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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Docket Number (Optional)

Mail to: Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

Patent No. \_\_\_\_\_ Application Number \_\_\_\_\_  
Issue Date \_\_\_\_\_ Filing Date \_\_\_\_\_

CAUTION: Mandatory Identifiers: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent. 37 CFR1.366(c) and (d).

**Also complete the following information, if applicable**

The above-identified patent:

- is a reissue of original Patent No. \_\_\_\_\_, original issue date \_\_\_\_\_; original application number \_\_\_\_\_, original filing date \_\_\_\_\_.
- resulted from the entry into the U.S. under 35 U.S.C. 371 of international application \_\_\_\_\_ filed on \_\_\_\_\_.

**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name of person signing Certificate

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**1. SMALL ENTITY** Attached herewith is a statement establishing small entity status.**OR** A statement establishing small entity status for this patent has been filed and it is confirmed that the current owner of this patent still qualifies for small entity status.**2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in...patent prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate pursuant to Section 1.19 of this part." From the wording of 37 CFR 1.28(a): notification of change of status (a) must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity. See also 37 CFR 1.366(f).

 The status of this patent has changed from that of small entity to other than that of small entity.**3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))**

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(183)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(283)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(184)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(284)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(185)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(285)

MAINTENANCE FEE BEING SUBMITTED \$ \_\_\_\_\_

**4. SURCHARGE**

The surcharge required by 37 CFR 1.20(i)(2) of \$ \_\_\_\_\_ (Fee Code 188) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ \_\_\_\_\_

**5. MANNER OF PAYMENT** Enclosed is a check for the sum of \$ \_\_\_\_\_. Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_. A duplicate copy of this authorization is attached.**6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY** The Commissioner is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. \_\_\_\_\_. A duplicate copy of this authorization is attached.

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7. OVERPAYMENT

As to any overpayment made please

- OR  Credit to Deposit Account No. \_\_\_\_\_.
- Send refund check.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

NOTE: 37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature(s) of Petitioner(s)

(\_\_\_\_)\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Typed or printed name(s)

\_\_\_\_\_  
Address

ENCLOSURES:

- Maintenance Fee payment
- Small Entity Status Form
- Surcharge
- \_\_\_\_\_