

**DECISION OF THE COUNCIL OF MINISTERS (GOVERNMENT) OF THE RUSSIAN FEDERATION NO. 793 OF AUGUST 12, 1993 ON ENDORSEMENT OF THE REGULATIONS FOR DUTIES ON PATENTING INVENTIONS, USEFUL MODELS, INDUSTRIAL DESIGNS, REGISTRATION OF TRADEMARKS, SERVICE MARKS, THE NAMES OF GOODS ORIGIN, ON GRANTING THE RIGHT TO USE THE NAMES OF GOODS ORIGIN, AND OF THE REGULATIONS FOR THE REGISTRATION FEES FOR THE OFFICIAL REGISTRATION OF SOFTWARE, DATA BASES AND INTEGRAL MICROCIRCUIT TOPOLOGIES (with the Additions and Amendments of April 23, August 12, 1994, October 9, 1995, August 12, 1996, April 16, August 20, 1997, March 31, 1998, January 14, 2002, November 26, 2004, January 26, 2007)**

The Council of Ministers (Government) of the Russian Federation hereby resolves:

1. To endorse the appended Regulations for Duties on Patenting Inventions, Useful Models, Industrial Designs, Registration of Trademarks, Service Marks, the Names of Goods Origin, on Granting the Right to Use the Names of Goods Origin and carry them into effect from September 1, 1993.

2. Abrogated.

3. To lay down that a different procedure for the payment of duties than the one provided for by the appended Regulations may be established by international agreements to which the Russian Federation is signatory.

4. To lay down that no recalculation shall be done for the duties and registration fees paid properly before the date of carrying into effect the provisions endorsed by the present Decision.

5. The Committee of the Russian Federation for Patent and Trademarks shall perform the functions of control over the operation of the present Decision and submit proposals to the Council of Ministers (Government) of the Russian Federation, as the need arises, on the introduction of amendments to the appended Regulations.

6. To recognize as invalid from September 1, 1993 the Decision of the Government of the Russian Federation No. 911 of November 26, 1992, on the Provisional Procedure for the Collection of Patent Duties and the Recognition as Valid the Registration of Patent Attorneys (Collected Acts of the President and Government of the Russian Federation, No. 22, 1992, item 1887).

Chairman of the Council of Ministers -  
Government of the Russian Federation

Viktor Chernomyrdin

Moscow

**REGULATIONS FOR DUTIES ON PATENTING INVENTIONS, USEFUL MODELS, INDUSTRIAL DESIGNS, REGISTRATION OF TRADEMARKS, SERVICE MARKS, THE NAMES OF GOODS ORIGIN, ON GRANTING THE RIGHT TO USE THE NAMES OF GOODS ORIGIN (Endorsed by the Decision of the Council of Ministers (Government) of the Russian Federation No. 793 of August 12, 1993) (with the Additions and Amendments of August 12, 1994, August 12, 1996, April 16, August 20, 1997,) July 4, 2003, November 26, 2004)**

1. The patent fees for patenting inventions, including secret inventions (inventions containing information constituting a state secret), useful models and industrial designs shall be collected in the following procedure:

a) a fee for submitting an application for a patent of Russian Federation for an invention (hereinafter referred to as an application for an invention) shall be collected in the amount of 600 roubles, with 90 roubles collected in addition for each item of the formula in excess of twenty five items.

A fee for submitting an application for a patent of the Russian Federation of a useful model shall be collected in the amount of 300 roubles for each item of the formula of the useful model in excess of twenty five items.

A fee for submitting an application for a patent of the Russian Federation for an industrial design (hereinafter referred to as an application for an industrial design) and for the expert examination of its subject shall be collected in the amount of 900 roubles collected in addition for each item in the list of essential signs of the industrial design in excess of five.

A fee for transfer to the national phase of the international application for an invention or for a useful model, submitted in keeping with the Treaty on Patent Cooperation of June 19, 1970, in the amount of the above-mentioned fee for submitting an application for an invention or for a useful model.

b) a special fee in the amount of 90 roubles shall be collected for the acceptance for examination of the parts of the international application for an invention or for a useful model for which either retrieval by the international retrieval agency or an international preliminary examination have not been carried out (Articles 17(3) and 34(3)b of the Treaty on Patent Cooperation of June 19, 1970).

The fee shall be paid and the document confirming that the fee has been paid shall be presented within two months from the date of receipt by the applicant of the inquiry of the need to pay it;

c) the duty in the amount of 150 roubles shall be collected for the introduction of amendments to the documents of the application for an invention, utility model and industrial design after the lapse of two months since the date of filing an application.

If amendments introduced to the documents of the application for an invention presuppose the inclusion in the formula of the invention of points, which were absent in the formula proposed earlier by the applicant and accepted for consideration, it is necessary to collect in addition the duty in the amount of 90 roubles per each new point of the formula - until the filing of the request on the expert examination of the application concerned on its merits and in the amount of 720 roubles per each new independent point of the formula - after the filing of the said request.

If amendments introduced to the documents of the application for a utility model presuppose the inclusion in the formula of the utility model of points, which were absent in the formula proposed earlier by the applicant and accepted for consideration, it is necessary to collect the duty in the amount of 30 roubles per each new point of the formula.

