

# Decision of the Administrative Council of 15 December 2005 amending the Rules relating to Fees CA/D 4/05

THE ADMINISTRATIVE COUNCIL OF THE EUROPEAN PATENT ORGANISATION,  
Having regard to the European Patent Convention, and in particular Article 33(2)(d) thereof,  
On a proposal from the President of the European Patent Office,  
Having regard to the opinion of the Budget and Finance Committee,  
HAS DECIDED AS FOLLOWS:

## Article 1

Article 2 of the Rules relating to Fees shall be amended to read as follows:

### \*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:

	<b>EUR</b>
1. Filing fee (Article 78, paragraph 2); national basic fee (Rule 106(a)) where	
- the European patent application or, in the case of an international application, the form for entry into the European phase (EPO Form 1200) is filed online	95
- the European patent application or, in the case of an international application, the form for entry into the European phase (EPO Form 1200) is filed on paper	170
2. Search fee in respect of	
- a European or supplementary European search on an application filed on or after 1 July 2005 (Article 78, paragraph 2, Rule 44a, Rule 46, paragraph 1, and Rule 112, Article 157, paragraph 2(b))	1 000
- a supplementary European search on an application filed before 1 July 2005 (Article 157, paragraph 2(b))	720

- an international search (Rule 16.1 PCT and Rule 105, paragraph 1)	1 615
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	80
3a. Joint designation fee for the Swiss Confederation and the Principality of Liechtenstein	80
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 680
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) and (4))	50% of the relevant fees, but at least EUR 520 for late filing of the translation up to a maximum of EUR 1 820
4. Renewal fees for the European patent applications (Article 86, paragraph 1), calculated in each case from the date of filing of the application	
- for the 3rd year	400
- for the 4th year	425
- for the 5th year	450
- for the 6th year	745
- for the 7th year	770
- for the 8th year	800
- for the 9th year	1 010
- for the 10th and each subsequent year	1 065
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
6. Examination fee (Article 94, paragraph 2) in respect of	
- an application filed before 1 July 2005	1 490
- an application filed on or after 1 July 2005	1 335
- an international application filed on or after 1 July 2005 for which no supplementary European search report is drawn up (Article 157, paragraph 3(a))	1 490

7. Surcharge for late filing of the request for examination (Rule 85b)	50% of the examination fee
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:	
8.1 not more than 35 pages	750
8.2 more than 35 pages	750 plus EUR 11 for the 36th and each subsequent page
9. Fee for printing a new specification of the European patent (Article 102, paragraph 3(b))	
- flat-rate fee	55
10. Opposition fee (Article 99, paragraph 1, and Article 105, paragraph 2)	635
11. Fee for appeal (Article 108)	1 065
12. Fee for further processing (Article 121, paragraph 2)	210
13. Fee for re-establishment of rights (Article 122, paragraph 3)	365
14. Conversion fee (Article 136, paragraph 1, and Article 140)	55
15. Claims fee for the eleventh and each subsequent claim (Rule 31, paragraph 1, Rule 51, paragraph 7, and Rule 110, paragraph 1)	45
16. Fee for the awarding of costs (Rule 63, paragraph 3)	55
17. Fee for the conservation of evidence (Rule 75, paragraph 3)	55
18. Transmittal fee for an international application (Article 152, paragraph 3)	105
19. Fee for the preliminary examination of an international application (Rule 58 PCT and Rule 105, paragraph 2)	1 595
20. Fee for a technical opinion (Article 25)	3 185
21. Protest fee (Rules 40.2(e) and 68.3(e) PCT, Rule 105, paragraph 3)	1 065

## **Article 2**

(1) This decision shall enter into force on 1 April 2006. The new amounts of the fees shall be binding on payments made on or after 1 April 2006.

(2) If within six months of 1 April 2006 a fee is paid in due time but only in the amount due before 1 April 2006, that fee shall be deemed to have been validly paid if the deficit is made good within two months of an invitation to that effect from the European Patent Office.

Done at Munich, 15 December 2005

For the Administrative Council  
The Chairman

*Roland GROSSENBACHER*