

DECISION OF THE COUNCIL OF MINISTERS

No. 883 of May 13, 2009,

ON TARIFFS FOR THE REGISTRATION OF INDUSTRIAL PROPERTY

Pursuant to Article 100 of the Constitution and to Articles 202, 25, 28, 33, 41, 44, 46, 76, 77, 79, 80, 82, 109, 137, 149, 172, 194, 198 of Law No 9947 of 7 July 2008, "On Industrial Property", upon the proposal of the Minister of Economy Trade and Energy, the Council of Ministers

DECIDED:

1. Fee for applications and other services conducted at DGPT with respect to the patents of inventions shall be as per Exhibit 1 attached herewith, which is an integral part of this decision.
2. Fee for application and other actions conducted at DGPT with respect to the supplementary protection certificate for medicinal products and plant protection products shall be as per Exhibit 2 attached herewith, which is an integral part of this decision.
3. Fee for the application and other actions conducted at DGPT with respect to utility models shall be as per Exhibit 3 attached herewith, which is an integral part of this decision.
4. Fee for application and other actions conducted at DGPT with respect to industrial designs shall be as per Exhibit 4 attached herewith, which is an integral part of this decision.
5. Fee for application and other actions conducted at DGPT with respect to the trademarks and service marks shall be as per Exhibit 5 attached herewith, which is an integral part of this decision.
6. Fee for application and other actions conducted at DGPT with respect to geographical indications shall be as per Exhibit 6 attached herewith, which is an integral part of this decision.
7. Fee for applications and other actions conducted at DGPT with respect to the integrated circuits shall be as per Exhibit 7 attached herewith, which is an integral part of this decision.
8. Fee for the services provided by DGPT shall be as per Exhibit 8 attached herewith, which is an integral part of this decision.
9. The implementation of this decision shall be under the responsibility of the Directorate General of Patents and Trademarks.
10. The Council of Ministers Decision No 379 of 15 August 1994, "On the Official Fees of Patent Office for Industrial Property Objects" and its addenda are repealed.
11. The Directorate General of Patents and Trademarks shall use 10 per cent of the fees generated by these fees for its own needs, in accordance with the applicable legislation.

This decision shall enter into force immediately after its publication in the Official Journal.

PRIME MINISTER
Sali Berisha

Exhibit No 1

I. FEES FOR INVENTION PATENTS

No	Types of fees	Value in LEK
1.1	Patent application fee	7 000
1.2	PCT application fee	7 000
1.3	Fee for any claim on the 10th claim on the patent	500
1.4	Filing fee for any separate patent application	5 000
1.5	Fee for the publication of the European patent and of patent's amendments	1 000
1.6	Fee for the early publication of the patent	2 000
1.7	Fee for restoring rights in time	7 000
1.8	Fee for extending the term to complete documents	2 000
1.9	Fee for the correction of errors in the patent application	2,000
1.10	Fee for the correction of patent errors	2 000
1.11	Patent granting fee	6 000
1.12	Fee for the appeal against granting of the patent	7 000
1.13	Fee for the appeal filed in the Board of Appeals	7 000
1.14	Fee for the registration of the transfer of the ownership of patent or patent application	4 000
1.15	Fee for the registration of the change of name of the patent applicant/owner	3 000
1.16	Fee for the registration of the change of address of the patent applicant/owner	3 000
1.17	Registration fee for the patent license contract	4 000
1.18	Patent withdrawal fee	1 000
1.19	Fee for the provision of the register extract for a patent	500
1.20	Fee for patent investigation	500
1.21	Fee for issuing duplicates	1 000
1.22	Fee for issuing a patent priority document	3 000
1.23	Patent inspection fee	1 000
1.24	Renewal fee year I	4 000
1.25	Renewal fee year II	5 000
1.26	Renewal fee year III	6 000
1.27	Renewal fee year IV	7 000
1.28	Renewal fee year V	8 000
1.29	Renewal fee year VI	10 000
1.30	Renewal fee year VII	12 000
1.31	Renewal fee year VIII	14 000
1.32	Renewal fee year IX	16 000
1.33	Renewal fee year X	20 000
1.34	Renewal fee year XI	22 000
1.35	Renewal fee year XII	25 000
1.36	Renewal fee year XIII	27 000
1.37	Renewal fee year XIV	30 000
1.38	Renewal fee year XV	32 000
1.39	Renewal fee year XVI	35 000
1.40	Renewal fee year XVII	37 000
1.41	Renewal fee year XVIII	40 000
1.42	Renewal fee year XIX	45 000
1.43	Renewal fee year XX	50 000
1.44	Fee for the transfer of PCT-based applications	3 000

* Annual patent renewal fees (Ordinal number 1.24-1.43) is reduced at 50% of the respective value provided in the table in that case were the patent owner has declared in writing that he agrees to be

issued a licensee, as provided for by Article 49(1) of Law No 9947 of 7 July 2008, “On Industrial Property”.

