

Official Fee Changes at IP Australia

The Australian Government has recently introduced increases to certain patent fees by IP Australia. The fee increases relate only to patents. Fees relating to trademarks, designs, and plant breeder's rights remain unchanged. The more commonly used fees that have changed include:

Item	Old Fee	New Fee
Filing provisional patent application	\$80	\$110
Filing standard patent application	\$320	\$370
Entering national phase of PCT application	\$320	\$340
Requesting Examination (standard patent)	\$420	\$450
Requesting Examination (innovation patent)	\$370	\$400
Acceptance (excluding excess claims)	\$140	\$200
Filing a Notice of Opposition	\$550	\$600
Filing a Term Extension Application	\$1,300	\$2,000
Renewal Fees (10th to 14th anniversary)	\$400	\$450
Renewal Fees (15th to 19th anniversary)	\$900	\$1,020

Two new fees have also been introduced. The first is for filing a provisional patent application by electronic means. The second new fee will apply where an amendment increases the total number of claims to more than 20 after acceptance of an application and will become due on grant of such an amendment. This fee is equivalent to the excess claims fee currently charged at the time of acceptance of an application (i.e., \$100 per claim in excess of 20). This change serves to formally close the loophole of avoiding or reducing excess claims fees by adding claims after acceptance.

The increases and new fees, which came into effect on 1 August 2010, represent the first fee increase by IP Australia in over three years. We are pleased to advise that we will not be increasing our professional charges at this time, and in fact have not done so in over three years.

For further information, please contact your attorney.



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Trade Marks E-news – a breakdown of important issues for trade marks and branding in Australia

Biotech E-news – a review of important issues in the Australian biotechnology industry

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