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## PATENT FEES INCREASE/DECREASE IN EUROPE

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The impact of a first announcement by the European Patent Office resulting in a reduction of translation costs for patents has been somewhat lessened by a second announcement of an increase, entering into force on April 1, 2008, of certain filing fees for European patent applications.

At the start of 2008, a first announcement gave the impression that the costs for obtaining a patent in Europe would be decreasing. Indeed, with France's ratification of the London Agreement in January (see announcement), translation costs for patents in certain European countries are to decrease. According to this agreement, only the claims and not the description as a whole have to be translated in European countries having signed the agreement.

However, any savings under the London Agreement risk being allocated to new filing fees associated with European patent applications. These new fee increases are being implemented in two phases in April 2008 and 2009. Presently, it costs EUR45 to file any patent claim beyond a first set of 10 claims. Starting on April 1, 2008, a basic European patent application can include 15 claims, but any additional claim will cost EUR200. Moreover, starting on April 1, 2009, additional fees of EUR500 per claim will be required when more than 50 claims are filed.

Consequently, it is recommended to review any patent application to be filed or entering regional phase in Europe after April 1st 2008 in order to reduce, as much as possible, the number of claims in the application, thus enabling you to benefit from the upcoming reductions in translation costs.

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