If amendments introduced to the documents of the application for an industrial design presuppose the inclusion in the list of the essential signs of the industrial design of new points, which were absent in the list of essential signs, proposed earlier by the applicant and accepted for consideration, it is necessary to collect in addition the duty in the amount of 90 roubles per each new point of the list;

d) a fee in the amount of 900 roubles shall be paid for the examination of the subject of the application with respect to one invention. The fee in the amount of 900 roubles shall be collected for the examination of the subject of the application with respect to a group of inventions with 720 roubles collected additionally for each independent item of the invention's formula in excess of one.

If a report on the patent retrieval or the experts' conclusion, prepared by one of the international agencies in keeping with the international treaties of the Russian Federation are appended to the application, the amount of the said fee shall be 20 per cent less.

If a report on the information retrieval, carried out by the federal executive body dealing with intellectual property or by a federal body of executive power authorised by the Government of the Russian Federation (hereinafter referred to as the authorised body), is appended to the application, the amount of the said fee shall be 50 per cent less.

e) a fee in the amount of 180 roubles shall be collected for the transformation of the application for a useful model into an application for an invention, with 60 roubles of the minimum wage collected in addition for each item of the invention's formula in excess of twenty five.

The fee in the amount of 30 roubles the minimum wage shall be collected for the transformation of the application for an invention into an application for a useful model.

f) a fee shall be collected for the extension of the period for the reply to be supplied to the experts' inquiry or the notification about the need to present a report on the choice of application, according to which a patent may be issued, for each month of extension:

up to six months from the date of expiration of the period, fixed by the legislation for the reply - in the amount of 60 roubles;

from six to 10 months from the date of expiration of the said period - in the amount of 150 roubles;

over 10 months from the date of expiration of the said period - in the amount of 300 roubles;

g) abolished

(h) for the restoration of the statutory period, missed by the applicant, for the submission of documents or additional materials at the inquiry of experts, for the filing of a request to carry out in essence the expert examination of the application for an invention or for the raising of an objection to the Chamber for Patent Disputes in the federal executive body dealing with intellectual property (hereinafter referred to as the Chamber for Patent Disputes) or to the authorised body it is necessary to collect a duty in the amount of:

240 roubles, if the request of the restoration of a missing period was filed during six months since the date of the end of the fixed time;

960 roubles, if the said request was filed at the lapse of six months but not later than 12 months since the date of the end of the fixed time;

i) a fee for the registration of an invention, a useful model, an industrial design and for the issue of a patent for an invention, an industrial design, a useful model, including for the issue of a patent of the Russian Federation for an invention, an industrial design according to the application for the termination of the operation on the territory of the Russian Federation of a USSR author's certificate of an invention, of a USSR certificate of an industrial design with the simultaneous issue of a patent of the Russian Federation for the rest of the patent life, shall be collected in the amount of 1200 roubles.

During two months since the date of the receipt by the applicant of a decision on the issue of a patent a duty shall be paid and a document shall be submitted to confirm its payment, or a duty shall be

paid before the filing of the said request, and the document confirming its payment shall be appended to this request.

If the examination has been carried out at the applicant's request, the fee may be paid and the document confirming that it has been paid presented upon the expiration of said two month period but of at most six months from the day of its expiration. In that case the fee shall be 50 per cent higher.

If the examination has been carried out at the third person's request, the fee may be paid and the document confirming that it has been paid presented upon the expiration of the said two-month period but of at most three years from the date of filing or receipt of the application;

j) for the registration of the license agreement referring to one patent for an invention, an industrial design, utility model, one certificate of a useful model. a fee shall be collected in the amount of 600 roubles.

A fee in the amount of 600 roubles shall be collected for the registration of a license agreement referring to several patents or certificates, with none minimum wage collected additionally for each patent or certificate, provided for by the contract, exceeding one.

A fee in the amount of 600 roubles shall be collected for the registration of agreement on the cession of a patent or of a certificate for each patent or certificate, provided for by the agreement.

A fee shall be collected in the amount of 150 roubles for registration of the amendments, introduced in the registered license agreement, the agreement on the cession of a patent or of a certificate.

A fee in the amount of 150 roubles shall be collected for submitting an application for the assignment to any person of the right to use the invention, utility model and industrial design (open license) and for the publication of information about such an application.

(l) annual duties shall be collected for sustaining in force the patent of the Russian Federation for an invention, an industrial design, and a utility model and the certificate of the Russian Federation of a utility model, and also the patent of the USSR for an invention and a design that is in effect on the territory of the Russian Federation.

For sustaining in force the patent of the Russian Federation, issued according to the application of the patent of the Russian Federation, and also the patent of the USSR that is in effect on the territory of the Russian Federation annual duties shall be collected beginning with the third year, counting the date of filing (receiving) the application for an invention and industrial design.

For sustaining in force the patent of the Russian Federation, issued on the basis of requests made in keeping with Item 4 or 7 in the Resolution of the Supreme Soviet of the Russian Federation of September 23, 1992 on the Entry into Force of the Patent Law of the Russian Federation (Vedomosti Syezda Narodnykh Deputatov Rossiyskoy Federatsii i Verkhovnogo Soveta Rossiyskoy Federatsii, No. 42, 1992, item 2320; No. 30, 1993, item 1167) annual duties shall be collected from the year, counting the date of the receipt of the application, in which the request was filed for the issue of the patent of the Russian Federation, or from the third year, counting the date of the receipt of the application, if the period from the date of the receipt of the application to the date of filing the request does not exceed two years.

