

## NEW ZEALAND - Patents - Schedule of Charges

### Effective from 10 October 2016

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

	Official \$NZ	Agency \$AU	Total \$AU
<b>Applications</b>			
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
<b>Examination and Grant</b>			
3 Requesting Examination including forwarding an Examiner's Report	500.00	360.00	860.00
4 Preparing and Filing response to Examiner's report		250.00	250.00+
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
<b>Annuities</b>			
Transitional - for granted patents issued on application filed on or before 12 September 2014, but only until the next renewal is paid after 12 September 2014			
6 Annuities for maintaining Applications and Patents			
Before end of 4th year	170.00	120.00	285.00
Before end of 7th year	340.00	140.00	480.00
Before end of 10th year	540.00	150.00	690.00
Before end of 13th year	1000.00	160.00	1160.00
7 Late payment of annuity within 6 months of due date			100.00
8 Annuities for maintaining Applications and Patents			
Before end of 4th year	100.00	120.00	220.00
Before end of 5th year	100.00	120.00	220.00
Before end of 6th year	100.00	120.00	220.00
Before end of 7th year	100.00	120.00	220.00
Before end of 8th year	100.00	120.00	220.00
Before end of 9th year	100.00	120.00	220.00
Before end of 10th year	200.00	130.00	330.00
Before end of 11th year	200.00	130.00	330.00
Before end of 12th year	200.00	130.00	330.00
Before end of 13th year	200.00	130.00	330.00
Before end of 14th year	200.00	130.00	330.00
Before end of 15th year	350.00	170.00	520.00
Before end of 16th year	350.00	170.00	520.00
Before end of 17th year	350.00	170.00	520.00
Before end of 18th year	350.00	170.00	520.00
Before end of 19th year	350.00	170.00	520.00
9 Late payment of renewal fee			
• for one month	50.00	100.00	150.00

• for each additional month 50.00 50.00 100.00

**Assignments**

10 Recordal of title for first recordal 250.00 250.00  
for subsequent simultaneous recordals 80.00 80.00

**Change of name or address**

11 Recordal for first title 150.00 150.00  
for subsequent simultaneous recordals 80.00 80.00



## NEW ZEALAND - Trade Marks - Schedule of charges

### Effective from 10 October 2016

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

	Official \$NZ	Agency \$AU	Total \$AU
<b>Applications</b>			
Including forwarding any Examiner's Report			
1 Application for registration - one class and forwarding the Registration Certificate	150.00	460.00	610.00
2 Each additional class in the same application	150.00	250.00	400.00
<b>Examination and Registration</b>			
3 Preparing and Filing response to Examiner's report		200.00+	200.00+
<b>Renewals</b>			
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			100.00
<b>Assignments</b>			
6 Application for recordal of title		250.00	250.00
Simultaneous recordal of additional title		80.00	80.00
<b>Change of name or address</b>			
7 Recordal for first title		150.00	150.00
for subsequent simultaneous recordals		80.00	80.00

## Designs - Schedule of charges

### Effective from 10 October 2016

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

	Official \$NZ	Agency \$AU	Total \$AU
<b>Applications</b>			
1 Filing Application and forwarding Certificate of Registration	100.00	480.00	580.00
<b>Examination and Registration</b>			
2 Preparing and Filing response to Examiners report		200.00+	200.00+
<b>Renewals</b>			
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			100.00
<b>Assignments</b>			
5 Recordal of title for first recordal for subsequent simultaneous recordals		250.00 80.00	250.00 80.00

## Filing Requirements Patents

### PCT National Phase Entry

21 months under Chapter I or 31 months under Chapter II

### *Minimum Required In Urgent Cases*

- International number of PCT application
- An English translation of the specification and claims if the international application was not filed in English (by Email or Facsimile is acceptable)

### *Full Requirements*

- A copy of the published international application and search opinion
- Verified English translation of specification and claims if the international application was not filed in English

### **Convention or non-convention applications**

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

### *Requirements*

- Name of applicant
- One 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.

### **General Information**

#### **Applicant**

Inventor or assignee; individual, corporation or firm

#### **Novelty**

Absolute ie 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 3 years from the date of filing, or two months from the date that a direction issues from the New Zealand patent office.

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

#### **Acceptance**

The application must be placed in order for acceptance within 12 months of examination. This period can only be extended for a three month period unless the examiner granted an extension because of new objections or a delay through the IP Office

#### **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**

Transition provisions aside maintenance fees are payable annually for the 4th anniversary and onwards. A six month grace period is allowable on payment of a fine

## Filing Requirements Trade Marks

### *Filing Requirements*

- 1 Name of applicant.
- 2 Details of mark.
- 3 List of goods and/or services.
- 4 Dates, application numbers, applicant, and countries of any convention priorities claimed.

### **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 five 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

### *Minimum required in urgent cases*

- 1 Name of applicant.
- 2 One copy of each view of the design. (an electronic copy is required).
- 3 Date, application numbers, applicants and countries of any convention priorities claimed.
- 4 Convention priority documents (and certified English translation) this can be filed in electronic form.

### **Term**

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