

## DEUTSCHES PATENT- UND MARKENAMT

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# Information Concerning

## Costs, Fees and Expenses of the German Patent and Trade Mark Office and the Federal Patent Court

(latest update: June 2010)

### 1 - General remarks

- (1) Unless otherwise provided for by Law or by virtue of legal authorization the amount of the costs results from
  - the [Law Concerning the Costs of the German Patent and Trade Mark Office and the Federal Patent Court \(Patent Costs Law / Patentkostengesetz\)](#) - form A 9514.1 - of 13 December 2001 (Federal Law Gazette I p. 3656), last amended by Article 4 of the Law of 31 July 2009 (Federal Law Gazette I p. 2521) - extracts of the law, see No. 2,
  - the Law on Costs in Affairs of Voluntary Jurisdiction (*Kostenordnung*) of 26 July 1957 (Federal Law Gazette I p. 861, 960), last amended by Article 4 of the Law of 24 September 2009 (Federal Law Gazette I p. 3145),
  - the [Order Concerning Administrative Costs at the German Patent and Trade Mark Office \(DPMA-Verwaltungskostenverordnung\)](#) - form A 9516 (in German) - of 14 July 2006 (Federal Law Gazette I p. 1586), last amended by Article 1 of the Ordinance of 17 June 2010 (Federal Law Gazette I p. 809) - extracts of the text, see No. 3,
  - the Court Fees Law (*Gerichtskostengesetz*) of 5 May 2004 (Federal Law Gazette I p. 718), last amended by Article 12 of the Law of 30 July 2009 (Federal Law Gazette I p. 2479),
  - the Order concerning the issuing of the official authentication under Article 3 of the Hague Agreement of 5 October 1961 on the abolition of the requirement of legalization for foreign public documents of 9 December 1997 (Federal Law Gazette I p. 2872), last amended by Article 7 (16) of the Law of 27 June 2000 (Federal Law Gazette I p. 897) - extracts of the text, see No. 4.
- (2) The current leaflet on the Conditions of Purchase issue by the Publication Service of the Technical Information Centre in Berlin provides Information on the prices for patent documents and other services.
- (3) Provisions concerning modes of payment equivalent to payment in cash are indicated in the [Ordinance on Payment of Costs of the German Patent and Trade Mark Office and of the Federal Patent Court \(Patentkostenzahlungsverordnung\)](#) - form A 9511.1 - of 15 October 2003 (Federal Law Gazette I p. 2083). Since 1 January 2002, cheques and fee stamps are no longer accepted for the payment of fees with the German Patent and Trade Mark Office, at the same time, payment by direct debiting authorization was introduced ([form A 9507](#) - in German).

**Note:** If **transfer** is made with bank or savings bank payment orders the day on which the amount is credited to the account of the branch of the Federal Cash Office (*Bundeskasse*) in charge of the German Patent and Trade Mark Office is deemed to be the day of payment.

In case of **cash payment** into the account of the branch of the Federal Cash Office in charge of the German Patent and Trade Mark Office it is strongly recommended to send a copy of the paying-in slip to the German Patent and Trade Mark Office in order to furnish proof of timely payment, since bank processing times may vary considerably.

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\* *Bundesgesetzblatt (BGBl.)*

**2 – EXTRACT FROM THE LAW CONCERNING THE COSTS OF THE GERMAN PATENT AND TRADE  
MARK OFFICE AND THE FEDERAL PATENT COURT  
(PATENT COSTS LAW / PATENTKOSTENGESETZ)**

**Annex concerning Section 2 (1) Patent Costs Law (*Schedule of Fees*)**

No	Statement of Fees	Euro
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**A. Fees of the German Patent and Trade Mark Office**

- (1) If the fee specified for electronic filing is lower than the fee for filing on paper, the lower fee shall be charged only where electronic filing is admissible under the respective ordinance of the German Patent and Trade Mark Office.
- (2) For the fees of numbers 313 600, 323 100, 331 600, 333 000, 333 300 and 362 100, each person filing a request will be charged separately.

