

REPUBLICATIONS

ROMANIA'S GOVERNMENT

GOVERNMENT ORDINANCE NO. 41/1998<sup>\*1)</sup>

on the fees in the industrial property protection field and the conditions  
for using the same

CHAPTER I

GENERAL PROVISIONS

**Article 1**

The fees for legal procedures for protecting the industrial property objects: inventions, utility models, plant varieties, marks and geographical indications, industrial designs and topographies of semiconductor products, respectively, the ones for maintaining the protection titles in force as well as the other fees concerning the industrial property protection, the transitional protection included, shall be paid by Romanian and foreign natural persons and legal entities into the account of the State Office for Inventions and Trademarks (OSIM), in the amount and within the time limits provided for in the Annexes no. 1 - 6. Failure to pay the fees stipulated in Annexes 1 - 6 in due time shall entail the failure to perform the mentioned procedure and to take the measures as provided for by the law.”

**Article 2**

The applicant or the holder of the industrial property right who has not taken over or transferred his right in legal conditions or by the payment date, shall pay the fees provided for in the annexes, as follows

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<sup>\*)</sup> Republished within the meaning of Article IV of the Law no. 381/2005 for amending and completing the Government Ordinance no. 41/1998 on the fees in the industrial property protection field and the conditions for using the same, published in the Official Gazette of Romania, Part I, no. 6 of 4 January 2006, with a new renumbering of the texts.

Government Ordinance no. 41/1998 on the fees in the industrial property protection field and the conditions of using the same was published in the Official Gazette of Romania, Part I, no. 43 of 30 January 1998, was rectified in the Official Gazette of Romania, Part I, no. 90 of 26 February 1998 and was amended by:

- Law no. 383/2002 for the approval of the Government Ordinance no. 41/1998 on the fees in the industrial property protection field and the conditions for using the same, published in the Official Gazette of Romania, Part I, no. 471 of 2 July 2002 and corrected in the Official Gazette of Romania, Part I, no. 691 of 20 September 2002;

- Law no. 381/2005 for amending and completing the Government Ordinance no. 41/1998 on the fees in the industrial property protection field and the conditions for using the same, published in the Official Gazette of Romania, Part I, no. 6 of 4 January 2006.

A. for legal entities:

- a) 50% of each due amount, if the rate of turnover of the legal entity for the preceding financial year is less than the equivalent in lei of two million EUR;
- b) 20% of the amount of each due fee, if the rate of turnover of the legal entity for the preceding financial year is less than the equivalent in lei of one million EUR;
- c) 20% of the amount of each due fee, if the legal entity is the applicant of a patent application or the owner of a patent for invention whose subject-matter is an invention resulting from a research-development activity with public financing or if it is a public institution or non-profit organization;

B. for natural persons:

- a) 50% of the amount of each due fee, if the natural person is also the author, with a monthly gross income, for the last 12 months preceding the month of payment, of less than 5 times the officially published average gross income on the economy, for the last 12 months;
- b) 20% of the amount of each due fee, if the natural person is also the author, having a monthly gross income for the last 12 months preceding the month of payment, of less than 3 times the officially published average gross income on the economy, for the last 12 months.

**Article 3**

(1) The reductions provided for in Article 2 shall apply, on the date of payment, for each procedure, except for the ones provided for in Art. 10, 13, 14, 18, 23, 26 and 29. The person requesting the grant of reductions, as applicant or patent owner, as the case may be, shall submit, on the date of payment, documents proving that the conditions laid down in Article 2 are met.

(2) When there are several applicants or holders they benefit by reductions if each of these persons comply with the conditions provided for in Article 2; in these cases the due fee shall be paid in the due amount by the person benefitting by the least reduction.

**Article 4**

The amount of the fees in lei provided for in the annexes, as well as the level of the rate of turnover provided for in Article 2 can be updated yearly, by Government Decision, depending on the evolution of the currency rate of exchange, and the inflation index, respectively, valid on the date of 1 November of each year. The Government Decision shall come into force starting on the first day of the following year.

## **Article 5**

(1) The amounts owed to be paid to the State Office for Inventions and Trademarks from the fees paid by foreign applicants and right holders for performing the protection procedures and for maintenance in force of the protection titles in the territory of Romania, based on the international conventions, shall be paid or transferred into the account of the State Office for Inventions and Trademarks, according to the dispositions of these conventions

(2) From the cashed amounts, the State Office for Inventions and Trademarks shall pay Romania's share to the international and regional organizations, according to the conventions which it is a party to.

## **Article 6**

The amounts owed to be paid to international or national authorities for performing procedures concerning the protection applications, in compliance with the international treaties to which Romania is a party, shall be paid or transferred by the applicants to the State Office for Inventions and Trademarks, with a view to being subsequently transferred to these authorities.

## **Article 7**

(1) The Romanian natural persons or legal entities shall pay the fees in lei laid down in the present ordinance.

