.
- If the filer has POA, a valid Registration Number must be entered.
- QPIDS via EFS-Web are accepted only for nonprovisional utility applications (including national stage and reissue)

  - The IDS, including a timeliness statement set forth in 37 CFR 1.97(e), appropriate transmittal form that designates the submission as a QPIDS submission (PTO SB/09 available at [https://www.uspto.gov/sites/default/files/forms/sb0009.pdf](https://www.uspto.gov/sites/default/files/forms/sb0009.pdf) or equivalent) with deposit account payment for the IDS fee under 37 CFR 1.17(p), RCE, and fees (petition fee under 37 CFR 1.17(h) and RCE fee under 37 CFR 1.17(e)) must be attached.

  - The RCE will be treated as a “conditional” RCE. In the event the examiner determines that any item of information contained in the IDS necessitates the reopening of prosecution in the application, the undersigned understands that the RCE will be processed and treated as an RCE under 37 CFR 1.114. In the event that no item of information in the IDS necessitates reopening prosecution, the undersigned understands that the RCE will not be processed and the RCE fee under 37 CFR 1.17(e) will be returned.

b. **QPIDS Process:**

QPIDS is available through the ePetition to Withdraw from Issue after Payment of the Issue fee. Depending on whether a patent number has been assigned, applicants must select either the “Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2))” or the “Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2) with Assigned Patent Number)”
Enter the application number, confirmation number, and select “Consideration of a Request for Continued Examination” as the reason for withdrawal.

After proceeding to the ePetition Request screen, the reason for withdrawal and other information provided on the Certification screen will be displayed for review purposes, but cannot be changed. If you need to change the application number, reason for withdrawal, or petition filer type, please click on the **Cancel** button to restart the petition.

You must indicate if the required documents and/or fees have been previously filed or will accompany the ePetition. For consideration of QPIDS, the option to indicate that you previously filed the RCE request must not be selected. Instead, select “RCE Request, Submission, and Fee are Attached.”

At the bottom of the screen you will need to complete user information and provide an S-signature. (*Please refer to EFS Web Legal Framework, Section F. Signature Policy.*)
After entering the petition data, the information will be automatically compiled into a petition document (petition-request.pdf), which will be listed on the attach documents screen. A reminder will be displayed directing you to attach the mandatory Request for Consideration (RCE) and Information Disclosure Statement (IDS). **Please note the QPIDS transmittal (PTO/SB/09) is also a required document and must be attached for QPIDS consideration.** The Quick Path Information Disclosure Statement document description is available under the Petition or IDS/References categories. Using the PTO/SB/09 transmittal form is the best way to ensure that the Office quickly identifies and timely processes a QPIDS submission, and helps ensure that important requirements of the QPIDS program are not overlooked by providing the appropriate timeliness statements under 37 CFR 1.97(e) and the authorization to charge a deposit account for payment of the IDS fee. 1.704(d) statements, if attached, should be indexed as “Transmittal Letter”.

<table>
<thead>
<tr>
<th>Entity Status:</th>
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<tbody>
<tr>
<td>☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.</td>
<td>☐ Applicant(s) status remains as other than SMALL ENTITY.</td>
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**Certification**

* I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

* ☐ A sole inventor

* Signature

  (EXAMPLE: John Smith)

* Name

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**ePetition Request**

An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

**APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).**

A grantable petition requires the following items:

1. Petition fee; and
2. One of the following reasons:
   a. Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;
   b. Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or
   c. Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).

☐ Consideration of a request for continued examination

☐ I certify, in accordance with 37 CFR 1.4(d)(4) that the RCE Request, Submission, and Fee have already been filed in the above-identified application on DATE .

☐ RCE Request, Submission, and Fee are attached

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**Entity Status:**

☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ Applicant(s) status remains as other than SMALL ENTITY.

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**Certification**

* I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

* ☐ A sole inventor

* Signature

  (EXAMPLE: John Smith)

* Name
In order to continue, you must successfully upload the necessary PDF document(s) without validation errors.

The Calculate Fees screen displays the fees due based on the selected fee entity status. Both the Petition and RCE fee are automatically selected. In order to pay for the IDS fee, enter the deposit account on the PTO/SB/09 (or equivalent). Payment of the IDS fee via a fee transmittal form authorizing another form of payment is not provided for under this program. Thus, applicants must have an established USPTO deposit account to participate in this program. Information on USPTO deposit accounts is available at: [http://www.uspto.gov/about/offices/cfo/finance/Dep_Account_Rules_and_Info.jsp](http://www.uspto.gov/about/offices/cfo/finance/Dep_Account_Rules_and_Info.jsp)
If you have any questions or concerns regarding filing in EFS-Web, please contact the Patent EBC Monday -Friday, from 6:00 a.m. to 12 Midnight Eastern Time, by email ebc@uspto.gov or telephone 866-217-9197.

For Additional information regarding this program, please visit: [http://www.uspto.gov/patents/init_events/qpids.jsp](http://www.uspto.gov/patents/init_events/qpids.jsp).