**I. Patents**

**1. Grant procedure**

Application procedure (Sec. 34 Patent Law, Article III Sec. 4 (2), first sentence, Law on International Patent Conventions)

- for electronic filing

311 100	- containing up to ten patent claims.....	40
311 050	- containing more than ten patent claims: fee 311 000 plus ..... for each additional claim	20

311 100 - for filing on paper: 150 % of fee amounts 311 000 and 311 050

311 200 Search (Sec. 43 Patent Law) ..... 250

Examination procedure (Sec. 44 Patent Law)

311 300	- when a request under Section 43 has already been filed .....	150
311 400	- when a request under Section 43 has not been filed.....	350

311 500 Application procedure relating to a supplementary protection certificate (Sec. 49a Patent Law ) ..... 300

Extension of duration of a supplementary protection certificate (Sec. 49a(3) Patent Law)

311 600	-if the request is filed together with the request for grant of a supplementary protection certificate.....	100
311 610	-if the request is filed after the request for grant of a supplementary protection certificate .....	200

**2. Maintenance of a patent or an application**

Annual fees pursuant to Sec. 17 (1) Patent Law

312 030	for the 3 <sup>rd</sup> year of the patent .....	70
312 031	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	35
312 032	- surcharge for late payment (Sec. 7 (1), second sentence).....	50
312 040	for the 4 <sup>th</sup> year of the patent .....	70
312 041	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	35
312 042	- surcharge for late payment (Sec. 7 (1), second sentence).....	50
312 050	for the 5 <sup>th</sup> year of the patent .....	90
312 051	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	45
312 052	- surcharge for late payment (Sec. 7 (1), second sentence).....	50
312 060	for the 6 <sup>th</sup> year of the patent .....	130
312 061	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	65

No	Statement of Fees	Euro
312 062	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 070	for the 7 <sup>th</sup> year of the patent .....	180
312 071	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	90
312 072	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 080	for the 8 <sup>th</sup> year of the patent .....	240
312 081	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	120
312 082	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 090	for the 9 <sup>th</sup> year of the patent .....	290
312 091	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	145
312 092	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 100	for the 10 <sup>th</sup> year of the patent .....	350
312 101	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	175
312 102	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 110	for the 11 <sup>th</sup> year of the patent .....	470
312 111	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	235
312 112	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 120	for the 12 <sup>th</sup> year of the patent .....	620
312 121	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	310
312 122	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 130	for the 13 <sup>th</sup> year of the patent .....	760
312 131	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	380
312 132	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 140	for the 14 <sup>th</sup> year of the patent .....	910
312 141	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	455
312 142	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 150	for the 15 <sup>th</sup> year of the patent .....	1 060
312 151	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	530
312 152	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 160	for the 16 <sup>th</sup> year of the patent .....	1 230
312 161	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	615
312 162	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 170	for the 17 <sup>th</sup> year of the patent .....	1 410
312 171	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	705
312 172	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 180	for the 18 <sup>th</sup> year of the patent .....	1 590
312 181	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	795
312 182	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 190	for the 19 <sup>th</sup> year of the patent .....	1 760
312 191	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	880
312 192	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 200	for the 20 <sup>th</sup> year of the patent .....	1 940

