

## USPTO Introduces Streamlined Claim Set Pilot Program

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October 28, 2025 Kalyani Joshi, Jeffrey Morton

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**PRACTICES** Intellectual Property, Patents, Patent Prosecution and Counseling

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On Oct. 27, 2025, the United States Patent and Trademark Office (USPTO) announced it is offering a [Streamlined Claim Set Pilot Program](#) (Pilot Program), in an effort to further accelerate examination of currently pending applications with a limited number of claims. This Pilot Program, which supplements the Track One Program, may prove to be useful for a patent applicant that has a focused claim set and would benefit from an expedited patent prosecution.

To qualify for the Pilot Program, a patent applicant must file a timely petition to make special. Based on the limited information in the Federal Register Notice, there are some unanswered questions about this Pilot Program, but the basics are as follows:

- An original (non-reissue), noncontinuing utility application must have been filed prior to Oct. 27, 2025. Importantly, national stage applications filed under 35 U.S.C. § 371 are not eligible.
- A petition to make special must be filed prior to the issuance of a first office action (which includes a written restriction requirement). As noted in the Federal Register Notice, the USPTO will generally dismiss petitions filed after the application has been docketed to an examiner at the time the petition is up for decision.
- The application must contain no more than one independent claim, and no more than 10 total claims. A preliminary amendment may be filed before or with the petition to qualify for the Pilot Program.
- The application cannot contain multiple dependent claims, and the dependent claims must be directed to the same statutory class of invention as the independent claim.
- No inventor/joint inventor can be named as the inventor/joint inventor on more than three other nonprovisional patent applications in which a petition under this Pilot Program has been filed.

The Pilot Program will accept petitions from Oct. 27, 2025 through Oct. 27, 2026, or until each Technology Center that examines utility applications has docketed at least 200 applications into the Pilot Program. The petition to make special must be filed with a \$150 fee (\$60 for small entities).