The Journal of the Intellectual Property Office of New Zealand

Journal Number 1682
Published on 30 August 2019
ISSN 2422-9652

Days on which the Intellectual Property Office is Closed

In accordance with section 223 of the Patents Act 2013, section 188 (1) of the Trade Marks Act 2002 and section 45(1) of the Designs Act 1953, the Intellectual Property Office of New Zealand is open every day except the following Official closed days:

a. All Saturdays and Sundays
b. Wellington Anniversary Day
c. The holiday observed as Waitangi Day
d. Good Friday and Easter Monday
e. The holiday observed as ANZAC Day
f. The holiday observed as the Sovereign's birthday
g. Labour Day
h. Christmas Day, to and including:
   • the 2nd day of January in any year when New Year’s Day falls on a Monday, Tuesday, Wednesday or Thursday or
   • the 3rd day of January in any year when New Year’s Day falls on a Sunday or
   • the 4th day of January in any year when New Year’s Day falls on a Friday or Saturday

The Intellectual Property Office of New Zealand physical office is open for business 8.30am – 5.00pm NZDST.

Applications and documents for Patents, Trade Marks or Designs that are submitted online on an open day will receive that day as a filing date if they are submitted no later than 11.59pm NZDST.

Applications and documents submitted online on a day when the Office is closed will receive the date of the next open day as the official filing date regardless of the date of submission.

If the deadline for filing an application or document falls on a day when the Office is closed, then the application or document will be filed on the next open day.

Please note:

As a general rule, if the details of an invention or design, for which an application for a patent or design registration is to be made, are published prior to the official filing date, it may invalidate the patent or registration. Therefore, if a patent or design application is submitted online on an official closed day, the details of the invention or design should not be publicly disclosed until after the official filing date which will be later than the date of online submission.

It is mandatory to use the online case management facility when communicating with IPONZ about International and New Zealand Trade Marks and Patents filed under the Patents Act 2013. Communications received outside the case management facility will not be considered valid unless exceptional circumstances exist.

Dated this 2 February 2017

Ross van der Schyff
Commissioner of Patents
Commissioner of Trade Marks
Commissioner of Designs
IPONZ Fee Schedule
From 10 December 2012

Patents Act 1953
Fee (excl. Fee GST) (incl.GST)
Amend Complete Specification $60.00 $69.00
Amendment of ownership due to death of original applicant or cessation of original body corporate $60.00 $69.00
Renewals
4th year renewal $170.00 $195.50
7th year renewal $340.00 $391.50
10th year renewal $540.00 $621.00
13th year renewal $1000.00 $1150.00
Sealing
Further patent on loss or destruction $30.00 $34.50
Oppositions/Hearings
On all notices of opposition by opponent $300.00 $345.00
On hearing by Commissioner, for each party $750.00 $862.50
Copies
For all copies of Certificates, certified copies or extracts from the Register FREE

Trade Marks
The Trade Marks Amendment Regulations 2012 introduce fee changes on 10 December 2012. See the table below for details of the fee changes. To read more about the Regulations see Trade Mark Regulations 2003

Fee (excl. Fee GST) (incl.GST)
Search/Advice
Request for Search (per class) $40.00 $46.00
Request for Preliminary Advice (per class) $40.00 $46.00
Application
Application for Trade Mark (per class) $150.00 $172.50
Application for additional class(es) (per class) $150.00 $175.50
Renewals
Renewal of all trade marks including series marks (per class) $350.00 $402.50
Oppositions/Hearings
Notices of Opposition by Opponent $350.00 $402.50
Hearing fee for each party $850.00 $977.50
Application for Revocation of Application of Trade Mark $350.00 $402.50
Application for Declaration of Invalidity of Trade Mark $350.00 $402.50

Patents Act 2013 and Patent Regulations 2014 – Schedule Fees and Penalties
The fees and penalties schedule for all matters under the Patents Act 2013 and Patents Regulations 2014 is set out below.