Annual duties for sustaining in force the patent for an invention and industrial design shall be collected in the following amounts:

The year, counting from the date of filing (receiving) the application	The amount of the annual duty (in roubles)	
	invention	industrial design
The third year	300	300
The fourth year	300	300
The fifth year	450	450
The sixth year	450	450
The seventh year	600	600
The eighth year	600	600
The ninth year	900	900
The tenth year	900	900
The eleventh year	1,350	900
The twelfth year	1,350	900
The thirteenth year	1,800	1,200
The fourteenth year	1,800	1,200
The fifteenth year	2,250	1,200
The sixteenth year	2,250	
The seventeenth year	2,250	

The eighteenth year	2,250
The nineteenth year	3,000
The twentieth and subsequent years	3,000

Annual duties for sustaining in force the patent or the certificate of a utility model shall be collected in the following amounts:

The year, counting from the date of filing (receiving) the application	The amount of the annual duty (in roubles)
The first year	150
The second year	150
The third year	300
The fourth year	300
The fifth year	450
The sixth year	450
The seventh year	600
The eighth year	600

The duty for sustaining in force the patent for an invention and an industrial design for the third year, counting from the date of filing (receiving) the application, shall be paid, and the document that confirms the payment of this duty shall be presented during the last two months of the second year, counting from the date of filing (receiving) the application, or in the period fixed by Subitem (i) of the present item for the payment of the duty for the issue of a patent and the presentation of the document that confirms the payment of this duty, if from the date of filing (receiving) the application to the date of the beginning of the period fixed for the payment of the duty for the issue of the patent more than two years have passed.

The duty for sustaining in force the patent or the certificate of the utility model for the first year, counting the date of filing (receiving) the application shall be paid, and the document that confirms the payment of the duty for the issue of the patent more than two years have passed.

The duty for sustaining in force the patent or the certificate of the utility model for the first year, counting the date of filing (receiving) the application shall be paid, and the document that confirms the payment of this duty shall be presented during the period fixed by Subitem (i) of the present item for the payment of the duty for the issue of the patent and for the presentation of the document which confirms the payment of this duty.

The last two months of the current year of the patent's validity shall be a fixed term for the payment of the annual duty for each next year of the validity of the payment for an invention and industrial design, a utility model and of the certificate of a utility model.

To pay the annual duty for each next year of the validity of the patent for an invention or industrial design and utility model and of the certificate of a utility model, it is necessary to grant an additional term of six month since the day of the expiry of the fixed time. In this case the amount of the duty shall be increased by 50 per cent.

The document that confirms the payment of the annual duty shall be presented together with the report on the payment of the duty not later than a month after the expiry of the additional term.

If the document that confirms the payment of the annual duty and the report on the payment of the duty are not presented in the period indicated in the present subitem, the duty for sustaining the patent in force shall be deemed to be unpaid in fixed period of time;

l) fees for the maintenance in force with respect to the Russian Federation of the Eurasian patent, issued in keeping with the Eurasian Patent Convention, shall be collected in the amounts exceeding by 25 per cent the amounts, fixed by Subitem (k) of this Item for the respective annual fees for the maintenance in force of the patents of the Russian Federation for inventions.

m) for the examination in the Chamber for Patent Disputes or at the authorised body of the objection to:

the decision on the issue or on the refusal to issue a patent for an invocation, utility model and industrial design, of the certificate of the utility model it is necessary to collect a duty in the amount of 900 roubles;

to the decision on the recall of the application for an invention, utility model or an industrial design it is necessary to collect a duty in the amount of 150 roubles;

against the issue of a patent for an invention, utility model or an industrial design, and of the certificate of a utility model, and also against the operation on the territory of the Russian Federation of

the USSR protection document on an invention and industrial design it is necessary to collect a duty in the amount of 1,200 roubles;

n) for the prolongation of the time for presenting a request for the expert examination of the application for an invention in essence a duty shall be collected in the amount of 300 roubles;

o) for the consideration of the application for the transfer of the right to receive the patent for an invention, utility model and an industrial design a duty shall be collected in the amount of 150 roubles;

p) for the consideration of the request:

for the anticipatory publication of information about the application for an inventions duty shall be collected in the amount of 150 roubles;

for the recall of the application for the presentation of an open license a duty shall be collected in the amount of 150 roubles;

for the recall of the application with the obligation for the transfer of the exclusive right to an invention a duty shall be collected in the amount of 150 roubles;

for the extension of the validity term of the patent for an invention a duty shall be collected in the amount of 600 roubles, the patent for a utility model, the patent for an industrial design and of the validity term of the certificate of a utility model - in the amount of 150 roubles.

for the extension of the validity term of the patent for an invention a duty shall be collected in the amount of 600 roubles, the patent for a utility model, the patent for an industrial design and of the validity term of the certificate of a utility model - in the amount of 150 roubles.

