



EFS-Web

Quick Start Guide

Quick Path Information Disclosure Statement (QPIDS) Pilot Program



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1. Introduction

This guide is for the Quick Path Information Disclosure Statement (QPIDS) pilot program. For more information regarding ePetitions, visit our ePetition Resource page at <http://www.uspto.gov/patents/process/file/efs/guidance/epetition-info.jsp>

The United States Patent and Trademark Office (USPTO) is implementing a pilot program intended to reduce pendency and applicant costs when an information disclosure statement (IDS) is filed after payment of the issue fee. This pilot program would permit 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 pilot 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 pilot program will promote efficiency in the examination process.

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.

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)”.

Your Digital Certificate has been authenticated - please certify your identity:


- I certify that I am the certificate holder **John Doe**
- I certify that I am working under the authority of the certificate holder: **John Doe**

Main Functions

New application
(This includes new filings of continuation, divisional, and continuation-in-part applications. A request for continued examination (RCE) and continued prosecution application (CPA) are considered existing documents and must be filed as a registered eFiler.)

Existing application/patent 

Select Type of Submission for Existing Application

- Documents/Fees for an existing application
(A request for continued examination (RCE) and continued prosecution application (CPA) are considered existing documents)
- ePetition (for automatic processing and immediate grant, if all petition requirements are met)
- Pre-Grant Publication under 37 CFR 1.211 to 1.221 

My Workplace



Cancel



Continue

When the “**ePetition**” option is selected, the screen will display all available ePetition types – the two legacy PDF-based ePetitions and the ten 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.





PDF-based ePetitions

Filing instructions: Download and complete the respective EFS-Web Fillable PDF Form and attach it to the ePetition submission. See the [Resources page](#) for additional information.


- Petition to make special based on age (37 CFR 1.102) 
- Petition to Accept Unintentional Delayed Payment of the Maintenance Fee (37 CFR 1.378(c)) 


Web-based ePetitions


Filing instructions: The petition PDF Form is not required for the following ePetitions. Petition information will be entered directly into EFS-Web screens. See the [Resources Page](#) for additional information.


- Request for Withdrawal as Attorney or Agent of Record (37 CFR 1.36) 
- Petitions to Withdraw from Issue after Payment of the Issue Fee 
- Petitions for Revival 
- Petition to Correct Assignee After Payment of Issue Fee (37 CFR 3.81(b)) 


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.

Petitions to Withdraw from Issue after Payment of the Issue Fee 

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2)) 

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(3)) 

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2) with Assigned Patent Number) 

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(3) with Assigned Patent Number) 

1. 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 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, appropriate transmittal form (PTO SB/09 or equivalent) with deposit account payment, and RCE 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.

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)

Petitions to Withdraw from Issue after Payment of the Issue Fee *i*

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2)) *i*

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(3)) *i*

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2) with Assigned Patent Number) *i*

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(3) with Assigned Patent Number) *i*

Enter the application number, confirmation number, and select “Consideration of a Request for Continued Examination” as the reason for withdrawal.

Petitions to Withdraw from Issue after Payment of the Issue Fee *i*

Petition to Withdraw from Issue after Payment of the Issue Fee (37 CFR 1.313(c)(1) or (2)) *i*

*Application Number (EXAMPLE: 99999999 , 99/999999 or 99/999,999) *i*

*Confirmation Number (EXAMPLE: 1234) *i*

*Reason for withdrawal:

One or more claims are unpatentable

Consideration of a request for continued examination

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 will be prompted to indicate whether the required documents and/or fees have been previously filed or will accompany the ePetition. **For consideration of QPIDS, you must 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.*)

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).	
<input checked="" type="checkbox"/> Consideration of a request for continued examination	
<input type="checkbox"/> 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 <input type="text" value="DATE"/>	
<input checked="" type="checkbox"/> RCE Request, Submission, and Fee are attached	
*Entity Status:	
<input checked="" type="checkbox"/> Applicant claims SMALL ENTITY status. See 37 CFR 1.27 .	
<input type="checkbox"/> Applicant(s) status remains as other than SMALL ENTITY.	
Certification	
*I certify, in accordance with 37 CFR 1.4(d)(4) that I am:	
<input checked="" type="radio"/> A sole inventor	
*Signature	<input type="text"/> (EXAMPLE: /John Smith/)
*Name	<input type="text"/>

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. 1.704(d) statements, if attached, should be indexed as “Transmittal Letter”.

