

Japan Patent Office Fees

NEWS: Please note that many of the following fees have changed following the amendment to the Japanese Patent Law of 2015. The following prices became effective on April 1, 2016.

A more comprehensive list and explanation of procedures can be found at http://www.jpo.go.jp/tetuzuki/ryoukin/fy27_ryoukinkaitei.htm (Japanese language only).

While the following information may be obtained from the Japan Patent Office (JPO) website itself, we have prepared a distilled version for your convenience. While we do update our website regularly to reflect changes in Japanese IP law and provide our customers with analyses of trends and potential issues which may influence how and when they may seek to obtain IP rights in Japan, the information on the JPO website should be considered to be the most up-to-date information available.

These fees denote the fixed costs required by the Japan Patent Office for some of their services. The JPO does not accept payment (credit card, electronic, checks, money orders, cash, etc) from overseas residents. Payment of all fees required by the JPO must be made by a patent attorney residing and/or domiciled in Japan. The JPO fees do not include patent attorney's fees for carrying out such services at the JPO.

Please note that all prices in US dollars were calculated at a rate of ¥110 = \$1 US (Rate as of May 2018) and the US dollar amounts are simply for reference.

Patents

Patent Application	¥14,000 (\$127)
Foreign Language Application	¥22,000 (\$200)
Entry into National Phase (PCT)	¥14,000 (\$127)
Application for Registration of Extension of Patent Right Term	¥74,000 (\$672)
Request for Examination	¥118,000 (\$1,073) + ¥4,000 (\$36)/claim
-ISR established by JPO as the ISA (PCT)	¥71,000 (\$645) + ¥2,400 (\$22)/claim
-ISR established by an ISA other than the JPO (PCT)	¥106,000 (\$963) + ¥3,600 (\$33)/claim
-Search report established by a designated search organization	¥94,000 (\$854) + ¥3,200 (\$29)/claim
Opposition	¥16,500 (\$150) + ¥2,400 (\$22)/claim
Appeal or Trial/Retrial and Requests for Correction therein	¥49,500 (\$450) + ¥5,500 (\$50)/claim
Trial/Retrial for Registration of Extension of Patent Right Term	¥49,500 (\$450) + ¥5,500 (\$50)/claim
Annual Fee/Registration Fee*	
1 st to 3 rd year	¥2,100 (\$19) + ¥200 (\$1.82)/claim
4 th to 6 th year	¥6,400 (\$58) + ¥500 (\$4.54)/claim
7 th to 9 th year	¥19,300 (\$175) + ¥1,500 (\$13.63)/claim
10 th to 25 th year	¥55,400 (\$504) + ¥4,300 (\$39)/claim

*Amount due each year for a patent registration for which an examination was requested on or after April 1, 2004.

Utility Models

Utility Model Application*	¥14,000 (\$127)
Entry into National Phase (PCT)	¥14,000 (\$127)
Request for Registrability Report	¥42,000 (\$382) + ¥1,000 (\$9.09)/claim
-ISR established by JPO as the ISA (PCT)	¥8,400 (\$76) + ¥200 (\$1.82)/claim
-ISR established by an ISA other than JPO (PCT)	¥33,600 (\$305) + ¥800 (\$7.27)/claim
Annual Fee/Registration Fee	
1 st to 3 rd year	¥2,100 (\$19) + ¥100 (\$0.91)/claim
4 th to 6 th year	¥6,100 (\$55) + ¥300 (\$2.73)/claim
7 th to 10 th year	¥18,100 (\$164) + ¥900 (\$8.19)/claim
Trial/Retrial	¥49,500 (\$450) + ¥5,500 (\$50)/claim

*Payment of 1st to 3rd year's registration fees required at time of filing.

Designs

Design Application	¥16,000 (\$145)
Annual Fee/Registration Fee	
1 st to 3 rd year	¥8,500 (\$77)
4 th to 20 th year	¥16,900 (\$154)
Appeal or Trial/Retrial	¥55,000 (\$500)

*Amount due each year for a design registration which was filed on or after April 1, 2007.

Trademarks

Trademark Application	¥3,400 (\$31) + ¥8,600 (\$78) / class
Defensive Mark Application	¥6,800 (\$62) + ¥17,200 (\$156) / class
Registration Fee	¥28,200 (\$256) / class
Renewal Fee	¥38,800 (\$352) / class
Defensive Mark Registration Fee	¥28,200 (\$256) / class
Defensive Mark Renewal Fee	¥33,400 (\$304) / class
Opposition	¥3,000 (\$27) + ¥8,000 (\$73) / class
Appeal or Trial/Retrial	¥15,000 (\$136) + ¥40,000 (\$364) / class

The JPO has been considering and implementing changes (usually reductions) in the fees for certain services, and while Ariga IPO routinely updates our homepage, the fees listed above may not reflect the most recent changes to the JPO fee schedule. A more complete list may be obtained at the URL: <http://www.jpo.go.jp/tetuzuki e/ryoukin e/ryokine.htmfor>

Annual Fees and Time Limits

[1] Patents

Fees for the first to third years (annuities) are paid together within thirty (30) days from receipt of a certified copy that a patent has been granted for a specific application. Upon receipt of the first to third year's annuities, the patent is registered.