No	Statement of Fees	Euro
312 201	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	970
312 202	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
	Payment of the 3 <sup>rd</sup> to 5 <sup>th</sup> annual fee on the due date for the 3 <sup>rd</sup> annual fee:	
312 205	Reduced fees for Nos 312 030 to 312 050 .....	200
312 206	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	100
312 207	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
	Annual fees pursuant to Sec. 16a Patent Law	
312 210	for the 1 <sup>st</sup> year of supplementary protection .....	2 650
312 211	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	1 325
312 212	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 220	for the 2 <sup>nd</sup> year of supplementary protection .....	2 940
312 221	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	1 470
312 222	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 230	for the 3 <sup>rd</sup> year of supplementary protection .....	3 290
312 231	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	1 645
312 232	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 240	for the 4 <sup>th</sup> year of supplementary protection .....	3 650
312 241	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	1 825
312 242	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 250	for the 5 <sup>th</sup> year of supplementary protection .....	4 120
312 251	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	2 060
312 252	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
312 260	for the 6 <sup>th</sup> year of supplementary protection .....	4 520
312 261	- in case of declaration of willingness to license (Sec. 23 (1) Patent Law) .....	2 260
312 262	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
	<b>3. Other requests</b>	
313 000	Further processing (Sec. 123a Patent Law) .....	100
	Compensation for inventors	
313 200	- Assessment procedure (Sec. 23 (4) Patent Law) .....	60
313 300	- Procedure for alteration of the assessment (Sec 23 (5) Patent Law) .....	120
	Right to exclusive use of the invention	
313 400	- Entry of grant of licence (Sec. 30 (4), first sentence, Patent Law) .....	25
313 500	- Cancellation of the entry of such grant (Sec. 30 (5), third sentence, Patent Law) .....	25
313 600	Opposition procedure (Sec. 59 (1) and (2) Patent Law) .....	200
313 700	Procedure to limit or revoke the patent (Sec. 64 Patent Law) .....	120

No	Statement of Fees	Euro
	Publication of translations or corrections of translations	
313 800	- of patent claims of European patent applications (Art. II, Sec. 2 (1), Law on International Patent Conventions).....	60
313 810	- of patent claims of European patent applications, designating the Member States of the Community Patent Convention (Article 4(2), second sentence of the Second Law on the Community Patent) .....	60
313 820	- of European patent specifications (Article II Sec. 3 (1), (4) of the Law on International Patent Conventions).....	150*
313 900	Transmission of the international application (Art. III, Sec. 1 (2), Law on International Patent Conventions) .....	90
<b>4. Requests in connection with the extension of industrial property rights</b>		
314 100	For the publication of translations or corrected translations of extended patents (Sec. 8 (1) and (3), Extension Law) .....	150
314 200	Search regarding an extended patent (Sec. 11 Extension Law) .....	250
<b>5. Requests in connection with supplementary protection certificates</b>		
315 100	Request for rectification of duration .....	150
315 200	Request for revocation of extension of duration .....	200
<b>II. Utility models</b>		
<b>1. Registration procedure</b>		
	Application procedure (Sec. 4 Utility Model Law, Article III Sec. 4 (2), first sentence, Law on International Patent Conventions)	
321 000	- for electronic filing .....	30
321 100	- for filing on paper .....	40
321 200	Search (Sec. 7 Utility Model Law).....	250
<b>2. Maintenance of a utility model</b>		
	Maintenance fees pursuant to (Sec. 23 (2) Utility Model Law)	
322 100	for the 4 <sup>th</sup> to the 6 <sup>th</sup> year of protection .....	210
322 101	- surcharge for late payment (Sec. 7 (1), second sentence).....	50
322 200	for the 7 <sup>th</sup> to the 8 <sup>th</sup> year of protection .....	350
322 201	- surcharge for late payment (Sec. 7 (1), second sentence).....	50
322 300	for the 9 <sup>th</sup> to the 10 <sup>th</sup> year of protection .....	530
322 301	- surcharge for late payment (Sec. 7 (1), second sentence).....	50
<b>3. Other requests</b>		
323 000	Further processing (Sec. 21 (1) Utility Model Law in conjunction with Sec. 123a Patent Law).....	100
323 100	Cancellation procedure (Sec. 16 Utility Model Law) .....	300

\* Note: No. 313 820 was deleted by Art. 8b, No. 1 of the Law of 7 July 2008 (Federal Law Gazette I p. 1191), but remains applicable in relation to European patents for which the mention of grant was published in the European Patent Bulletin before 1 May 2008.

