

# **Statute on Fees of the Eurasian Patent Organization**

Adopted by the Administrative Council of the Eurasian Patent Organization (EAPO) at its second (1st ordinary) session on December 1, 1995, with the amendments and additions adopted by the Administrative Council of the EAPO at its sixth (4th ordinary) session on November 25-26, 1997, its eleventh (8th ordinary) session from October 15-19, 2001, fourteenth (10th ordinary) session from November 17-21, 2003, seventeenth (12th ordinary) session from November 14-18, 2005, eighteenth (thirteenth ordinary) session of the EAPO Administrative Council on September 5-6, 2006, confirmed by EAPO Order № 30 on December 20, 2006, and with amendments and additions approved by the 23d (17th regular) EAPO Administrative Council session of November 8-10, 2010, with amendments and additions approved by the twenty sixth (19th ordinary) session of the EAPO Administrative Council on November 20-22, 2012.

## **1. General Provisions**

(1) For the purposes of the present Statute on Fees of the Eurasian Patent Organization (hereinafter "the Statute") the following definitions shall mean:

"Convention" - the Eurasian Patent Convention done in Moscow on September 9, 1994 ;

"Organization" - the Eurasian Patent Organization pursuant to Article 2(1) of the Convention;

"Eurasian Office" - the Eurasian Patent Office pursuant to Article 2(3) of the Convention;

"Contracting State" - a State party to the Convention;

"Administrative Council" - the Administrative Council pursuant to Article 2(3) of the Convention;

"President of the Eurasian Office" - the highest official in the Organization pursuant to Article 2(4) of the Convention, as appointed in accordance with Article 3(3)(iii) of the Convention;

"National Office" - the national Patent Office of a Contracting State pursuant to Article 15(1)(ii) of the Convention;

"Patent Regulations" - the Patent Regulations under the Eurasian Convention pursuant to Article 14 of the Convention;

"Applicant" - a person who files a Eurasian application and is considered to have the right to obtain a Eurasian patent pursuant to Article 7(2) of the Convention;

"Eurasian application" - an application for the grant of a Eurasian patent, filed pursuant to Article 15(1) of the Convention, or an international application filed in accordance with the Patent Cooperation Treaty and containing a designation of Contracting States for the purposes of obtaining a Eurasian patent;

"Publication of a Eurasian application" - the publication provided for by Article 15(4) of the Convention;

"Patent owner" - a person who enjoys the exclusive right to use a patented invention pursuant to Article 9 of the Convention;

"Request" - a request for the grant of a Eurasian patent;

"Eurasian patent" - a patent granted by the Eurasian Office pursuant to Article 15 of the Convention;

"Fee" - payment for the performance, by the Eurasian Office, of a legally significant action in respect of a Eurasian application or a Eurasian patent, as well as an annuity for maintenance of a Eurasian patent;

"Unitary procedural fee" - the fee for filing a Eurasian application, search, publication and other procedural actions pursuant to Article 15(2) of the Convention.

(2) This Statute shall stipulate the procedure, amounts and time limits for payment of the fees provided for by the Convention and the Patent Regulations.

(3) All fees shall be paid to the Eurasian Office, unless expressly agreed otherwise.

(4) The amounts of the fees provided for in the present Statute shall be fixed in the currency of the Russian Federation (Russian rubles). Annuities for maintenance of a Eurasian patent in respect of each Contracting State (currency and amount) shall be stipulated by that Contracting State .

All accounts with the Eurasian Patent Office concerning payment of fees shall be settled in Russian rubles, US Dollars or Euros.

Fees shall be paid at the rates of the Central Bank of the Russian Federation fixed for the currency of payment against the currency of the fee to be paid on the date of payment. The date of payment shall be the date of the debiting of the amount from the payer's account or the date of payment of the fee through a bank without opening an account.

(5) Applicants from States parties to the Convention shall pay the fees at a level of 10 per cent of the amounts stated in paragraphs 2, 4, 5, 6, 7 and 8 of this Statute.