(2) The foreign natural persons or legal entities shall pay the due fees in EUR.

(3) Where there are several Romanian and foreign applicants or owners, the jointly due fees shall be paid in EUR.

## **Article 8**

The prices and tariffs for the publications and services performed, according to the legal provisions, by the State Office for Inventions and Trademarks, shall be established by the order of the Director General thereof.

## **CHAPTER II**

### *FEEES FOR LEGAL INDUSTRIAL PROPERTY PROTECTION PROCEDURES*

## **SECTION 1**

### *FEEES FOR PATENT APPLICATIONS AND PATENTS FOR INVENTION*

## **Article 9**

The amount and times for payment of the fees for the protection of inventions are the ones provided for in Annexe 1.

## **Article 10**

(1) The provisions of Article 2 shall not apply for the procedures laid down in paragraph 5, paragraph 6 letter c), paragraphs 7, 9 - 11, paragraph 14 letter a) and b), paragraph 18 and paragraphs 24 - 38 in the Annexe no. 1.

(2) The reductions laid down in Article 2 shall apply to the fees for maintenance in force of the patent for invention laid down in paragraph 23 of the Annexe no. 1, only for the first 5 years of protection.

## **Article 11**

(1) The fees for maintenance in force for the first years of protection, including the year following to the year of publishing the mention of the decision to grant the patent for invention shall be paid within 12 months of the date of publication.

(2) For each of the protection years following to the ones provided for in paragraph (1) the fee for maintenance in force shall be paid annually, by the beginning of the respective protection year.

(3) The annual fees for a European patent shall be paid to the State Office for Inventions and Trademarks for the years following to the year of publishing, by the State Office for Inventions and Trademarks, of the mention of the European patent issue.

(4) If the deadline for the first payment of the due fee is within 3 months of the date of publishing the mention of the European patent issue, the fee shall be paid in the amount provided for in paragraph 23 of the Annexe no. 1.

(5) The fees for maintenance in force of the patent for invention not paid within the time limits under paragraphs (1) and (2) can be paid with a 50% increase, subsequently, within a six-month period.

(6) Failure to pay these fees up to the expiration of the time limit under paragraph (5) entails the lapse of the owner's rights deriving from the patent. The lapse shall be published in the Official Industrial Property Bulletin.

## **Article 12**

At the time of payment of the patent revalidation fee, the owner thereof shall also pay the fee for maintenance in force, provided for in paragraph 23 in the Annexe 1, owed for the period

that was not paid for. The revalidation shall be published in the Industrial Property Official Bulletin.

### **Article 13**

(1) The provisions of Article 2 shall not apply for fees concerning the supplementary protection certificates for medicaments and plant protection products, laid down in Annexe no. 1.

(2) The provisions relating to the patent applications and patents for invention laid down in Article 9 shall also apply to the supplementary protection certificates for medicaments or for plant protection products.

(3) The fee for maintenance in force of the supplementary protection certificates shall be paid annually, by the start of said protection year.

## **SECTION 2**

### *FEES FOR APPLICATIONS AND CERTIFICATES FOR THE REGISTRATION OF UTILITY MODELS*

### **Article 14**

The amount and the time limits concerning the payment of fees for applications and certificates for utility model registration are laid down in Annexe no. 2.

### **Article 15**

The provisions of Article 2 shall not apply to the procedures provided for in paragraph 2 and paragraph 4 letters b) and c) in the Annexe no. 2.

### **Article 16**

The fees for maintenance in force of the utility models shall be paid for year groups, according to Annexe 2.

### **Article 17**

The provisions relating to patent applications and patents for invention, laid down in Article 9 shall also apply to utility models.

## **SECTION 3**

### *FEES FOR PLANT PATENT APPLICATIONS AND PLANT PATENTS*

### **Article 18**

The amount and time limits for the payment of fees for plant patent applications and plant patents are laid down in Annexe no. 3.

#### **Article 19**

The provisions of Article 2 shall not apply for the procedures laid down in Annexe no. 3.

#### **Article 20**

(1) The fees for maintenance in force for the first years of protection, running from the date of granting the plant patent, shall be paid by the date of patent issue.

(2) For each of the years following to the ones laid down in paragraph 1, the fee for maintenance in force shall be paid annually, by the beginning of the respective protection year.

#### **Article 21**

The fees for maintenance in force of the plant patent, not paid within the time limits stipulated in Annexe 3, can be paid with a 50% increase, subsequently, within a six-month period.

### **SECTION 4**

#### *FEES FOR THE REGISTRATION OF MARKS AND GEOGRAPHICAL INDICATIONS*

#### **Article 22**

The amount and time limits for the payment of fees for marks and geographical indications are laid down in the Annexe no. 4.

#### **Article 23**

The provisions of Article 2 shall not be applied for the registration of marks and geographical indications.

#### **Article 24**

(1) The fees for the renewal of the mark or of geographical indication not paid within the time limit stipulated by the law, may be paid with an increase of 50%, subsequently, within a six-month period from the expiry of the protection.

