



UKIPO announces fees for excess claims and excess pages

John Snape and Philip Naylor report on the upcoming introduction of new fees at the UK Intellectual Property Office

The UKIPO has announced changes to the patents fees, which will come into force on 6th April 2018. The changes include increases to existing fees, but also introduce fees not previously levied by the UKIPO.

The newly introduced fees

The changes introduce fees for excess claims and excess pages, plus a grant fee.

The fee for excess claims is £20 for each claim over 25 and is due with any search request made on or after 6th April 2018. Since an amendment made before the search report is issued requires the IPO's consent, applicants may need to consider how the claims filed initially will affect the claims fees due with the search request.

The fee for excess pages is £10 for each page of description over 35. The number of pages of the claims, abstract and drawings is not included when calculating fees for excess pages.

Fees for excess pages are due as part of the substantive examination fee paid with any request for substantive examination made on or after 6th April 2018. For international applications not originally in English, the fee is calculated based on the English language translation.

If the number of excess claims or excess pages increases above the level paid earlier in prosecution, the remaining fees will be due as part of a grant fee. The grant fee is due within two months after notification of the UKIPO's intention to grant the application. The grant fee is not applicable in respect of excess claims or excess pages, if the fees for search and substantive examination were paid before 6th April 2018.

Fees and discounts

The application fee will increase from £20 to £60 for applications filed on or after 6th April 2018. A 25% surcharge of £15 will be due if the application fee is paid after the application has been filed. The fees for search and examination will each increase by £20, and renewal fees for years 12-20 will each increase by £10, from 6th April 2018.

As an example of the new fees, a UK application comprising 100 description pages and 50 claims will incur an additional £1,150 in excess claims and pages fees.



In addition to increasing existing fees and introducing new official fees, the UKIPO has increased discounts available for completing certain acts electronically. Specifically, the discount for paying the application fee online at the time of filing, and the discounts for filing search and examination requests electronically, have been increased to £30.

Significance

As an example of the new fees, a UK application comprising 100 description pages and 50 claims will incur an additional £1,150 in excess claims and pages fees, unless the fees for search and substantive examination are paid before 6th April 2018.

The UKIPO remains an attractive jurisdiction for the filing of priority applications, in part due to its cost-effectiveness. Applications that are filed to establish a priority date, and for which no search or examination is requested will not be affected by the new fees, because search and examination fees are not required to establish a filing date at the UKIPO.

Further details from the UKIPO are available [here](#).

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Need advice?

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