Applicants from States other than the States parties to the Convention, which, according to Rule 40(4) of the Patent Regulations, have been given temporary tariff preferences, shall pay the fees at a level of 20 per cent of the amounts stated in paragraphs 2, 4, 5, 6, 7 (excluding 7(2)) and 8 of this Statute.

As mentioned in Rules 7, 13(5) and 13(9) of the Patent Regulations, subjects of the transfer of the right to a Eurasian application and Eurasian patent from Contracting States shall pay fees at a

level of 10 per cent of the amounts stated in paragraph 11 of this Statute. The persons in question who are not residents of Contracting States but who, in accordance with Rule 40(4) of the Patent Regulations, have the right to benefit from the tariff preference, shall pay these fees at a level of 20 per cent of the amounts stated in this paragraph.

The list of States, as mentioned in the last subparagraph of Rule 40(4) of the Patent Regulations and in the second subparagraph of this subitem, is appended to this Statute.

## **2. Filing a Eurasian application**

(1) The following fees for filing a Eurasian application shall be paid pursuant to Article 15(2) of the Convention:

(i) the unitary procedural fee for filing a Eurasian application - fixed at 25500 roubles;

(ii) the fee for each claim in excess of five, in accordance with Rule 24(7) of the Patent Regulations - fixed at 3200 roubles;

*[Sub-paragraph (ii) amended by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013.]*

(iii) the additional fee for late submission of a Russian translation of Eurasian application materials, in accordance with Rules 21(6) and 71(3) of the Patent Regulations - fixed at 3200 roubles;

(iv) the additional fees for late submission of a document confirming payment of the unitary procedural fee within the time limits provided for in Rules 21(7), 34(5) and 71(3) of the Patent Regulations, and fees for each claim in excess of five, within the time limits established by Rule 24(7) of the Patent Regulations - fixed at 20 per cent of the amounts of the fees stated in subparagraphs (i) and (ii) of this subitem.

(v) the fee for late submission of a power of attorney in accordance with the third subparagraph of Rule 30(2) of the Patent Regulations - fixed at 950 roubles.

Where documents confirming payment of the fees for filing a Eurasian application, at the levels prescribed by this subitem, or further payment up to these levels, are not submitted within the established time limits, the application shall be considered to have been withdrawn.

In cases where the requirements specified in Rule 40(5) of the Patent Regulations are observed, the amount of the unitary procedural fee and of the fee prescribed in the third subparagraph of Rule 24(7) of the Patent Regulations shall be reduced by 25 per cent.

The amount of the unitary procedural fee and of the fee prescribed in the third subparagraph of Rule 24(7) of the Patent Regulations shall be reduced by 40 per cent in cases where the search reports referred to in Rule 40(5) of the Patent Regulations are prepared by the Russian Agency for Patents and Trademarks (Rospatent).

(2) Where a Eurasian application is filed with the national Office in accordance with Article 15(1)(ii) of the Convention, a fee shall be paid for checking the application in terms of compliance with examination requirements relating to formal features, the transmittal, amount, procedure and time limits for which shall be determined by the Contracting State .

(3) When seeking priority in accordance with the third subparagraph of Rule 36(3) of the Patent Regulations, the applicant shall pay an additional fee of 16000 roubles.

A document confirming payment of the additional fee shall be submitted together with a document confirming the existence of circumstances beyond the applicant's control, which have prevented the Eurasian application from being filed within the prescribed time limit.

(4) When filing a petition for publishing a Eurasian application prior to the term prescribed in the Article 15(4) of the Convention, in accordance with the Rule 44 (3) of the Patent Regulations the applicant shall pay an additional fee of 1600 roubles.

### **3. Filing an international application**

When filing an international application in accordance with Rules 63, 64 and 65 of the Patent Regulations, the international fee, search fee and transmittal fee shall be paid as provided for in the Patent Cooperation Treaty.