* Annual patent renewal fees (Ordinal number 1.24-1.43) is increased at 50% of the respective value provided in the table, in those cases where the payment is made after their legal term has expired, but within 6 months from the expiration of such term, as provided for by Article 41(3) of Law No 9947 of 7 July 2008, “On Industrial Property”.

Exhibit No 2

II. TABLE OF SERVICE FEES FOR SUPPLEMENTARY PROTECTION CERTIFICATES OF MEDICINAL PRODUCTS AND PLANT PROTECTION PRODUCTS

No	Types of fees	Value in LEK
2.1	Filing fee for the supplementary protection certificate	20 000
2.2	Renewal fee year XXI	100 000
2.3	Renewal fee year XXII	120 000
2.4	Renewal fee year XXIII	150 000
2.5	Renewal fee year XXIV	200 000
2.6	Renewal fee year XXV	250 000
2.7	Fee for the invalidation request of supplementary protection certificate patent	8 000
2.8	Fee for filing an appeal with the Board of Appeals	8 000
2.9	Fee for the registration of the surrender of the supplementary protection certificate	1 000
2.10	Fee for issuing the extract of the register for a supplementary protection certificate	500
2.11	Fee for the investigation of a supplementary protection certificate	500
2.12	Fee for duplicate issuance	1 000
2.13	Inspection fee	1 000

*Annual renewal fees for supplementary protection certificates (Ordinal number 2.2-2.6) is increased at 50% of the respective value provided in the table, in those cases where the payment is made after their legal term has expired, but within 6 months from the expiration of such term.

Exhibit No 3

III. TABLE OF SERVICE FEES FOR UTILITY MODELS

No	Types of fees	Value in LEK
3.1	Filing fee for the utility model	6 000
3.2	Fee for changing the application for an invention patent into an application for utility model	3 500
3.3	Fee for other claim on the 10th claim	500
3.4	Filing fee for each separate application	4 000
3.5	Fee for the early publication of the utility model	2 000
3.6	Fee for restoring rights in time	7 000
3.7	Fee for the deadline extension to complete documents	2 000
3.8	Fee for the correction of errors in the utility model applications	2 000
3.9	Fee for the correction errors in the utility model patents	2 000
3.10	Fee for granting the utility model patent	6 000
3.11	Fee for filing an appeal with the Boards of Appeal on utility models	10 000
3.12	Fee for filing an opposition against granting the utility models patent	7 000
3.13	Registration fee for the utility models' license contract	4 000
3.14	Fee for the registration of the change of the utility model applicant/owner	3 000
3.15	Fee for the registration of the address of the utility model applicant/owner	3 000
3.16	Fee for the registration of ownership transfer on a utility model	4,000
3.17	Fee for the registration of the surrender of utility model	1 000
3.18	Fee for the issuance of the utility model register extract	500
3.19	Fee for the issuance of duplicates	1 000
3.20	Fee for the investigation of a utility model	500
3.21	Fee for the inspection of utility models	1 000
3.22	Fee for issuing the priority document of the utility model	3 000
3.23	Renewal fee year I	4,000
3.24	Renewal fee year II	5,000
3.25	Renewal fee year III	6,000
3.26	Renewal fee year IV	7,000
3.27	Renewal fee year V	8,000
3.28	Renewal fee year VI	9,000
3.29	Renewal fee year VII	10,000
3.30	Renewal fee year VIII	12,000
3.31	Renewal fee year IX	15,000
3.32	Renewal fee year X	20,000

* Annual renewal fees for utility models (Ordinal no 3.23-3.32) are reduced to 50% of the respective value provided in the table, in the case where the owner of the utility model has declared he is ready to be granted a license, as provided by Article 49(1) of the No 9947 of 7 July 2008, "On Industrial Property".

Annual renewal fees for the utility models (Ordinal no 3.23-3.32) increase at 50% of the respective value provided in the table, in the case where the payment is made after the legal term has expired, but within 6 months following expiration of such term, according to the requirements of Article 41(3) of the Law No 9947 of 7 July 2008, "On Industrial Property".

Exhibit No 4

IV. SERVICE FEES FOR INDUSTRIAL DESIGNS

No	Types of Fees	Value in LEK
4.1	Industrial design application fee	4 000
4.2	Industrial design registration fee	6 000
4.3	Application fee for any additional design (in the case of multiple design)	2 000
4.4	Filing fee for any request that is separate from the initial request (in the case of multiple designs)	2,000
4.5	Fee for filing an opposition against the industrial design after its publication	7 000
4.6	Fee for the registration of the change of name of the applicant/owner of the industrial design	3,000
4.7	Fee for the registration of the change of address of the applicant/owner § of the industrial design	3 000
4.8	Fee for the change of ownership of the industrial design	4 000
4.9	Fee for the registration of the industrial design license contract	4 000
4.10	Fee for the renewal of industrial design	6 000
4.11	Fee for the renewal of any additional design (in the case of multiple designs)	2 000
4.12	Additional fee for the renewal of the industrial design following the expiration of the protection term, but within a 6-month period from such expiration	3 000
4.13	Fee for surrender of the industrial design	1 000
4.14	Fee for transferring the international registration filing of the design	4 000
4.15	Fee for the transfer of the opposition against the international design registration	4 000
4.16	Fee for the opposition against a published industrial design	7 000
4.17	Fee for the appeal against the decision on the refusal of the design	7 000
4.18	Fee for issuing the extract of the industrial design register	500
4.19	Fee of the industrial design investigation	500
4.20	Fee for duplicates	1 000
4.21	Fee for the issuing of the priority document of the industrial design	3 000
4.22	Inspection fee	1 000
4.23	Fee for the extension of the term for document completion	2 000
4.24	Fee for the examination out of order of applications	2 000
4.25	Fee for the extension of industrial design publication	2 000