(2) Failure to pay the fees before the expiry of the time limit stipulated in the preceding paragraph entails the lapse of holder's rights deriving from the mark or geographical indication registration.

## SECTION 5

### *FEES FOR INDUSTRIAL DESIGNS*

#### **Article 25**

The amount and time limits for the payment of fees for industrial designs are laid down in the Annexe no. 5.

#### **Article 26**

(1) For the registration of the industrial designs only the reductions laid down in Article 2 letter a) shall be applied.

(2) The reductions mentioned in paragraph 1 for the fees laid down in paragraphs 3, 4 and 8 -17 of the Annexe no. 5 shall not be applied.

#### **Article 27**

(1) The fees for maintenance in force and renewal of the industrial design certificate shall be paid for five-year periods.

(2) The fees mentioned in paragraph 1, not paid within the time limits established in Annexe 5 shall be paid with a 50% increase, subsequently, within a six-month period.

## SECTION 6

### *FEES FOR REGISTRATION OF TOPOGRAPHIES OF SEMICONDUCTOR PRODUCTS*

#### **Article 28**

The amount and time limits concerning the payment of fees for topographies of semiconductor products are stipulated in Annexe no. 6.

#### **Article 29**

The provisions of Article 2 shall not apply for fees laid down in Annexe no. 6.

#### **Article 30**

(1) The payment of fees laid down in paragraphs 1 - 5 of the Annexe 6 represents one of the legal conditions for constituting the regular filing necessary for the registration of a topography.

(2) Failure to pay the fees laid down in paragraph 1 entails the refusal of the topography registration.

### **Article 31**

The fees laid down in Annexe 6, cashed by the State Office for Inventions and Trademarks shall be refunded to the payer, upon the request thereof, unless the carrying out of the works they were paid for have started , except for the fees provided for in paragraphs 1 and 2, which shall not be refunded.

## **CHAPTER III**

### CONDITIONS FOR USING THE FEES IN THE INDUSTRIAL PROPERTY FIELD

### **Article 32**

(1) The receipts in lei and currency obtained by the application of the present ordinance, constitute the income of the State Office for Inventions and Trademarks which is administered and used in extra budgetary conditions, according to the law. The functioning expenditures and investment expenditures of the State Office for Inventions and Trademarks shall be financed from the gained extra budgetary income.

(2) For the formation of funds required to finance the capital expenditures necessary to reinforce and extend the headquarters building of the State Office for Inventions and Trademarks, by the annual budget laws, there can be allotted funds from the state budget to the State Office for Inventions and Trademarks. The amounts remained unspent at the end of the year from the budget allotments shall be deposited to the state budget.

### **Article 33**

The income and expenditure budget of the State Office for Inventions and Trademarks shall be drawn up annually, according to the methodological norms elaborated by the Ministry of Public Finances and shall be approved by the Director General of the State Office for Inventions and Trademarks, with the acceptance by the Ministry of Public Finances.

### **Article 34**

The financial reserves in lei and currency available at the end of the year, after subtracting the payment obligations and the anticipated receipts shall be distributed as follows:

- a) a share of up to 50% for granting a bonus payment to the personnel employed with individual labour contract;
- b) the difference shall be carried forward and shall remain at the disposal of the State Office for Inventions and Trademarks to be used in the following year, according to the destinations



approved by the income and expenditure budget, according to the legal provisions.

### **Article 35**

(1) The fund for granting the personnel bonus payment can be formed and granted monthly, according to the provisions of the law, with the obligation to be provided in the annual fund approved by the income and expenditure budget.

(2) The criteria and conditions for granting the personnel a bonus payment provided for by Article 34 shall be established by the order of the Director General of the State Office for Inventions and Trademarks.

## **CHAPTER IV**

### *CONTRAVENTIONS AND SANCTIONS*

### **Article 36**

(1) The carrying out of the procedures laid down in the present ordinance without the payment of the legal fees therefor, constitutes a contravention and shall be sanctioned with a fine from 50 lei to 250 lei.

(2) The contravention shall be ascertained by the persons empowered by the Director General of the State Office for Inventions and Trademarks.

(3) The provisions of paragraph (1) shall be completed with the provisions of the Government Ordinance no. 2/2001 on the legal conditions relating to contraventions, approved with amendments and completions by the Law no. 180/2002, with the subsequent amendments and completions.

## **CHAPTER V**

### *TRANSITORY AND FINAL DISPOSITIONS*

### **Article 37**

The annexes 1 to 6<sup>1</sup> are an integral part of the present ordinance.

### **Article 38**

For the procedures and for the maintenance in force of the protection titles for which the fees have not been paid up to the coming into force of the present ordinance, there shall be paid

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<sup>1</sup>Annexes 1 - 6 are reproduced in facsimile

the fees laid down in the annexes to the present ordinance.

