

**REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
 IN VIEW OF SAFE HARBOR STATEMENT UNDER 37 CFR 1.704(d)**

Application Number:	Patent Number:
Filing Date :	Attorney Docket Number:
Applicant:	
<p>Patentee hereby requests Recalculation of the Patent Term Adjustment (PTA) under 35 U.S.C. 154(b).</p> <p>A Request for Recalculation of PTA under this interim procedure is not considered a Request for Reconsideration within the meaning of 35 U.S.C. 154(b)(3) and 37 CFR 1.705(b). A Recalculation of Patent Term Adjustment under this interim procedure is not the Director's decision on patentee's request for reconsideration within the meaning of 35 U.S.C. 154(b)(3) and (b)(4).</p> <p>NOTE: This form may be used if the sole basis for requesting reconsideration of PTA is failure of the USPTO to recognize that an IDS was accompanied by a safe harbor statement under 37 CFR 1.704(d).</p>	
Signature	Date
Typed or printed name	Practitioner Registration Number
<p>Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.</p>	
<input type="checkbox"/> *Total of _____ forms are submitted.	

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Instruction Sheet for:
REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
IN VIEW OF SAFE HARBOR STATEMENT UNDER 37 CFR 1.704(d)**

(Not to be submitted to the USPTO)

This form is available for utility and plant patents that have a filing date on or after May 29, 2000.

This form is inapplicable to design applications, reissue applications, reexamination applications, supplemental examination applications, and any plant or utility application that has a filing date prior to May 29, 2000.

The Office is providing patentee a form titled "Request for Recalculation of Patent Term Adjustment in view of Safe Harbor Statement Under 37 CFR 1.704(d)" (PTO/SB/134) for use in making such request. Any patentee who uses form PTO/SB/134 may request that the Office recalculate the patent term adjustment without a request under 37 CFR 1.705(b) or (fee).

A Request for Recalculation of PTA under this interim procedure is not considered a Request for Reconsideration within the meaning of 35 U.S.C. 154(b)(3) and 37 CFR 1.704(b). A Recalculation of Patent Term Adjustment under this interim procedure is not the Director's decision on an applicant's request for reconsideration within the meaning of 35 U.S.C. 154(b)(3) and (b)(4). Accordingly, if patentee disagrees with the recalculation, patentee must respond to the recalculation within two months. No extensions of time will be available.

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. The United States Patent and Trademark Office (USPTO) collects the information in this record under authority of 35 U.S.C. 2. The USPTO's system of records is used to manage all applicant and owner information including name, citizenship, residence, post office address, and other information with respect to inventors and their legal representatives pertaining to the applicant's/owner's activities in connection with the invention for which a patent is sought or has been granted. The applicable Privacy Act System of Records Notice for the information collected in this form is COMMERCE/PAT-TM-7 Patent Application Files, available in the Federal Register at 78 FR 19243 (March 29, 2013), <https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf>.

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If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.