

**Regulation of the Council of Ministries**  
of 2 March 2004  
**amending the Regulation on fees relating to**  
**the protection of inventions, utility models, industrial designs,**  
**trademarks, geographical indications and topographies of integrated circuits**

By virtue of Article 222(3) of the act of 30 June 2000 – Industrial Property Law (Journal of Laws of 2003, No 119 text 1117 and 2004 No 33 text 286) the following is decreed:

1. In Regulation of the Council of Ministries of 29 August 2001 on fees relating to the protection of inventions, utility models, industrial designs, trademarks, geographical indications and topographies of integrated circuits (Journal of Laws No 90, text 1000) Annexes 1 to 5 shall read as follows in Annexes 1 to 5 to this Regulation.

2. The provisions of this Regulation shall apply to:

- (i) single fees charged for applications, requests and other acts performed starting from the date of entry into force of this Regulation, unless a fee has been paid before that date;
- (ii) periodic fees, that fall due from the date of entry into force of this Regulation, unless a fee for a given protection period has been paid earlier under the existing provisions or its amount was fixed in a decision on the grant of an exclusive right taken before the entry into force of this Regulation.

3. The provisions of this Regulation governing the fees specified in Annexes: No 1 item 1.9 and 2.20, No 2 item 1.2, No 3 item 1.3 and 1.4 and No 4 item 2 shall apply from the date of Republic of Poland's accession to the European Union.

4. This Regulation shall enter into force on the date of its publication.

**Regulation of the Council of Ministries**  
of 29 August 2001  
**on fees relating to the protection of inventions, utility models, industrial designs,**  
**trademarks, geographical indications and topographies of integrated circuits**

By virtue of Article 222(3) of the act of 30 June 2000 – Industrial Property Law (Journal of Laws of 2001, No 49 text 508) the following is decreed:

1. This Regulation determines in detail the principles of fixation, payment and amounts of single fees and renewal fees levied on account of the protection of inventions, utility models, industrial designs, trademarks, geographical indications and topographies of integrated circuits.

2.-(1) Any reference in this Regulation to the Law shall mean the Act of 30 June 2000 - Industrial Property Law.

(2) References in this Regulation to indefinite articles shall mean the Articles of the Law.

**3.** Fees levied on account of the protection of inventions, utility models, industrial designs, trademarks, geographical indications and topographies of integrated circuits shall be fixed while taking into account the following:

- (i) a kind of the subject of industrial property,
- (ii) division of the fees into single fees and renewal fees,
- (iii) costs incurred by the Patent Office of the Republic of Poland, hereinafter referred to as “the Patent Office” during proceedings for the grant of a patent or a right of protection,
- (iv) an inflation rate.

**4.-(1)** The amount of the fees due for the protection of inventions and utility models shall be determined in Annex 1 to this Regulation.

(2) The amount of the fees due for the protection of industrial designs shall be determined in Annex 2 to this Regulation.

(3) The amount of the fees due for the protection of trademarks shall be determined in Annex 3 to this Regulation.

(4) The amount of the fees due for the protection of geographical indications shall be determined in Annex 4 to this Regulation.

(5) The amount of the fees due for the protection of topographies of integrated circuits shall be determined in Annex 5 to this Regulation.

**5.-(1)** The fees referred to in section 4 shall, subject to paragraph (3), be paid by payment or transfer, or by postal orders to a bank account held by the Patent Office.

(2) Fees due on different accounts shall be paid separately.

(3) Fees for requests for lodging a complaint to the Supreme Administration Court or making an extraordinary appeal to the Supreme Court, submitted to an authority other than the Patent Office and authorised to lodge complaints or make extraordinary appeals shall be paid to a bank account held by that authority.

**6.** An opposition fee shall be subject to reimbursement where the decision is reversed without the case being submitted for settlement in litigation proceedings.

**7.-(1)** A fee for a request for lodging, by the President of the Patent Office, a complaint to the Supreme Administration Court or making an extraordinary appeal to the Supreme Court shall be liable to reimbursement, if the complaint is lodged or the extraordinary appeal made.

(2) In case of requests for lodging a complaint to the Supreme Administration Court or making an extraordinary appeal to the Supreme Court being submitted to another authority authorised to lodge complaints or to make extraordinary appeals, the provision of paragraph (1) shall apply accordingly.

