



Changes to IP Australia's Fees

Changes to IP Australia's fees and costs under the Designs, Patents, Plant Breeder's Rights and Trade Marks Acts came into effect on 1 March 2007. Where a relevant fee is payable on or after 1 March 2007, the new charges will apply. In addition to fee changes, Designs, Patents and Trade Marks cost items relating to instances where costs may be awarded to a party by the Commissioner or Registrar have increased.

Significant fee increases are those payable under the Patents Act which relate to acceptance fees and extension fees for submitting evidence during the opposition process.

In particular, upon acceptance of an application for the granting of a patent, the fee payable on any claim in excess of 20 claims has increased from AU\$20 per claim to AU\$100 per claim. Applicants should bear this in mind when instructing us to respond to the official report.

The other significant increase relates to the official fee payable when requesting an extension of time to lodge evidence in an opposition proceeding. Specifically, the fee has increased from AU\$150 per month to AU\$500 per month. Since extensions are generally requested for three months, the fee payable in such an instance will accordingly increase from AU\$450 to AU\$1500.

Notwithstanding the various fee increases, the official fee for filing a response after the initial 12 month deadline remains at AU\$100 per month.

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