The following documents need to be attached:
Doc Code Document Description
RCEX Request for Continued Examination (RCE)
In addition, the RCE submission needs to be attached.

Files to be Submitted	Multi-Doc	Category	Document Description
petition-request.pdf	NO	General Transmittal	Petition automatically granted by EFS
1 C:\efs\RCE.pdf <input type="button" value="Browse..."/> Does your PDF file contain multiple documents?		Petition <input type="radio"/> Yes <input checked="" type="radio"/> No	Request for Continued Examination (RCE) <input type="button" value="Delete"/>
2 C:\efs\IDS21.pdf <input type="button" value="Browse..."/> Does your PDF file contain multiple documents?		Petition <input type="radio"/> Yes <input checked="" type="radio"/> No	Information Disclosure Statement (IDS) Filed <input type="button" value="Delete"/>
3 C:\efs\ids.pdf <input type="button" value="Browse..."/> Does your PDF file contain multiple documents?		Petition <input type="radio"/> Yes <input checked="" type="radio"/> No	Quick Path Information Disclosure Statement <input type="button" value="Delete"/>

Users are advised not to submit credit card payment form PTO-2038 via EFS-Web. Submission of the credit card payment form via EFS-Web may result in the form being included among the patent or trademark records open for public inspection. Users choosing to pay with a credit card should instead utilize the on-line payment method available through EFS-Web.

Please Upload & Validate before Review

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 pilot program. **Thus, applicants must have an established USPTO deposit account to participate in this pilot program.** Information on USPTO deposit accounts is available at:

http://www.uspto.gov/about/offices/cfo/finance/Dep_Account_Rules_and_Info.jsp

Petition Fees	
	FeeCode Large
Petition fee- 37 CFR 1.17(h) (Group III)	1464 \$130
Request for continued examination	1801 \$930
Total Fees Due: \$ <input type="text" value="1060"/>	

On the Confirm & File screen, information provided as well as files to be submitted are displayed. To submit your ePetition for auto-processing, click the **File ePetition & Pay** button. The EFS-Web payment screen will display since payment is required for this ePetition. Your fee payment must be successfully processed in order for you to receive the Petition Grant.

This is the fee data associated with your submission.					
Total Fees Due: \$ 1060					
A petition request document will be loaded into the electronic application file based on your input above, if the ePetition is granted.					
To Review a Document, please click on the document name.					
Sequence	Files to be Submitted	Page Count	Document Description	File Size	Validation Status Message
1	petition-request.pdf	2	Petition automatically granted by EFS	31432 byte	◆ PASS
	◆ No validation errors found.				
2	RCE.pdf	3	Request for Continued Examination (RCE)	626977 byte	◆ PASS
	◆ No validation errors found.				
3	IDS21.pdf	4	Information Disclosure Statement (IDS) Filed	612366 byte	◆ PASS
	◆ No validation errors found.				
4	ids.pdf	3	Quick Path Information Disclosure Statement	152425 byte	◆ PASS
	◆ No validation errors found.				
5	fee-info.pdf	2	Fee Worksheet (PTO-06)	32290 byte	◆ PASS
	◆ No validation errors found.				
Certification					
*I certify, in accordance with 37 CFR 1.4(d)(4) that I am:					
<input checked="" type="radio"/> A sole inventor					
*Signature	<input type="text" value="/joe inventor/"/>				
*Name	<input type="text" value="joe inventor"/>				
Online fee payment is required for ePetition processing.					
The USPTO's RAM payment server is ready to accept your fee payments using a USPTO Deposit Account , an Electronic Funds Transfer , or one of the following credit cards: American Express, Discover, MasterCard, or Visa. Please have all access codes, account numbers and account holder information ready to ensure a successful online payment experience.					
Select File ePetition & Pay to finalize your electronic petition request and enter your online fee payment. Your session will timeout from inactivity in one hour, so you must complete the payment transaction within this timeframe. If the submission timeouts, your ePetition will be unprocessed.					
<input type="button" value="Save for Later Submission"/>		<input type="button" value="Cancel"/>		<input type="button" value="File ePetition & Pay"/>	

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 pilot program, please visit:
http://www.uspto.gov/patents/init_events/qpids.jsp.