**8.-(1)** The provisions of this Regulation shall apply to:

- (i) single fees levied for applications, requests and other acts done after the date of the entry into force of this Regulation, unless a fee has been paid before the date of its entry into force,
- (ii) renewal fees which fall due after the date of the entry into force of this Regulation, unless the fee has been paid before the date of its entry into force under the existing provisions, or the amount of the fee has been fixed in a decision on the grant of the exclusive right taken before the date of the entry into force of this Regulation.

(2) Where a renewal fee for the protection of an invention, paid before the date of the entry into force of this Regulation under the existing provisions, also includes a fee for a part of the subsequent protection period provided for in this Regulation, the supplementary fee for that subsequent protection period shall be paid at the amount of 50% of the fee laid down in this Regulation for that period, within the time limit provided for the payment of the fee for a given year of protection in accordance with the existing provisions.

(3) In case of inventions for which patents have been granted under the existing provisions for 15-year term, the fee due for the fifteenth year of the protection of the invention shall be paid at the amount of 50% of the fee provided for in this Regulation for the sixth protection period.

**9.** This Regulation shall enter into force as from the date of its promulgation (*31 August 2001*)

## Annex 1

### SCHEDULE OF FEES FOR THE PROTECTION OF INVENTIONS AND UTILITY MODELS

	SPECIFICATION	Amount in PLN
1	2	3
<b>I</b>	<b>Single fees</b>	
1.	For patent or utility model application - for each page exceeding 20 pages of the description, claims and drawings For the declaration of priority – for each priority claimed	500,00* 25,00 100,00
2.	Transmittal fee (for PCT application**)	300,00
3.	National fee (for PCT application**): - without preliminary examination having been carried out - with preliminary examination having been carried out	500,00* 350,00*

	- for each additional page exceeding 20 pages of the translation of the description, claims and drawings - for the declaration of priority – for each priority claimed	25,00 100,00
4.	For transmittal of a European patent application or a European patent application under the PCT	300,00
5.	For a request for earlier publication	60,00
6.	For a request for the postponement of the payment of a fee	40,00
7.	For a request for the restoration of a time limit or the excuse of non-observance of a time limit because of exceptional circumstances occurred	70,00
8.	For a request for the grant of a right of protection for an invention applied	100,00
9.	For an application for the grant of a supplementary right of protection	500,00
10.	For a request for re-examination of the matter: - in connection with the order issued*** - in connection with the decision taken	50,00 100,00
11.	For the publication of the mention of the grant of a patent, publication of the mention of the grant of a supplementary right of protection and for printing of the patent specification up to 10 pages of the specification or for the publication of the translation of the European patent up to 10 pages of the specification - for printing of 11 <sup>th</sup> and each subsequent page of the patent specification – for each typescript page or of a sheet of drawings	80,00 6,00
12.	For the publication of the mention of the grant of the right of protection for a utility model	60,00
13.	For a declaration of licences of rights (open licence)	60,00
14.	For the issue of a duplicate of letters patent or of a certificate of protection: - up to 20 pages - in excess of 20 pages	80,00 150,00
15.	For an excerpt from the register	10,00
16.	For the preparation of the document of the filing of a patent application (the priority document) - up to 20 pages - in excess of 20 pages	60,00 125,00
17.	For the preparation of the document of the filing of a utility model application (the priority document) - up to 20 pages - in excess of 20 pages	60,00 125,00
18.	For a request for making a change in the register	50,00
19.	For a notice of opposition	400,00
20.	For a request for taking a decision in litigation proceedings	400,00
21.	For a request for lodging a complaint to the Supreme Administration Court	400,00
22.	For a request for sending communications to addresses additionally indicated (Article 241(2)) - for each additional address	100,00