q) for the restoration of the validity of the patent for an invention, utility model and industrial design, of the validity of the certificate of a utility model a duty shall be collected in the amount equal to the duty fixed by Subitem (k) of the present Item for that year of its validity, counting the date of the filing (receipt) of the application, for which the date of the filing of the request for the restoration of the patent's validity was increased by two and a half times. The duty for sustaining in force the patent for the year succeeding the year, in which the request was filed for the restoration of the patent's validity, and for the following years shall be collected in the order and in the amounts provided for by Subitem (k) of the present Item;

r) for the restoration of the right of conventional priority to the application for an invention a duty shall be collected in the amount of 150 roubles.

s) for the prolongation of the time for the filing of an application for an invention, an application for a utility model or an application for an industrial design with a solicitation of a convention priority there shall be collected a duty in the amount of 150 roubles.

**2. Fees for the registration of trademarks and service marks, for the registration of the names of the places of origin of goods and for the right to use the names of place of origin of goods shall be collected in the following procedure:**

a) a fee for submitting an application for the registration of a trademark or a service mark (hereinafter referred to as the application for a trademark (hereinafter referred to as the application for a trademark) and for the examination of the stated designation shall be collected in the amount of 8500 roubles, with 1500 roubles collected for each of the classes of the International Classification of Goods and Service for Registration of Marks in excess of five for which registration is requested.

For the filing of the application set aside from the original application for a brand a duty shall be collected in the amount of 8,500 roubles regardless of the quantity of the ICTA classes, indicated in the application;

b) a fee for submitting an application for the registration and for the right to use the name of the place of origin of goods, an application for the right to use the registered name of the place of origin of goods (hereinafter referred to as an application for the name of the place of origin of goods) and for the examination of the stated designation shall be collected in the amount of 8000 roubles;

c) a fee for the introduction of corrections and adjustment in the materials of the application for a trademark, of the application for the name of the place of origin of goods shall be collected in the amount of 1500 roubles.

For the introduction of clarifications in connection with the cession of the right to the application for a brand a duty shall be collected in the amount of 3,000 roubles;

d) for the extension of the time for a reply to the inquiry of experts or to the notification about the need to provide a report on the choice of the application in which the registration of a brand is requested a duty shall be collected for each month of the extension:

up to six months since the date of the expiry of the period of time fixed by the legislation of the Russian Federation for a reply - in the amount of 600 roubles;

over six months since the date of the expiry of the period of time fixed by the legislation of the Russian Federation for an answer - in the amount of 3,000 roubles;

e) abolished

f) for the restoration of the statutory period missed by the applicant for the presentation of additional materials, corrected or absent documents according to the inquiry in the process of the formal expert examination, for the submission of additional materials according to the inquiry in the process of

the expert examination of the stated designation, of the statutory period of presenting objections to the Chamber for Patent Disputes a duty shall be collected in the amount of 6,000 roubles;

g) a fee shall be collected for the registration of a trademark and for the issue of its certificate in the amount of 10000 roubles.

A fee for the registration of a collective mark and for the issue of its certificate shall be collected in the amount of 15000 roubles.

For the issue of a certificate of the generally known brand a duty shall be collected in the amount of 10,000 roubles.

A fee in the amount of 10000 roubles shall be collected for the issue of certificate of the right to use the name of the place of origin of goods.

The fee shall be paid and the document confirming that the fee has been paid presented within two months from the date of receipt by the applicant of decision on the registration of the trademark, of the decision on the registration of the name of the place of origin of goods and on the right to use it, the decision on the right to use the registered name of the place of origin of goods.

The fee may be paid and the document confirming that the fee has been paid presented even upon the expiration of the said two-month period, but within at most six months from the day of its expiration. Otherwise the fee shall be 50 per cent higher;

h) A fee for the introduction of amendments to the State Register of Trademarks and Service Marks of the Russian Federation and to the certificate of a trademark, to the State Register of the Name of the Places of Origin of goods of the Russian Federation and to the certificate of the right to use the name of the place of origin of goods shall be collected in the amount of 1500 roubles.

For the introduction of changes in the List of the brands, generally known in the Russian Federation, a duty shall be collected in the amount of 1,500 roubles.

For the singling out of a particular registration of the brand from the existing registration of the brand a duty shall be collected in the amount of 5,000 roubles;

i) a fee in the amount of 9000 roubles shall be collected for the registration of a license agreement on one trademark.

A fee for the registration of a license agreement referring to several trademarks shall be collected in the amount of three minimum wages, with 8000 roubles collected in addition for each trademark in excess of one, provided for by the agreement.

A fee for the registration of an agreement on the cession of a trademark shall be collected in the amount of 8000 roubles for each trademark, provided for by the agreement.

A fee in the amount of 1500 roubles shall be collected for the registration of the amendments, introduced to the registered license agreement or to the agreement on the cession of a trademark;

j) A fee in the amount of 15000 roubles shall be collected for the extension of the registration of a trademark.

A fee for extension of the registration of a collective mark shall be collected in the amount of 20000 roubles.

