

K oznámeniu č. 88/2004 Z. z.

**RULES RELATING TO FEES**  
**of 20 October 1977**  
**as last amended by decision of the Administrative Council**  
**of the European Patent Organisation**  
**of 13 December 2001**

## Article 2

Fees provided for in the Convention  
and in the Implementing Regulations

The fees due to be paid to the Office under Article 1 shall be as follows:

	EUR		
1. Filing fee (Article 78, paragraph 2); national basic fee (Rule 106(a))	125	calculated in each case from the date of filing of the application	
		- for the 3rd year	380
		- for the 4th year	405
		- for the 5th year	430
		- for the 6th year	715
		- for the 7th year	740
		- for the 8th year	765
		- for the 9th year	970
		- for the 10th and each subsequent year	1 020
2. Search fee in respect of		5. Additional fee for belated payment of a renewal fee for the European patent application (Article 86, paragraph 2)	10 % of the belated renewal fee
- a European or supplementary European search (Article 78, paragraph 2, Rules 46, paragraph 1, and 112, Article 157, paragraph 2(b))	690		
- an international search (Rule 16.1 PCT and Rule 105, paragraph 1)	945	6. Examination fee (Article 94, paragraph 2)	1 430
3. Designation fee for each contracting state designated (Article 79, paragraph 2), designation fees being deemed paid for all contracting states upon payment of seven times the amount of this fee	75	7. Surcharge for late filing of the request for examination (Rule 85b)	50 % of the examination fee
3a. Joint designation fee for the Swiss Confederation and the Principality of Liechtenstein	75	8. Fee for grant, including fee for printing the European patent specification (Article 97, paragraph 2(b)), where the application documents to be printed comprise:	
3b. Surcharge for late payment of the filing fee, the search fee or the designation fee (Rule 85a)	50 % of the relevant fee or fees, but not to exceed a total of EUR 650	8.1 not more than 35 pages	715
		8.2 more than 35 pages	715 plus EUR 10 for the 36th and each subsequent page
3c. Surcharge for late filing of either the translation of the international application or the request for examination, or for late payment of the national basic fee, the search fee or the designation fees (Rule 108(3))	50 % of the relevant fees, but at least EUR 500 for late filing of the translation up to a maximum of EUR 1 750	9. Fee for printing a new specification of the European patent (Article 102, paragraph 3(b)) – flat-rate fee	50
4. Renewal fees for the European patent applications (Article 86, paragraph 1),		10. Opposition fee (Article 99, paragraph 1, and Article 105, paragraph 2)	610
		11. Fee for appeal (Article 108)	1 020
		12. Fee for further processing (Article 121, paragraph 2)	75
		13. Fee for re-establishment of rights (Article 122, paragraph 3)	75
		14. Conversion fee (Article 136, paragraph 1, and Article 140)	50
		15. Claims fee for the eleventh and each subsequent claim (Rules 31, paragraph	

1, 51, paragraph 7, and 110, paragraph 1)	40
16. Fee for the awarding of costs (Rule 63, paragraph 3)	50
17. Fee for the conservation of evidence (Rule 75, paragraph 3)	50
18. Transmittal fee for an international application (Article 152, paragraph 3)	100
19. Fee for the preliminary examination of an international application (Rule 58 PCT and Rule 105, paragraph 2)	1 530
20. Fee for a technical opinion (Article 25)	3 060
21. Protest fee (Rules 40.2(e) and 68.3(e) PCT, Rule 105, paragraph 3)	1 020

#### Article 5

##### Payment of fees

- (1) The fees due to the Office shall be paid in euro:
- (a) by payment or transfer to a bank account held by the Office,
  - (b) by payment or transfer to a Giro account held by the Office, or
  - (c) by delivery or remittance of cheques made payable to the Office.

(2) The President of the Office may allow other methods of paying fees than those set out in paragraph 1.

#### Article 6 (deleted)

#### Article 8

##### Date to be considered as the date on which payment is made

(1) The date on which any payment shall be considered to have been made to the Office shall be as follows:

- (a) in the cases referred to in Article 5, paragraph 1(a) and (b): the date on which the amount of the payment or of the transfer is actually entered in a bank account or a Giro account held by the Office;
- (b) in the case referred to in Article 5, paragraph 1(c): the date of receipt of the cheque at the Office, provided that the cheque is met.

(2) Where the President of the Office allows, in accordance with the provisions of Article 5, paragraph 2, other methods of paying fees than those set out in Article 5, paragraph 1, he shall also lay down the date on which such payments shall be considered to have been made.

(3) Where, under the provisions of paragraphs 1 and 2, payment of a fee is not considered to have been made until after the expiry of the period in which it should have been made, it shall be considered that this period has been observed if evidence is provided to the Office that the person who made the payment

- (a) fulfilled one of the following conditions in a Contracting State within the period within which the payment should have been made:

- (i) he effected the payment through a banking establishment or a post office;
  - (ii) he duly gave an order to a banking establishment or a post office to transfer the amount of the payment;
  - (iii) he despatched at a post office a letter bearing the address of the Office and containing a cheque within the meaning of Article 5, paragraph 1(c), provided that the cheque is met, and
- (b) paid a surcharge of 10 % on the relevant fee or fees, but not exceeding EUR 150; no surcharge is payable if a condition according to sub-paragraph (a) has been fulfilled not later than ten days before the expiry of the period for payment.

(4) The Office may request the person who made the payment to produce evidence as to the date on which a condition according to paragraph 3(a) was fulfilled and, where required, pay the surcharge referred to in paragraph 3(b), within a period to be specified by it. If he fails to comply with this request or if the evidence is insufficient, or if the required surcharge is not paid in due time, the period for payment shall be considered not to have been observed.

#### Article 10

##### Refund of the search fee

(1) The search fee paid for a European or supplementary European search shall be refunded fully or in part if the European search report is based on an earlier search report already prepared by the Office on an application whose priority is claimed for the European patent application or which is the earlier application within the meaning of Article 76 of the Convention or the original application within the meaning of Rule 15 of the Convention.

(2) The amount of any refund allowed under paragraph 1 shall be 50 or 100 % of the search fee, depending upon the extent to which the Office benefits from the earlier search report.

(3) The search fee shall be fully refunded if the European patent application is withdrawn or refused or deemed to be withdrawn at a time when the Office has not yet begun to draw up the European search report.

#### Article 10d

##### Refund of fee for international preliminary examination

If the applicant, during international preliminary examination, has not asked for a detailed preliminary examination or has not filed any amendments under Article 19 or 34(2) PCT or any other arguments, two thirds of the fee paid for international preliminary examination shall be refunded. The details of the refund shall be determined by the President of the Office.

#### Article 12

##### Reduction of fees

- (1) The reduction laid down in Rule 6, paragraph 3, of

the Convention shall be 20 % of the filing fee, examination fee, opposition fee and fee for appeal.

(2) The reduction laid down in Rule 107, paragraph 2, of the Convention shall be 50 % of the examination

fee. The reduction shall not be granted if the Office as an International Preliminary Examining Authority has refunded the fee paid for preliminary examination under Article 10d.

