

DECISION OF THE ADMINISTRATIVE COUNCIL  
of 13 December 2017  
amending Articles 2 and 14 of the Rules relating to  
Fees

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THE ADMINISTRATIVE COUNCIL OF THE EUROPEAN PATENT ORGANISATION,  
Having regard to the European Patent Convention and in particular Article 33(2)(d) thereof,  
On a proposal from the President of the European Patent Office,  
Having regard to the opinion of the Budget and Finance Committee,  
HAS DECIDED AS FOLLOWS:

Article 1

(1) Article 2, paragraph 1, item 1, of the Rules relating to Fees shall read as follows:

EUR

"1. Filing fee (Article 78, paragraph 2)

(i) where the European patent application or, if required, its translation  
(Article 14, paragraph 2) is filed online in character-coded format, or,

in the case of an international application, if within the 31-month period  
(Rule 159, paragraph 1) the form for entry into the European phase  
(EPO Form 1200) and the international application or, if required, its  
translation (Rule 159, paragraph 1(a)), and any amendments for  
processing in the European phase (Rule 159, paragraph 1(b)), are all filed  
online in character-coded format

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(ii) where all documents referred to in item 1(i) are filed online, but any one of them is filed in a format other than character-coded format, **120**

(iii) in all other cases **250"**

(2) Article 2, paragraph 1, item 2, indents 3 and 4, of the Rules relating to Fees shall read as follows:

EUR

"- an international search (Rule 16.1 PCT and Rule 158, paragraph 1) **1 775**

- a supplementary international search (Rule 45*bis*.3(a) PCT) **1 775"**

(3) Article 2, paragraph 1, item 7, of the Rules relating to Fees shall read as follows:

EUR

"7. Fee for grant including fee for publication of the European patent specification (Rule 71, paragraph 3), in respect of an application filed on or after 1 April 2009

(i) where on or after 1 April 2018 all amendments and corrections of the application, if any, and the translation of the claims are filed online in character-coded format **825**

(ii) in all other cases

- where the fee for grant is paid between 1 April 2018 and 31 March 2019 **925**

- where the fee for grant is paid on or after 1 April 2019 **1 025"**

(4) Article 2, paragraph 1, item 11, of the Rules relating to Fees shall read as follows:

EUR

"11. Fee for appeal (Article 108) for an appeal filed

- by a natural person or an entity referred to in Rule 6, paragraphs 4 and 5 **1 880**
- by any other entity **2 255"**

(5) Article 2, paragraph 1, item 18, of the Rules relating to Fees shall read as follows:

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"18. Transmittal fee for an international application (Rule 157, paragraph 4)

- where the PCT request (PCT/RO/101) and the international application are filed with the Office as receiving Office online in character-coded format **0**
- in all other cases **130"**

(6) Article 2, paragraph 1, item 19, of the Rules relating to Fees shall read as follows:

EUR

"19. Fee for the preliminary examination of an international application (Rule 58 PCT and Rule 158, paragraph 2)

**1 830"**

(7) Article 2, paragraph 2, item 7, of the Rules relating to Fees shall read as follows:

EUR

"7. Fee for grant including fee for printing the European patent specification (Rule 71, paragraph 3), where the application documents to be printed comprise

7.1 not more than 35 pages and

(i) on or after 1 April 2018 all amendments and corrections of the application, if any, and the translation of the claims are filed online in character-coded format

**825**

(ii) in all other cases

- where the fee for grant is paid between 1 April 2018 and 31 March 2019

**925**

- where the fee for grant is paid on or after 1 April 2019

**1 025**

7.2 more than 35 pages

The relevant amount of item 7.1  
plus **EUR 15**  
for the 36th and each subsequent page"

(8) The following new paragraph 3 shall be inserted into Article 2 of the Rules relating to Fees:

"(3) The President of the Office shall determine the formats referred to in Article 2, paragraphs 1 and 2, and may specify the conditions under which a document referred to in Article 2, paragraphs 1 and 2, is deemed to have been filed online in character-coded format."

(9) Article 14, paragraph 2, of the Rules relating to Fees shall read as follows

"(2) Where the European Patent Office has drawn up an international preliminary examination report, the examination fee shall be reduced by 75%. If the report was established on certain parts of the international application in accordance with Article 34, paragraph 3(c), PCT, the fee shall not be reduced if subject-matter not covered by the report is to be examined."

#### Article 2

This decision shall enter into force on 1 April 2018.

#### Article 3

(1) Article 2, paragraph 1, item 1, of the Rules relating to Fees as amended by this decision shall apply to European patent applications filed on or after 1 April 2018 and to international applications which enter the European phase on or after that date.

(2) Article 2, paragraph 1, item 2, indent 3, and item 18, of the Rules relating to Fees as amended by this decision shall apply to international applications filed on or after 1 April 2018.

(3) Article 2, paragraph 1, item 2, indent 4, and items 7 and 19, and paragraph 2, item 7, and Article 14, paragraph 2, of the Rules relating to Fees as amended by this decision shall apply to payments made on or after 1 April 2018.

(4) Article 2, paragraph 1, item 11, of the Rules relating to Fees as amended by this decision shall apply to appeals filed on or after 1 April 2018.

(5) If within six months of 1 April 2018 a fee is paid in due time but only in the amount due before 1 April 2018, that fee shall be deemed to have been validly paid if the deficit is made good within two months of an invitation to that effect from the European Patent Office.

(6) If within six months of 1 April 2019 a fee for grant under Article 2, paragraph 1, item 7, or paragraph 2, item 7, of the Rules relating to Fees is paid in due time but only in the amount due before 1 April 2019, that fee shall be deemed to have been validly paid if the deficit is made good within two months of an invitation to that effect from the European Patent Office.

Done at Munich, 13 December 2017

For the Administrative Council  
The Chairman

A handwritten signature in black ink, appearing to read 'Christoph Ernst', written in a cursive style.

Christoph ERNST