

SPAIN

PATENTS AND TRADEMARKS

J. LAHIDALGA

(Established 1955)

ONLY FOR FOREIGN ASSOCIATES

*Patent and Trademark Agents in Spain
European Patent Attorneys
European Trademark Agents*

Schedule of Fees

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Address: C/ Arturo Soria, 243 Dpldo.
- 28033 - MADRID

Tels.: 34 91 401 61 97
34 91 401 60 98

Fax: 34 91 309 00 44

E-mail 1: patentes@lahidalga.com
E-mail 2: marcas@lahidalga.com

<http://www.lahidalga.com>

A.- SPANISH PATENTS

Term: Twenty Years.

Filing Requirements (minimum requirements):

- a) *Description with claims.*
- b) *Drawings.*
- c) *Abstract.*
- d) *Applicant's name and address.*
- e) *Inventor's name.*
- f) *Patent serial number and filing date.*
- g) *Power of Attorney form signed by the applicant or by order.*
- h) *Certified copy of document of priority (to follow).*

	Official fees	Agent's fees	Total in Euros		
1. FILING APPLICATION (descriptions, claims, abstracts and drawings not included).	91,69	300	392		
2. Preparing descriptions and claims. (minimum)		450	450		
3. Preparing an abstract.		60	60		
4. Preparing drawings (if necessary): per sheet.		60	60		
5. IF THE FILING APPLICATIONS RECEIVED IS READY TO FILE.	91,69	200	292		
6. TRANSLATION of documents into Spanish. (per 100 words)					
- From English.		10	10		
- From French, Italian or Portuguese.		11	11		
- From German.		12	12		
o <i>Other languages on request.</i>		→	→		
7. CHECKING texts received in Spanish 40% of translation fees per 100 words; approximately.					
8. Converting a Patent of Invention into a Utility Model		200	20		
9. REPLYING to an Official Action, from:	56,46	200	257		
10. PAYMENT of YEARLY TAXES , including official and agent's fees (<u>for the system of payment in advance</u>)					
<u>Yearly Tax</u>	Official fees	Total in Euros	<u>Yearly Tax</u>	Official fees	Total in Euros
• 4th year	28,25	82	• 13th year	298,22	359
• 5th year	54,05	97	• 14th year	337,03	393
• 6th year	79,77	130	• 15th year	275,57	426
• 7th year	105,36	191	• 16th year	428,11	472
• 8th year	131,15	214	• 17th year	478,47	538
• 9th year	156,85	236	• 18th year	529,97	590
• 10th year	182,59	258	• 19th year	581,37	614
• 11th year	221,23	293	• 20th year	632,85	692
• 12th year	259,76	326			

	Official fees	Agent's fees	Total in Euros
11. Formalities relating to the SEARCH REPORT on the State of the Art:			
a) Filing a petition for the search report.	664,51	100	775
b) Sending the search report or the opinion of third parties to client.		100	100
c) Preparing opinions on the search report or on opinions by third parties (minimum fee).		250	250
d) Filing new claims (minimum fee).		170	170
e) Taking over representation of third parties in order to prepare observations on a patent including the filing of such observations.		200	200
12. Claiming single priority rights.	21,23	100	122
13. Late filing of documents.			100
14. Rights of granting.	28,25	123,89	150
15. REPORTING on the patent grant and docketing of renewal information.		60	60
16. Filing application for a licence of right .	12,85	268,13	280
17. Forwarding Official Action with comments to client.		100	100

B.- UTILITY MODELS.

Term: 10 years.

A search report on the State of the Art is **not** necessary.

Filing requirements: the same as those stated for patents.

The same rates as noted for patents except:

	Official fees	Agent's fees	Total in Euros
18. Filing opposition to a Utility Model application, including study of same.	42,50	200	243
19. Replying to opposition to a Utility Model application.	56,46	200	257

C.-EUROPEAN PATENTS.