### **Article 39**

Within 3 months of the date of coming into force of the present ordinance, the Government will adopt a new decision concerning the organization and functioning of the State Office for Inventions and Trademarks<sup>1)</sup>, as a consequence of the functioning thereof in extra budgetary conditions.

### **Article 40**

The Director General of the State Office for Inventions and Trademarks shall approve the norms for implementing the provisions of the present ordinance, with the acceptance by the Ministry of Public Finances.

### **Article 41**

The provisions of the present ordinance shall come into force 30 days of the date of publication thereof in the Official Gazette of Romania, Part I.

### **Article 42**

On the date of coming into force of the present ordinance the following shall be abrogated: Law no. 120/1992 on the fees for patent applications and patents for invention, published in the Official Gazette of Romania, Part I, no.1 of 8 January 1993; Government Decision no. 274/1991 on the fees for factory marks, commerce marks and service marks, as well as for appellations of origin of products, published in the Official Gazette of Romania, Part I, no. 99 of 9 May 1991; Article 28 and Annexes no. 1 and 2 of the Law no. 129/1992 on the industrial design protection, published in the Official Gazette of Romania, Part I, no. 1 of 8 January 1993; Article 44-47 of the Law no. 16/1995 on the protection of topographies of integrated circuits, published in the Official Gazette of Romania, Part I, no. 45 of 9 March 1995; Rule 25 (2) indented line 2, Rule 28 (3) c) and Rule 38 (2) of the Implementing Regulations of the Patent Law no. 64/1991, approved by the Government Decision no. 152/1992, published in the Official Gazette of Romania, Part I, no. 79 of 30 April 1992; Article 12 of the Government Decision no. 222/1995 on organization and functioning of the State Office for Inventions and

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<sup>1)</sup> Government Decision no. 573/1998 concerning the organization and functioning of the State Office for Inventions and Trademarks was published in the Official Gazette of Romania, Part I, no. 345 of 11 September 1998.

Trademarks, published in the Official Gazette of Romania, Part I, no. 71 of 19 April 1995, as well as other contrary legal provisions.

NOTE:

We reproduce hereinafter Article III of the Law no. 381/2005 that is not incorporated in the republished text of the Government Ordinance no. 41/1998 and that is applied as an own disposition of the Law no. 381/2005:

“Article III - (1) The present law shall come into force on January 1, 2006.

(2) On the same date there shall be abrogated Article 43 and the Annexe of Law no. 255/1998, on the protection of plant varieties, published in the Official Gazette of Romania, Part I, no. 525 of 31 December 1998, Article 84 (2) of the Government Ordinance no. 57/2002 concerning the scientific research and technological development, published in the Official Gazette of Romania, Part I no. 643 of 30 August 2002, approved with modifications and completions by the Law no. 324/2003 with subsequent modifications, as well as any other contrary dispositions.”

AMOUNT AND TIME LIMITS  
FOR THE PAYMENT OF FEES FOR PATENT APPLICATIONS AND PATENTS FOR INVENTION

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
1	Filing the patent application with OSIM	3 months of the date of filing		
	a) on paper carrier		108	30
	b) by electronic means		72	20
2.	Publication of the patent application after 18 months of the filing date or of the claimed priority date	6 months of the filing date or 16 months of the priority date	180	50
3.	Patent application examination within 18 months of the payment date:	within 3 months of the filing date from the 4 <sup>th</sup> and up to 30 <sup>th</sup> month included		
	a) when the description, claims and drawings do not exceed 20 pages and the number of claims is not greater than 5		1,080	300
	b) for each page in addition to the number provided for under letter a)		18	5
	c) for each claim in addition to the number provided for under letter a)		36	10
4	Printing the patent specification (description, claims, drawings) which does not exceed 20 pages and issue of the patent	12 months of the date of publication of the grant decision	360	100
	- for each additional page		18	5
5	Patent application publication			
	a) earlier than 18 months of the date of filing or of the claimed priority	at the time of requesting the publication	360	100
	b) after the declassification of the information	3 months of the date of information declassification	180	50
6	Drawing up and publishing a search report:	at the time of submitting the request		
	a) for a national application		360	100
	b) for an international application for which the national phase was opened		180	50
	c) extended with written opinion on patentability		1,080	300

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
7	Patent application examination within 18 months of the filing date	3 months of the filing date		
	a) when the description, claims and drawings do not exceed 20 pages, and the number of the claims does not exceed 5		1800	500
	b) for each page in addition to the number laid down under letter a)		36	10
	c) for each claim in addition to the ones provided for under letter a)		54	15
8	Claiming a priority:			
	a) at the time of filing the patent application	4 months of the application filing date	180	50
	b) in case of an international application for which the national phase was opened in Romania	at the time of opening the national phase	180	50
	c) after the date of filing the patent application	at the time of submitting the request	720	200
	d) correction of data relating to priority claiming	4 months of the date of submitting the application or of the date of opening the national phase	360	100
	e) when the application is submitted after the expiry of the priority right	at the time of submitting the application for claiming the priority	1,080	300
	f) in case of an application which claims an internal priority	4 months of the date of filing the application	180	50
9	Issue of a priority certificate	at the time of submitting the application for the issue of the certificate	72	20
10	Maintenance of a patent application in the classification level assigned by the issuer, for a period of one year	at the time of the request for the first year, and one month in advance for each of the following years, respectively	360	100
11	The request for not publishing the inventors' names in the patent documents	at the time of submitting the request	180	50
12	Filling in the patent application:			
	a) subsequently submitting the claims and/or the drawings	at the time of submitting	36	10
	b) submitting the translation in Romanian	at the time of submitting	360	100