A fee in the amount of 15000 roubles shall be collected for the extension of the certificate for the right to use the name of the place of origin of goods.

k) an additional fee shall be collected in the amount of 1500 roubles for granting a six-month period for the extension of the registration of a trademark or of the certificate of the right to use the name of the place of origin of goods;

l) for the consideration in the Chamber for Patent Disputes of the objections:

to the decision adopted according the results of the formal expert examination of the application for a brand concerning the refusal to accept it for consideration or for the recognition of the application as recalled a duty shall be collected in the amount of 3,000 roubles;

to the decision taken according to the results of the expert examination of the stated designation in the application for the registration of a brand a duty shall be collected in the amount of 5,000 roubles;

against the granting of a legal protection to the brand a duty shall be collected in the amount of 8,000 roubles;

against the granting of a legal protection to the brand, generally known in the Russian Federation a duty shall be collected in the amount of 15,000 roubles;

to the decision taken according to the results of the formal expert examination of the application for the registration and the presentation of the right of using the name of the place of origin of goods concerning the refusal to accept the application for consideration or the recognition of the application as recalled a duty shall be collected in the amount of 3,000 roubles;

to the decision taken according to the results of the expert examination of the stated designation as per the application for the registration and the presentation of the right of using the name of the place of origin of goods or as per the application for the granting of the right of using the name of the place of origin of goods a duty shall be collected in the amount of 5,000 roubles;

against the granting of a legal protection to the name of the place of origin of goods and the issue of a certificate a duty shall be collected in the amount of 8,000 roubles;

m) for the examination of the following applications in the Chamber for Patent Disputes:  
for the granting of a legal protection to the brand, generally known in the Russian Federation, a duty shall be collected in the amount of 25,000 roubles;  
for the cessation of the legal protection of the brand, generally known in the Russian Federation a duty shall be collected in the amount of 10,000 roubles;  
for the anticipatory cessation of the legal protection of the brand, generally known in connection with its non-use a duty shall be collected in the amount of 10,000 roubles;  
for the anticipatory cessation of the legal protection of the brand in case of the transformation of the registered brand into the designation that was universally used as a designation of goods of a definite kind a duty shall be collected in the amount of 10,000 roubles;  
for the cessation of the legal protection of the name of the place of origin of goods and of the certificate's validity a duty shall be collected in the amount of 5,000 roubles;  
n) for the transformation of the application for the brand into an application for a collective mark a duty shall be collected in the amount of 1,500 roubles;  
for the transformation of the application for the collective mark into an application for the brand a duty shall be collected in the amount of 1,500 roubles;  
o) for the transformation of the brand into a collective mark a duty shall be collected in the amount of 6,000 roubles;  
for the transformation of the collective mark into a brand a duty shall be collected in the amount of 3,000 roubles;  
p) for the consideration of applications:  
for the recognition as void of the provision of legal protection for the brand in connection with the recognition as an act of unfair competition of the actions of the right holders associated with the registration of the brand, a duty shall be collected in the amount of 1,000 roubles;  
for the anticipatory cessation of the legal protection of the brand in case of the liquidation of the juridical person, the right holder, or for the termination of the business activity of the natural person, the right holder, a duty shall be collected in the amount of 1,000 roubles;  
for the termination of the validity of the certificate of the right of using the name of the place of origin of goods in case of the liquidation of the juridical person, the holder of the certificate, a duty shall be collected in the amount of 1,000 roubles;

**3.** The following concessions on the fees, stipulated by these Regulations, shall be granted to the person with a permanent place of residence in the Russian Federation who is the only author of the invention or of an industrial design and who applies for a patent on his own behalf or who is the only holder of a patent for this invention or industrial design:

a) the veteran of the Great Patriotic War (1941-1945), the veteran of hostilities on the territory of other states shall be exempted from: the fees, stipulated by Subitems (a)-(e), (g) and (i) of Item 1 of these Regulations;

the annual fees for the first three years for which the fees are stipulated by Subitem (k) of Item 1 of these Regulations.

The concession, stipulated by this Subitem, shall be also granted to the participants in and the disabled veterans of the Great Patriotic War with permanent residence on the territory of the states with which the Russian Federation has concluded international treaties on the mutual recognition of privileges and guarantees for the participants in and disabled veterans of the Great Patriotic War.

b) the disabled person or the student (pupil) of the state, municipal or other educational institution implementing an educational or vocational programme of studies (with the exception of postgraduate) shall pay the fees, stipulated by Subitems (a)-(e), (g) and (i) of Item 1 of these Regulations and also the annual fees for the first three years for which the collection of fees is stipulated by Subitem (k) of Item 1 of these Regulations, in the amount of 20 per cent of the fixed amount of each fee.

The concession, stipulated by this Subitem, shall be also granted to the group of authors or of patent holders each of whom is a veteran of Great Patriotic War, a veteran of hostilities on the territory of other state or a disabled person.

The concessions, stipulated by Subitems (a) and (b) of this Item, shall be granted at the applicant's or patent holder's request. The properly certified copy of the appropriate document of established form shall serve as a ground for the concessions to be granted.

c) deferment may be granted to the applicant or to the patent holder of payment in full the fee for the examination of the subject of the application, stipulated by Subitem (d) of Item 1 of these Regulations, and also of the annual fees for the first three years for which the collection of fees is stipulated by Subitem (k) of Item 1 of these Regulations. The said deferment shall be granted at the applicant's or patent holder's request by the reduction of the amount of the fee to be paid by 75 per cent.

