

## **LAW ON ADMINISTRATIVE FEES IN THE FIELD OF INTELLECTUAL PROPERTY RIGHTS**

### **I. GENERAL PROVISIONS**

#### **Article 1**

The present Law shall regulate payment of the administrative fees (hereinafter referred to as: the fees) for the grant and maintenance of industrial property rights under the Patent Law, Trademark Law, Law on the Protection of Geographical Indications of Products and Services, and the Law on the Protection of Lay-Out Designs of Integrated Circuits, entry into the register of industrial property representatives and issue of authorisations for the administration of copyright and related rights under the Copyright Law, as well as the method of assessing special charges and charges for information services provided by the Office.

The fees referred to in paragraph 1 of this Article shall be paid in the amount fixed in the Administrative Fees Tariff (hereinafter: the fees tariff) which forms part of the Law.

#### **1. A person Liable to Pay Fees**

##### **Article 2**

A person liable to pay fees under this Law shall be a legal or a natural person (hereinafter: the party) filing a submission which is subject to payment of the fee under the Fees Tariff.

#### **2. Obligation to Pay Fees**

##### **Article 3**

The fees shall be due at the time of filing a submission to the State Intellectual Property Office (hereinafter: the Office), or upon the Office invitation.

### **II. PAYMENT OF THE FEES**

#### **Article 4**

The fees shall be paid directly to the budget at the time of being due, while a receipt thereof shall be furnished to the Office.

#### **Article 5**

Where several parties jointly file a submission, they shall pay a single fee.

#### **Article 6**

Where the fee has not been paid at the time of filing a submission or has not been paid in the prescribed amount, the Office shall invite the party, in a written notice, to pay the prescribed fee and the late payment fee, within the time limit which shall not be less than 15 days and shall not exceed 60 days from the day of receipt of the notice.

Where the party pays the fee upon the invitation of the Office referred to in paragraph 1 of this Article, the fee shall be deemed duly paid from the outset.

Where the party does not pay the fee upon the Office invitation referred to in paragraph 1 of this Article, the submission shall be rejected by decision.

### III. EXEMPTION FROM PAYMENT OF THE FEES

#### Article 7

Exempted from payment of the fees shall be:

1. The Republic of Croatia and State authorities,
2. Local self-government units, and local administration and self-government units, and their bodies.

#### Article 8

Entitled to be exempted from payment of the fees shall be:

1. Pre-school facilities, institutions in the field of education, culture, protection of cultural and natural heritage, health and social care, and humanitarian organisations in carrying out their activities,
2. Handicapped persons and such organisations in carrying out their activities,
3. Citizens of the Republic of Croatia whose income, including the income of
4. their spouses do not exceed the amount of a non-taxable income in the year the
5. fee becomes due, and in the year a request is dealt with, and who possess no
6. other considerable property (real estate, savings, motor vehicles and vessels)
7. the total amount of which does not exceed HRK 30.000,00, to be declared in a
8. written statement,
9. Croatian war of independence invalids and organisations thereof in carrying
10. out their activities,
11. The second World War disabled veterans and civilian invalids,
12. Spouses and children of the fallen, detained or missing defenders in
13. the Croatian war of independence, as well as their parents provided that a spouse
14. of the fallen, detained or missing defender in the Croatian war of independence had
15. not previously exploited such right,
16. Exiled, refugees and returnees,
17. Immigrants in the territory under special welfare,
18. Retired persons,
19. Unemployed persons.

A procedure for the exemption from payment of a fee shall be instituted at the request of a party.

The request referred to in paragraph 2 of this Article shall be filed to the Office at the time the fee becomes due.

Where the party is exempted from payment of a fee on the ground of the Office decision, the submission shall indicate the number and date of the Office decision exempting the party from payment of the fee.

#### Article 9

The Regulation on Special Charges and Charges for Information Services Provided by the Office shall be passed by the Government of the Republic of Croatia.

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#### IV. REFUND OF A FEE AND STATUTE OF LIMITATIONS

##### Article 10

A party that has paid a fee not to be paid by that party, or that has paid a fee in the amount exceeding the prescribed amount, shall be entitled to refund the fee paid, or the part thereof exceeding the prescribed amount respectively.

In the case referred to in paragraph 1 of this Article, the Office shall accordingly notify the party in writing, and a procedure for the refund of the fee, or the part thereof, shall be instituted at the party's request.

A request for the refund of a fee shall be decided by the Office.

##### Article 11

Entitlement to the refund of the fee referred to in Article 10 of this Law shall be subject to the statute of limitations upon the expiration of one-year period counting from the date on which the party receives the Office notice.

#### V. INCOME FROM FEES

##### Article 12

The fees paid under this Law shall be the income of the budget.

#### VI. TRANSITIONAL AND FINAL PROVISIONS

##### Article 13

The Regulation provided for under Article 9 of this Law shall be passed by the Government of the Republic of Croatia within 60 days counting from the date of entry into force of this Law.

##### Article 14

The provisions of the Decision on Special Procedural Charges and Charges for Information Services Provided by the State Patent Office ("Official Gazette" No. 43/96), that are not contrary to the provisions of this Law, shall apply up to the entry into force of the Regulation referred to in Article 13.

##### Article 15

The fees due and not paid up to the date of the entry into force of this Law shall be paid under the provisions which were in effect up to the entry into force of this Law.

##### Article 16

On the date of entry into force of this Law, the Law Governing Administrative Fees in the Field of Industrial Property Rights ("Official Gazette No. 55/96 and 59/96) shall cease to have effect.

##### Article 17

This Law shall enter into force on the eight day counting from the date of its publication in the "Official Gazette of the Republic of Croatia".

