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## PROPOSAL

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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 31 October 2016

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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No. Cion doc.: COM(2016) 702 final - Annexes 1 to 3

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Subject: ANNEXES to the Proposal for a REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL on the European Union trade mark  
(codification) (Text with EEA relevance)

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Delegations will find attached document COM(2016) 702 final - Annexes 1 to 3.

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Encl.: COM(2016) 702 final - Annexes 1 to 3



Brussels, 31.10.2016  
COM(2016) 702 final

ANNEXES 1 to 3

**ANNEXES**

**to the**

**Proposal for a**

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the European Union trade mark (codification)**

**(Text with EEA relevance)**

## ANNEX I

### **AMOUNT OF FEES**

- A. The fees to be paid to the Office under this Regulation shall be as follows (in EUR):
1. Basic fee for the application for an individual EU trade mark (Article 31(2)):  
EUR 1 000
  2. Basic fee for the application for an individual EU trade mark by electronic means (Article 31(2)):  
EUR 850
  3. Fee for the second class of goods and services for an individual EU trade mark (Article 31(2)):  
EUR 50
  4. Fee for each class of goods and services exceeding two for an individual EU trade mark (Article 31(2)):  
EUR 150
  5. Basic fee for the application for an EU collective mark or an EU certification mark (Article 31(2) and Article 74(3) or Article 83(3)):  
EUR 1 800
  6. Basic fee for the application for an EU collective mark or an EU certification mark by electronic means (Article 31(2) and Article 74(3) or Article 83(3)):  
EUR 1 500
  7. Fee for the second class of goods and services for an EU collective mark or an EU certification mark: (Article 31(2) and Article 74(3) or Article 83(3)):  
EUR 50
  8. Fee for each class of goods and services exceeding two for an EU collective mark or an EU certification mark (Article 31(2) and 74(3) or Article 83(3)):  
EUR 150
  9. Search fee for an EU trade mark application (Article 43(2)) or for an international registration designating the Union (Article 43(2) and Article 195(2)): EUR 12 multiplied by the number of central industrial property offices referred to in

Article 43(2); that amount, and the subsequent changes, shall be published by the Office in the Official Journal of the Office.

10. Opposition fee (Article 46(3)):  
EUR 320
11. Basic fee for the renewal of an individual EU trade mark (Article 53(3)):  
EUR 1 000
12. Basic fee for the renewal of an individual EU trade mark by electronic means (Article 53(3)):  
EUR 850
13. Fee for the renewal of the second class of goods and services for an individual EU trade mark (Article 53(3)):  
EUR 50
14. Fee for the renewal of each class of goods and services exceeding two for an individual EU trade mark (Article 53(3)):  
EUR 150
15. Basic fee for the renewal of an EU collective mark or an EU certification mark (Article 53(3) and Article 74(3) or Article 83(3)):  
EUR 1 800
16. Basic fee for the renewal of an EU collective mark or an EU certification mark by electronic means (Article 53(3) and Article 74(3) or Article 83(3)):  
EUR 1 500
17. Fee for the renewal of the second class of goods and services for an EU collective mark or an EU certification mark (Article 53(3) and Article 74(3) or Article 83(3)):  
EUR 50
18. Fee for the renewal of each class of goods and services exceeding two for an EU collective mark or an EU certification mark (Article 53(3) and Article 74(3) or Article 83(3)):  
EUR 150
19. Additional fee for the late payment of the renewal fee or the late submission of the request for renewal (Article 53(3)): 25 % of the belated renewal fee, subject to a maximum of EUR 1 500
20. Fee for the application for revocation or for a declaration of invalidity (Article 63(2)):