The afterpayment of the duty up to the fixed amount shall be made before the expiry of the indicated last three years in the amount of 75 per cent of the duty fixed on the date of its afterpayment. The report on afterpayment shall be submitted within one month since the lapse of the said three years.

If the patent is not issued or its operation is terminated before the expiration of its term in the course of the said three years, the person who has asked for the deferment shall not have to pay the rest of the fee.

4. If a patent of the Russian Federation is requested on the basis of the application for an invention on which the decision has been adopted on the issue of a patent on behalf of the USSR State Inventions Fund, at the applicant's request, the latter shall be granted the deferment of the fee for the issue of a patent of the Russian Federation and for its maintenance in force pending the initial incomes to be derived from the invention's utilization, put for no more than five years.

The said deferment shall be also granted on the basis of the collective request of the applicant and the author (authors) for the issue of a patent of the Russian Federation on the basis of the application on which the decision was adopted earlier on the issue of a USSR author's certificate of an invention or the experts' decision was adopted earlier on the possibility of the issue of a protection document, but the protective document was not issued, while later the applicant and author (authors) did not submit a joint application for a USSR patent.

The fee shall be paid within the limits of the said period in the amount, fixed on the date of its payment.

If in case of presenting an application for the issue of the patent for an invention the applicant, who is the author of the invention, appended to the application documents his statement to the effect that in the event of the issue of the patent he undertakes to pass the exclusive right to the invention (cede the patent) on the conditions corresponding to the established practice to a citizen of the Russian Federation or to a Russian juridical person, which was the first to express such wish and to notify about this the patent holder and the federal executive body responsible for intellectual property, the applicant (patent holder) shall be exempted from the payment of the duties provided for by Item 1 of the present Regulations.

Upon the conclusion of a contract for the cession of a patent all duties, from the payment of which the applicant (patent holder) was exempted, shall be paid for by the person who concluded the contract.

If the patent holder filed his application for granting to any person the right to use an invention, utility model and industrial design, the amount of the patent duty for sustaining the force of the payment shall be reduced by 50 per cent since the year succeeding the year of the publication by the federal Organ of executive power dealing with intellectual property of information about such statement. If upon the expiry of two years since the date of the publication the patent holder filed his request for the recall of his statement, the patent duty for sustaining in force the patent shall be additionally paid over the period that passed since the date of the publication of information about the statement and subsequently shall be paid in full amount";

5. The request for the concession on the fees, stipulated by Item 3 and 4 of these Regulations, shall be submitted, respectively, instead of the document or together with the document confirming that the respective fee has been paid within the period, fixed by these Regulations for the presentation of that document.

6. Upon the conclusion of a license agreement or an agreement on the patent's cession, the operation of the concession, stipulated by Item 3 and 4 of these Regulations shall be terminated.

In this case the duty shall be paid or afterpaid up to the amount fixed on the date of the presentation of a report on payment or afterpayment, if the author was exempted from the payment of the duty in full or in part or if he was given the corresponding delay in the payment of the duty. The document that confirms such payment or afterpayment shall be submitted together with the said report within the periods of time fixed accordingly for the payment of the duty for the registration of said contracts and for the presentation of the appropriate document.

7. The fees, stipulated by Item 1 and 2 of these Regulations, except for the fee for the maintenance in force of Eurasian patent, stipulated by Subitem (l) of Item 1 of these Regulations, shall be paid in established procedure by transferring the respective sums of money to the corresponding settlement account.

The copy of the payment order with the bank's stamp of payment or the bank receipt of the fee having been paid in cash or means of transfer from a personal account shall serve as a document confirming that the fee has been paid.

The document confirming that the fee has been paid shall refer to one application, patent, certificate, included the registration number of the application or of the patent or certificate, if that document is presented after the receipt of the application, and the description of the deed for which the fee has been paid. If the registration number has not yet assigned to the application, the said document, along with the description of the deed for which the fee has paid, shall include the name of the invention, industrial design, useful model or a brief description of the trademark and also the surname of the first author or the applicant's name. The document shall be regulated as invalid if the said information is missing there.

When applying for a patent of the Russian Federation for an invention to the name of a Russian legal person, which is a state-run unitary enterprise, based on the right of operative management (a state-



financed enterprise), or a governmental institution, the applicant shall be granted, upon his request, a delay in the payment of the duties, envisaged by Subitems a), d), i) and k) of Item 1 of the present Regulations, but not for over 3 years, counting from the date of filing the request. The ground for granting the delay shall be the document, enclosed to the request, confirming the legal organizational form of the applicant (of the patent holder).

The document confirming the payment or the afterpayment of the duty shall be appended accordingly to the documents or the materials of the application, the request, the statement, the objection or the report on payment. The compliance of the amount of the paid duty with the fixed amount shall be determined on the date of the receipt of documents or the materials of the application, the request, the statement and the objection. The compliance of the amount of the paid duty with the amount fixed for the duties provided for by Subitems (i) and (k) of Item 1 and Subitem (g) of Item 2 in the present Regulations shall be determined on the date of its payment or the receipt of the request for its offset, if the duty was paid or the request was received in the period stipulated by said Subitems";

8. The paid fee shall not be returned , unless it was paid in an amount exceeding that fixed by these Regulations or if the deed for which the fee has been paid , has not been performed.