The procedure, amounts and time limits for payment of the international fee and the search fee shall be determined by Rules 14, 15 and 16 of the Regulations under the Patent Cooperation Treaty.

The transmittal fee of 1600 roubles shall be paid together with the international fee and search fee.

### **4. Substantive examination of a Eurasian application**

(1) For the substantive examination of a Eurasian application in accordance with Article 15(6) of the Convention, the applicant shall pay the following fees:

(i) in relation to one invention - 25500 roubles;

(ii) in relation to a group of inventions - 25500 roubles, in addition, 19000 roubles for second and 9500 for third, fourth and fifth invention;

*[New edition of sub-paragraph (ii) adopted by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

(iii) the additional fee for filing a request in accordance with the second subparagraph of Rule 46(1) of the Patent Regulations - at a level of 50 per cent of the fee prescribed in this subitem.

A document confirming payment of the fee shall be submitted together with a request to carry out the substantive examination of the Eurasian application.

Where a document confirming payment of the fee is not submitted, the request shall be considered not to have been filed.

In a case where the fees as paid do not correspond to the amounts indicated in this paragraph, a document confirming an extra payment in respect of these fees may be submitted within three months of the date of dispatch, by the Eurasian Office, to the person who has filed said request of notification of the need to make the extra payment.

Where a document confirming an extra payment in respect of the fees up to the level indicated in subparagraph (ii) of this subitem has not been submitted within the prescribed time limit, a Eurasian application for a group of inventions shall be examined in relation to the invention which has been selected by the applicant or, where such a selection is unavailable, which has been indicated first in the claim and in respect of which a fee has been paid.

Where a document confirming payment of the additional fee in accordance with subparagraph (iii) of this subitem has not been submitted within the prescribed time limits, the request shall be considered not to have been filed.

(2) When filing a request for the transformation of a Eurasian application into a national patent application in accordance with Article 16(1) of the Convention, a fee of 6400 roubles shall be paid.

A document confirming payment of the fee shall be submitted together with a request for the transformation of the Eurasian application.

Where a document confirming payment of the fee has not been submitted together with the request, the request shall be considered not to have been filed.

## **5. Grant of a Eurasian patent**

(1) For the grant of a Eurasian patent in accordance with Article 15(10) of the Convention and its publication in accordance with Rule 51(1) of the Patent Regulations, a fee of 16000 roubles shall be paid.

(2) For the publication of a Eurasian patent, if the application materials contain more than 35 sheets, including the claims, description, drawings and other materials, as well as the abstract, in accordance with Rule 51(2) of the Patent Regulations an additional publication fee of 160 roubles shall be paid for each subsequent sheet in excess of 35 sheets.

(3) The fees indicated in paragraphs 5(1) and (2) of this Statute shall be paid within the time limit prescribed in Rule 51(1) of the Patent Regulations.

Where the fee for granting a Eurasian patent is paid within two months of the expiry of the time limit prescribed in the second subparagraph of Rule 51(1) of the Patent Regulations, in accordance with the third subparagraph of said Rule, an additional fee of 3200 roubles shall be paid.

Where the additional publication fee has not been paid, or where the additional fee as paid does not correspond to the amount stipulated in paragraph 5(2) of this Statute, this fee may be paid or an extra payment may be effected in respect thereof within three months of the date of dispatch, by the Eurasian Office, to the applicant of notification of the need to pay such a fee or to make an extra payment.

Where the additional fee at the prescribed level has not been paid within the time limits indicated, the Eurasian application shall be considered to have been withdrawn.

(4) For the grant of a Eurasian patent in accordance with Rule 7(2) of the Patent Regulations, the person recognized as the inventor or the patent owner shall pay the fees at the levels provided for in paragraph 5(1) and (2) of this Statute.

A document confirming payment of the fees shall be submitted together with a request for the grant of a Eurasian patent in the applicant's name.

