

# Training Module for Chapter 13 of the MPEP

*(Revised August 16, 2018)*

## Summary

### Chapter 13: Allowance and Issue

**NOTE:** The provisions of Chapter 13 have not been changed by the AIA.

#### Section 1303 – Notice of Allowance

- If the Examiner believes that the claims and the application are in a condition suitable for issuance as patent, a notice of allowance (NOA) is issued to the applicant at the correspondence address.

**CAUTION: A notice of allowance is not a grant of a patent!**

- After receipt of a notice of allowance, the applicant must pay the issue fees and any printing fees within three months from the date of mailing the notice.
- Patent rights accrue only after the patent is officially issued (which generally occurs 3 months after the NOA is issued).

**WARNING:** If issue fees are not paid within 3 months after the date of the NOA and the applicant can not show that the delay was unavoidable or unintentional, the patent application will be abandoned **without recourse**.

If the applicant files an amendment to the application before receiving the NOA but after it has issued, the USPTO has complete discretion as to whether or not to enter the amendment. (This is a matter of grace not right.)

Applications may be withdrawn from issue for further action at the initiative of the USPTO or upon petition by the applicant. Any such request from the applicant must show good and sufficient reason for the withdrawal.

## **Selected Questions and Answers for Chapter 13 - None**

### **In-Depth Review of Chapter 13**

Chapter 13 from the MPEP, in its entirety, is on the selection bar at the top of this page. You are encouraged to familiarize yourself with the general format and structure of the MPEP. However, it is recommended that you quickly scan through most of the chapter - while reading only those sections that are highlighted in yellow.

[Chapter 13 MPEP](#)