<b>II</b>	<b>Renewal fees</b>	
1.	for the five-year patent protection period (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> year of protection)	270,00
2.	for the 4 <sup>th</sup> year of protection	100,00
3.	for the 5 <sup>th</sup> year of protection	210,00
4.	for the 6 <sup>th</sup> year of protection	260,00
5.	for the 7 <sup>th</sup> year of protection	300,00
6.	for the 8 <sup>th</sup> year of protection	350,00
7.	for the 9 <sup>th</sup> year of protection	450,00
8.	for the 10 <sup>th</sup> year of protection	550,00
9.	for the 11 <sup>th</sup> year of protection	650,00
10.	for the 12 <sup>th</sup> year of protection	750,00
11.	for the 13 <sup>th</sup> year of protection	850,00
12.	for the 14 <sup>th</sup> year of protection	950,00
13.	for the 15 <sup>th</sup> year of protection	1 050,00
14.	for the 16 <sup>th</sup> year of protection	1 150,00
15.	for the 17 <sup>th</sup> year of protection	1 250,00
16.	for the 18 <sup>th</sup> year of protection	1 350,00
17.	for the 19 <sup>th</sup> year of protection	1 450,00
18.	for the 20 <sup>th</sup> year of protection	1 550,00
19.	for the protection of the invention being the subject matter of a patent of addition	1 300,00
20.	For each commenced year of protection of the invention for which the supplementary right of protection has been granted	5 000,00
21.	for the first utility model protection period (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> year of protection)	200,00
22.	for the second utility model protection period (4 <sup>th</sup> and 5 <sup>th</sup> year of protection)	270,00
23.	for the third utility model protection period (6 <sup>th</sup> , 7 <sup>th</sup> and 8 <sup>th</sup> year of protection)	800,00
24.	for the fourth utility model protection period (9 <sup>th</sup> and 10 <sup>th</sup> year of protection)	1 000,00

- \* Where one application covers more than two inventions, the fee is increased of 50

- \*\* PCT – Patent Co-operation Treaty

\*\*\* this does not apply to requests for the exemption from the payment of a fee

## Annex 2

**SCHEDULE OF FEES FOR THE PROTECTION OF INDUSTRIAL DESIGNS**

	SPECIFICATION	Amount in PLN
1	2	3
<b>I</b>	<b>Single fees</b>	
1.	For industrial design application For a declaration of priority – for each priority claimed	300,00 100,00
2.	For transmittal of a Community design application	120,00
3.	For a request for postponement of the payment of a fee	40,00
4.	For a request for the restoration of a time limit or the excuse of non-observance of a time limit because of exceptional circumstances occurred	70,00
5.	For a request for re-examination of the matter: - in connection with the order issued* - in connection with the decision taken	50,00 100,00
6.	For an excerpt from the register	40,00
7.	For the preparation of the priority document - up to 10 pages - in excess of 10 pages	30,00 60,00
8.	For the publication of the mention of the grant of a right of registration	60,00
9.	For the issue of a duplicate of a certificate of registration: - up to 10 pages of the enclosure - in excess of 10 pages of the enclosure	50,00 100,00
10.	For a request for making a change in the register – for each change made	50,00
11.	For a notice of opposition	400,00
12.	For a request for taking a decision in litigation proceedings	400,00
13.	For a request for lodging a complaint to the Supreme Administration Court	400,00
14.	For a request for sending communications to addresses additionally indicated (Article 241(2)) - for each additional address	100,00
<b>II</b>	<b>Renewal fees</b>	
1.	for the first design protection period (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> year of protection)	400,00
2.	for the second design protection period (6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> , 9 <sup>th</sup> and 10 <sup>th</sup> year of protection)	1 000,00
3.	for the third design protection period (11 <sup>th</sup> , 12 <sup>th</sup> , 13 <sup>th</sup> , 14 <sup>th</sup> and 15 <sup>th</sup> year of protection)	2 000,00
4.	for the fourth design protection period (16 <sup>th</sup> , 17 <sup>th</sup> , 18 <sup>th</sup> , 19 <sup>th</sup> and 20 <sup>th</sup> year of protection)	3 000,00
5.	for the fifth design protection period (21 <sup>st</sup> , 22 <sup>nd</sup> , 23 <sup>rd</sup> , 24 <sup>th</sup> and 25 <sup>th</sup> year of protection)	4 000,00