No	Statement of Fees	Euro
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### **III. Trade marks, geographical indications and indications of origin**

#### **1. Registration procedure**

Application procedure including the class fee for up to three classes

	- for a trade mark (Sec. 32 Trade Mark Law)	
331 000	- for electronic filing .....	290
331 100	- for filing on paper .....	300
331 200	- for a collective mark (Sec. 97 Trade Mark Law) .....	900

Class fee for the application, for the fourth class and each additional class, for each class

331 300	- for a trade mark (Sec. 32 Trade Mark Law) .....	100
331 400	- for a collective mark (Sec. 97 Trade Mark Law) .....	150
331 500	Accelerated examination of application (Sec. 38 Trade Mark Law) .....	200
331 600	Opposition procedure (Sec. 42 Trade Mark Law) .....	120
331 700	Procedure regarding the division of an application (Sec. 40 Trade Mark Law) .....	300
331 800	Procedure regarding transfer in part of an application (Sections 27 (4), 31 Trade Mark Law) .....	300

#### **2. Renewal of the period of protection**

Renewal fee including the class fee for up to three classes

332 100	- for a trade mark (Sec. 47 (3) Trade Mark Law) .....	750
332 101	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50
332 200	- for a collective mark (Sec. 97 Trade Mark Law) .....	1 800
332 201	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50

Class fee for renewal of the period of protection for the fourth class and each additional class, for each class

332 300	- for a trade mark or a collective mark (Sec. 47 (3), Sec. 97 Trade Mark Law) .....	260
332 301	- surcharge for late payment (Sec. 7 (1), second sentence) .....	50

#### **3. Other requests**

333 000	Objection procedure (Sec. 64 Trade Mark Law) .....	150
333 050	Further processing (Sec. 91a Trade Mark Law) .....	100
333 100	Procedure regarding the division of a registration (Sec. 46 Trade Mark Law) .....	300
333 200	Procedure regarding the transfer in part of a registration (Sections 46, 27 (4) Trade Mark Law) .....	300

No	Statement of Fees	Euro
	Cancellation procedure	
333 300	- due to nullity (Sec. 54 Trade Mark Law) .....	300
333 400	- due to revocation (Sec. 49 Trade Mark Law) .....	100
<b>4. International registrations</b>		
	National fee for international registration	
334 100	National fee for international registration under Article 3 of the Madrid Agreement (Sec. 108 Trade Mark Law) or under the Protocol Relating to the Madrid Agreement (Sec. 120 Trade Mark Law) as well as under the Madrid Agreement and the Protocol Relating to the Madrid Agreement (Sec. 108, 120 Trade Mark Law) .....	180
	National fee for the subsequent extension of protection	
334 300	National fee for the subsequent extension of protection under Article 3 <sup>ter</sup> (2) of the Madrid Agreement (Sec. 111 Trade Mark Law) or under Article 3 <sup>ter</sup> (2) of the Protocol Relating to the Madrid Agreement (Sec. 123 (1) Trade Mark Law) as well as under the Madrid Agreement and the Protocol Relating to the Madrid Agreement (Sec. 123 (2) Trade Mark Law) .....	120
	Conversion procedure including the class fee for up to three classes (Sec. 125 (1) Trade Mark Law)	
334 500	- for a trade mark (Sec. 32 Trade Mark Law) .....	300
334 600	- for a collective mark (Sec. 97 Trade Mark Law) .....	900
	Class fee for the conversion of the fourth class and each additional class, for each class	
334 700	- for a trade mark (Sec. 32 Trade Mark Law) .....	100
334 800	- for a collective mark (Sec. 97 Trade Mark Law) .....	150
<b>5. Community trade marks</b>		
335 100	Forwarding of an application for a community trade mark (Sec. 125a Trade Mark Law) .....	25
	Conversion procedure including the class fee for up to three classes (Sec. 125d (1) Trade Mark Law)	
335 200	- for a trade mark (Sec. 32 Trade Mark Law) .....	300
335 300	- for a collective mark (Sec. 97 Trade Mark Law) .....	900
	Class fee for conversion of the fourth and each additional class, for each class	
335 400	- for a trade mark (Sec. 32 Trade Mark Law) .....	100
335 500	- for a collective mark (Sec. 97 Trade Mark Law) .....	150
<b>6. Geographical indications and indications of origin</b>		
336 100	Registration procedure (Sec. 130 Trade Mark Law) .....	900
336 200	Opposition procedure (Sec. 131 Trade Mark Law) .....	120
336 300	Cancellation procedure (Sec. 132 (1) Trade Mark Law) .....	120

No	Statement of Fees	Euro
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## IV. Designs

### 1. Application procedure

(1) Costs for publication under Sec. 20, third sentence, Designs Law will be charged in addition to the fees. \*

(2) A set of type faces is regarded as a design.

