

27 June 2018

## IPONZ proposes changes to its fee regime

The Intellectual Property Office of New Zealand (IPONZ) is in the process of reviewing its current fee regime.

IPONZ is responsible for regulating the registration and use of trade marks, designs, and patents in New Zealand. IPONZ's fees fund the regulation of these aspects of intellectual property. However, after its most recent review of this fee regime, IPONZ has concluded that change is necessary.

A key factor in IPONZ's proposed changes is the current imbalance between the costs of regulating patents and the costs of regulating trade marks. Currently, IPONZ is charging too little when regulating patents (meaning the cost of doing so currently exceeds revenue, a deficit that is forecast to increase). Conversely, it is charging too much when regulating trade marks (meaning revenues exceed, and are forecast to continue to exceed, costs).

IPONZ has concluded that if current fees for patents and trade marks are maintained, trade mark revenue will cross-subsidise patent costs. To address this inefficiency, IPONZ proposes to set fees for trade marks and patents that are proportional to their respective share of the expenses. IPONZ does not propose any changes to design fees.

As an example, the proposed fee changes would see the fee for a request for examining a patent increase from \$500 to \$750. In contrast, the cost of registering a trade mark would reduce from a flat fee of \$150 per class to between \$50 and \$100 per class. Overall, these proposed changes aim to increase the complexity of IPONZ's fee structures. Similar fee structures exist in Australia, the UK, and Canada.

IPONZ is welcoming submissions on these proposed changes. Submissions close at 5 pm on 30 July 2018. To submit, email [mail@iponz.govt.nz](mailto:mail@iponz.govt.nz).

We would be very happy to discuss any of the above with you.

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