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
	c) submitting the missing part of the description of the invention, with a view of establishing the patent application filing date	4 months of the date of submitting the patent application	108	30
	d) submitting the application for withdrawal of the filed missing part	at the time of submitting the application for withdrawal	72	20
13	Publication of the modifications brought to a patent application	at the time of submitting the modifications	36	10
14	Filing the modifications in the legal status of the patent application or of the patent for invention:	at the time of filing the document		
	a) transfers of rights		360	100
	b) cancellation of documents stipulated under letter a)		144	40
	c) changes relating to: concluded documents stipulated under letter a), ruling out or co-optation of an inventor, surname, first name, denomination or address of an applicant, entitled person, inventor or owner, change of the professional representative or of the address thereof etc		90	25
15	Converting a patent application into a utility model application	2 months of the date of filing the request for conversion	36	10
16	Certification and issue of an official document such as: attestation, duplicate, copy	at the time of filing the request	36	10
17	Publication of a correction for eliminating errors due to the applicant, the person entitled to be granted the patent, professional representative or owner, for each page	at the time of filing the request	18	5
18	Extension by up to 3 months of a time limit for procedures	at the time of filing the request	36	10
19	Filing the application for the reinstatement in the time limit	at the time of filing the application	180	50
20	Examination of an appeal	at the time of lodging the appeal	540	150
21	Examination of an application for revocation	at the time of submitting the application	1,080	300
22	Revalidation of the patent for invention and of the improvement patent, respectively	at the time of submitting the application for revalidation	1,080	300
23	Maintenance in force of a patent for invention, the improvement patent included, for each year of protection	according to Article 12		

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
	-for the 1 <sup>st</sup> year		0	0
	- for the 2 <sup>nd</sup> year		0	0
	- for the 3 <sup>rd</sup> year		540	150
	-for the 4 <sup>th</sup> year		576	160
	- for the 5 <sup>th</sup> year		648	180
	- for the 6 <sup>th</sup> year		720	200
	- for the 7 <sup>th</sup> year		792	220
	- for the 8 <sup>th</sup> year		864	240
	- for the 9 <sup>th</sup> year		936	260
	- for the 10 <sup>th</sup> year		1,008	280
	- for the 11 <sup>th</sup> year		1,080	300
	- for the 12 <sup>th</sup> year		1,152	320
	- for the 13 <sup>th</sup> year		1,224	340
	- for the 14 <sup>th</sup> year		1,332	370
	- for the 15 <sup>th</sup> year		1,440	400
	- for the 16 <sup>th</sup> year		1,800	500
	- for the 17 <sup>th</sup> year		1,800	500
	- for the 18 <sup>th</sup> year		1,800	500
	- for the 19 <sup>th</sup> year		1,800	500
	- for the 20 <sup>th</sup> year		1,800	500
24	Registration and examination of the application for the grant of a supplementary protection certificate for a medicament or a plant protection product	at the time of the request	1,800	500
25	Maintenance in force of the supplementary certificate for each year of protection:			
	- for the 1 <sup>st</sup> year		3,600	1,000
	- for the 2 <sup>nd</sup> year		3,960	1,100
	- for the 3 <sup>rd</sup> year		4,320	1,200
	- for the 4 <sup>th</sup> year		4,680	1,300
	- for the 5 <sup>th</sup> year		5,040	1,400
26	Opening the national phase of the international application	at the time of opening the national phase	108	30