Application procedure

	- for one design (Sec. 11 Designs Law)	
341 000	- for electronic filing .....	60
341 100	- for filing on paper .....	70
341 200	- for each design of a multiple application (Sec. 12 (1) Designs Law)	
	- for electronic filing .....	6
	- minimum fee 60	
341 300	- for filing on paper .....	7
	- minimum fee 70	
341 400	- for one design in event of deferred publication (Sec. 21 Designs Law) .....	30
341 500	- for each design of a multiple application in the event of deferred publication (Sections 12, 21 Designs Law) .....	3
	- minimum fee 30	
341 600	Further processing (Sec. 17 Designs Law) .....	100
	Extension of protection to term of protection of Sec. 27 (2) Designs Law in the event of deferred publication of a reproduction (Sec. 21 (2) Designs Law)	
	Extension fee	
341 700	- for a design .....	40
341 800	- for each design of a multiple application .....	4
	- minimum fee 40	
	Extension fee for designs filed as type faces (Article 2 Type Faces Law in conjunction with Sec. 8b Designs Law in the version applicable before 1 June 2004)	
341 900	- for a design .....	150
341 950	- for each design of a multiple application .....	15
	- minimum fee 150	

### 2. Maintenance of the term of protection

Maintenance fees (Sec. 28 (1) Designs Law)

	for the 6 <sup>th</sup> to the 10 <sup>th</sup> year of protection	
342 100	- for each design, also in a multiple application .....	90
342 101	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence) .....	50
	for the 11 <sup>th</sup> to the 15 <sup>th</sup> year of protection	
342 200	- for each design, also in a multiple application .....	120
342 201	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence) .....	50

\* Note: The flat rate fee charged for design publications (No. 302 310 of the annex to Sec. 2 (1) of the Order Concerning Administrative Costs at the German Patent and Trade Mark Office) has been abolished with retrospective effect from 1 January 2010. No publication costs will be charged for designs published on or after 1 January 2010 in the Designs Gazette.

No	Statement of Fees	Euro
	for the 16 <sup>th</sup> to the 20 <sup>th</sup> year of protection	
342 300	- for each design, also in a multiple application .....	150
342 301	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence).....	50
	for the 21 <sup>st</sup> to the 25 <sup>th</sup> year of protection	
342 400	- for each design, also in a multiple application .....	180
342 401	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence).....	50
<b>3. Maintenance of designs for which an embodiment of the design was deposited under Sec. 7 (6) Designs Law in the version applicable before 1 June 2004</b>		
343 100	Maintenance fee for the 6 <sup>th</sup> to the 10 <sup>th</sup> year of protection .....	330
343 101	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence).....	50
343 200	Maintenance fee for the 11 <sup>th</sup> to the 15 <sup>th</sup> year of protection .....	360
343 201	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence).....	50
343 300	Maintenance fee for the 16 <sup>th</sup> to the 20 <sup>th</sup> year of protection .....	390
343 301	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence).....	50
343 400	Maintenance fee for the 21 <sup>st</sup> to the 25 <sup>th</sup> year of protection.....	420
343 401	- surcharge for late payment for each design, also in a multiple application (Sec. 7 (1), second sentence).....	50
<b>4. Community designs</b>		
	Forwarding a Community design application (Sec. 62 Designs Law)	
344 100	for each application..... A multiple application is regarded as one application.	25
<b>5. Industrial designs under the Hague Agreement</b>		
	Forwarding an industrial design under the Hague Agreement (Sec. 68 Designs Law)	
345 100	for each application..... A multiple application is regarded as one application.	25
<b>V. Type faces (deleted)</b>		
<b>VI. Topographies</b>		
<b>1. Application procedure</b>		
	Application procedure (Sec. 3 Semiconductor Protection Law)	
361 000	- electronic filing .....	290
361 100	- filing on paper .....	300
<b>2. Other requests</b>		
362 000	Further processing (Sec. 11 (1) Semiconductor Protection Law in conjunction with Sec. 123a Patent Law) .....	100
362 100	Cancellation procedure (Sec. 8 Semiconductor Protection Law) .....	300