Exhibit No 5

V. TABLES OF FEES FOR TRADEMARKS AND SERVICE MARKS

No	Types of fees	Value in LEK
5.1	Fee for the application of an individual mark	5 000
5.2	Application fee for any additional individual mark category	2 500
5.3	Registration fee for the individual mark	6 500
5.4	Fee for filing an application for the collective mark	6 500
5.5	Application fee for any additional category of collective marks	3 000
5.6	Registration fee for the collective mark	6 500
5.7	Fee for the limitation of the list of goods	2 500
5.8	Filing fee for any separate request from the initial application	2 500
5.9	Fee for filing an opposition against the published mark	7 000
5.10	Fee for the registration of the change of the name of the mark applicant/owner	2 500
5.11	Fee for the registration of the change of the address of the mark applicant/owner	2 500
5.12	Fee for the registration of the ownership transfer of a mark	4 000
5.13	Fee for the registration of the license contract on the mark	4 000
5.14	Fee for the renewal of the mark	8,000
5.15	Fee for the renewal of each additional mark category	4 000
5.16	Additional fee for the renewal of the mark following the expiration of the protection term, but within 6 months from such expiration	2 000
5.17	Fee for the registration of surrender of the mark	1 000
5.18	Fee for the transfer of the application for the international registration of the mark (Madrid Agreement)	4 000
5.19	Fee for application transfer for territorial extension of the international mark protection (Madrid Agreement)	2 000
5.20	Fee for filing an opposition against the international registration of the mark (Madrid Agreement)	5 000
5.21	Fee for the appeal of the decision on the refusal of a mark	7 000
5.22	Fee for the extension of the deadline for the completion of documents	2 000
5.23	Fee for the examination out of order of the application	2 000

Exhibit No 6**VI. TABLE OF SERVICE FEES FOR GEOGRAPHICAL INDICATION**

No	Types of fees	Value in LEK
6.1	Application fee for the registration of a geographical indications	5 000
6.2	Fee for filing an opposition against a published geographical indications	7 000
6.3	Fee for issuing the geographical indications registration certificate	6 000
6.4	Fee for the appeal of the decision on the refusal of the geographical indication	7 000
6.5	Fee for the registration of the change of name of the geographical indication applicant/owner	3 000
6.6	Fee for the registration of the change of address of the geographical indication applicant/owner	3 000
6.7	Fee for the registration of surrender of the geographical indication	1 000
6.8	Fee for issuing the extract of the register of geographical indication	500
6.9	Fee for the investigation of the geographical indication	500
6.10	Fee for issuing duplicates of the geographical indication	1 000
6.11	Fee for file inspection	1 000
6.12	Fee for extending the deadline for the completion of documents	2 000
6.13	Fee for the examination out of order of the application	2 000

Exhibit No 7

VII. TABLE OF SERVICE FEES FOR INTEGRATED CIRCUITS TOPOGRAPHY

No	Types of fees	Value in LEK
7.1	Application fee for the integrated circuits topographies	6 000
7.2	Registration fee for integrated circuits topography	6 000
7.3	Fee for the registration of the change of name of applicant/owner of integrated circuits topographies	3 000
7.4	Fee for the ownership transfer of integrated circuits topographies	4 000
7.5	Registration fee for the license contract of integrated circuits topography	4 000
7.6	Fee for appeals filed with the Board of Appeals	7 000
7.7	Fee for an opposition against the application for the integrated circuits topographies	7 000
7.8	Fee for the surrender from the protection of integrated circuits topographies	1 000
7.9	Fee for register extract of integrated circuits topographies	500
7.10	Fee for the investigation of integrated circuits topographies registered in the respective DGPT register	500
7.11	Fee for duplicate	1 000
7.12	Fee for issuing priority document of integrated circuits topographies	3 000
7.13	Fee for inspection file	1 000

* The annual fee for the renewal of the integrated circuits topographies shall be the same as those of patents provided for in the exhibit and they will be reduced at 50% of the respective value provided in the table, in the case where the patent owner has declared in writing that he agrees with the issuance of the license, in accordance with Article 49(1) of the Law No 9947 of 7/7/2008, "On Industrial Property".

* The annual fees for the renewal of the integrated circuits topographies will increase with 50% of the respective value provided in the table, in the case where the payment is made after the expiration of the term established by the law, but within 6 months from the expiration of such term. Such renewal fee is considered as a penalty due to failure of payment in time.
