

# Appendix – Preliminary PTA Calculations

The charts below can be used to make preliminary PTA calculations. The patentee can avoid unnecessarily paying the \$2500 official fee to have CIPO conduct a PTA calculation when it is clear that no PTA will be granted.

## PCT national phase application: 5 years from national phase entry < 3 years from examination request

3 years from examination request to date patent issued: \* \_\_\_\_\_

\*In each instance, enter the number of days from the first date to the second date.

If the difference is greater than zero, subtract the sum of the number of days in the following periods, counting days in overlapping periods only once. If the difference is greater than zero, PTA may be available, and a complete PTA calculation potentially warranted.

First Examiner's Report to response to first Examiner's Report: \_\_\_\_\_

Second Examiner's Report to response to second Examiner's Report: \_\_\_\_\_

Notice of Allowance to payment of Final Fee: \_\_\_\_\_

Earlier of first RCE or issuance of third Examiner's Report to payment of final fee: \_\_\_\_\_

## PCT national phase application: 5 years from national phase entry ≥ 3 years from examination request

5 years from national phase entry to date patent issued: \_\_\_\_\_

If the difference is greater than zero, subtract the sum of the number of days in the following periods, counting days in overlapping periods only once. If the difference is greater than zero, PTA may be available, and a complete PTA calculation potentially warranted.

National phase entry to examination request: \_\_\_\_\_

First Examiner's Report to response to first Examiner's Report: \_\_\_\_\_

Second Examiner's Report to response to second Examiner's Report: \_\_\_\_\_

Notice of Allowance to payment of Final Fee: \_\_\_\_\_

Earlier of first RCE or issuance of third Examiner's Report to payment of final fee: \_\_\_\_\_

**Original non-PCT application: 5 years from filing < 3 years from examination request**

3 years from examination request to date patent issued: \_\_\_\_\_

If the difference is greater than zero, subtract the sum of the number of days in the following periods, counting days in overlapping periods only once. If the difference is greater than zero, PTA may be available, and a complete PTA calculation potentially warranted.

First Examiner's Report to response to first Examiner's Report: \_\_\_\_\_

Second Examiner's Report to response to second Examiner's Report: \_\_\_\_\_

Notice of Allowance to payment of Final Fee: \_\_\_\_\_

Earlier of first RCE or issuance of third Examiner's Report to payment of final fee: \_\_\_\_\_

**Original non-PCT application: 5 years from filing ≥ 3 years from examination request**

5 years from filing date to date patent issued: \_\_\_\_\_

If the difference is greater than zero, subtract the sum of the number of days in the following periods, counting days in overlapping periods only once. If the difference is greater than zero, PTA may be available, and a complete PTA calculation potentially warranted.

Filing date to examination request: \_\_\_\_\_

First Examiner's Report to response to first Examiner's Report: \_\_\_\_\_

Second Examiner's Report to response to second Examiner's Report: \_\_\_\_\_

Notice of Allowance to payment of Final Fee: \_\_\_\_\_

Earlier of first RCE or issuance of third Examiner's Report to payment of final fee: \_\_\_\_\_

**Divisional application: 5 years from presentation date < 3 years from examination request**

3 years from examination request to date patent issued: \_\_\_\_\_

If the difference is greater than zero, subtract the sum of the number of days in the following periods, counting days in overlapping periods only once. If the difference is greater than zero, PTA may be available, and a complete PTA calculation potentially warranted.

First Examiner's Report to response to first Examiner's Report: \_\_\_\_\_

Second Examiner's Report to response to second Examiner's Report: \_\_\_\_\_

Notice of Allowance to payment of Final Fee: \_\_\_\_\_

Earlier of first RCE or issuance of third Examiner's Report to payment of final fee: \_\_\_\_\_

**Divisional application: 5 years from presentation date  $\geq$  3 years from examination request**

5 years from presentation date to date patent issued: \_\_\_\_\_

If the difference is greater than zero, subtract the sum of the number of days in the following periods, counting days in overlapping periods only once. If the difference is greater than zero, PTA may be available, and a complete PTA calculation potentially warranted.

Presentation date to examination request: \_\_\_\_\_

First Examiner's Report to response to first Examiner's Report: \_\_\_\_\_

Second Examiner's Report to response to second Examiner's Report: \_\_\_\_\_

Notice of Allowance to payment of Final Fee: \_\_\_\_\_

Earlier of first RCE or issuance of third Examiner's Report to payment of final fee: \_\_\_\_\_