Where a document confirming payment of the fee at the level indicated in paragraph 5(1) of this Statute has not been submitted together with the request, the request shall be considered not to have been filed.

Where the additional publication fee has not been paid, or where the additional fee as paid does not correspond to the amount stipulated in paragraph 5(2) of this Statute, a document confirming payment of the fee or an extra payment in respect thereof may be submitted within three months of the date of dispatch, by the Eurasian Office, to the person recognized as the inventor or the patent owner of notification of the need to pay such a fee or to make an extra payment.

Where a document confirming payment of the additional publication fee at the prescribed level has not been submitted within the time limits indicated, the request shall be considered not to have been filed.

## **6. Additions, corrections and amendments**

(1) When submitting additional materials containing amendments and corrections to a Eurasian application, prior to the date of completion of the formal examination of the application, in accordance with Rule 49(2) of the Patent Regulations an additional fee of 3200 roubles shall be paid for each request to make amendments and corrections.

A document confirming payment of the fee shall be submitted together with the request to make amendments and corrections.

Where a document confirming payment of the fee at the prescribed level has not been submitted together with the request to make amendments and corrections, that request shall not be taken into account when examining the Eurasian application.

(2) When submitting additional materials containing amendments and corrections to a Eurasian application, following the date of completion of the formal examination of the application, in accordance with Rule 49(2) of the Patent Regulations an additional fee of 6400 roubles shall be paid for each request to make amendments and corrections.

A document confirming payment of the fee shall be submitted together with the materials containing amendments and corrections.

Where a document confirming payment of the fee at the prescribed level has not been submitted together with the amendments indicated, such amendments shall not be taken into account.

(3) When making corrections and alterations to a Eurasian patent in accordance with the second subparagraph of paragraph (1) and paragraph (2) of Rule 57 of the Patent Regulations, a fee of 3200 roubles shall be paid for each correction and alteration.

A document confirming payment of the fee shall be submitted together with the request to make corrections.

Where a document confirming payment of the fee has not been submitted together with the request, corrections to the Eurasian patent shall not be made.

(4) For publication of a new specification to a Eurasian patent owing to amendments made to the patent as a result of the consideration of opposition to the grant of a Eurasian patent, in accordance with Rule 53(9) of the Patent Regulations a fee of 6400 roubles shall be paid.

For publication of a new specification to a Eurasian patent, if the claims, description, drawings, abstract and other materials of the new specification contain more than 35 sheets, an additional fee of 320 roubles shall be paid for each subsequent sheet.

Said fees shall be paid within two months of the date on which the Eurasian Office takes a decision to amend the claims, description, drawings and other Eurasian patent materials.

Where the fee for publication of a new specification to a Eurasian patent has not been paid within the prescribed time limit and at the level stated in the first subparagraph of this subitem, the Eurasian patent shall be canceled.

Where the additional fee has not been paid, or where the additional fee as paid does not correspond to the amount stated in the second subparagraph of this subitem, a payment or extra payment in respect of this fee may be made within three months of the date of dispatch, by the Eurasian Office, to the applicant of notification of the need for such payment or to make an extra payment.

Where the additional fee at the prescribed level has not been paid within the time limit indicated, the Eurasian patent shall be canceled.

(5) When filing a request for the inclusion of additional claims, as well as the fee provided for by Rule 49(2) of the Patent Regulations a fee shall also be paid, in accordance with Rule 49(3) of the Patent Regulations, of 2200 roubles for each claim in excess of the number for which the corresponding fee has already been paid.

When filing a request for the inclusion of additional independent claims missing on the date of completion of the formal examination of the Eurasian application, in accordance with Rule 49(3) of the Patent Regulations a fee of 19000 roubles shall be paid for including a second independent claim into the claims, and a fee of 9500 roubles shall be paid for each independent claim beginning with the third independent claim of the new wording of the claims.

