

## NEW STRUCTURE AND AMENDMENTS OF FEES FOR EUROPEAN PATENTS APPLICABLE AS FROM 1 APRIL 2009

Dear Clients and Colleagues,

In a recent public notification on its web site, the European Patent Office announced that on 1 April 2009 a new fees structure enters into force. The new structure should be applied to European Patents Applications, including divisional application filed on or after 1 April 2009 and to international applications entering the regional phase on or after that date. European patent applications filed and international applications entering the regional phase before 1 April 2009 remain subject to the old fee structure.

### BRIEF SUMMARY OF CHANGES INTRODUCED

- **Additional fee as part of the filing fee:** Under the new structure, the filing fee is composed of a “basic” fee (existing in the old structure) and a new additional fee of 12€ per page in excess of 35.
- **Flat designation fee:** Under EPC 2000, the designation system has been simplified so that all contracting states are deemed to be designated at the time of filing the European patent application. For EP and EuroPCT applications filed on or after 1 April 2009, one flat designation fee of 500 EUR covers the designation of all contracting states, unless individual designations are expressly withdrawn.
- **Two-tier system of claims fees:** Since 1 April 2008, if a European patent application comprises more than 15 claims, a claims of 200 EUR has been payable for the 16<sup>th</sup> and each subsequent claim. For EP and EuroPCT applications filed and international applications entering the regional phase on or after 1 April 2009, the following amounts apply for claims fees: For each claim from 16<sup>th</sup> to the 50<sup>th</sup>: 200€  
 For the 51<sup>st</sup> and each subsequent claim: 500€
- **Flat fee for grant and publication:** With the introduction of the additional fee as part on the filing fee for European patent applications filed and international applications entering the regional phase on or after 1 April 2009, a page fee ceases to be payable at the grant stage. Therefore for these applications a flat fee for grant and publication applies.

### NEW SCHEDULE FOR EP AND EUROPCT APPLICATIONS APPLICABLE FROM 1 APRIL 2009

Filing European Patent Application including Search fees (for 15 claims)	2.630 €	Each additional claim over 50 <sup>th</sup>	500 €
Euro-PCT application (for 15 claims)	1.800 €	Designation fee	950 €
Each additional page in excess of 35	12 €	Examination fee	1.900 €
Each additional claim from 16 <sup>th</sup> to 50 <sup>th</sup>	200 €	Registration fee	1.800 €

© Abril Abogados 2009

[www.abrilabogados.com](http://www.abrilabogados.com)

ABRIL Abogados • C/ Amador de los Ríos, 1, 1º • 28010 Madrid  
 Tel.: +34 91 702 03 31 • Fax.: +34 91 308 37 05 • e-mail: [abril@abrilabogados.com](mailto:abril@abrilabogados.com)