Part 1
Matters under Act and regulations
Section of Act Fee (excl. Fee GST) (incl.GST)
20(2) Renewal fee due on the 4th, 5th, 6th, 7th, 8th, and 9th anniversary of the filing date of the complete specification $100.00 $115.00
20(2) Renewal fee due on the 10th, 11th, 12th, 13th, and 14th anniversary of the filing date of the complete specification $200.00 $230.00
20(2) Renewal fee due on the 15th, 16th, 17th, 18th, and 19th anniversary of the filing date of the complete specification $350.00 $402.50
21(2)(c) Penalty payable for request to extend the period for payment of a renewal fee $50.00 $57.50
32 Patent application accompanied by a provisional specification $100.00 $115.00
32 Patent application accompanied by a complete specification (including convention applications) $100.00 $115.00

IPONZ Fee Schedule
From 10 December 2012

Patents Act 2013
Fee (excl. Fee GST) (incl.GST)
Applications
Application to register one design to a single article $100.00 $115.00
Application to register one design to a set of articles $100.00 $115.00
Renewals
(2nd period of 5 years) $100.00 $115.00
(3rd period of 5 years) $200.00 $230.00
Oppositions/Hearings
On all notices of opposition by opponent $300.00 $345.00
Hearing by Commissioner, for each party $750.00 $862.50
Copies
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Patent Attorney
Fee (excl. Fee GST) (incl.GST)
Examination for registration as patent attorney- per paper $25.00 $28.75

Registration $350.00 $402.50

Designs
Fee (excl. Fee GST) (incl.GST)
Applications
Application to register one design to a single article $100.00 $115.00
Application to register one design to a set of articles $100.00 $115.00
Renewals
(2nd period of 5 years) $100.00 $115.00
(3rd period of 5 years) $200.00 $230.00
Oppositions/Hearings
On all notices of opposition by opponent $300.00 $345.00
Hearing by Commissioner, for each party $750.00 $862.50
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Smart Christchurch Innovation Expo 2019
Pursuant to Section 9(2) of the Patents Act 2013 and Section 10(2) of the Designs Act 1953, I, Ross van der Schyff, Commissioner of Patents and Designs, do hereby declare the Smart Christchurch Innovation Expo 2019 to be held at Christchurch Town Hall, Kilmore Street, Christchurch Central, New Zealand, on 9 September to 10 September 2019, including oral presentations, to be an Industrial Exhibition for the purposes of the said Acts.

Ross van der Schyff
Commissioner of Patents and Designs
30 August 2019

Please see the PCT fee schedules on the WIPO website for the most current information.

The Patent Cooperation Schedule of Fees has been amended with effect from 1 January 2017. The revised schedule of fees is as follows.

### The International Phase:

**New Zealand component**

The transmittal fee for each international application:

NZD $180.00 + $27.00 (GST) = $207.00

**International component**

The International fees, collected by the Intellectual Property Office of New Zealand on behalf of the International Bureau, are as follows ("Rule" refers to the Regulations under the Patent Cooperation Treaty):

#### Basic Fee: (Rule 15.2(a)):

- International Filing Fee
  - NZD $2044.00
- Fee per sheet over 30
  - NZD $23.00
- e-PCT PDF Filing Reduction
  - NZD $307.00
- e-PCT XML Filing Reduction
  - NZD $461.00

#### International Search Fee: (Rule 16.1(b)):

The Australian Patent Office, the European Patent Office and United States Patent Offices have been specified, pursuant to Articles 16(2) and 32(2) of the Patent Cooperation Treaty, as being competent for the searching and preliminary examination of international applications filed with the Intellectual Property Office of New Zealand. Only one search authority is to be selected. The search fees, collected by IPONZ on behalf of the requisite International Searching Authority, are as follows:

- Australian Patent Office (AU)
  - NZD $2403.00
- European Patent Office (EP)
  - NZD $2921.00
- Korean Intellectual Property Office (KR)
  - NZD $1667.00
- United States Patent and Trade Mark Office (US)
  - NZD $3145.00
- (US) small entity search
  - NZD $1573.00
- (US) micro entity search
  - NZD $786.00

**NOTE:**

1. The listed fees are exclusive of GST (except where stated).
2. IPONZ require direct credit payments for PCT International applications. Once you have filed a PCT International application you will receive an email with the summary of the fees due. The email will also include MBIE PCT Trust Account details which you will need to direct credit your payment into.

### National Phase:

On entry into the national phase of a Treaty application for a patent

NZD $250.00 + ($37.50 GST where applicable)

Please use our online service (www.iponz.govt.nz/manage-ip > Apply for a PCT national phase entry) to file a National Phase application.