

WIPO



SCP/3/6 Add.1

ORIGINAL: English/French

DATE: September 20, 1999

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
GENEVA

STANDING COMMITTEE ON THE LAW OF PATENTS

Third Session
Geneva, 6 to 14 September 1999

ADDITIONAL INFORMATION CONCERNING FEE REDUCTIONS BY THE OFFICES (2)

Document prepared by the International Bureau

1. The information contained in Annex I of this document, received from the Industrial Property Office of Belgium concerning fee reductions with respect to patents, is additional to the information contained in Annex I of document SCP/3/6.
2. The information contained in Annex II of this document, received from China, should replace the corresponding information contained in Annex I of document SCP/3/6.

[Annex follow]

ANNEX I

Additional Information Concerning Fee Reductions of Patent Offices with Respect to Patents

State/ Organization	Applicant/Owner Who is Entitled to Fee Reduction	Types of Patent Fees Reduced	Amount of Reduction	Notes	Legislation
Belgium	Natural person, who is a national of a member country of the EEA or the WTO, if his revenue does not exceed the tax-exempted revenue under Articles 131 <i>et seq.</i> of Income Tax Code, 1992. (If necessary, the revenue in foreign currency is converted to Belgian francs by an average exchange rate.)	Fees and supplementary fees concerning patents for inventions, except a search fee.	50%	<p>A request for a fee reduction shall be submitted in writing to the Director of the Industrial Property Office, and be accompanied by a certificate of revenue issued by the administration concerned (for a person living in Belgium).</p> <p>A decision by the Minister of Economic Affairs is notified to an applicant. If the request is accepted, the benefit of the reduction is acquired by the applicant, subject to the submission of the certificate of revenue every year.</p>	<p>Article 71(3) of the Law on Patents for Inventions, March 28, 1984, adapted by Article 7 of the Law of January 28, 1997, adapting the Law of March 28, 1984 to the TRIPS Agreement</p> <p>Article 12 of the Royal Decree of December 18, 1986, relating to fees and supplementary fees concerning patents for inventions</p>

[Annex II follows]

ANNEX II

Correction in Annex I of document SCP/3/6 (Fee Reductions by the Offices)

State/ Organization	Applicant/Owner Who is Entitled to Fee Reduction	Types of Patent Fees Reduced	Amount of Reduction	Notes	Legislation
China	Natural person or legal entity having difficulties in paying patent fees ¹	- Application fee (for three kinds of patents)	75% maximum	Applicable to cases where there is only one applicant and the applicant is a natural person	Implementing Regulations of the Chinese Patent Law, Rule 90 Provisions on the Reduction of Patent Fees, issued by the Chinese Patent Office on August 18, 1992, amended on October 10, 1992
		- Maintenance fees for patent for invention - Examination fee for patent for invention - Re-examination fee (for three kinds of patents) - Annual fees (for the first three years)	50% maximum	Applicable to cases where there are two or more applicants, and these applicants are natural persons or only one of them is a legal entity	

[End of Annex II and of document]

¹ (1) Fee reductions are applied to Chinese nationals and entities only.

(2) No fee reductions for applications filed by two or more than two entities.

(3) In applying for fee reductions, a natural person shall be asked to make a statement on his annual income. The Office may ask him to furnish necessary material to support his statement. Entities that wish to apply for fee reductions need to make a statement on why they are in difficulties for paying the fees. The statement needs to be certified by the competent authorities.

(4) After the applicant/owner has gained economic benefits from his patented invention, the Patent office may ask him to pay the amount reduced back to the Office.