- EUR 630
21. Appeal fee (Article 68(1)):  
EUR 720
22. Fee for the application of *restitutio in integrum* (Article 104(3)):  
EUR 200
23. Fee for the application for the conversion of an EU trade mark application or an EU trade mark (Article 140(1), also in conjunction with Article 202(1)):
- (a) into a national trade mark application;
  - (b) into a designation of Member States under the Madrid Protocol:  
EUR 200
24. Fee for continuation of proceedings (Article 105(1)):  
EUR 400
25. Fee for the declaration of division of a registered EU trade mark (Article 56(4) or an application for an EU trade mark (Article 50(3)):  
EUR 250
26. Fee for the application for the registration of a licence or another right in respect of a registered EU trade mark ( Article 26(2)) or an application for an EU trade mark ( Article 26(2)):
- (a) grant of a licence;
  - (b) transfer of a licence;
  - (c) creation of a right *in rem*;
  - (d) transfer of a right *in rem*;
  - (e) levy of execution:  
EUR 200 per registration, but where multiple requests are submitted in the same application or at the same time, not to exceed a total of EUR 1 000
27. Fee for the cancellation of the registration of a licence or other right ( Article 29(3)):  
EUR 200 per cancellation, but where multiple requests are submitted in the same application or at the same time, not to exceed a total of EUR 1 000
28. Fee for the alteration of a registered EU trade mark (Article 54(4)):  
EUR 200

29. Fee for the issue of a copy of the application for an EU trade mark (Article 114(7)), a copy of the certificate of registration (Article ( 51(2)), or an extract from the register (Article 111(7)):
- (a) uncertified copy or extract:  
EUR 10
  - (b) certified copy or extract:  
EUR 30
30. Fee for the inspection of the files (Article 114(6)):  
EUR 30
31. Fee for the issue of copies of file documents (Article 114(7)):
- (a) uncertified copy:  
EUR 10
  - (b) certified copy:  
EUR 30
- plus per page, exceeding 10  
EUR 1
32. Fee for the communication of information in a file (Article 114(9)):  
EUR 10
33. Fee for the review of the determination of the procedural costs to be refunded ( Article 109(8)):  
EUR 100
34. Fee for the filing of an international application at the Office ( Article 184(4)):  
EUR 300

B. Fees to be paid to the International Bureau

**I. Individual fee for an international registration designating the Union**

1. The applicant for an international registration designating the Union shall be required to pay to the International Bureau an individual fee for the designation of the Union in accordance with Article 8(7) of the Madrid Protocol.
2. The holder of an international registration who files a request for territorial extension designating the Union made subsequent to the international registration shall be

required to pay to the International Bureau an individual fee for the designation of the Union in accordance with Article 8(7) of the Madrid Protocol.

3. The amount of the fee under points B.I.1 or B.I.2 shall be the equivalent in Swiss Francs, as established by the Director-General of the WIPO pursuant to Rule 35(2) of the Common Regulations under the Madrid Agreement and Protocol, of the following amounts:
  - (a) for an individual trade mark: EUR 820 plus, where applicable, EUR 50 for the second class of goods and services and EUR 150 for each class of goods and services contained in the international registration exceeding two;
  - (b) for a collective mark or a certification mark: EUR 1 400 plus, where applicable, EUR 50 for the second class of goods and services and EUR 150 for each class of goods or services exceeding two.

## **II. Individual fee for a renewal of an international registration designating the Union**

1. The holder of an international registration designating the Union shall be required to pay to the International Bureau, as a part of the fees for a renewal of the international registration, an individual fee for the designation of the Union in accordance with Article 8(7) of the Madrid Protocol.
2. The amount of the fee referred to in point B.II.1 shall be the equivalent in Swiss Francs, as established by the Director-General of the WIPO pursuant to Rule 35(2) of the Common Regulations under the Madrid Agreement and Protocol, of the following amounts:
  - (a) for an individual trade mark: EUR 820 plus, where applicable, EUR 50 for the second class of goods and services and EUR 150 for each class of goods and services contained in the international registration exceeding two;
  - (b) for a collective mark or a certification mark: EUR 1 400 plus, where applicable, EUR 50 for the second class of goods and services and EUR 150 for each class of goods and services contained in the international registration exceeding two.

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**ANNEX II**

**Repealed Regulation with list of its successive amendments**

☒ Council Regulation (EC) No 207/2009  
(OJ L 78, 24.3.2009, p. 1) ☒

☒ Act of Accession of 2012, Annex III, point 2(I) ☒

☒ Regulation (EU) 2015/2424 of the European Parliament  
and of the Council  
(OJ L 341, 24.12.2015, p. 21) ☒

☒ Only Article 1 ☒







### ANNEX III

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