



Notice on Several Issues Relating to Payments for Extended Patent Term

Pursuant to the rules set forth in *Announcement of China National Intellectual Property Administration on Adjustments of Fee Schedule and Reduction Policies for Particular Types of Patents* (No. 594), in order to facilitate relevant practice of applicant, patentee, and other interested parties, the following issues are hereby advised:

I. Regarding payments for extended patent term

Where the patentee files a request for extension of patent term before July 26, 2024, the fee for requesting extension of patent term shall be paid before October 26, 2024. Where the fee for requesting extension of patent term is not paid or not paid in full, the extension of patent term shall not be granted.

Where China National Intellectual Property Administration makes a decision to grant an extension of patent term, the patentee shall pay the annual fees for the extended patent term in one lump sum before expiry of the 20-year patent term under the requirement of Review Decision on Extension of Patent Term. No overdue fee or restoring period is set for the payment of the annual fees for the extended patent term. The provisions for reduction shall not be applied to the annual fees for the extended patent term. Where the annual fees for the extended patent term are not paid or not paid in full before due date, the extension of patent term shall not be recognized.

II. Regarding reduction of fees for international application entering China's national phase

An international patent application that enters China's national phase after July 26, 2024 and designates China National Intellectual Property Administration as the receiving office to accept the case and carry out international search is exempted from the filing fee and the additional fee for filing.

An international patent application that enters China's national phase after July 26, 2024 and for which China National Intellectual Property Administration has provided the International Search Report or International Preliminary Report on Patentability is exempted from the fee for substantive examination upon entering China's national phase and requesting for substantive examination.

For an international patent application that enters China's national phase after July 26, 2024 and does not fall in the circumstances described above, the filing fee, the additional fee for filing, the fee for substantive examination, and other relevant fees shall be paid in full upon enter China's national phase, unless it falls in the circumstances prescribed by *Measures for Patent Fee Reduction*.

III. Regarding fees for filing of international design registration

For the payment of a fee for filing of an application for international design registration charged by China



National Intellectual Property Administration for the international bureau of World Intellectual Property Organization under Section 4.1, Chapter 1 of Part VI of the *Guidelines for Patent Examination*, specific measures are to be formulated after China National Intellectual Property Administration and World Intellectual Property Organization work out relevant details of cooperation.

China National Intellectual Property Administration
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