No	Statement of Fees	Fee amount/fee rate pursuant to Sec. 2 (2) in conjunction with Sec. 2 (1) Patent Costs Law*
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## B. Fees of the Federal Patent Court

(1) For the fees of numbers 400 000 to 401 300, each person lodging an appeal will be charged separately.

(2) The fee of number 400 000 must be paid in addition to the fee for the opposition procedure before the German Patent and Trade Mark Office (number 313 600).

400 000 Request for a court decision pursuant to Sec. 61 (2) Patent Law ..... EUR 300

### I. Appeal proceedings

#### Appeal proceedings

401 100 1. under Sec. 73 (1) Patent Law against the decision of the Patent Division on the opposition,  
2. under Sec. 18 (1) Utility Model Law against the decision of the Utility Model Division on the request for cancellation,  
3. under Sec. 66 Trade Mark Law in cancellation proceedings  
4. under Sec. 4 (4), third sentence, Semiconductor Protection Law in conjunction with Sec. 18 (2) Utility Model Law against the decision of the Topographies Division  
5. under Sec. 34 (1) Plant Varieties Protection Law against the decision by the opposition committee in cases of Sec. 18 (2) Nos. 1, 2, 5 and 6 Plant Varieties Protection Law ..... EUR 500

401 200 against a decision on costs..... EUR 50

401 300 in other cases..... EUR 200

Appeals are free in matters concerning legal aid, appeals under Sec. 11 (2) Patent Costs Law and under Sec. 11(2) Order Concerning Administrative Costs at the German Patent and Trade Mark Office.

### II. Legal action proceedings

#### 1. Legal action proceedings under Sec. 81 Patent Law, Sec. 85a in conjunction with Sec. 81 Patent Law and Sec. 20 Utility Model Law in conjunction with Sec. 81 Patent Law

402 100 Proceedings in general ..... 4.5

402 110 Conclusion of entire proceedings by

a) withdrawal of the action

- before the end of the hearing
- in case of Sec. 83 (2), second sentence, Patent Law in conjunction with Sec. 81 Patent Law, in which a hearing does not take place, before the expiry of the day, on which the summons for the date of the pronouncement of the judgement have been served or the written judgement has been handed over to the registrar's office at the Patent Court,
- in case of Sec. 82 (2) Patent Law in conjunction with Sec. 81 Patent Law, before the expiry of the day, on which the judgement is handed over to the registrar's office at the Patent Court,

b) judgement of acknowledgement and renunciation,

c) settlement in court,

provided there was no prior judgement:

The fee for 402 100 is reduced to ..... 1.5

Declarations on the settlement of the issue are not equivalent to withdrawal. The fee will also be reduced if more than one of the above reasons for reduction are fulfilled.

#### 2. Other legal action proceedings

402 200 Proceedings in general ..... 4.5

402 210 Conclusion of entire proceedings by

a) withdrawal of the action before the end of the hearing,

\* Note: Under Sec. 2 of the Patent Costs Law, the fees for filing an action and applying for an injunction before the Federal Patent Court are calculated on the basis of the value in dispute. The amount of the fee is governed by Sec. 3 of the Law on Court Costs; the minimum fee is EUR 121. For the assessment of the value in dispute, the provisions of the Law on Court Costs shall apply *mutatis mutandis*.

