

REGULATION

on fees for Patents, Trade Marks, Designs etc. with changes (Reg. 569/2018)

(In-house translation)

CHAPTER I

Scope

Art. 1

Scope

This Regulation shall apply to fees for services of the Icelandic Patent Office (IPO) in connection with rights granted on the basis of the Patent Act (PA), No. 17/1991, the Trade Mark Act (TMA), No. 45/1997, the Collective Marks Act (CMA), No. 155/2002 and the Design Act (DA), No. 46/2001.

Fees shall be paid to the IPO unless otherwise expressly stated.

Fees paid as provided for in this Regulation will not be refunded.

CHAPTER II

Patents

Art. 2

Patent applications

For patent applications the following fees shall be paid as applicable:

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| 1. Fee for a patent application, an international application proceeded with in Iceland, or a request for a review as provided for in Art. 38 of the PA: | ISK 64.400 |
| a. application fee: | ISK 64.400 |
| b. additional fee for each patent claim exceeding ten: | ISK 4.100 |
| 2. Fee as referred to in Articles 36 and 37 of the PA: | ISK 55.200 |
| 3. Additional fee for an additional time limit provided to submit the required translation in connection with a patent application proceeded with in Iceland: | ISK 17.300 |
| 4. Handling fee for the processing of a novelty search with an International Searching Authority: | ISK 7.500 |

For division or excision, an application fee shall be paid as provided for in Point 1 of the first paragraph as well as any annual fee referred to in Art. 3 in accordance with the second paragraph of Art. 41 of the PA.

Art. 3

Annual fees

Annual fees for patent applications and patents are as follows:

Fee year	ISK	Fee year	ISK	Fee year	ISK
1.	11.000	8.	18.400	15.	38.600
2.	11.000	9.	20.700	16.	42.600
3.	11.000	10.	23.000	17.	47.800
4.	12.700	11.	25.300	18.	52.400
5.	13.800	12.	27.600	19.	57.500
6.	15.000	13.	30.500	20.	63.300
7.	16.700	14.	34.500		

Annual fee for the 11th to 15th year of a patent granted in accordance with the previous PA: ISK 132.500

The due date for payment for the third validity period of a patent as referred to in the second paragraph is the calendar day at the beginning of the period which is the same as the date of granting of the patent.

An annual fee which is paid within six months of the due date shall increase by 20%.

Art. 4

Granting of a patent

For granting a patent the following fees shall be paid as applicable:

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| 1. Publication fee for the first 40 pages of the patent document (description, claims, drawings and abstract): | ISK 27.600 |
| 2. Additional fee for each page exceeding 40: | ISK 1.200 |
| 3. Additional fee for each claim added after the filing of an application: | ISK 4.100 |
| 4. Fee for reissuing a patent: | ISK 27.600 |
| 5. Fee for correction of claims and reissuing of a patent* | ISK 27.600 |

*Article 1 of Regulation 569, dated 28 May 2018.

Art. 5

European Patent

For European Patents, i.e. the validation of a European patent, reissuing of a patent or publication of corrected translation the fee shall be: ISK 31.100

Art. 6

Supplementary Protection Certificate

For an application for supplementary protection and the issuing of a Supplementary Protection Certificate the following fees shall be paid, as applicable:

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| 1. Application fee: | ISK 64.400 |
| 2. Fee for Paediatric extension* | ISK 47.800 |
| 3. Annual fee for each fee year commenced of a supplementary protection certificate: | ISK 63.300 |

An annual fee as referred to in Point [3] of the first paragraph, which is paid within six months of the due date, shall increase by 20%.

*Article 2 of Regulation 569, dated 28 May 2018. Para 3 should read "Point 3", not "Point 2".

Art. 7

Limitation on the scope of protection

Fee for request for limitation on the scope of patent protection: ISK 27.600

Art. 7. a*

Notification of patent opposition ISK 41.400

*Article 3 of Regulation 569, dated 28 May 2018.

