

Legislative Texts

**Macau Government's Gazette No. 49, I Series, Monday,
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1995

Governor's Decision No.306/95/M of December 4, 1995

(Fixing fees due for acts foreseen in the trademark protection legislation and the time and manner of settlement)

The Decree-Law No.56/95/M of November 6, 1995 that provides the legal framework for trademark protection in Macau stipulates in its Article 19 that the fees due for acts foreseen therein, as well as the time and manner of settlement thereof, shall be fixed by Governor's Decision.

In view of the preceding,

After conferring with the Consultative Council,

In accordance with the provisions of Article 19 of Decree-Law No.56/95/M of November 6, 1995 and pursuant to the terms of Article 16 Paragraph 1 section c) of the Macau Organic Law, the Governor determines the following:

Article 1—1. The fees due for the acts foreseen in Decree-Law No.56/95/M of November 6, 1995 are those listed in the schedule attached to the present Decision, of which the latter is an integral part.

2. The fees listed in the above-mentioned schedule are inclusive of costs due for publishing applications in the Government's Gazette.

Article 2—The moneys due shall be settled in cash or by cheque upon submission of the applications for the carrying out of the scheduled acts.

Article 3—Fees due in respect of registrations shall be settled:

- a) Together with those due for issue of the relevant title after the date on which such title was granted and up to the maximum period of six months from the date of publishing of that grant in the Government's Gazette;

b) in the last six months of the title's validity, where fees due for registration renewal is concerned.

Article 4 1. The fees referred in section b) of Article 3 above may also be settled with a surcharge within a maximum period of six months starting from the last day of validity of a registration. Failure to comply with settlement requirements shall entail extinction of the relevant mark.

1. Renewal of a registration extinct for lack of payment of relevant fees due may be applied for within one year from the date of publishing of the extinction notice.
2. Without prejudice of any third party's rights, the renewal referred in para 2 above may be authorised upon payment of an amount corresponding to three times the fees in default.

Article 5—1. The fees mentioned in the provisions above shall not be refunded to the concerned parties.

2. Notwithstanding, any dues acknowledged as having been unduly paid may be refunded to the interested party, at his request, and upon authorisation in writing by the director of the Macau Economic Services.

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3. Any fees deposited for settlement of costs in respect of unauthorised searches, or of searches that were abandoned in due time, shall be refunded at the request of the party who made such deposit.

Article 6—1. For the duration of a legal action taken over any claim on a mark, or while the lien or mortgage on it is not lifted, there shall be no notice of extinction of the relevant registration for lack of payment of any fees due from time to time.

1. The interested party shall apply to the competent court to undertake the official notification of a legal action pending to the Macau Economic Services. As soon as sentence is passed or the lien or mortgage becomes in any other manner extinct, the judicial authorities shall so notify the Macau Economic Services, either unofficially or at the request of the concerned party.
2. Upon passing of a sentence over any of the circumstances described in para 2 above, the relevant notice thereof shall be published in the Government's Gazette.

3. Upon publication of the notice mentioned in para 3 , all fees in default shall be settled without surcharges within one year from the date of publication thereof.
4. Should the one year period above elapse without settlement of all the fees due, the registration shall be declared extinct.

Article 7—The Present Decision is enforceable on the same date as Decree-Law No.56/95/M of November 6, 1995.

Government of Macau, November 29, 1995

For gazetting.

The Governor, Vasco Rocha Vieira

Attached Schedule

FEES

ACT	Value (in patacas)
I—MARKS	
1. Registration application	
1.1 Submission	500,00
1.2 Application for up to 5 products	1 300,00
1.3 Each 5 products in excess	1 000,00
2. Registration	4 000,00
3. Renewal	2 000,00
4. Surcharge for renewal within 6 months	1 000,00
5. Title	2 000,00
6. Duplicate of title	1 000,00
7. More copies of title	1 000,00
8. Annotations	2 000,00
9. Certificate	2 000,00
10. Other fees	1 000,00
11. Searches	1 500,00
FEES	
ACT	Value (in patacas)
II—SERIES OF MARKS	

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1. Registration application	
1.1 Submission	500,00
1.2 Application for up to 5 products	1 300,00
1.3 Each 5 products in excess	1 000,00
2. Registration	12 000,00
3. Renewal	6 000,00
4. Surcharge for renewal within 6 months	3 000,00
5. Title	2 000,00
6. Duplicate of title	1 000,00
7. More copies of title	1 000,00
8. Annotations	6 000,00
9. Certificate	2 000,00
10. Other fees	1 000,00
11. Searches	4 500,00

FEEES

ACT	Value (in patacas)
III—CRAFTSMEN MARKS	
1. Registration application	
1.1 Submission	500,00

1.2 Application for up to 5 products	1 300,00
1.3 Each 5 products in excess	1 000,00
2. Registration	4 000,00
3. Renewal	2 000,00
4. Surcharge for renewal within 6 months	1 000,00
5. Title	2 000,00
6. Duplicate of title	1 000,00
7. More copies of title	1 000,00
8. Annotations	2 000,00
9. Certificate	2 000,00
10. Other fees	1 000,00
11. Searches	1 500,00

FEEES

ACT	Value (in patacas)
IV—COLLECTIVE MARKS	
1. Registration application	
1.1 Submission	500,00
1.2 Application for up to 5 products	1 300,00
1.3 Each 5 products in excess	1 000,00
2. Registration	4 000,00
3. Renewal	2 000,00
4. Surcharge for renewal within 6 months	1 000,00
5. Title	2 000,00
6. Duplicate of title	1 000,00
7. More copies of title	1 000,00
8. Annotations	2 000,00
9. Certificate	2 000,00
10. Other fees	1 000,00
11. Searches	1 500,00

FEEES

ACT	Value (in patacas)
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V—INTERNATIONAL MARKS	
1. Registration application	
1.1 Submission	500,00
1.2 Application for up to 5 products	1 300,00
1.3 Each 5 products in excess	1 000,00
2. Registration	4 000,00
3. Renewal	2 000,00
4. Surcharge for renewal within 6 months	1 000,00
5. Title	2 000,00
6. Duplicate of title	1 000,00
7. More copies of title	1 000,00
8. Annotations	2 000,00
9. Certificate	2 000,00
10. Other fees	1 000,00