No	Statement of Fees	Fee amount/fee rate pursuant to Sec. 2 (2) in conjunction with Sec. 2 (1) Patent Costs Law
	b) judgement of acknowledgement and renunciation, c) settlement in court, provided there was no prior judgement: The fee for 402 200 is reduced to .....	1.5
	Declarations on the settlement of the issue are not equivalent to withdrawal. The fee will also be reduced if more than one of the above reasons for reduction are fulfilled.	
	<b>3. Issue of a provisional order due to grant of compulsory licence (Sec. 85 Patent Law, Sec. 85a in conjunction with Sec. 85 Patent Law and Sec. 20 Utility Model Law in conjunction with Sec. 81 Patent Law)</b>	
402 300	Proceedings dealing with the request.....	1.5
402 310	The proceedings include a hearing: The fee for 402 300 is raised to .....	4.5
402 320	Conclusion of entire proceedings by a) withdrawal of the request before the end of the hearing b) judgement of acknowledgement and renunciation, c) settlement in court, provided there was no prior judgement: The fee for 402 310 is reduced to .....	1.5
	Declarations on the settlement of the issue are not equivalent to withdrawal. The fee will also be reduced if more than one of the above reasons for reduction are fulfilled.	
	<b>III. Reprimand due to violation of the right to be heard</b>	
403 100	Proceedings on the reprimand due to violation of the right to be heard pursuant to Sec. 321a Code of Civil Procedure in conjunction with Sec. 99 (1) Patent Law, Sec. 82 (1) Trade Mark Law The reprimand is entirely dismissed or rejected .....	EUR 50

### 3 – EXTRACT FROM THE ORDINANCE CONCERNING ADMINISTRATIVE COSTS AT THE GERMAN PATENT AND TRADE MARK OFFICE

#### Annex to Sec. 2 (1) of the Ordinance Concerning Administrative Costs of the German Patent and Trade Mark Office (Costs Schedule)

No	Statement of Fees	Euro
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#### **Part A. Fees**

##### ***I. Extracts from the register and registration certificates***

Issue of

301 100 - certified extracts from the register..... 20

301 110 - uncertified extracts from the register and registration certificates pursuant to Sec. 4 Ordinance on the  
"Register of Anonymous and Pseudonymous Works" ..... 15

The data carrier flat rate is charged separately.

##### ***II. Authentication***

301 200 Authentication of copies for every new page ..... 0.50

- minimum fee 5

(1) For authentication of copies of decisions and official replies issued by the German Patent and Trade Mark Office no fees are charged.

(2) Expenses are charged in addition.

##### ***III. Certificates, written information***

301 300 Priority document ..... 20

Expenses are charged in addition.

301 310 Another certificate or written information..... 10

Expenses are charged in addition.

301 320 Decorative certificate (Sec. 25 (2) Order Concerning the German Patent and Trade Mark Office)..... 15

(1) the following is free of charge:

- Granting patent certificates, utility model certificates, topography certificates, trade mark certificates and design certificates (Sec. 25 (1) Order Concerning the German Patent and Trade Mark Office) and
- affixing documents to the decorative certificate.

(2) Expenses are charged in addition.

301 330 Certificate of origin ..... 15

Expenses are charged in addition.

##### ***IV. File inspection, issue of copies***

301 400 Procedures concerning requests for the inspection of files..... 90

Inspection of files which may be inspected by any person, files of the applicant's own application or the proprietor's own industrial property right, is free of charge.

No	Statement of Fees	Euro
301 410	Procedures concerning requests for the issue of copies of files.....	90
	<p>(1) The following is free of charge:</p> <ul style="list-style-type: none"> <li>- Issue of copies of files which may be inspected by any person, files of the applicant's own application or the proprietor's own industrial property right,</li> <li>- or if the request has been submitted subsequent to a procedure concerning the inspection of files for which the fee was paid according to No 301 400,</li> </ul> <p>(2) Expenses are charged in addition.</p>	
	<b>V. Refund</b>	
301 500	Refund of amounts paid without legal ground .....	10

No	Expenses	Amount
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## Part B. Expenses

