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## GOVERNMENT NOTICE

### DEPARTMENT OF TRADE AND INDUSTRY

No. R. 327

12 March 1999

#### PATENTS ACT, 1978 (ACT NO. 57 OF 1978)

#### AMENDMENT OF PATENT REGULATIONS, 1978

1. The Minister of Trade and Industry has, with the concurrence of the Minister of Finance in respect of matters prescribing the payment of fees and the tariff of such fees, under section 91 of the Patents Act, 1978 (Act No. 57 of 1978), further amended the Patent Regulations, 1978, initially published under Government Notice No. R2470 of 15 December 1978 and as subsequently amended, in the manner set out in the Schedule, with effect from 16 March 1999.
2. The Minister further gives notice that the reference in the heading to Government Notice No. R250 in Government Gazette No. 19775 of 26 February 1999, to "Department of Justice / Departement van Justisie" was intended to be and should be read as a reference to the Department of Trade and Industry / Departement van Handel en Nywerheid.

**SCHEDULE**

1. Regulation 67I is hereby amended by the substitution of the following

**"67I Renewals**

- (1) If a patent issues on an application filed in terms of section 43 three months or more before the expiration of 36 months from the international filing date, regulation 48 shall apply.
- (2) If a patent issues on an application after the expiration of 36 months from the international filing date or less than three months prior to such expiration date, the patentee shall pay any renewal fees payable in terms of regulation 48(1) within six months of the date of publication in terms of section 42 or such further period as the registrar may, in terms of the proviso to section 43(2) and on compliance with regulation 48(3), allow. Thereafter regulation 48 shall apply."

2. Schedule 1 is hereby amended by the substitution for items 24 to 27 of the following:

<b>Item No.</b>	<b>Description</b>	<b>Corresponding Forms</b>	<b>Fees R</b>
24	Transmittal fee in terms of section 43C [regulation 67A(a)]		R500,00
25	International fee in terms of section 43D [regulation 67A(b)]		
	(a) basic fee		
	(i) if the application contains no more than 30 sheets; and		*R2790,00 (650 Swiss francs)
	(ii) supplement per sheet over 30		*R65,00 (15 Swiss francs)

- (c) designation fee, per designation \*R644,00  
(150 Swiss francs)  
(provided that any designation under Rule 4.9(a) of the PCT Regulations in excess of 10 shall not require payment of a designation fee)
- (d) designation fee, per designation 4.9(b)  
(for designations under Rule and confirmed under Rule 4.9(c) of the PCT Regulations \*R644,00  
(150 Swiss francs)

<b>Item No.</b>	<b>Description</b>	<b>Corresponding Forms</b>	<b>Fees R</b>
26	Search fee in terms of section 43D [regulation 67A(b)]		
	(a) where the International Searching Authority is the EPO		R7, 620
	(b) where the International Searching Authority is the Australian Patent Office		R3, 126
27	Fee for priority document, if applicable		R200,00
28	National fee in terms of section 43E(1)(a) [regulation 67B]	P25	R266,00

\* The Rand equivalent amounts are as determined in terms of Rules 15.2 and 16.1 of the PCT Regulations and may be adjusted from time to time, subject to appropriate notification.

**3. Schedule 4 is hereby amended:**

- (a) by the insertion in Part I, after the entry for Iceland, of the following:

India . . . . . IN

- (b) by the insertion in Part II, after the entry for Iceland, of the following:

IN . . . . . India

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