



What's New



Announcement of CNIPA on Adjusting Partial Patent Fee Standards and Reduction Policies

In accordance with the *Notice of the National Development and Reform Commission of the Ministry of Finance on Adjustment and Optimization of Patent Fee Policies*, the CNIPA will adjust partial patent fee standards and reduction policies from the date of issuance of the aforementioned notice. The relevant matters are announced as follows:

1. For a patent term adjustment(PTA) request, an official fee of RMB**200 per case** will be charged. If the PTA request meets the conditions for adjustment upon examination, **an official fee of RMB 8,000 for each annual per case** will be charged for the adjusted term. No official fee will be charged for periods less than one year.
2. The official fee of annuities for a patent during its open licensing period will **be reduced by 15%**. If other patent fee reduction policies are also applicable, the most favorable policy will apply, but benefits will not be cumulative.
3. For a bulk change request of the name of the applicant (or patentee) in the bibliographic data of multiple applications/patents without involving the transfer of rights, **the official fee will be charged as if it were for a single application/patent.**
4. For international patent applications (PCT applications) accepted and searched by the CNIPA as the receiving office and the search authority, the official fees for the filing fee and any extra fees

will be exempt when entering the national phase in China. For PCT applications where the CNIPA has prepared an international search report or an international preliminary examination report on patentability, the substantive examination official fee will be exempt when entering the national phase in China with a request for substantive examination. Other fee standards for PCT applications entering the Chinese national phase will be implemented according to those for domestic applications.

Notice on Payment of Fees for Patent Term Adjustment (PTA)

According to the relevant regulations issued by the CNIPA, patentees who have requested patent term adjustment before July 26, 2024, shall pay a fee for requesting patent term adjustment by October 26, 2024. Those who fail to pay or pay less than the required fee by the deadline will not be granted patent term adjustment.

If the CNIPA decides to grant the patent term adjustment, the patentee shall pay the annual official fee for the adjusted term in one lump

sum before the expiration of the 20-year patent term, as required by the patent term adjustment approval decision. There is no late fee or grace period for the patent term adjustment annual fee, and the regulations regarding fee reduction and exemption as stipulated in the *Patent Fee Reduction and Exemption Measures* shall not apply. Where the required patent term compensation annual fee is not paid or not paid in full by the deadline, a patent term adjustment will be not granted.

Newsletter from Tee & Howe Intellectual Property Attorneys

Address: Suite 5-12, 5th Floor, Tower W1, The Tower Offices,
Oriental Plaza, No.1 East Chang'an Avenue, Dongcheng District,
Beijing 100738, China
Tel:(86 10) 8529 5526
Fax:(86 10) 8529 5528
Email:teehowe@teehowe.com
Website:www.teehowe.com

Wechat Account QR Code:



Beijing

Japan

Germany

Changsha

Baoding

Disclaimer: The text of this newsletter is for information purpose only. Tee & Howe disclaims any legal responsibility for any actions you may take based on the text in this newsletter.