### I. Flat rate fees for documents and data carriers

302 100	Flat rate fee for the production and supply of documents:	
	1. Official copies and copies which are issued or made on request or transmitted by telefax or copies, which have been made, because the parties concerned have failed to attach the necessary number of documents relating to several applications or industrial property rights or of copies to a written document to be delivered <i>ex officio</i> :	
	for the first 50 pages .....	EUR 0.50
	for each additional page .....	EUR 0.15
	2. Supply of electronic data instead of official copies or copies mentioned in No 1:	
	for each electronic file .....	EUR 2.50
	3. Flat rate fee for data carriers for transmission of electronic data stored on CD or DVD	
	for each CD .....	EUR 7
	for each DVD .....	EUR 12
	(1) No clerical expenses have to be borne by the parties to the procedure and their authorised representatives for - one complete execution or copy of the decisions and official communications by the German Patent and Trade Mark Office, - one copy of the minutes of each meeting.	
	(2) The flat rate fee for data carriers will be charged in each case.	
	(3) No flat rate fees for documents or data carriers will be charged for provision of IP data via the DPMAdatenabgabe service and DEPATISconnect service.	

### II. Expenses for photos, graphic representations

302 200	Production of photos or copies of photos or coloured copies	
	for the first print or the first page .....	EUR 2
	for each print or page in excess of one .....	EUR 0.50
302 210	Production of photos or graphic representations by a third party by order of the German Patent and Trade Mark Office .....	the full amount

### III. Publication, reprinting costs

302 340	Expenses for the publication in copyright procedures.....	the full amount
302 360	Costs for the reprint or the amendment of a patent application ( <i>Offenlegungsschrift</i> ) or patent specification if they are caused by the applicant .....	EUR 80

### IV. Other expenses

Further expenses are

302 400	- Expenses for delivery with official certificate of delivery or registered mail with advice of delivery .....	the full amount
302 410	- Expenses for telegrams .....	the full amount
302 420	- Amounts to be paid under the <i>Justizvergütungs- und Entschädigungsgesetz</i> (Law on the allowances and compensation paid by judicial and prosecutorial authorities); if by virtue of Sec. 1 (2), second sentence, <i>Justizvergütungs- und Entschädigungsgesetz</i> , an expert does not receive any compensation, such amount shall be raised which, without this provision, would have to be paid under the <i>Justizvergütungs- und Entschädigungsgesetz</i> ; where expenses were caused by several proceedings, expenses shall be adequately distributed to these various proceedings.....	the full amount

No	Expenses	Amount
302 430	- Remunerations (reimbursement of travel expenses, and other of expenses) granted by virtue of legal provisions in transactions outside the German Patent and Trade Mark Office to staff members and costs for providing premises; where expenses were caused by several proceedings, expenses shall be adequately distributed to these various proceedings .....	the full amount
302 440	- Travel expenses for persons..... - Expenses for allowances granted to destitute persons for travelling to the place of a court hearing, questioning or investigation and back.....	the full amount  not exceeding the amounts payable to witnesses under the <i>Justizvergütungs- und Entschädigungsgesetz</i>
302 450	- Expenses for the transportation of animals and objects, with the exception of postage rates hereby incurred, the keeping of objects as well as the keeping and feeding of animals .....	the full amount
302 460	- Amounts being due to other national authorities, public institutions or staff by way of compensation for expenses of the kind specified in Nos 302 420 to 302 450; the amounts will be charged, even if, for reasons of reciprocity, administrative rationalization or comparable reasons no payments have to be made .....	limited by the maximum rates for the expenses of numbers 302 420 to 302 450
302 470	- Amounts to which foreign authorities, institutions or persons abroad are entitled, as well as costs of judicial assistance with foreign countries; the amounts will be charged, even if, for reasons of reciprocity, administrative rationalization or comparable reasons no payments have to be made.....	the full amount

**4 – EXTRACT FROM THE ORDER OF 9 DECEMBER 1997 ON THE ISSUING OF THE OFFICIAL AUTHENTICATION UNDER ARTICLE 3 OF THE HAGUE AGREEMENT;  
LAST AMENDED BY ARTICLE 7 (16) OF THE LAW OF 27 JUNE 2000  
(Federal Law Gazette I p. 897)**

Section 2

The fee for issuing the official authentication and for the examination under Article 7 (2) of the Agreement shall amount to 13 Euro each.