(6) When filing a request regarding changes to information contained in the request for the grant of a Eurasian patent in accordance with Rule 49(2) of the Patent Regulations, following the date on which the Eurasian application is received by the Eurasian Office, and also regarding a change in the representative of the applicant, patent owner or other interested person, a fee of 640 roubles shall be paid in accordance with Rule 30(5) of the Patent Regulations, apart from in the cases provided for in paragraphs 6(1)-6(5) and 11 of this Statute.

(7) When filing a request for changing information in the Register of Eurasian Patents regarding the name or title of the patent owner, his place of residence or location in accordance with the first subparagraph of Rule 58(1) of the Patent Regulations, a fee of 1600 roubles shall be paid.

## **7. Filing oppositions to decisions taken by the Eurasian Office**

(1) When filing an opposition to a decision taken by the Eurasian Office to refuse the grant of a Eurasian patent, a fee of 17500 roubles shall be paid in accordance with Article 15(9) of the Convention.

A document confirming payment of the fee shall be submitted together with the opposition to a decision taken by the Eurasian Office to refuse the grant of a Eurasian patent.

Where a document confirming payment of the fee has not been submitted together with said opposition, the opposition shall be considered not to have been filed.

(2) When filing an opposition to the grant of a Eurasian patent in accordance with Rule 53(5) of the Patent Regulations, a fee of 25500 roubles shall be paid.

A document confirming payment of the fee shall be submitted together with the opposition to the grant of the Eurasian patent.

Where a document confirming payment of the fee has not been submitted together with said opposition, the opposition shall be considered not to have been filed.

(3) When filing an opposition to a decision taken by the Eurasian Office in accordance with Rule 53(8) of the Patent Regulations, a fee of 40000 roubles shall be paid.

A document confirming payment of the fee shall be submitted together with the opposition.

If the document confirming payment of the fee has not been submitted together with the opposition, the opposition shall be considered not to have been filed.

*[Sub-item (3) was included by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

## **8. Extension of missed time limits and restoration of rights**

(1) When extending the time limit, in accordance with Rule 49(4) of the Patent Regulations, for submission of additional materials at an examiner's request, an additional fee shall be paid pursuant to Rule 37 of the Patent Regulations:

(i) up to 12 month after the expiry of the time limit prescribed for submission of the requested additional materials - 1000 roubles for the first two months of the extension. The fee for each subsequent month increases by 500 roubles in comparison to the preceding month.

*[New edition of sub-paragraph (i) adopted by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

(ii) more than 12 months after the expiry of said time limit, the fee for each subsequent month starting from thirteenth month of extension increases by 1000 roubles in comparison to the preceding month

*[New edition of sub-paragraph (ii) adopted by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

*[Sub-paragraph (iii) was excluded by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

When extending the time limit for the submission of additional materials according to the request filed in accordance with the second subparagraph of Rule 37(2) of the Patent Regulations, an additional fee of 3200 roubles shall be paid for each month of the extension.

A document confirming payment of the fee shall be submitted together with a request to extend the prescribed time limit.

Where a document confirming payment of the prescribed fee has not been submitted together with a request to extend the prescribed time limit, the request shall not be taken into account.

(2) When filing a request to restore a right relating to a Eurasian application, which has lapsed as a result of the failure to respect the time limits prescribed for the performance of any procedural

action, an additional fee of 25000 roubles shall be paid in accordance with Rule 39(1) and 71(7) of the Patent Regulations.

*[First paragraph of the second sub-item (2) was amended by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

When filing a request, in accordance with Rule 39(2) of the Patent Regulations, for the restoration of the right to a Eurasian patent, an additional fee of 25000 roubles shall be paid, as prescribed by Rule 39(1) of the Regulations.

*[Second paragraph of the second sub-item (2) was amended by decision of the 26th EAPO AC session of November 20-22, 2012. Entered into force on January 1, 2013]*

A document confirming payment of the additional fee shall be submitted together with a request to restore the right relating to a Eurasian application or Eurasian patent.