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
27	Publication of the translation into Romanian of an international application for which the national phase was opened:	at the time of requesting the publication		
	a) within the legal time limit for publication		180	50
	b) before the expiry of the legal time limit for publication		288	80
28	Fees concerning the PCT patenting procedures			
	28.1. Transmittal of the international application from O.S.I.M., as a receiving office, to the International Bureau of WIPO	by the 13 <sup>th</sup> month of the priority date	360	100
	28.2. Fee for international registration, according to Rule 15.1 (i) of the PCT Implementing Regulations	one month of the date of submitting the international application	amount provided for by Rule 96 of the PCT Implementing Regulations	
	28.3. International search fee, according to Rule 16.1 of the PCT Implementing Regulations	one month of the date of submitting the international application	amount published by the International Bureau of WIPO	
	28.4. Subsequently submitting the translation of the international application into a language accepted by the Authority charged to perform the international search, according to Rules 12.3(c)ii) and e) of the PCT Implementing Regulations	2 months of the date of submitting the international application	equivalent value in lei	25% of the amount stipulated under paragraph 28.2
	28.5. Additional fee according to the PCT Implementing Regulations for late payment of each fee laid down in paragraphs 28.1 - 28.3	one month of the date of notification	50% of the amount stipulated in paragraph 28.1 - 28.3	
29	Publication of the translation into Romanian of the claims in the European patent application with effects in Romania	at the time of submitting the translation	216	60
30	Publication of a corrected version of the translation into Romanian of the claims in the European patent application with effects in Romania	at the time of submitting the corrected version	108	30
31	Publication of the translation into Romanian of the specification of European patent with effects in Romania, which does not exceed 20 pages and that has been submitted:			
	a) within 3 months of the date of publication of the patent issue mention	3 months of the date of publication by EPO of the patent issue mention	360	100



Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
	- for each additional page		18	5
	b) within 3 months from the expiry of the time limit under letter a)	6 months of the date of publication by EPO of the patent issue mention	720	200
	- for each additional page		18	5
32	Publication of the translation into Romanian of the specification of European patent maintained as amended after the opposition procedure with EPO, which does not exceed 20 pages and which has been submitted:			
	a) within 3 months of the date of publication by EPO of the patent amendment mention	3 months of the date of publication by EPO of the mention of maintaining the European patent as amended	180	50
	- for each additional page		18	5
	b) within 3 months from the expiry of the time limit stipulated under letter a)	6 months of the date of publication by EPO of the mention of maintaining the European patent as amended	360	100
	- for each additional page		18	5
33	Submitting an application for converting the European patent application into national patent application for each country	3 months of the date when the European patent application is deemed being withdrawn	180	50
34	Filing an application resulting from converting a European patent application	2 months from filing the application	108	30
35	Transfer of rights on the European patent application/patent for invention	at the time of filing the document	360	100
36	Publication of the corrected translation of the specification of European patent with effects in Romania	at the time of filing	72	20
37	Issue of a certificate for the recognition of the European patent effects in Romania	at the time of filing the application	36	10
38	Publication of a correction concerning the content of the end page of the European patent for eliminating errors due to owner	at the time of filing the request	18	5

**AMOUNT AND TIME LIMITS  
CONCERNING THE PAYMENT OF FEES FOR THE UTILITY MODEL APPLICATIONS AND  
REGISTRATION CERTIFICATES**

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
1	Submitting the application for the utility model registration certificate	3 months of the date of filing	108	30
2	Printing the description, claims and drawings and issue of the utility model registration certificate not exceeding 20 pages	12 months of the date of filing the utility model registration application	360	100
	- for each additional page		18	5
3	Drawing up and publishing a search/examination report	at the time of submitting of the request	360	100
4	Maintenance in force of the utility model registration certificate			
	a) for the first six years of protection	at the time of certificate issue	1,080	300
	b) for the seventh-eighth years of protection	by the beginning of the protection period	720	200
	c) for the ninth-tenth years of protection	by the beginning of the protection period	1,080	300

**AMOUNT AND TIME LIMITS  
CONCERNING THE PAYMENT OF FEES FOR THE PLANT PATENT APPLICATIONS AND PATENTS**

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)	
1	Filing and publication of the plant patent application	at the time of filing	108	30	
2	Examination of the variety denomination	at the time of filing	108	30	
3	Claiming the priority of an earlier application	at the time of submitting the application	180	50	
		within 3 months from the request	360	100	
4	Substantive examination of the plant patent application	at the time of the request	360	100	
		after the publication of the application	180	50	
5	Technical examination of the plant patent application for groups of varieties (DUS)* for each test year	at the time of the request, depending on the group of varieties	G1	414	115
			G2	432	120
			G3	360	100
			G4	360	100
			G5	360	100
6	Issue of a plant patent	12 months of the date of publication of the decision	180	50	
7	Examination of an appeal	at the time of lodging the appeal	360	100	
8	Examination of a revocation application	at the time of submitting the application	540	150	
9	Examination of a cancellation application	at the time of submitting the application	540	150	
10	Maintenance in force of a plant patent for each year of protection, on groups of varieties:	according to Art. 13 <sup>8</sup>			
	a)for the first-fifth years of protection		G1	180	50
			G2	180	50
			G3	144	40
			G4	144	40
			G5	108	30

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)	
	b) for the following years of protection, starting with the sixth year		G1	360	100
			G2	360	100
			G3	288	80
			G4	288	80
			G5	252	70
11	Examination of an application for revalidation of the plant patent	at the time of submitting the application	180	50	
12	Purchasing the technical report from another UPOV member State	at the time of submitting the request to the State Office for Inventions and Trademarks	1,008	280	
13	Inspecting the National Register for Plant Patents	at the time of submitting the request	72	20	
14	Filing the modifications in the legal status of the plant patent application or of the plant patent:				
	a) transfer of rights	at the time of the request	180	50	
	b) other modifications	at the time of the request	36	10	
15	Issue of duplicates, copies, attestations	at the time of submitting the request to O.S.I.M.	36	10	
16	Extension by up to one year of the time limit for the procedure	at the time of submitting the request	360	100	