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**ADMINISTRATIVE FEES TARIFF****1. PATENTS**

HRK

## Tariff No. 1.1.

A request for the grant of a patent ..... 100,00

*Note:**An applicant who is also an inventor shall pay a fee under this tariff number in the amount reduced by 75%.*

## Tariff No. 1.2.

A request for the publication of a patent application prior to the expiration of 18 months counting from the filing date of the application..... 80,00

## Tariff No. 1.3.

A request for the examination of conditions for the grant of a patent:

1. On the basis of the substantive examination procedure ..... 100,00
2. On the basis of the substantive examination results ..... 80,00
3. Without substantive examination (consensual patent) ..... 60,00
4. On the basis of the substantive examination procedure where a request is filed following the opposition to the grant of a consensual patent ..... 25,00

## Tariff No. 1.4.

Opposition to a published request for the grant of a consensual patent ..... 75,00

## Tariff No. 1.5.

Proposal for the revocation of a Decision on the grant of a patent ..... 90,00

**2. TRADEMARKS**

HRK

## Tariff No. 2.1.

A request for the grant of a trademark:

1. Individual trademark ..... 100,00
2. Collective or certification trademark ..... 200,00

## Tariff No. 2.2.

A request for the division of a trademark application ..... 75,00

## Tariff No. 2.3.

An opposition to a published trademark application..... 100,00

## Tariff No. 2.4.

A request for the cessation of the trademark validity due to non-use..... 150,00

## Tariff No. 2.5

A request for a trademark extension for a ten-year period:

1. Individual trademark ..... 125,00

2. Collective or certification trademark ..... 250,00

*Note:*

*Where the fees under this tariff number are paid within an additional period of six-months, the prescribed amounts shall be doubled.*

### 3. INDUSTRIAL DESIGNS

HRK

Tariff No. 3.1.

A request for the grant of an industrial design:

1. Basic fee ..... 50,00  
2. Additional fee for each subsequent industrial design in a multiple application ..... 20,00

*Note:*

*An applicant who is also a designer shall pay the fees under this tariff number in the amounts reduced by 50%.*

Tariff No. 3.2.

A request for a deferred publication of an industrial design application 60,00

Tariff No. 3.3.

A request for the publication of an industrial design description 20,00

Tariff No. 3.4.

A request for the division of an industrial design application 50,00

Tariff No. 3.5.

An opposition to a published industrial design application 75,00

Tariff No. 3.6.

A request for the extension of a granted right for a five-year period:

1. Single design ..... 60,00  
2. Each subsequent design in a multiple application ..... 25,00

*Note:*

*Where the fees under this tariff number are paid within an additional six-month period, the prescribed amounts shall be doubled.*

### 4. GEOGRAPHICAL INDICATIONS OF PRODUCTS AND SERVICES

HRK

Tariff No. 4.1.

A request for the entry of a geographical indication or a designation of origin into the register ..... 150,00

Tariff No. 4.2.

An opposition to a published application ..... 200,00

Tariff No. 4.3.

A request for the entry of the user of a geographical indication into the register ..... 75,00

## Tariff No. 4.4.

A request for the acquisition of a right of use of a designation of origin  
and the entry into the register of users ..... 100,00

## Tariff No. 4.5.

A request for the extension of effects of the right of use of a designation  
of origin for a ten-year period, and the publication of the entry into  
the register, per user ..... 100,00

## Tariff No. 4.6.

A request for the extension of effects of a right of use of a foreign designation  
of origin for a ten-year period, and the publication of its entry into the register,  
Unique fee for all the users ..... 250,00

*Note:*

*Where the fees under tariff numbers 4.5. and 4.6. are paid in the additional six-  
month period, the prescribed amounts shall be doubled.*

## 5. PROTECTION OF LAY-OUT DESIGNS (TOPOGRAPHIES) OF INTEGRATED CIRCUITS

HRK

## Tariff No. 5.1.

A request for the grant of a topography ..... 250,00

## 6. REPRESENTATIONS IN THE FIELD OF INDUSTRIAL PROPERTY RIGHT

HRK

## Tariff No. 6.1.

A request for the entry into the register of representatives ..... 500,00

## Tariff No. 6.2.

A request for the extension of the entry into the register for one  
year period ..... 300,00

## 7. COPYRIGHT AND RELATED RIGHTS

HRK

## Tariff No. 7.1.

A request for the issue of authorisation for the administration  
of authors' rights ..... 400,00

## Tariff No. 7.2.

A request for the issue of authorisation for the administration  
of performers' rights ..... 300,00

## Tariff No. 7.3.

A request for the issue of authorisation for the administration  
of the rights of producers of phonograms ..... 200,00

## 8. COMMON

	HRK
Tariff No. 8.1.	
A request for the issue of a Priority Certificate .....	80,00
Tariff No. 8.2.	
A request for the issue of an excerpt from the register, per excerpt.....	50,00
Tariff No. 8.3.	
A request for the entry of changes into the registrar .....	75,00
Tariff No. 8.4.	
A proposal for the declaration of the decision on the grant of a patent/a trademark/an industrial design/a geographical indication/a topography of integrated circuit null and void.....	100,00
Tariff No. 8.5.	
A request for the extension of a time limit:	
1. Initial request .....	50,00
2. Each subsequent request.....	100,00
Tariff No. 8.6.	
A proposal for a restitution .....	75,00
Tariff No. 8.7.	
A proposal for the revision of a procedure.....	150,00
Tariff No. 8.8.	
A notice inviting the party to pay a prescribed fee .....	50,00
Tariff No. 8.9.	
Submissions not covered by this tariff .....	50,00.

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