In these cases at the request of the person who paid the duty the excessively paid amount of the duty shall be returned in the established order or shall be accepted on account of other duties stipulated by the present Regulations, the payment of which is permissible on the date of the presentation of the request.

A request on the return or the offset of the excessively paid sum of the duty may be made during three years since the day of the payment of the said duty.

9. So far as the natural persons with permanent residence outside the Russian Federation or the foreign legal entities are concerned, the fees for the performance of the juridically significant deeds, stipulated by Items 1 of these Regulations, shall be paid in us dollars in the amounts according to the Appendix. In that case the fees shall be paid and the document confirming that the fee has been paid, presented in the procedure, stipulated by Items 7 and 8 of these Regulations.

The fees shall be paid in established procedure by means of transfer of the respective sums into the corresponding foreign currency account.

The copy of the payment order, certified by the authorized bank, shall serve as a document confirming that the fee has been paid.

The operation of this Item shall not extend to the natural persons residing permanently on the territory of the state with which the Russian Federation has concluded international agreements on patent fees to be paid in roubles or to the legal entities of such states.

### **The Appendix to the Regulations for the Duties on Patenting Inventions, Utility Models, Industrial Designs, on the Registration of Brands, Service Marks, Names of Places of Origin of Goods and on the Granting of the Right to Use the Names of Places of Origin of Goods**

#### **The Amounts of Patent Duties in Foreign Currency**

/-----\	
dollars	Name of the duty   The amount of the duty (in US
For patenting inventions, utility models and industrial designs	
For filing the application for an invention 200 dollars and	
additionally 30	
[Subitem (a) of Item 1 in the Regulations] dollars for each item in the	
formula	
over and above 25 dollars	
For filing the application for a utility 100 dollars and	
additionally 10	
model [Subitem (a) of Item 1 in the dollars for each item in the	
formula	
Regulations] over and above 25 dollars	
For the filing and the expert examination 300 dollars	
of the application for an industrial design and additionally 30 dollars	
for	

[Subitem (a) of Item 1 in the Regulations] each item of the list of essential

signs over five

For the acceptance for consideration of those parts of the international application for the invention and utility model on which no search was made by an international search body or no preliminary international expert examination was carried out [Subitem (b) of Item 1 in the Regulations] 30 dollars

For the introduction of amendments to the documents of the application for an invention, utility model and industrial design after the expiry of 2 months since the date of filing the application [Subitem (c) of Item 1 in the Regulations] 50 dollars

For the inclusion of new items in the formula of an invention before filing the request for the expert examination of the application in essence [Subitem (c) of Item 1 in the Regulations] 50 dollars and in addition 30 dollars

for each new item

For the inclusion of new items in the formula of an invention after the filing of the request for the expert examination in essence [Subitem (c) of Item 1 in the Regulations] 50 dollars and in addition 240 dollars

for each new independent item

For the inclusion of new items in the formula of a utility model [Subitem (c) of Item 1 in the Regulations] 50 dollars and in addition 10 dollars

for each new item

For the inclusion of new items in the list of the essential signs of an industrial design [Subitem (c) of Item 1 in the Regulations] 50 dollars and in addition 30 dollars

for each new item

For the expert examination of the application in essence with regard to:

One invention 300 dollars

a group of inventions [Subitem (d) of Item 1 in the Regulations] 300 dollars and in addition 240

dollars for each new item of the

formula over and above one

For the transformation of the application for a utility model into an application for an invention [Subitem (e) of Item 1 in the Regulations] 100 dollars and in addition 20 dollars

for each item in the formula over and

an invention [Subitem (e) of Item 1 in the Regulations] 25

For the transformation of the application for an invention into an application for a utility model [Subitem (e) of Item 1 in the Regulations] 20 dollars

For the extension of the period of time for a reply to the inquiry of experts or to

the notice about the need to present a report on the choice of the application under

which a patent may be given (for each month):

up to six months since the date of the expiry of the period of time fixed for a 20 dollars

reply	
from six to 10 months from the said date	50 dollars
over 10 months from the said date [Subitem	100 dollars
(f) of Item 1 in the Regulations]	

For the restoration of the period of time missed by the applicant in case if a

request for its restoration was filed:	
during six months since the date of the end	80 dollars
of the fixed period	
upon the expiry of six months but not later	320 dollars
than 12 months since the date of the end of	
the fixed period [Subitem (h) of Item 1 in	
the Regulations]	
for the registration of an invention,	400 dollars
utility model and industrial design and for	
the issue of a patent for an invention,	
utility model and industrial design [Subitem	
(i) of Item 1 in the Regulations]	

For the registration of the license agreement referring to:  
 one patent for an invention, utility model, 200 dollars  
 industrial design, the certificate of a  
 utility model  
 several patents and certificates [Subitems 200 dollars and in  
 addition 100  
 (k) of Item 1 in the Regulations] dollars for each patent  
 and each

certificate of over and above  
 one, as

envisaged by the agreement  
 For the registration of the contract for the 200 dollars for each  
 patent and  
 cession of a patent and certificate [Subitem certificate stipulated by the  
 contract  
 (k) of Item 1 in the Regulations]