	Official fees	Agent's fees	Total in Euros
20. FILING application, including description, claims, abstracts, drawings and designation of the inventor, but excluding translation.		900	
a) Filing fee.	180		
b) Search fee.	760		
c) Designation fees (all countries)	500		
d) Examination fee	1.700		
	Total	900	4.040
e) Extra for each claim after 10 th claim.	40 each		
21. Claiming Convention priority (per claim).	100		
22. Filing application ready to file , excluding translation.	3.140	300	3.440
23. Translation of documents (per 100 words)			
• from English into Spanish	9		9
• from French into Spanish	10		10
• from German into Spanish	11		11
24. DEFINITIVE VALIDATION of European patent designating Spain (up to and including 22 pages), not including translation).	270	200	470
- Additional payment magnetic media.	9,90		

D.- TRADEMARKS <i>New Trade Mark Law in force from July 31, 2002.</i> Term: 10 years Renewable for 10 year periods thereafter		<u>Filing requirements for Trademarks:</u> a) Copy or photocopy of the trademark to be filed. b) Applicant's name and address. c) Goods or services to be covered. d) Power of Attorney signed by the applicant. d) Priority country, number and filing date. e) Certified copy of priority (within 3 months).		
		Official fees	Agent's fees	Total in Euros
25. Trademark SEARCH, including				
25.1	<ul style="list-style-type: none"> • Identical mark in all classes. • Identical and similar marks in ONE class (1st class). • Identical and similar commercial marks. • Identical and similar devices. in the following data bases: OEPM, OHIM and WIPO, with printout and assessment.	25,01	80	100
25.2	<ul style="list-style-type: none"> • Trademark SEARCH of similar marks in SECOND and subsequent classes, each 	25,01	40	60
26. Trademark FILING APPLICATION in one class, including blocks, prints, official and agent's fees, publication, and surveillance.		154,38	136	290
27. Simultaneous filing of second and subsequent classes, per class.		154,38	100	255
28. Replying to PROVISIONAL REFUSAL in Spain				
28.1	To a Spanish Trademark application, up to three classes	24,77	125	150
28.2	To a Spanish Trademark application, from the 4 th class	24,7	100	125
28.3	To an International Trademark application (Spanish part), up to three classes		300	300
28.4	To an International Trademark application (Spanish part), from the 4 th class		100	100
29. Filing OPPOSITION to a trademark application.				
29.1	up to three classes	44,29	128	170
29.2	4 or more classes, each		60	60
30. Filing a WRIT OF APPEAL (against denied registration)		102,26	125	228
31. Reply to a Writ of Appeal filed by third parties.				150
32. Filing application for RENEWING a trademark.				
32.1	in one class	178,73	120	300
32.2	second class and subsequent classes	178,73	100	279
33. Request for obtaining the CERTIFICATE OF REGISTRATION, including 10 years of surveillance.				
33.1	up to three classes		200	200
33.2	4 th and subsequent classes, each		50	50
34. Claim single priority rights (excluding sworn translation)		21,88	99,78	122

E.- INDUSTRIAL MODELS AND DESIGNS

Filing Requirements:

- a) Representations (designs or photographs).
- b) Applicant's name and address.
- c) Priority country, number and filing date.
- d) Power of Attorney signed by the applicant.
- e) Certified copy of the priority document (within 3 months).

**Total in
Euros**

35. **APPLICATION OF DESIGN** (depending on the number of designs).

Nº of Designs	Total In EUROS
1 – 10	90,85
11 – 20	163,54
21 – 30	221,68
31 – 40	268,20
41- 50	305,43

36. Reply to an official action.	250
37. Reply to an opposition.	200
38. Filing OPPOSITION to design application. (minimum 44,29 €)	245
39. Redaction of the descriptions (if necessary) per design.	60
40. Drawings (per page).	70

F.- ASSIGNMENTS (trademarks).

Registration of rights of assignment,
transfer or change of name,
excluding fees for sworn translations, legalizations, notary fees, etc.

