



STATUTORY INSTRUMENTS.

S.I. No. 205 of 2017



PATENTS, TRADE MARKS AND DESIGNS (FEES) (AMENDMENT)
RULES 2017

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PATENTS, TRADE MARKS AND DESIGNS (FEES) (AMENDMENT)
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I, MARY MITCHELL O'CONNOR, Minister for Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by sections 99 and 114 of the Patents Act 1992 (No. 1 of 1992) and in relation to the said section 99 with the sanction of the Minister for Public Expenditure and Reform, hereby make the following Rules:

1. (1) These Rules may be cited as the Patents, Trade Marks and Designs (Fees) (Amendment) Rules 2017.

(2) These Rules shall come into operation on 19th May 2017.

2. In these Rules—

“Principal Rules” means the Patents, Trade Marks and Designs (Fees) Rules 2001 (S.I. No. 482 of 2001).

“Rules of 2012” means the Patents (Amendment) Rules 2012 (S.I. No. 30 of 2012).

3. The Principal Rules are amended in Schedule 1 (as amended by Rule 3(1)(a) of the Rules of 2012)—

(a) by substituting the following text for the text in columns (1), (2) and (3) of reference number 6

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| | | |
|-----|--|--------|
| 6. | On request for a search under section 29 in respect of a patent application made before these Rules come into operation (Rule 24) | 200.00 |
| 6A. | On request for a section 29 report and opinion in respect of a patent application made on or after these Rules come into operation (Rule 24) | 200.00 |

”

and

(b) by inserting the following text in columns (1), (2) and (3) after reference number 21

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| | | |
|-----|--|--------|
| 21A | On request for a search report under section 66(1)(a) or (6) (Rule 45) | 200.00 |
|-----|--|--------|

”

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 23rd May, 2017.*

4. The Minister for Public Expenditure and Reform hereby gives his sanction to the making of the foregoing Rules.



GIVEN under my Official Seal,
19 May 2017.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.

MARY MITCHELL O'CONNOR,
Minister for Jobs, Enterprise and Innovation.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The Patents Act 1992 has been amended to re-introduce substantive examination of Irish patent applications. These amendments to the Patents, Trade Marks and Designs (Fees) Rules 2001 (S.I. No. 482 of 2001) prescribe a fee of €200 for the submission of a report and opinion as to the patentability of an application under Section 29 of the Patents Act 1992. It also prescribes a fee of €200 for holders of short-term patents to request a search report under Section 66 of the Patents Act 1992 before taking infringement proceedings.

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