Thereafter (i.e., starting from the fourth annuity), fees for each year need to be paid by the end of the previous year. If fees are not paid by this deadline, and the patent holder still wishes to maintain the patent, a late payment fee is charged which doubles the fees required to maintain the patent for that year. If the patent holder has not paid the patent fee and the late payment fee within six (6) months, the patent is deemed to have expired on the original expiration date.

However, should the patent holder have a legitimate reason which prevented him/her from paying the annuity within the six (6) month period, the patent holder must submit a Statement of Reasons for Recovery and pay both the annuity and the late payment fees within two (2) months that the legitimate reason for not paying the fees ceased to exist. This exceptional rule is valid until one year has passed since the deadline for payment of the annuity, at which point the patent is deemed to have expired on the original expiration date regardless of whether there still is a legitimate reason for not paying the annuity.

Normally, a patent right expires twenty (20) years from the filing date of the application, however, a five-year patent term extension may be requested for pharmaceutical and certain chemical inventions. The duration of the patent term extension is calculated based on time that was required to conduct investigations and development in which it was not possible to work the actual invention. This would include regulatory reviews prior to approval by government agencies and organizations regarding the safety, efficacy, etc., of the chemical composition, pharmaceutical, or agricultural chemical, etc. Generally, the amount of time from filing of a New Drug Application (NDA) until regulatory approval is obtained for the invention of a chemical

composition, pharmaceutical, or agricultural chemical, etc., is the duration (maximum of five years) by which the patent term maybe extended for the specific invention.

National Fee

The JPO charges ¥14,000 (\$127) in fees for entry of a PCT international application into the national phase in Japan.

Fee and Time Limit for Requesting Patent Examination

The request for examination of a PCT international application which has entered the Japanese national phase must be submitted within three (3) years of the filing date of the PCT international application. The fees associated with filing the request for examination vary depending on the International Search Authority (ISA) which established the international search report. The fees (base fee plus the per claim fee) for requesting an examination are cheapest in the case when the JPO is the ISA which established the international search report and are significantly more expensive in the case when no search report has been established. Please refer to the above table for the actual fees required by the JPO depending on the ISA (if any) who established the international search report (if any).

Refunds

The JPO may issue partial refunds when a request for a certain service is canceled within a prescribed period of time.

Half of the fee associated with requesting an examination maybe refunded if the applicant withdraws or renounces their patent application prior to the issuance of the first office action (OA). The request for a refund must be made within six (6) months from the date that the patent application was withdrawn or renounced. If the applicant does not have a permanent residence or domicile in Japan, the request must be made by the applicant's legal representative in Japan and the refund will be made to the legal representative.

[2] Utility Models

The registration fees for the first three years must be paid at the time a utility model application is filed. Then, the utility model is deemed to be registered and the utility model right becomes effective. Annual fees, starting with the fourth year must be paid by the end of the previous year and may be paid in a lump sum. The duration of a utility model right is ten (10) years and may not be extended further.

[3] Design Models

The first year's annuity is due upon registration of a design model and subsequent annual registration fees are paid each year. The registration fee for the first year must be paid within thirty (30) days from receipt of a certified copy that a design is to be registered for a specific application. Annual registration fees, starting with the second year must be paid by the end of the previous year and may be paid in a lump sum.

Should the registration fee remain unpaid after the deadline, a late payment fee is charged which doubles the fees required to maintain the design model right for that year. If the design model right holder has not paid the annuity fee and the late payment fee within six (6) months, the design model right is deemed to have expired on the original expiration date.

A design model registration may be maintained for a period of twenty (20) years from the date of registration. If the application was filed prior to March 31, 2007, the design right will expire fifteen (15) years after the date of registration.

[4] Trademarks

The initial ten-year trademark registration must be paid within thirty (30) days from receipt of a certified copy that the trademark is to be registered for a specific application. Trademark rights must be renewed every ten years from the date of the registration of the trademark. The trademark-right holder must request the renewal and pay a renewal fee. This request for renewal may be made six (6) months prior to the expiration until the day of expiration of the trademark right. Should the renewal fee remain unpaid after the deadline, the trademark-right holder

is charged a renewal surcharge which essentially doubles the renewal fees. Should six (6) months elapse without payment, the trademark right is deemed to have expired on the original expiration date.

However, should the trademark-right holder have a legitimate reason which prevented him/her from requesting and paying for the renewal within the six (6) month period after the right has expired, the trademark-right holder must submit a Statement of Reasons for Recovery and pay both the renewal fees and the renewal surcharge within two (2) months that the legitimate reason for not paying the fees ceased to exist. This exceptional rule is valid until six (6) months have passed since the expiration of the trademark right, and which point the trademark right is deemed to have expired on the original expiration date regardless of whether there still is a legitimate reason for not paying the annuity.

The registration fee may be paid in a lump sum or in two installments, which effectively splits the trademark right into two five-year periods. The cost for paying the trademark registration in two installments is somewhat higher than if the trademark right were to be paid in a lump sum.