

Dec. 22, 2015 Power Outage Updates

Monday, December 28, 2015, 6:30 PM

All USPTO online systems have been restored as of December 28 following the major power outage at USPTO headquarters that occurred December 22. The incident damaged equipment that shutdown our IT systems. Our examiners are back at work and customers can once again search, file, and/or make payments.

Even with systems online, there is much work to be done to repair and stabilize power supply and hardware. This work, being conducted by USPTO employees, contractors, and third party service providers, continues around the clock. Therefore, in order to keep systems protected and prevent damage, it is possible that some or all systems may need to be taken offline again.

Systems may come and go without notice, but we will do our best to provide a timely list of systems that may lose operating status here:

- Global Dossier
- Private PAIR
- Public PAIR

If you are having a problem using one of our systems, please contact the appropriate [help center \(/about-us/contact-us\)](#) related to your subject or system you are using. Similarly, if you made an electronic submission to the USPTO since about 5 p.m. December 22 and are unsure if it was received, please check to see if you received a receipt or an onscreen confirmation for your entire submission, or look for the entire submission in the appropriate system. If you received a receipt or other confirmation, then we have it. If you did not receive a receipt or see other confirmation, the relevant [help center \(/about-us/contact-us\)](#) is available to assist.

We understand how critical these systems are for our customers, and our teams will continue to diligently work to maintain stable service. Based upon the results and the stability of our operations, we will keep deadline flexibility in mind and will closely monitor operations and evaluate whether any additional "holiday notices" [similar to the one issued last week covering December 22 to 24](#) are needed.

Further status updates will be issued on this page ([www.uspto.gov/blog/ebiz \(/blog/ebiz\)](http://www.uspto.gov/blog/ebiz (/blog/ebiz))) as they become available, as well as on Facebook (www.facebook.com/uspto.gov)

<http://www.facebook.com/uspto.gov>) and Twitter (www.twitter.com/uspto) (<http://www.twitter.com/uspto>) accounts.

Thank you for your patience as we work to restore full service as soon as possible.

[Statement by USPTO Acting Chief Communications Officer Patrick Ross \(/about-us/news-updates/statement-uspto-acting-chief-communications-officer-patrick-ross\)](#)

Monday, December 28, 2015, 2:00 PM

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In light of this emergency situation, the USPTO will consider each day from Tuesday, December 22, 2015, through Thursday, December 24, 2015 to be a "Federal holiday within the District of Columbia"

Shutdown of Certain Electronic Systems of the United States Patent and Trademark Office from Tuesday, December 22, 2015 through Thursday, December 24, 2015

On December 22, 2015, at approximately 7:00 pm, the United States Patent and Trademark Office (USPTO) experienced a major power outage at its headquarters in Alexandria, Virginia, resulting in damaged equipment that required the subsequent shutdown of many USPTO online and information technology systems. The USPTO is currently estimating that these systems will be impacted through at least the Federal holiday on Friday, December 25, 2015. In light of this emergency situation, the USPTO will consider each day from Tuesday, December 22, 2015, through Thursday, December 24, 2015, to be a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21 and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196. Any action or fee due on these days will be considered as timely for the purposes of, e.g., 15 U.S.C. §§ 1051(b), 1058, 1059, 1062(b), 1063, 1064, and 1126(d), or 35 U.S.C. §§ 119, 120, 133, and 151, if the action is taken, or the fee paid, on the next succeeding business day on which the USPTO is open (37 C.F.R. §§ 1.7(a) and 2.196). A subsequent notice is anticipated to be issued as needed if the USPTO's systems are not fully operational by Monday, December 28, 2015.

37 C.F.R. §§ 1.6(a)(2), 2.195(a)(4), and 2.198 provide that certain correspondence deposited in the Priority Mail Express® service of the United States Postal Service (USPS) in accordance with 37 C.F.R. §§ 1.10 or 2.198 will be considered filed on the date of deposit (as shown by the "date accepted" on the mailing label) with the USPS. Thus, any paper or fee properly deposited in the Priority Mail Express® service of the USPS on Tuesday, December 22, 2015, Wednesday, December 23, 2015, or Thursday, December 24, 2015, in accordance with 37 C.F.R. §§ 1.10 or 2.198, will be considered filed on its respective date of deposit in the Priority Mail Express® service of the USPS (as shown by a "date accepted" on the mailing label).

37 C.F.R. §§ 1.6(a)(4) and 2.195(a)(2) provide that patent- and trademark-related correspondence transmitted electronically to the USPTO will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Thus, any patent- or trademark-related correspondence transmitted

electronically to the USPTO on Tuesday, December 22, 2015, Wednesday, December 23, 2015, or Thursday, December 24, 2015, will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Patent correspondence successfully received by the USPTO through the Electronic Filing System (EFS-Web) and filed in compliance with the EFS-Web Legal Framework will receive the date indicated on the Acknowledgement Receipt. See the Manual of Patent Examining Procedure (MPEP) § 502.05 and the USPTO website at [www.uspto.gov/patents/process/file/efs/guidance/New_legal_framework.jsp \(/patents-application-process/applying-online/legal-framework-efs-web-06april11\)](http://www.uspto.gov/patents/process/file/efs/guidance/New_legal_framework.jsp (/patents-application-process/applying-online/legal-framework-efs-web-06april11)). Trademark filings properly filed through TEAS, TEASi, and ESTTA will receive the date indicated in the e-mail confirmation sent at the time of a successful filing.

Sunday, December 27, 2015, 6:47 PM [\(/blog/ebiz/entry/uspto_power_outage_update\)](http://blog/ebiz/entry/uspto_power_outage_update)

A major power outage at USPTO headquarters occurred Tuesday, December 22, resulting in damaged equipment that shutdown our IT systems. This includes our filing, searching and payment systems used by customers and examiners across the country.

Since the incident occurred, teams including USPTO employees, contractors, and third party service providers have been working around the clock to diligently repair damaged equipment and restore power. Systems are slowly being returned to service today with a goal of bringing all systems online and operational Monday morning, December 28.

Due to the extent of the damage to the systems that provide power to the USPTO's data center, we know that work will continue for the next several days. Therefore, in order to keep systems protected and prevent damage, it is possible that some or all systems may need to be taken offline again.

We understand how critical these systems are for our customers, and our teams will continue to work around the clock to fully restore them as quickly as possible. Based upon the results and the stability of our operations, we will keep deadline flexibility in mind and will closely monitor operations and evaluate whether any additional "holiday notices" similar to the one issued last week covering December 22 to 24 are needed.

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In light of this emergency situation, the USPTO will consider each day from Tuesday, December 22, 2015, through Thursday, December 24, 2015 to be a "Federal holiday within the District of Columbia" **in accordance with the description and regulations in this official notice** posted below:

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