



Statutory Rules 1994 No. 317<sup>1</sup>

**Patents Regulations<sup>2</sup> (Amendment)**

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Patents Act 1990*.

Dated 30 August 1994.

BILL HAYDEN  
Governor-General

By His Excellency's Command,

C. SCHACHT  
Minister for Small Business, Customs and Construction

**1. Commencement**

1.1 These Regulations commence on 1 October 1994.

**2. Amendment**

2.1 The Patents Regulations are amended as set out in these Regulations.

**3. Regulation 13.3 (Prescribed period: continuation fees)**

3.1 Subregulation 13.3 (1):  
Omit "item 8", substitute "item 7".

**4. Regulation 13.6 (Time for payment of renewal fee for standard patent)**

4.1 Subregulation 13.6 (1):  
Omit "item 8 or 9", substitute "item 7 or 8".  
4.2 Subregulation 13.6 (4):  
Omit "item 8 or 9", substitute "item 7 or 8".

**5. Regulation 22.2 (General fees)**

5.1 Subregulation 22.2 (2):  
Omit "item 28", substitute "item 25."  
5.2 Subregulation 22.2 (4):  
Omit "Item 21", substitute "Item 20".

**6. Regulation 23.9 (Certain continuation and renewal fees)**

6.1 Subregulations 23.9 (1) and (2):  
Omit "item 8", substitute "item 7".

**7. Regulation 23.10 (Fee taken to have been paid)**

7.1 Omit "item 32" (twice occurring), substitute "item 29".



## 8. Schedule 7 (Fees)

- 8.1 Part 2, items 6, 24 and 25:  
Omit the items.
- 8.2 Part 2, item 2:  
Omit "\$165", substitute "\$280".
- 8.3 Part 2, item 3:  
Omit "\$195", substitute "\$280".
- 8.4 Part 2, paragraph 3 (b):  
Omit "exceeds 30-for each sheet in excess of 30; and", substitute "exceeds 30-for each sheet in excess of 30".
- 8.5 Part 2, item 3:  
Omit "\$14", substitute "\$12".
- 8.6 Part 2, paragraph 3 (c):  
Omit the paragraph.
- 8.7 Part 2, item 4:  
Omit "\$390", substitute "\$405".
- 8.8 Part 2, item 4:  
Omit "\$325", substitute "\$335".
- 8.9 Part 2, item 4:  
Omit "\$335" (second occurring), substitute "\$350".
- 8.10 Part 2, item 4:  
Omit "\$280", substitute "\$290".
- 8.11 Part 2, item 5:  
Omit "\$90", substitute "\$65".
- 8.12 Part 2, item 7:  
Omit "\$1,050", substitute "\$1,200".
- 8.13 Part 2, item 8:  
Omit "\$55", substitute "\$65".
- 8.14 Part 2, item 9:  
Omit "\$55", substitute "\$65".
- 8.15 Part 2, item 10:  
Omit "\$100", substitute "\$500".
- 8.16 Part 2, item 11:  
Omit "\$50", substitute "\$65".
- 8.17 Part 2, item 12:  
Omit "\$55", substitute "\$65".
- 8.18 Part 2, item 13:  
Omit "\$75", substitute "\$250".
- 8.19 Part 2, item 14:  
Omit "\$100" (twice occurring), substitute "\$500".
- 8.20 Part 2, item 15:  
Omit "\$260", substitute "\$295".
- 8.21 Part 2, item 17:



- Omit “\$685”, substitute “\$710”.
- 8.22 Part 2, item 18:  
Omit “\$50”, substitute “\$65”.
- 8.23 Part 2, item 19:  
Omit “\$100” (twice occurring), substitute “\$105”.
- 8.24 Part 2, item 20:  
Omit “\$50”, substitute “\$65”.
- 8.25 Part 2, item 20:  
Omit “item 19”, substitute “item 18”.
- 8.26 Part 2, item 21:  
Omit “\$55” (first occurring), substitute “\$65”.
- 8.27 Part 2, item 21:  
Omit “\$55, plus \$25”, substitute “\$65, plus \$30”.
- 8.28 Part 2, item 22:  
Omit “\$50” (first occurring), substitute “\$65”.
- 8.29 Part 2, item 22:  
Omit “\$50, plus \$25”, substitute “\$65, plus \$30”.
- 8.30 Part 2, item 23:  
Omit “\$50”, substitute “\$65”.
- 8.31 Part 2, item 27:  
Omit “\$55”, substitute “\$65”.
- 8.32 Part 2, item 27:  
Omit “\$85”, substitute “\$90”.
- 8.33 Part 2, item 28:  
Omit “\$55”, substitute “\$65”.
- 8.34 Part 2, item 28:  
Omit “item 27”, substitute “item 24”.
- 8.35 Part 2, item 29:  
Omit “\$55”, substitute “\$65”.
- 8.36 Part 2, item 30:  
Omit “\$100” (twice occurring), substitute “\$500”.
- 8.37 Part 2, item 31:  
Omit “\$100 less any amount paid under item 30”, substitute “\$500, less any amount paid under item 13 or 27”.
- 8.38 Part 2, item 32:  
Omit “\$55”, substitute “\$65”.
- 8.39 Part 2, item 34:  
Omit “\$75”, substitute “\$80”.
- 8.40 Part 2, item 34:  
Omit “\$55”, substitute “\$65”.
- 8.41 Part 2, item 35:  
Omit “item 36 or 37”, substitute “item 33 or 34”.
- 8.42 Part 2, item 35:



