

Enactment Timeline

Day of Enactment Sept. 16 2011	10 Days Sept. 26, 2011	60 Days Nov. 15, 2011	1-Oct-11	12 Months Sept. 16, 2012	18 Months Mar. 16, 2012
<p>Reexamination Threshold transition -</p> <ul style="list-style-type: none"> •Requests for Reexam must now show “a reasonable likelihood of prevailing” (RLP) to be able to proceed; •Requests for Reexam prior to 9/16/11 must show a Substantial New Question of Patentability (SNQ) <p>•Tax strategies are deemed within prior art</p> <ul style="list-style-type: none"> •Best Mode is no longer a defense •Human Organism prohibition •Virtual and False Marking lawsuit threshold higher •Venue Change from DDC to EDVA for Suits Brought Under 35 U.S.C. Sections 32, 145, 146, 154 (b)(4) (A), and 293 •OED Statute of Limitations for Attorney Malpractice •PTO Given Fee Setting Authority •Establishment of Micro-entity Fees 	<ul style="list-style-type: none"> •Prioritized Examination - \$2400 for decision within 12 months •15% Increase in Fees for Transition Surcharge 	<ul style="list-style-type: none"> •Electronic Filing Incentive 	<ul style="list-style-type: none"> •Reserve Fund 	Inventor's Oath/Declaration	First-to-file
				Third Party Submission of Prior Art for Patent Application	Derivation Proceedings-Only to Determine Inventorship
				Supplemental Examination by Patent Owner on anything, e.g. 101, 112, 102/103	Repeal of Statutory Invention Registration
				Citation of Prior Art in a Patent File	
				Priority Examination for Important Technologies, e.g. Green Technologies, SMG Methods, Electrical Grid	
				Inter Partes Review, >51%, Reissue Likelihood to Prevail, Administrative Law Judges, Discovery	
				Post Grant Review within 9 Months, 50/50 Chance, More Likely Than Not	
				Transitional Post-grant Review Program for Covered Business Method Patents	