Filing requirements:

- a) Sign the assignment form by both parties.*
- b) Power of attorney form duly signed by the assignee.*
- c) For patents and utility models: public document of transfer.*

	Official fees	Agent's fees	Total in Euros
41. Basic charge for one instrument.	32,44	200	233
42. Extra for each case involved in each stage of modification of rights:			
45.1 up to 10 cases, each	32,44		80
45.2 up to 50 cases, each	32,44		70
45.3 more than 50 cases, each	32,44		65

G.-INTERNATIONAL REGISTRATION OF TRADEMARKS.			
UNDER THE MADRID AGREEMENT AND PROTOCOL.			
	Official fees	Agent's fees	Total in Euros
43. For the application of an international trademark for 10 years, including and up to 3 classes.	653	400	850
44. Supplementary fee for each class of goods and services after the 3 rd class (Articles 7(1) and 8(2)(b) of the Agreement).	100	90	140
45. Additional fee for territorial extension to one country (Articles 3(iii), 7(1) and 8(2)(c) of the Agreement).	100	90	140
46. For a mark published in colour (Rule 9(2)(ii)).	903	400	1.022
47. Renewal of the basic fee for the second period of 10 years (Rule 10(2)).	653	655	1.100
48. Territorial extension requested following international registration (Article 3(iii) (2) of the Agreement).	300	400	607
49. For a mark including a figurative element or for a word mark in a special letter type, except when published in colour (Rule 9(1)).		180	180
50. Total transfer of the international registration.	177	400	525
51. Change of name and address of the owner for a single international registration.	150	400	505
52. For the designation, according to PROTOCOL , for one class, a surcharge of: <i>(ask for an updated list)</i> .			

H.- REGISTRATIONS BEFORE THE O.H.I.M.

Registration before the O.H.I.M. -Office for Harmonisation in the Internal Market- Trademarks and designs. Alicante (Spain).

Countries included:

AUSTRIA, BELGIUM, DENMARK, FRANCE, FINLAND, GERMANY, GREECE, HOLLAND, IRELAND, ITALY, LUXEMBOURG, PORTUGAL, SWEDEN, SPAIN, U.K.

H.1.- COMMUNITY TRADEMARK

	Official fees	Agent's fees	Total in Euros
53. Filing a Community Trademark Application.			
56.1 3 classes up to and including	750	200	950
56.2 4 th and subsequent classes, each	150	50	200
54. For services related with obtaining a COMMUNITY SEARCH REPORT, including a detailed study of the contents and issue of the corresponding Search Report from the Office for Harmonisation in the Internal Market (Trade Marks and Designs)			
55. Request for obtaining the CERTIFICATE OF REGISTRATION including official and agent's fees and taking charge of surveillance.	850	200	1.050
56. Filing OPPOSITION to a Community Trademark.	350	300	650
57. Filing WRIT of APPEAL (against denied registration or registration by a third party).	800	300	1.100
58. Filing a RENEWAL trademark application.			
58.1 Up to three classes.	1.350	200	1.550
58.2 4 th and subsequent classes, each.	400	60	460

H.2.- REGISTERED COMMUNITY DESIGN				
		Official fees	Agent's fees	Total in Euros
59. Filing a Registered COMMUNITY DESIGN (Art. 36.3 ^a /R (CE) No. 6/2002)				
	Official fee in respect of an application	230		
	Official fee in respect of publication	120		
	Total fees	350	300	650
61.1 For each DESIGN included in the same file from 2nd to 10th .				
	Official fee in respect of an application	115		
	Official fee in respect of publication	60		
	Total fees	175	100	275
61.2 For each DESIGN included in the same file from 11th design onwards .				
	Official fee in respect of an application	50		
	Official fee in respect of publication	30		
	Total fees	80	80	160
62. Additional fee for DEFERMENT OF PUBLICATION .		40	100	140
	62.1 For each design from the 2nd to the 10th	20	50	70
	62.2 For each design from the 11th onwards	10	30	40
63. Filing application for RENEWING (Art. 13 (1) of R (CE) No. 6/2002).				
	63.1 For the 1st period of five years	90	300	390
	63.2 For the 2nd period of five years	120	300	420