Where a document confirming payment of the additional fee has not been submitted together with the request to restore the right, the request shall be considered not to have been filed, and the right relating to the Eurasian application or Eurasian patent shall not be restored.

## **9. Document inspection**

(1) When filing a request to provide copies of documents cited in the patent search report, as provided for by Rule 43(1) of the Patent Regulations, a fee of 640 roubles shall be paid.

A document confirming payment of the fee shall be submitted together with said request.

Where the total number of sheets in the requested documents exceeds 20, an extra payment of 60 roubles shall be made for each sheet in excess of 20. A document confirming the extra payment shall be submitted within three months of the date of dispatch, by the Eurasian Office, of notification of the need to make an extra payment.

Where a document confirming payment of the fee or the extra payment has not been submitted, the requested materials shall not be enclosed with the patent search report.

(2) For the purposes of inspection of Eurasian application or Eurasian patent materials, a fee of 4000 roubles shall be paid to the Eurasian Office in accordance with Rule 61(2) of the Patent Regulations.

A document confirming payment of the fee shall be submitted together with a request for inspection of Eurasian application or Eurasian patent materials.

Where a document confirming payment of the fee has not been submitted together with the corresponding request, document inspection shall not be permitted.

Where a person wishing to inspect said materials requests that he/she be provided with copies of those materials, he/she shall pay the expenses of the Eurasian Office for copying the materials and, where necessary, their transmittal in accordance with the charges made for Office services.

Copies of the requested materials shall be provided and transmitted in accordance with the procedure established in the second subparagraph of Rule 40(1) of the Patent Regulations.

(3) In order to obtain information from the Register of Eurasian Patents, a fee of 800 roubles shall be paid to the Eurasian Office for each patent in accordance with Rule 58(1) of the Patent Regulations.

A document confirming payment of the fee shall be submitted together with a request to obtain the information in question.

Where a document confirming payment of the fee has not been submitted together with the corresponding request, the information requested from the Register of Eurasian Patents shall not be provided.

(4) For the purposes of obtaining information on a Eurasian application, a fee of 800 roubles shall be paid in accordance with Rule 14(2) of the Patent Regulations.

#### **10. Maintenance of a Eurasian Patent, Abandonment, Limitation and Extension of its Validity**

(1) For the purposes of maintaining a Eurasian patent in accordance with Articles 17, 18(2) and (3) of the Convention, an annual fee shall be paid for such maintenance (hereinafter "annuity") at a level equal to the sum of the fees for maintaining a Eurasian patent in designated Contracting States for the corresponding year of validity of the Eurasian patent.

Subject to Article 17 of the Convention, annuities for the maintenance of a Eurasian patent shall be paid once the patent has been granted annually, prior to the beginning of the year calculated from the filing date of the Eurasian application, for which collection of the annuity is envisaged in the national legislation of Contracting States.

Where a Eurasian patent is granted after the beginning of the year from which the collection of an annuity according to the national legislation of Contracting States is stipulated, once the Eurasian patent has been granted at the time of the first annuity payment, annuities for previous years shall also be paid.

In cases where the time between the dates of the grant of a Eurasian patent and the payment of the first annuity for its maintenance in designated Contracting States is less than two months, the fee indicated may be paid within two months of the date corresponding to the filing date of the Eurasian application.

Where the annuity for any year of validity of a Eurasian patent subject to the provisions of the previous subparagraph is paid within the preferential six-month time limit prescribed by Rule 40 (7) of the Patent Regulations, the amount of this fee shall be increased by 50 percent. The fees

for previous years of validity of the patent shall be paid without such an increase at the time the annuity is first paid.

Where the paid annuity does not correspond to the fixed amount, the balance of this fee may be paid within three months of the date of dispatch from the Eurasian Office to the patent owner of notification of the need to make the extra payment.

Where the document confirming payment of the annuity at the prescribed level has not been submitted, the patent shall be invalidated in accordance with Rule 56 (1) of the Patent Regulations.

