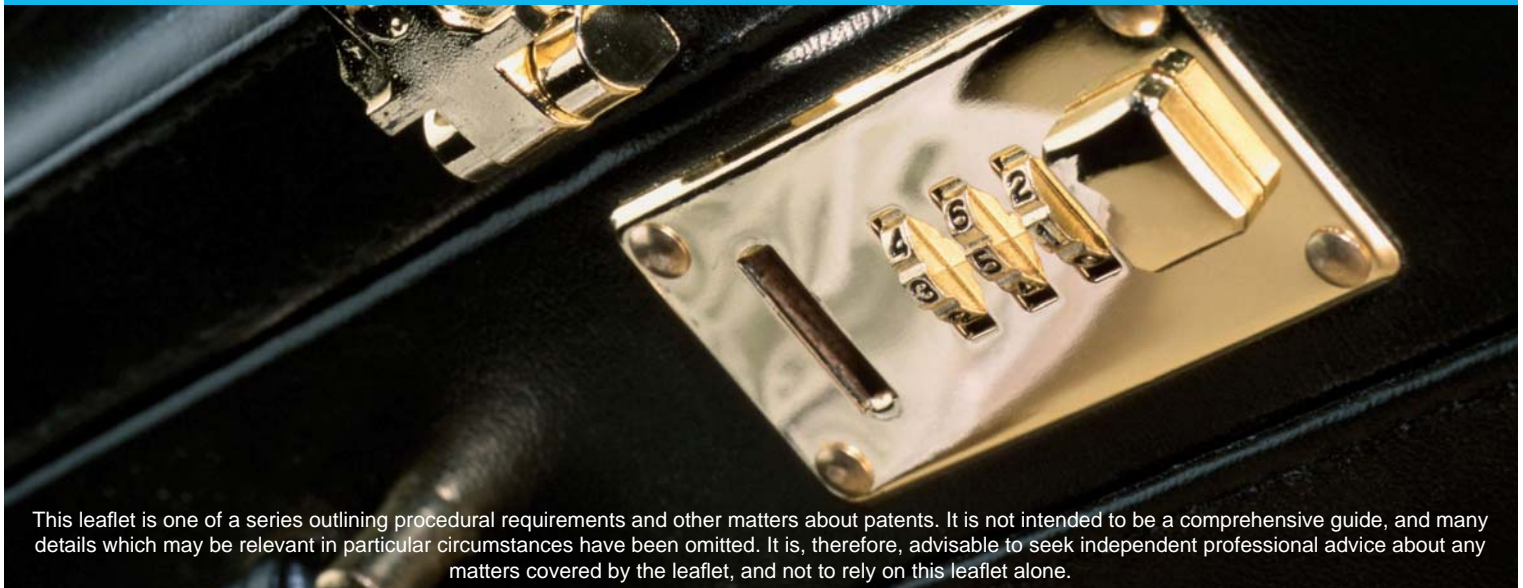


UK Intellectual Property Office

Keeping your patent in force



This leaflet is one of a series outlining procedural requirements and other matters about patents. It is not intended to be a comprehensive guide, and many details which may be relevant in particular circumstances have been omitted. It is, therefore, advisable to seek independent professional advice about any matters covered by the leaflet, and not to rely on this leaflet alone.



You have probably spent a lot of time, effort and money getting your patent.

If you want to keep your rights for the full 20 years the law allows, you must **renew your patent every year**.

This leaflet explains how to renew your patent. The first thing to note is that **we will not invoice you**. It is up to you to renew your patent.

When do I start paying renewal fees?

You pay renewal fees for the year ahead, starting from the fourth anniversary of the filing date for your patent. So if, for example, you filed your application on 15 April 2003, your first renewal fee would be due by 15 April 2007. Your 'payment due date' (as we call it) would be 30 April 2007 because renewal payments are not due until the end of the calendar month.

Does this apply to all patents?

No, there are two exceptions to this rule:

- If we grant your patent more than 3 years and 9 months after the filing date, it is called a 'late grant'. If you have a late grant, your first renewal fee will be due 3 months after the grant date. **However, after that, the renewal fees will be due on the anniversary of the filing date.** This means you may have to pay two renewal fees in a year. In some rare cases, you may have to pay more than two renewal fees in a year.
 - For European patents (UK)* you pay annual fees to the European Patent Office (EPO) for the years until the patent is granted. This starts from the second anniversary of the filing date. The first renewal fee you pay in the UK is for the year after the date the patent is granted. You do not pay any fees in the UK for the time before the patent is granted, but after grant we treat it the same as a UK patent.
- * A European patent (UK) is a patent granted by the EPO under the European Patent Convention which is valid in the UK.

For more about European patents (UK), see our website www.ipo.gov.uk or our leaflet 'Filing translations of European patents (UK)', and the EPO's booklet 'How to get a European patent – Guide for applicants', available on their website www.european-patent-office.org.

When can I pay the renewal fees?

You can pay your renewal fees up to 3 months before, or up to 6 months after, the payment due date. If you do not pay the fee within one month of the payment due date, you will also have to pay an extra 'late' fee for each month or part of a month that has passed in the six-month period.

What happens if I do not pay in time?

If we do not get your renewal fee by the end of the sixth month after the payment due date, your patent will **end** from the renewal date. This means that anybody who wants to use your invention can legally do so.

You can apply to have your patent restored. However, you can only do this within 19 months of the date when the patent ended. To find out more, see our website www.ipo.gov.uk or our leaflet 'Restoring your patent'.

How much do I pay?

The amount you pay goes up every year of the patent's life. Parliament can also change how much you have to pay. Renewal fees are shown on our website www.ipo.gov.uk or you can:

- Phone us on 08459 500 505 or
- E-mail: enquiries@ipo.gov.uk

How do I pay?

You can pay by cheque, credit or debit card, or bank transfer.

If you pay by cheque, make it out to 'UK Intellectual Property Office' and send it with a completed **Patents Form 12** to:

UK Intellectual Property Office, Concept House, Cardiff Road, Newport, South Wales, NP10 8QQ.

You can print a **Patents Form 12** from our website www.ipo.gov.uk

Will you send me a receipt?

Yes. We will send you a certificate of payment of your renewal fee within a few days of processing payment.

How can I remember to pay the renewal fee every year?

You can set up your own reminder system by using a diary, or you can pay a patent agent or renewal agency to do it for you.

If you do not pay the renewal fee by the payment due date, we will send you a reminder **two weeks** after the payment due date.

To make sure we can do this, we must have your contact address on our records. So, if you move, or change agents, or stop using your last agent, please write to tell us straight away.

Are my renewal fees affected if my patent is endorsed with a 'Licence of Right'?

Yes. If your patent has been endorsed 'Licences of Right' then after the endorsement date you only have to pay renewal fees at **half the normal rate**. However, you will still have to pay the full 'late' fees if you do not pay your renewal fees in time.

There is more about Licences of Right on our website www.ipo.gov.uk or in our leaflet 'Registering licences under your patent'.

Please keep this leaflet with your patent papers in case you need it in future. If you sell or give your patent to someone else, or someone else becomes responsible for paying renewal fees, please give them this leaflet.

For further information please visit our website at:- www.ipo.gov.uk or contact us on:- 08459 500 505

All information contained in this document was correct at the time of going to print, and is available in alternative formats on request.



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