\* this does not apply to requests for the exemption from the payment of a fee

## Annex 3

## SCHEDULE OF FEES FOR THE PROTECTION OF TRADEMARKS

	SPECIFICATION	Amount in PLN
1	2	3
<b>I</b>	<b>Single fees</b>	
1.	For a request for the grant of a right of protection for a trademark up to three classes of goods according to the applicable classification of goods and services - for each class exceeding three - for the declaration of priority – for each priority claimed	500,00 100,00 100,00
2.	For a request for conversion of an international registration or a Community trademark into a national application	500,00
3.	For a request for conversion of a Community trademark application into a national application	500,00
4.	For transmittal of a Community trademark application	120,00
5.	For division of the application – for each additional application	500,00
6.	For a request for postponement of the payment of a fee	40,00
7.	For a request for the restoration of a time limit or the excuse of non-observance of a time limit because of exceptional circumstances	70,00
8.	For a request for re-examination of the matter: - in connection with the order issued* - in connection with the decision taken	50,00 100,00
9.	For the publication of the mention of the grant of a right of protection	60,00
10.	For the issue of a duplicate of a certificate of protection:	80,00
11.	For an excerpt from the trademark register or from the auxiliary register	40,00
12.	For the preparation of the priority document	30,00
13.	For a request for making a change in the register – for each change made	50,00
14.	For a request for replacement of the national registration with the international registration	50,00
15.	For a request for filing a request by the Patent Office of the Republic of Poland for entry in the international register of a change concerning a trademark international registration	200,00
16.	For a notice of opposition	400,00
17.	For a request for taking a decision in litigation proceedings	400,00
18.	For a request for lodging a complaint to the Supreme Administration Court	400,00
19.	For a request for international registration	400,00
20.	For a request for the renewal of the registration	150,00
21.	Additional fee for the late submission of the request for the renewal of the registration	150,00
22.	For a request for sending communications to addresses additionally	

	indicated (Article 241(2)) - for each additional address	100,00
<b>II</b>	<b>Renewal fees (for a ten-year protection period)</b>	
	Up to three classes of goods in accordance with the applicable classification of goods, for each class	350,00
	- for each subsequent class of goods	400,00

\* this does not apply to requests for the exemption from the payment of a fee

#### Annex 4

### SCHEDULE OF FEES FOR THE PROTECTION OF GEOGRAPHICAL INDICATIONS

	SPECIFICATION	Amount in PLN
1	2	3
1.	For a geographical indication application	300,00
2.	For checking whether the filing of a geographical indication or a designation of origin application has been justified*	300,00
3.	For a request for postponement of the payment of a fee	40,00
4.	For a request for the restoration of a time limit or the excuse of non-observance of a time limit because of exceptional circumstances occurred	70,00
5.	For a request for re-examination of the matter: - in connection with the order issued* - in connection with the decision taken	50,00 100,00
6.	For the publication of the mention of the grant of a right in registration	60,00
7.	For the issue of a duplicate of a certificate of registration	60,00
8.	For an excerpt from the register	40,00
9.	For a request for making a change in the register – for each change made	50,00
10.	For a notice of opposition	400,00
11.	For a request for taking by the Patent Office of a decision in litigation proceedings	400,00
12.	For a request for lodging a complaint to the Supreme Administration Court	400,00
13.	For a request for sending communications to addresses additionally indicated (Article 241(2)) - for each additional address	100,00
14.	For the protection of a geographical indication	1 000,00

\* This applies to applications filed under Regulation 2081/92/EEC of 14 July 1992 on the protection of geographical indications and designations of origin for agriculture products and foodstuffs (OJ L 208 of 27.07.1992, p.1)

\* \*this does not apply to requests for the exemption from the payment of a fee



**SCHEDULE OF FEES FOR THE PROTECTION OF  
TOPOGRAPHIES OF INTEGRATED CIRCUITS**

	SPECIFICATION	Amount in PLN
1	2	3
<b>I</b>	<b>Single fees</b>	
1.	For a topography of integrated circuits application	250,00
2.	For a declaration on putting on the market of the topography before filing the application	60,00
3.	For a request for postponement of the payment of a fee	40,00
4.	For a request for the restoration of a time limit or the excuse of non-observance of a time limit because of exceptional circumstances occurred	70,00
5.	For a request for re-examination of the matter: - in connection with the order issued* in connection with the decision taken	50,00 100,00
6.	For the publication of the mention of the grant of a right of registration	60,00
7.	For the issue of a duplicate of a certificate of registration	60,00
8.	For an excerpt from the register	40,00
9.	For a request for making a change in the register – for each change made	50,00
10.	For a notice of opposition	400,00
11.	For a request for taking a decision in litigation proceedings	400,00
12.	For a request for lodging a complaint to the Supreme Administration Court	400,00
13.	For a request for sending communications to addresses additionally indicated (Article 241(2)) - for each additional address	100,00
<b>II</b>	<b>Renewal fees</b>	
1.	For the first period of protection of the topography of integrated circuits covering a period up to five years fixed according to the rule in Article 220	550,00
2.	For the second period of protection of the topography of integrated circuits covering the remaining years of protection,	800,00

\* this does not apply to requests for the exemption from the payment of a fee