\*DUS - distinctness, homogeneity, stability

#### Groups of plant varieties

**G1:** spring barley, autumn wheat, spring wheat, triticale, sugar beet, potato, winter rape, oat, rye;

**G2:** fodder maize, pea (edible varieties), red clover, perennial ryegrass, onion, field cucumbers, white cabbage, carrots, field tomatoes, apple-tree, plum-tree, sour cherry-tree, strawberry;

**G3:** winter barley, field beans, pea (fodder varieties), yellow lupine, white clover, lucern, lucern hybrids, fescue, fodder beet, tobacco: cauliflower, garden beet, celery, dwarf bean, garden pea, mushrooms, hop, pear-tree (varieties engrafted on mother plant), plum-tree (varieties engrafted on mother plant), apple-tree (varieties engrafted on mother plant); black currant;

**G4:** spring triticale, blue lupine, ryegrass: garlic, Brussels sprouts, greenhouse tomatoes; root parsley, garden lettuce for heads, spinach; rose (greenhouse varieties), gerbera, carnations, chrysanthemums; raspberry, red currant;

**G5:** varieties not included in groups G1 - G4.

**AMOUNT AND TIME LIMITS  
CONCERNING THE PAYMENT OF FEES FOR MARKS AND GEOGRAPHICAL INDICATIONS**

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
1	Filing the application for registration of an individual/collective and certification mark	at the time of submitting the application	36	10
2	Publication of the application for the registration of a mark after the national regular filing was constituted	one month of the date of constituting the national regular filing		
	- black-and-white		108	30
	- colour		360	100
3	3.1. Examination of the application for registration of an individual mark:	3 months of the date of submitting the application		
	a) for a class of products or services			
	- black- and-white		396	110
	- colour		684	190
	b) for each additional class of products and/or services		180	50
	c) additionally for a figurative element or a word mark with special graphics		108	30
	3.2. Renewal of an individual mark:	at the time of submitting the application		
	a) for a class of products or services			
	- black -and-white		432	120
	- colour		720	200
	b) for each additional class of products and/or services		180	50
c) additionally for a figurative element or a word mark with special graphics		108	30	
4	4.1. Examination of the application for registration of a collective and certification mark:	3 months of the date of submitting the application		
	a) for a class of products or services			

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
	- black - and-white		1,404	390
	- colour		1,764	490
	b) for each additional class of products and/or services		252	70
	c) additionally for a figurative element or a word mark with special graphics		216	60
	4.2. Renewal of a collective or certification mark:	at the time of submitting the application		
	a) for a class of products or services			
	- black - and-white		1,440	400
	- colour		1,800	500
	b) for each additional class of products and/or services		216	60
	c) additionally for a figurative element or a word mark with special graphics		216	60
5	Requesting the renewal of the mark registration after the expiry of the protection duration in course	6 months of the date of expiry of the protection duration in course		
6	Submitting the documents for claiming a priority	at the time of submitting the application	180	50
		3 months of the date of submitting the application for registration of the mark	720	200
7	Issue of a priority certificate	at the time of requesting the certificate issue	108	30
8	Issue of the certificate for registration of the mark	3 months of the date of the mark publication	180	50
9	Issue of the certificate for mark registration renewal	at the time of submitting the application for renewal of the mark registration	180	50
10	Issue of a duplicate of the registration certificate or of the mark registration renewal	at the time of submitting the application	180	50
11	Transmittal of the international application for registration or renewal of the mark from O.S.I.M. to the International Bureau of WIPO.	at the time of submitting the application for a class of products/services	252	70

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
	for each additional class of products/services		108	30
12	Transmittal to WIPO of the holder and/or address change	at the time of submitting the application	108	30
13	Examination of an opposition to the registration of a mark	at the time of lodging the opposition		
	for a class of products/services		216	60
	for each additional class of products/services		108	30
14	Granting an additional 3-month time limit for submitting the viewpoint to the OSIM notification concerning the non-compliance with the conditions for the mark registration	at the time of submitting the application for the grant of each additional 3-month time limit	36	10
15	Division of the initial mark registration application	3 months of the date of requesting the division of the application	180	50
16	Reclassification of the list of products and/or services for which the trademark registration is requested	3 months from submitting the application	108	30
17	a) Examination of an appeal lodged by the applicant against a decision to reject or to partially accept	at the time of lodging the appeal	540	150
	b) Examination of an appeal against a decision of the Examination Board or of a decision for transfer of rights	at the time of lodging the appeal	900	250
18	Registration of a modification in the legal status of the mark	at the time of submitting the application for the registration of the modification		
	a) transfer of rights		360	100
	b) regarding the change of the name, denomination or the applicant's, holder's or professional representative's address		90	25
	c) cancellation of the documents under letter a)		144	40

