

Trade Marks Regulations Costs Changes

Schedule 8 Costs, expenses and allowances (subregulation 21.13(3))

Part 1 Costs

Item	Matter	Existing fee	Proposed fee
1	Notice of opposition	\$180	\$200
2	Evidence in support	\$480	\$700
3	Receiving and perusing notice of opposition	\$90	\$130
4	Receiving and perusing evidence in support	\$210	\$300
5	Evidence in Answer	\$480	\$700
6	Receiving and perusing evidence in answer	\$145	\$210
7	Evidence in reply	\$240	\$350
8	Receiving and perusing evidence in reply	\$90	\$130
9	Preparation of cases for hearing	\$360	\$525
10	Attendance at hearing by registered patent attorney, registered trade marks attorney or solicitor without counsel	\$180 an hour or \$810 a day	\$260 an hour or , but not more than \$1,170 a day
11	Attendance at hearing by registered patent attorney, registered trade marks attorney or solicitor instructing counsel	\$145 an hour or \$650 a day	\$200 an hour or , but not more than \$900 a day
12	Counsel fees for attendance at a hearing	\$240 an hour or \$1,080 a day	\$300 an hour or , but not more than \$1,350 a day

Part 2 Expenses and allowances

Division 1 Expenses

- 1 A person who has paid a fee prescribed in these Regulations in relation to proceedings before the Registrar may be paid the amount of the fee.
- 2 A person attending proceedings before the Registrar must be paid:
 - (a) a reasonable amount for allowances for transport between the person's usual place of residence and the place where he or she attends the proceedings; and
 - (b) if the person is required to be absent overnight from his or her usual place of residence — a reasonable amount for allowances up to a daily maximum of ~~\$405~~ **\$700** for meals and accommodation.

Division 2 Allowances

- 3 A person who, because of his or her professional, scientific or other special skill or knowledge, is summoned to appear as a witness before the Registrar must be paid:
- (a) if the person is remunerated in his or her occupation by wages, salary or fees — an amount equal to the amount of wages, salary or fees not paid to the person because of his or her attendance as a witness; or
 - (b) in any other case — an amount of not less than ~~\$95~~ **\$140**, or more than ~~\$475~~ **\$700**, for each day when he or she so attends.
- 4 A person summoned to appear as a witness, other than a witness referred to in clause 3, before the Registrar must be paid:
- (a) if the person is remunerated in his or her occupation by wages, salary or fees — an amount equal to the amount of wages, salary or fees not paid to the person because of his or her attendance as a witness; or
 - (b) in any other case — an amount of not less than ~~\$54~~ **\$80**, or more than ~~\$89~~ **\$130**, for each day when he or she so attends.