CHAPTER III

Trade Marks and collective marks

Art. 8

Application for or renewal of a mark

For an application for registration of a mark or its renewal the following fees shall be paid as applicable:

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| 1. Application or renewal fee, including one class of goods or services: | ISK 32.200 |
| 2. Additional fee for each additional class of goods and/or services: | ISK 6.900 |
| 3. Fee for each picture in excess of one in an application when the mark is three-dimensional: | ISK 3.500 |

Fees for designation of Iceland in an application for an international registration of a trade mark or for its renewal are paid to the World Intellectual Property Organization (WIPO).

Art. 9

Alteration of a mark or request for division

A request for alteration of a registered mark:	ISK 6.900
A request for division of an application or registration:	ISK 20.700

Art. 10

Opposition and revocation of registration

Notification of opposition or claim that a registration of a mark be revoked:	ISK 41.400
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Art. 11

Search services

Search of the trade mark registry for a similar mark:	ISK 5.800
Should a request for a search as referred to in the first paragraph result in extensive processing of data or searching of archives, additional hourly fees shall be charged as provided for in Art. 18 as applicable.	

CHAPTER IV

Design

Art. 12

Application for registration or renewal of a design

For an application to register a design the following fees shall be paid as applicable:

1. Application fee for each five-year period:	ISK 17.300
2. Application fee for each design in excess of one in a multiple registration for each five-year period:	ISK 7.500
3. Fee for each picture in excess of one:	ISK 4.100
4. Examination fee:	ISK 11.000

If, when an application for registration of a design is filed, it is requested that it apply for more than one period at a time, an application fee must be paid for each period which the registration is intended to include.

For renewal of a registered design the following fees shall be paid as applicable:

1. Renewal fee for each five-year period:	ISK 21.900
2. Renewal fee for each design in excess of one in a multiple registration for each five-year period:	ISK 7.500

Art. 13

Revocation of registration

Fee for a claim that a registration be revoked:	ISK 12.700
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CHAPTER V

Miscellaneous provisions

Art. 14

Processing of international applications

Processing fee for reception and processing of international patent, trade mark or design applications:	ISK 17.300
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Art. 15

Reinstatement or re-establishment of rights

Fee for a request for reinstatement:	ISK 11.000
Fee for processing a request for re-establishment of rights to a patent or design:	ISK 41.400

Art. 16

Entries to the register

Fee for a request for entry of information on change of ownership, licences or mortgaging in the register:	ISK 6.900
Fee for a request for other entries in the register, such as change of an applicant's name or address or change regarding the agent:	ISK 3.500

Art. 17

Copies of documents in the register

For copies of accessible documentation from the register the following fees shall be paid as applicable:

1. Electronic copy of an application or patent granted, a registered mark or design or other documents from the archiving system: ISK 1.200
2. Certified copy of documents as referred to in Point 1 or the issuance of a priority document: ISK 4.600
3. Print-outs or photocopies of documentation, each A4 page: ISK 200

Should a request for a copy as referred to in the first paragraph result in extensive processing of data or searching of archives, additional hourly fees shall be charged as provided for in Art. 18 as applicable.

Art. 18

Services

For services which are not included in the unit prices of the Regulation, such as very extensive searches, observations, processing or computer print-outs, the following hourly fee shall be paid: ISK 6.900

Art. 19

The Gazette "ELS-tíðindi"

Annual subscription fee	ISK 4.100
Print-out, per copy	ISK 500

Art. 20

Appeals

Fee for appeal based on the Patent Act, Trade Mark Act, Design Act or Collective Marks Act: ISK 85.000

The appeal fee shall be paid to the Ministry concerned upon delivery of a letter of appeal.

If a case is revoked before an appeal committee is fully appointed, the case is dismissed by the appeal committee or it is successful the Ministry shall repay ISK 65.000.

CHAPTER VI

Final provisions

Art. 21

Entry into force

This Regulation is set by authority of Art. 68 of the Patent Act, No. 17/1991, Art. 63 of the Trade Mark Act, No. 45/1997, Articles 36 and 53 of the Design Act, No. 46/2001, and Art. 9 of the Collective Marks Act, No. 155/2002 and enters into force on 1 January 2017.

At the same time Regulation No. 804/2014, as subsequently amended, is repealed.

Ministry of Industries and Innovation, 20 September 2016,
on behalf of the Minister of Industry and Commerce

Kristján Skarphéðinsson [sign.]

Sigrún Brynja Einarsdóttir [sign.]