

NEW ZEALAND - Patents - Schedule of Charges

Effective from 1 January 2018

Note: this scale of charges applies to overseas clients only and therefore does not include GST charges.

	Official \$NZ	Agency \$AU	Total \$AU
Applications			
Including forwarding any examination report			
1 Filing Standard application and forwarding the Letters Patent Deed	250.00	800.00	1050.00
2 Filing PCT NZ National phase entry and forwarding the Letters Patent Deed	250.00	700.00	950.00
Examination and Grant			
3 Requesting Examination including forwarding an Examiner's Report	500.00	360.00	860.00
4 Preparing and Filing response to Examiner's report		400.00+	400.00+
5 Application for extending time for acceptance			
• First month extension	50.00	100.00	150.00
• Each additional month at same time	50.00	50.00	100.00
Annuities			
6 Annuities for maintaining Applications and Patents			
Before end of 4th year	100.00	125.00	225.00
Before end of 5th year	100.00	125.00	225.00
Before end of 6th year	100.00	125.00	225.00
Before end of 7th year	100.00	125.00	225.00
Before end of 8th year	100.00	125.00	225.00
Before end of 9th year	100.00	125.00	225.00
Before end of 10th year	200.00	135.00	335.00
Before end of 11th year	200.00	135.00	335.00
Before end of 12th year	200.00	135.00	335.00
Before end of 13th year	200.00	135.00	335.00
Before end of 14th year	200.00	135.00	335.00
Before end of 15th year	350.00	175.00	525.00
Before end of 16th year	350.00	175.00	525.00
Before end of 17th year	350.00	175.00	525.00
Before end of 18th year	350.00	175.00	525.00
Before end of 19th year	350.00	175.00	525.00
7 Late payment of renewal fee	50.00	100.00	150.00
Assignments			
8 Recordal of title for first recordal for subsequent simultaneous recordals		250.00 100.00	250.00 100.00
Change of name or address			
9 Recordal for first title for subsequent simultaneous recordals		150.00 100.00	150.00 100.00

NEW ZEALAND - Trade Marks - Schedule of charges

Effective from 1 January 2018

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	Official \$NZ	Agency \$AU	Total \$AU
Applications			
Including forwarding any Examiner's Report			
1 Application for registration - one class and forwarding the Registration Certificate	150.00	480.00	630.00
2 Each additional class in the same application	150.00	250.00	400.00
Examination and Registration			
3 Preparing and Filing response to Examiner's report		200.00+	200.00+
Renewals			
4 Application to Renew Trade Mark Registration			
• First class	350.00	330.00	680.00
• Each Additional class	350.00	170.00	520.00
5 Late payment of renewal within 12 months of due date	50.00	100.00	150.00
Assignments			
6 Application for recordal of title		250.00	250.00
Simultaneous recordal of additional title		80.00	80.00
Change of name or address			
7 Recordal for first title		150.00	150.00
for subsequent simultaneous recordals		100.00	100.00

Designs - Schedule of charges

Effective from 1 January 2018

Note: this scale of charges applies to overseas clients only and therefore does not include GST charges.

	Official \$NZ	Agency \$AU	Total \$AU
Applications			
1 Filing Application and forwarding Certificate of Registration	100.00	500.00	600.00
Examination and Registration			
2 Preparing and Filing response to Examiners report		200.00+	200.00+
Renewals			
3 Application to renew design			
(a) Before end of 5th year	100.00	190.00	290.00
(b) Before end of 10th year	200.00	230.00	430.00
4 Late payment of annuity within 6 months of due date	50.00	100.00	150.00
Assignments			
5 Recordal of title for first recordal for subsequent simultaneous recordals		250.00 100.00	250.00 100.00

Filing Requirements Patents

PCT National Phase Entry

Deadline for National Phase entry is 31 months

Filing Requirements

- International number of PCT application
- An English translation of the specification and claims if the international application was not filed in English
- Translator's Verification of the English translation
- copies of article 19/34 amendments filed

Convention or non-convention applications

(non-convention or convention application within 12 months of priority date)

Filing Requirements

- Name and address of applicant
- Name and address of inventors
- A copy of the specification and claims in English and drawings. (A copy by email is acceptable)
- Dates, application numbers, applicant and countries of any convention priorities claimed.
- Certified copy of the basic application (electronic copy or DAS access code).
- English translation of the basic application if not in English

General Information

Applicant

Inventor or assignee; individual, corporation or firm

Novelty

Absolute - no publication or use within New Zealand or any country of the world before the earliest priority claimed

Examination

A request for examination must be filed within 5 years from the date of filing, or two months from the date that a direction issues from the New Zealand patent office whichever is earliest.

Examination is for formalities, Unity of Invention, Novelty and obviousness

Response/Acceptance

A response must be filed within 6 months of an Examination Report issuing (extendable by 1 month).

The application must be placed in order for acceptance within a non-extendable 12 months period from when the Examination Report issued.

Opposition

Pre-grant opposition is possible for Patent applications if a notice of opposition is filed within 3 months from the publication of acceptance

Re-examination

Post grant re-examination is possible throughout the life of the patent.

Marking

Not compulsory, but may affect the damages in the case of infringement. Marking should include "NZ" or "New Zealand" and the number of the Patent

Term

20 years from filing subject to payment of renewal fees

Annuities/Renewal

Renewal (maintenance) fees are payable annually for the 4th anniversary and onwards. A six month grace period is allowable on payment of a penalty

Filing Requirements Trade Marks

Filing Requirements

- Name and address of applicant.
- Details of mark.
- List of goods and/or services.

Convention priority

- Dates, application numbers, applicant, and countries of any convention priorities claimed.
- Certified copy of the basic application in electronic form

General Information

Applicant

The proprietor of the mark, individual or corporation.

Use

Not required. Intention to use is sufficient.

Classification

International 45 classes of goods and services.

Examination

Automatic, usually within a few weeks of filing.

Opposition

Pre-grant opposition is possible if a notice of opposition is filed within three months from the date that acceptance is published.

Non-Use

Marks are subject to revocation if not used by the Proprietor for continuous periods of three years from the date of registration.

Marking

Not compulsory, but may affect the damages in the case of infringement. Marking should include the number of the registration and 'New Zealand' or 'NZ'.

Term

The initial term is 10 years renewable indefinitely for periods of 10 years, subject to payment of renewal fees.

Registered User

A licensee or licensees may be recorded as registered user(s). Such recordal is not compulsory however an exclusive licensee benefits from such recordal.

Assignments

Assignments may be with or without goodwill.

Filing Requirements Registered Designs

Filing Requirements

- Name and address of applicant.
- Name and address of the inventor(s).
- One copy of each view of the design. (an electronic copy is required).
- An Authorisation of Agent (POA) signed by the applicant.

Convention priority

- Dates, application numbers, applicant, and countries of any convention priorities claimed.
- Certified copy of the basic application in electronic form

Examination

Automatic, usually within a few weeks of filing. If an Examination report issues 12 months is allowed for placing the application in order for acceptance.

Opposition

There is no provision for pre registration opposition.

Term

The initial term is 15 years, subject to payment of renewal fees at the 5th and 10th year.