On procedure of payment and amounts of duties
for foreign applicants for legal actions connected with
protection of industrial property objects within
the territory of the RK

Resolution of the Cabinet of Ministers of the RK
as of April 6,1993 N266

With the view of promoting interest of foreign citizens and firms in terms of getting protection documents of the RK for the industrial property objects the CM of the RK

RESOLVES:

To confirm attached Procedure of payment and amounts of duties for foreign applicants for legal actions connected with protection of industrial property objects within the territory of the RK.

Prime-Minister
of the RK

Confirmed by the Resolution of the CM
of the RK as of April 6, 1993 N266

Procedure of payment and amounts of duties for foreign applicants for legal actions connected with protection of industrial property objects within the territory of the RK.

Amounts of duties are determined in USA dollars and can be paid in another hard currency with regard of current rate of exchange in respect of USA dollars at given period of time.

Duties are being imposed by the National Patent Office under the CM of the RK for following legal actions connected with protection of industrial property objects of foreign applicants within the territory of the RK:

Type of duty, payment procedure	Fee in U.S.Dollars
1. Application for:	
invention	100
utility models	90
industrial design	70
trade mark registration	70
registration and issuance of certificate for appellation of origin	70

registration of “Collective Trademark” 140
Duty is being paid at filing application. If
it is paid later but not before expiration
of two months
from the moment of getting petition, the
amount of duty is being increased by 20%.

2. For petition of conventional priority: 70
for filing application with the petition of
conventional priority after expiration of terms
determined by Paris Convention on industrial property
but not later than the date provided for legislation 140

3. Amendments to application for invention,
utility model or industrial design when two months expire
after the date of application filing. 20

4. Conducting of formal search before two
months expire from the moment of filing petition for invention,
industrial design, utility model 70

5. Conducting of search:

a) on a single invention 400
on multiple inventions 400 plus 320 for each additional invention
where results of international
search or conclusion of international preliminary search
conducted in accordance with standards
of the Republic of Kazakstan 340

b) on industrial design
single variant 200
2-10 variants 300
10 variants or more 400

full search:

c) for trademark:
international classification of goods
and services (per class) 140
each additional class 35

d) search on appellation of origin

Duties for conducting search for invention, industrial model are being paid while submitting petition on conducting search in the date fixed by the Patent Law.
If paid duty does not correspond to the number of inventions comprising the single invention idea (for petition for invention) or to the number of declared class of goods or services (for petition for trade marks), additional payment is to be made within the period of two months from the moment of getting notification about this.

In case of splitting petition for invention and industrial design into several independent petitions each of new submitted application is being paid as separate independent application. Fees paid before for the conducting of search are being reckoned, if splitted petitions are submitted in accordance with established requirements of legislation.

6. Filing petition to review decision about denials:

a) denial of preliminary patent application	
invention	120
industrial design	120
b) denial of patent application	
invention	400
utility model	150
industrial design	400
c) denial of trade mark registration	105
d) denial of appellation of origin registration	105

7. For filing petition to review decision about denials of patent or preliminary patent for invention or industrial design, patent for utility model, against registration of trade mark or registration of appellation of origin fees are being paid in amounts established by item 6 of given Procedure.

8. Petition to file late application 200

9. To re-characterize application for invention to application for utility model or application for utility model to application for invention 50

10. For issuing:

a) preliminary patent:	
for invention	200
for industrial design	200
b) patent:	
for invention (in exchange for preliminary patent)	200
for industrial design (in exchange for preliminary patent)	200
for utility model	300
c) for registration and issuing certificate for:	
trade mark	70
appellation of origin	70
d) for reregistration of preliminary patent or patent on request of patent user	100

Fees are being paid within the period of two months from the day of getting decision on issuing of preliminary patent or patent, decision on registration of trade mark or appellation of origin and granting the right to use them. Also the same fee at the same period of time is being paid while filing petition to correct mistakes in preliminary patent or patent. In case if fee is paid after stipulated period but not later than after 6 months expiration, the amount of fee will be increased by 50%. If fee is not paid during this time the application is deemed as withdrawn.

11. For extension of certification:

for trade mark	140+70 for each additional class
for appellation of origin	140

Fees are being paid while filing application in date fixed by legislation. If fee is being paid after stipulated period but not later than after 6 months expiration, the amount of fee is increased by 50%. If delay of payment exceeds 6 months, registration of trade mark is being annulled and certificate for trade mark or appellation of origin is being terminated.

12. For amendments:

to State Register of trade marks and to Certificate	70
to State register of appellation of origin and to Certificate	70

13.For registering agreement to transfer rights to preliminary patent or patent, rights to trade mark rights pursuant to licensing agreement 250

14. For amendments to licensing agreement or agreement on concession 70

15. For submission of application for issuance of open license and publication thereof 70

16. Duties to maintain validity of:
preliminary patent for invention (1)
patent for invention (2)
patent for utility model (3)
preliminary patent for industrial design (4)
patent for industrial design (5)

For each year of validity	1	2	3	4	5
1-2	100	-	70	70	-
3	100	100	70	70	70
4-5	150	150	210	105	105
6-7	-	200	210	-	120
8	-	300	210	-	130
9	-	300	-	-	130
10	-	300	-	-	150
11-12	-	400	-	-	220
13-14	-	600	-	-	220
15	-	600	-	-	220
16-18	-	700	-	-	-
19-20	-	800	-	-	-

Annual duty is being paid for the whole year of validity of the patent or preliminary patent. The first contribution of the annual duty for preliminary patent for invention or industrial design, patent for utility model is being paid at the same time when duty for issuing of the certificate is paid.

The first contribution for the patent for invention or industrial design is being paid at the same time when duty for issuing patent is paid.
For each additional year for validity of the preliminary patent or patent duty is being paid before expiration of current year of validity of appropriate certificate.
In case of paying annual duty after fixed date but not later than 6 months after expiration the amount of duty is increased by 50%. In case of delays of payment more than 6 months, the validity of preliminary patent for invention or industrial design, patent for invention, industrial design or utility model is being terminated.
For granting right to get license (open license) to any person while submitting appropriate application to Kazpatent, the duty for the validity of the patent is being reduced by 50% from the moment of publication.