



Tonga

**INDUSTRIAL PROPERTY (AMENDMENT)
REGULATIONS 2010**



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INDUSTRIAL PROPERTY (AMENDMENT) REGULATIONS 2010

INDUSTRIAL PROPERTY ACT 1994

IN EXERCISE of the powers conferred by section 44 of the Industrial Property Act 1994, the Minister of Labour, Commerce and Industries with the consent of Cabinet, makes the following Regulations -

1 Short Title

These Regulations may be cited as the Industrial Property (Amendment) Regulations 2010.

2 First Schedule Repealed and Replaced

The First Schedule of the Industrial Property Regulations 1998, is repealed and replaced with the following -

“SCHEDULE

FEES

	Patents and Utility Model Certificates	Proposed Fees (T\$)	Form
1	Request for a patent	\$200	Form No. 1
2	Each divisional application for patent	\$200	Form No. 1
3	Request for a utility model certificate	\$160	Form No. 1
4	Each divisional application for	\$160	Form No. 1

	a utility model		
5	Amendment of application at instance of application.	\$150	Form No. 1
6	Correction of application on request of Registrar.	\$90	
7	Preparation of abstract by Registrar	\$100	
8	Grant and publication fee	\$360	Form No. 2
9	Annual fees for patents: 1 st anniversary of filing 2 nd anniversary of filing 3 rd anniversary of filing 4 th anniversary of filing 5 th anniversary of filing 6 th anniversary of filing 7 th anniversary of filing 8 th anniversary of filing 9 th anniversary of filing 10 th anniversary of filing 11 th anniversary of filing 12 th anniversary of filing 13 th anniversary of filing 14 th anniversary of filing	\$200 \$240 \$280 \$320 \$360 \$400 \$440 \$480 \$520 \$560 \$600 \$640 \$680 \$720	
	Where the term is extended, for each year	\$1000	Form No. 3
10	Annual fees for utility model certificates: 1 st anniversary of filing 2 nd anniversary of filing 3 rd anniversary of filing 4 th anniversary of filing 5 th anniversary of filing 6 th anniversary of filing	\$110 \$120 \$130 \$140 \$150 \$160	
11	Surcharge for late payment of annual fee	\$110	
12	Request for extension of duration of a patent	\$550	Form No. 4
13	Request for grant of a non-voluntary license	\$400	

14	Request for a conversion of a patent Application into an application for a utility Model certificate and vice versa.	\$600	Form No. 5
	Industrial Designs		
15	Application for registration	\$100	
16	Correction of application on request of Registrar	\$70	
17	Registration and publication fee	\$120	
18	Renewal fee: (a) first renewal (b) second renewal	\$100 \$110	
19	Surcharge for the payment of renewal fee:	\$100	
	Marks		
20	Application fee: (a) for registration of a mark in one class (b) for registration of a mark in each additional class	\$200 \$160	
21	Request for statement of grounds for decision of Registrar	\$120	
22	Filing notice of opposition	\$180	
23	Filing counter-statement	\$160	
24	Filing request for hearing	\$150	
25	Fee for hearing in opposition proceedings (to be paid by applicant and by opponent)	\$200	
26	Registration fee	\$200	
27	Renewal fee: (a) for a mark in one class (b) for a mark in each additional class	\$100 \$100	
28	Surcharge for late payment of renewal fee	\$130	

29	Filing request for invalidation of mark or for removal of mark from Register on Grounds of non-use	\$200	
	General		
30	Filing request for recording of change of ownership.	\$100	Form No. 10
31	Submission of license contract for recording	\$100	
32	Inspection of any Register (for every quarter of an hour or part thereof)	\$20	
33	Change of address	\$20	
34	Filing request for hearing	\$200''	

Made at Nuku'alofa this 13th day of October 2010.

Minister of Labour, Commerce and Industries