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
	d) introducing the professional representative into the procedure after the application was submitted on the national or international route		90	25
	e) any other modifications for which the Law on Marks and Geographical Indications, no. 84/1998, published in the Official Gazette of Romania, Part I, no. 161 of April 23 1998, does not explicitly stipulate exemptions from the payment of fees		90	25
19	Issue of attestations, copies or other documents related to the legal status of a mark	at the time of submitting the request	36	10
20	Registration of a geographical indication	at the time of submitting the application for registration of the geographical indication	1,440	400
21	Issue of a geographical indication registration certificate	2 months of the date of publication of the geographical indication in B.O.P.I	180	50
22	Renewal of the duration of use of a geographical indication	at the time of submitting the renewal application	1,440	400
23	Reclassification of the list of products for which the registration of a geographical indication is requested	at the time of submitting the application	108	30



**AMOUNT AND TIME LIMITS  
CONCERNING THE PAYMENT OF FEES FOR INDUSTRIAL DESIGNS**

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
1	Entering the application in the National Register of filed applications	at the time of submitting the application		
	a) for the first industrial design		108	30
	b) for each additional industrial design		36	10
2	Publication of the industrial design:	one month from filing the application		
	a) for each standard (6 x 6 cm) black-and -white space figure		72	20
	b) for each standard (6 x 6 cm) colour space figure		360	100
	c) for the characteristic elements (maximum 30 words)		36	10
3	Postponing the publication	at the time of filing the application	72	20
4	Priority claiming	3 months from submitting the priority claiming application	72	20
5	Examination of the registration application	one month from the publication of the application		
	a) for the first industrial design		180	50
	b) for each additional industrial design		36	10
6	Issue of the registration certificate	one month from the communication of the decision to accept		
	a) for 1 - 20 designs		72	20
	b) for 21 -50 designs		108	30
	c) for 51 - 100 designs		180	50
7	Maintenance in force of the registration certificate for each 5 - year period of protection	one month from communicating the decision to accept for the first 5-year protection period, up to the beginning of the following 5-year protection period, respectively		
	a) for 1 - 20 designs		360	100
	b) for 21-50 designs		450	125
	c) for 51 - 100 designs		540	150

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
8	Issue of the renewal certificate	at the time of submitting the application		
	a) for 1 - 20 designs		72	20
	b) for 21 - 50 designs		90	25
	c) for 51 - 100 designs		108	30
9	Renewal of the registration certificate for each 5-year period	up to the beginning of the following protection period		
	a) for 1 - 20 designs			100
	b) for 21 - 50 designs			125
	c) for 51 - 100 designs			150
10	Issue of the priority certificate			30
11	Examination of an appeal			150
12	Examination of an opposition to the design registration			30
13	Revalidation of the industrial design registration certificate			100
14	Filing modifications in the legal status of an application or of the registration certificate:			
	a) transfer of rights			30
	b) modifications concerning the applicant's/ holder's and professional representative's name, denomination or address			10
	c) cancellation of the documents under letter a)			10
15	Issue of documents, attestations, duplicates, certified copies, excerpts from the register	at the time of submitting the request	36	10
16	Transmitting the international registration/renewal application from O.S.I.M. to WIPO	at the time of submitting the application		
	a) for the first industrial design		288	80
	b) for the following industrial designs		72	20
17	Extension by a 30-day period of the time limit provided for in the Implementing Regulations	at the time of filing the application	36	10

**AMOUNT AND TIME LIMITS  
CONCERNING THE PAYMENT OF FEES FOR TOPOGRAPHIES OF SEMICONDUCTOR PRODUCTS**

Crt. No.	Object of payment	Payment time limit	Amount (lei)	Amount (EUR)
1	Submitting the application for registration of a topography	at the time of submitting the application or within 2 months of the date of notifying the failure to pay the fee	108	30
2	Examination of the application for registration of a topography	at the time of submitting the application or within 2 months of the date of notifying the failure to pay the fee	360	100
3	Registration of a topography	at the time of submitting the application or within 2 months of the date of notifying the failure to pay the fee	108	300
4	Publication of the registration of a topography	at the time of submitting the application or within 2 months of the date of notifying the failure to pay the fee	54	15
5	Issue of a registration certificate	at the time of submitting the application or within 2 months of the date of notifying the failure to pay the fee	54	15
6	Examination of an appeal	at the time of lodging the appeal	360	100
7	Registration of a modification in the legal status of the application or of the registration certificate:	at the time of filing the request		
	a) transfer of rights		360	100
	b) other modifications		90	25
8	Studying the public documentation in the regular filing	at the time of filing the request	36	10
9	Issue of a certified copy of the public documents extant in the regular filing or of sheets in the National Register for Topographies	at the time of filing the request	36	10