



Australian Government

IP Australia

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Official Notice

Fee Regulations under the Designs, Patents, Plant Breeder's Rights and Trade Marks Acts made 13 December 2006

The *Intellectual Property Legislation (Fees) Amendment Regulations 2006* were signed by the Governor-General on Wednesday 13 December 2006.

The Fee Amendment Regulations will commence on 1 March 2007. The amended Regulations will appear on ComLaw (www.comlaw.gov.au) in the near future.

The main purpose of the Regulations is to amend the fees for various transactions within the Patent and Trade Marks Offices located within IP Australia. These fee amendments arise from a recent comprehensive fee review conducted by IP Australia as part of IP Australia's Cost Recovery Impact Statement, in compliance with the Government's cost recovery policy.

Some non-cost recovery changes for Designs (aligning like fees to Patents and Trade Marks) and Plant Breeder's Rights are also introduced.

In addition to the 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 been increased. These costs have not been reviewed for some time and have been adjusted to what is now considered reasonable.

Preliminary information about the fee changes was provided on the IP Australia website on 26 September 2006 ([IP Australia : Resources > News > What's new](#)). The new fees will be the same as those published, with two exceptions:

- The fee for responding to a patent examination report will remain unchanged at \$100 per month; and
- Item 2, Part 1 of Schedule 8 to the Trade Marks Regulations: cost for evidence in support, will be \$700, the same as the amended cost item for evidence in answer.

As a general rule, customers are advised that the fee payable for an action will be the fee applicable on the day the action is completed.



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IP Australia reminds our customers that some IP rights require full payment before an action is deemed to have been completed. Customers wishing to discuss individual fees or transactions should contact IP Australia for assistance.

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