- Omit “\$50”, substitute “\$65”.
- 8.43 Part 2, item 37:  
Omit “\$750”, substitute “\$800”.
- 8.44 Part 2, item 38:  
Omit “\$50”, substitute “\$65”.
- 8.45 Part 2, item 39:  
Omit “\$50”, substitute “\$65”.
- 8.46 Part 2, item 39:  
Omit “\$95”, substitute “\$100”.
- 8.47 Part 2, item 40:  
Omit “\$50”, substitute “\$65”.
- 8.48 Part 2, item 41:  
Omit “\$50”, substitute “\$65”.
- 8.49 Part 2 of Schedule 7 is further amended in accordance with the following table:

**TABLE**

Column 1 Item	Column 2 Omit from column 1	Column 3 Substitute
7	7	6
8	8	7
9	9	8
10	10	9
11	11	10
12	12	11
13	13	12
14	14	13
15	15	14
16	16	15
17	17	16
18	18	17
19	19	18
20	20	19
21	21	20
22	22	21
23	23	22
26	26	23
27	27	24
28	28	25
29	29	26
30	30	27
31	31	28
32	32	29
33	33	30
34	34	31
35	35	32
36	36	33
37	37	34
38	38	35



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Column 1 Item	Column 2 Omit from column 1	Column 3 Substitute
39	39	36
40	40	37
41	41	38

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- 8.50 Part 3, item 1  
Omit “\$55”, substitute “\$100”.
- 8.51 Part 3, item 2:  
Omit “\$750”, substitute “\$800”.
- 8.52 Part 3, item 3:  
Omit “\$750”, substitute “\$800”.
- 8.53 Part 3, item 4:  
Omit “\$400”, substitute “\$450”.
- 8.54 Part 3, item 5:  
Omit “\$400”, substitute “\$450”.

**9. Schedule 8 (Costs, expenses and allowances)**

- 9.1 Part 1, item 1:  
Omit “\$170”, substitute “\$65”.
- 9.2 Part 1, item 2:  
Omit “\$460”, substitute “\$480”.
- 9.3 Part 1, item 3:  
Omit “\$85”, substitute “\$90”.
- 9.4 Part 1, item 4:  
Omit “\$200”, substitute “\$210”.
- 9.5 Part 1, item 5:  
Omit “\$460”, substitute “\$480”.
- 9.6 Part 1, item 6:  
Omit “\$135”, substitute “\$145”.
- 9.7 Part 1, item 7:  
Omit “\$230”, substitute “\$240”.
- 9.8 Part 1, item 8:  
Omit “\$85”, substitute “\$90”.
- 9.9 Part 1, item 9:  
Omit “\$345”, substitute “\$360”.
- 9.10 Part 1, item 10:  
Omit “\$170 per hour or \$765 per day”, substitute “\$180 an hour or \$810 a day”.
- 9.11 Part 1, item 11:  
Omit “\$135 per hour or \$610 per day”, substitute “\$145 an hour or \$650 a day”.
- 9.12 Part 1, item 12:  
Omit “\$230 per hour or \$1,035 per day”, substitute “\$240 an hour or \$1,080 a day”.
- 9.13 Part 1 of Schedule 8 is further amended in accordance with the following table:



TABLE

Column 1 Item	Column 2 Omit from column 1	Column 3 Substitute
2	2	4
3	3	5
4	4	6
5	5	7
6	6	8
7	7	9
8	8	10
9	9	11
10	10	12
11	11	13
12	12	14

9.14 Part 1

After item 1, insert:

“2 Statement of grounds and particulars \$400

3 Receiving and perusing statement of grounds and particulars \$400”.

9.15 Part 2, clause 2:

Omit from paragraph (b) “\$390”, substitute “\$405”.

**10. Transitional**

10.1 The amendments made by regulation 8 do not apply to:

(a) a continuation fee in respect of a year; or

(b) a renewal fee in respect of a year of a patent;

being a year or a year of a patent ending on or after the commencement of these Regulations, if that continuation fee or renewal fee became due and payable, and was paid, before that commencement.

10.2 If a patent request and complete specification relating to an application for a standard patent has been accepted under section 49 of the Act before the commencement of these Regulations, the fee payable for the sealing of that patent is the fee payable for the sealing of that patent immediately before that commencement.

10.3 In this regulation:

“**continuation fee**” means a continuation fee for the purposes of paragraph 142 (2) (d) of the Act;

“**renewal fee**” means a renewal fee for the purposes of paragraph 143 (a) of the Act.

**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on 6 September 1994.

2. Statutory Rules 1991 No. 71 as amended by 1991 No. 456; 1992 No. 148; 1993 Nos. 113, 227, 340 and 341; 1994 No. 182.