For the registration of amendments	50 dollars
introduced to the registered license	
contract for the cession of a patent and	
certificate [Subitem (k) of Item 1 in the	
Regulations]	
For the filing of the application for	50 dollars
granting an open license and for the	
publication of information about such a	
license [Subitem (k) of Item 1 in the	
Regulations]	

The annual duty for sustaining in force the patent for an invention over a  
 year,

counting the date of the filing (receipt) of the application:	
for the third year	100 dollars
for the fourth year	100 dollars
for the fifth year	150 dollars
for the sixth year	150 dollars
for the seventh year	200 dollars
for the eighth year	200 dollars
for the ninth year	300 dollars
for the tenth year	300 dollars
for the eleventh year	450 dollars
for the twelfth year	450 dollars
for the thirteenth year	600 dollars
for the fourteenth year	600 dollars
for the fifteenth year	750 dollars
for the sixteenth year	750 dollars
for the seventeenth year	750 dollars
for the eighteenth year	750 dollars
for the nineteenth year	1,000 dollars

for the twentieth year and subsequent years 1,000 dollars  
[Subitem (l) of Item 1 in the Regulations]

The annual duty for sustaining in force the patent for an industrial design over a

year, counting the date of the filing (receipt) of the application:

for the third year	100 dollars
for the fourth year	100 dollars
for the fifth year	150 dollars
for the sixth year	150 dollars
for the seventh year	200 dollars
for the eighth year	200 dollars
for the ninth year	300 dollars
for the tenth year	300 dollars
for the eleventh year	300 dollars
for the eleventh year	300 dollars
for the twelfth year	300 dollars
for the thirteenth year	400 dollars
for the fourteenth year	400 dollars
for the fifteenth year [Subitem (l) of Item 1 in the Regulations]	400 dollars

The annual duty for the sustaining in force of the patent or the certificate for a

utility model over a year, counting the date of the filing (receipt) of the

application:

for the first year	50 dollars
for the second year	50 dollars
for the third year	100 dollars
for the fourth year	100 dollars
for the fifth year	150 dollars
for the sixth year	150 dollars
for the seventh year	200 dollars
for the eighth year [Subitem (l) of Item 1 in the Regulations]	200 dollars

The annual duty for the sustaining in force in the Russian Federation of the

Eurasian patent for a year, counting the date of filing the Eurasian application:

for the third year	125 dollars
for the fourth year	125 dollars
for the fifth year	188 dollars
for the sixth year	188 dollars
for the seventh year	250 dollars
for the eighth year	250 dollars
for the ninth year	375 dollars
for the tenth year	375 dollars
for the eleventh year	563 dollars
for the twelfth year	563 dollars
for the thirteenth year	750 dollars
for the fourteenth year	750 dollars
for the fifteenth year	938 dollars
for the sixteenth year	938 dollars
for the seventeenth year	938 dollars
for the eighteenth year	938 dollars
for the nineteenth year	1,250 dollars
for the twentieth year [Subitem (m) of Item 1 in the Regulations]	1,250 dollars

"For the consideration in the Chamber for Patent Disputes of the objection:

to the decision on the issue of or the refusal to issue a patent for an invention, utility model, industrial design, of the certificate of a utility model	300 dollars
to the decision on the recognition of the	70 dollars

application for an invention, utility model and industrial design as recalled against the issue of a patent for an invention, utility model and industrial design, of the certificate of a utility model, and also against the validity on the territory of the Russian Federation of the protection document of the USSR on an invention and industrial design [Subitem (n) of Item 1 in the Regulations]	600 dollars
For the extension of the period of presenting the request for the expert examination of the application for an invention on its merits [Subitem (o) of Item 1 in the Regulations]	100 dollars
For the consideration of the application for the transfer of the right to the receipt of the patent for an invention, utility model and industrial design [Subitem (p) of Item 1 in the Regulations]	50 dollars
For the consideration of the request: for the anticipatory publication of information about the application for an invention	50 dollars
for the recall of the application for granting an open license	50 dollars
for the recall of the application with the obligation for the transfer of the exclusive right to an invention	50 dollars
for the extension of the validity term of the patent for an invention	200 dollars
for the extension of the validity term of the patent for a utility model, industrial design and of the certificate of a utility model [Subitem (c) of Item 1 in the Regulations]	50 dollars
For the restoration of the right of the conventional priority in the application for an invention [Subitem (t) of Item 1 in the Regulations].	50 dollars
For the prolongation of the time for the filing of an application for an invention, an application for a utility model or an application for an industrial design with a solicitation of a convention priority (Subitem (r) of Item 1 of the Regulations)	50 dollars

**REGULATIONS FOR REGISTRATION FEES FOR OFFICIAL REGISTRATION OF SOFTWARE, DATA BASES AND INTEGRAL MICROCIRCUIT TOPOLOGIES (Approved by the Decision of the Council of Ministers (Government) of the Russian Federation No. 793 of August 12, 1993) (with the Amendments and Additions of April 23, 1994, October 9, 1995, July 4, 2003)**

Item 2 of the Decision, approving these Regulations, was declared abrogated