(2) When filing a request to abandon a Eurasian patent, a fee of 640 roubles shall be paid in accordance with Rule 55(1) of the Patent Regulations.

When filing a request for the limitation of a Eurasian patent, in accordance with Rule 55(2) of the Patent Regulations, via the exclusion of one or of several claims, or via the exclusion from the claims of at least one of the alternative features, while maintaining the other or the others, a fee shall be paid in the amount of RUB 4000.

A document confirming payment of the fee shall be submitted together with the request to abandon the Eurasian patent or a request to limit the Eurasian patent.

Where a document confirming payment of the fee has not been submitted together with the request, the request shall not be considered.

(3) When filing a request to extend the period of validity of a Eurasian patent under Rule 16(6) of the Patent Regulations a fee of 3200 roubles shall be paid.

## **11. Transfer of the right to a Eurasian application or Eurasian patent**

(1) When filing a request to register the transfer of the right to a Eurasian application according to the procedure of succession in inheritance title or as the result of reorganization of a legal entity, a fee of 1600 roubles shall be paid in accordance with Rule 13(5) of the Patent Regulations or, when acquiring rights, in accordance with Rule 7(1) of the Patent Regulations.

When filing a request to register the transfer of the right to a Eurasian application by means of conceding that right, a fee of 6400 roubles shall be paid in accordance with Rule 13(5) of the Patent Regulations.

(2) When filing a request to register the transfer of the right to a Eurasian patent according to the procedure of succession in inheritance title or as the result of reorganization of a legal entity, a fee of 3200 roubles shall be paid in accordance with Rule 13(5) of the Patent Regulations or, when acquiring rights, in accordance with Rule 7(2) of the Patent Regulations.

When filing a request to register the transfer of the right to a Eurasian patent by means of conceding that right, a fee of 12800 roubles shall be paid in accordance with Rule 13(5) of the Patent Regulations.

(3) When filing a request to register the assignment of the right to a Eurasian application or a Eurasian patent, fees of 3200 and 6400 roubles respectively shall be paid in accordance with Rule 13(9) of the Patent Regulations.

(4) A document confirming payment of the fee shall be submitted together with a request to carry out the above-mentioned procedures.

Where a document confirming payment of the fee at the fixed level has not been submitted together with the request, the above-mentioned procedures shall not be carried out.

## **12. Payment of fees**

(1) The document confirming payment of a fee shall be an appropriate document, (for example a copy of the payment order, a receipt issued by a savings bank or other credit institution), certified in the prescribed manner by the bank serving the Eurasian Office, or by a bank in a Contracting State which has correspondent relations with the bank serving the Eurasian Office.

(2) A document confirming payment of a fee shall be valid for submission to the Eurasian Office within three months of the payment date indicated therein.

(3) A document confirming payment of the fee shall relate to one Eurasian application or to one Eurasian patent and shall indicate the title of the Eurasian application filed and/or the registration number of that application, if such a document is furnished after the registration of the application with the Eurasian Office, and/or the number of the Eurasian patent as well as an indication of the action for which the fee has been paid.

(4) In a case where the payment confirmed by the corresponding document does not reach the account of the Eurasian Office within two months of the payment date indicated therein, the applicant or patent owner shall be obliged, within three months of the date of dispatch of appropriate notification thereto by the Eurasian Office, to take the measures necessary for making the payment.

(5) A fee shall be considered to have been paid correctly, where the sum received by the Eurasian Office corresponds to the fixed amount of the fee.

(6) The Eurasian Office shall publish at regular intervals in the Bulletin of the Eurasian Office information concerning the bank serving it, the details of its account.

### **13. Refund of fees**

In accordance with Rule 40(9) of the Patent Regulations a fee may be refunded at the applicant's request, where such a fee has been paid at a level exceeding that established in this Statute, or where the action for which the fee has been paid, has not been performed.

The money to be refunded may, at the request of the person in question, be used for payment of other fees by that person or for payment for services rendered by the Eurasian Office.