

Patent and Utility Model Renewals Services

I.) General

Once a patent has been granted, the decision on its maintenance and reliable renewal is the basis of economic and secure portfolio management. We would like to support and relieve our clients in this process with a basis for decision-making that corresponds to their wishes and with a safe and economic procedure.

In future, Eisenführ Speiser will offer its clients services according to four selectable service models, which differ in the scope and type of service, the client-side effort and the costs.

The choice of the respective service model is at your discretion. In principle, this can be a one-for-all choice for all IP rights. However, individual IP rights can also be taken out of the model chosen as basis and assigned to a different service model, for example on the basis of a country-specific selection.

Newly added IP rights are inserted into the service model chosen as basis. In future, monitoring will be set up free of charge.

The fees for the respective service in the service models are invoiced either on a case-by-case, monthly or quarterly basis, depending on the agreed billing method. If additional substantive legal advice on economic or legal issues is provided, this will be invoiced on a time basis at the corresponding attorney's hourly rate.

The scope and nature of our services in the four different service models can be found in the following compilation. We will be happy to explain this if any questions arise.



II. The individual service models in detail

II.1 Service Model I: "Full Service"

a) Included service

- Due date and fee amount are determined for each IP right and reported individually to the client two months before the due date
- If applicable, notification of official fee increases and the possibility of early cost-saving payment
- Request for instruction of payment / non-payment of the fee
- Reminder of outstanding instructions, if applicable
- Payment of the fee only after receipt of the payment instruction
- No fee payment will be made by ES without a payment instruction.
- In case of non-payment of the fee: due date for payment of the fee with surcharge is determined and reported.
- Request for instruction of payment / non-payment of the fee with surcharge
- If necessary, up to two reminders of outstanding instructions
- Payment of the fee with surcharge only after receipt of the payment instruction
- No payment of fees without payment instruction. Then, as a rule, the IP right expires.
- Advice on individual IP rights by phone / e-mail by annuities department / attorney < 10 min. effort
- Confirmation of payment of the fee is made with and by settlement of accounts

b) Additional services

- Preparation of requested budget planning lists, monthly, quarterly, annual overview lists, etc. according to time spent

c) Attorney Fee

- all patents with annual payment (= DE, EP, UP, FR, GB, CA, CN, JP, ...):
 - EUR 90,- per IP right for determination of due date and amount of fees as well as report thereon
 - plus EUR 55,- per IP right on instruction of payment of the fee
- all regional patents and applications or IP rights with non-annual payment (= US, DE-utility model, ...):
 - EUR 150,- per IP right for determination of due date and amount of fees and report thereon
 - plus EUR 55,- per IP right on instruction of payment of the fee
- Settlement and confirmation of payment at choice
 - individually per property right
 - monthly or quarterly

II.2 Service Model II: “Annual List”

(available for portfolios with > 40 IP rights)

a) Included service

- Due date and fee amount are determined for each IP right and reported in an annual list no later than three months before the start date of the annual list
- Request for instruction of payment / non-payment of the fee on annual list
- Payment of the fee if no instruction of non-payment is received
- If non-payment instruction is received > 1 month before due date: Secure avoidance of payment of fee
- If non-payment instruction is received < 1 month before due date: Payment instructions and payments already issued will be revoked immediately. Avoidance of all office fees and foreign attorney fees, insofar as these can still be stopped or refunded
- Settlement and confirmation of payment at choice
 - individually per property right
 - monthly or quarterly

b) Additional services

- Advice on individual IP rights by phone / e-mail by annuities department / attorney according to time spent
- Preparation of requested budget planning lists, monthly, quarterly, annual overview lists, etc. according to time spent

c) Attorney Fee

- all patents with annual payment (= DE, EP, UP, FR, GB, CA, CN, JP, ...):
 - EUR 60,- per IP right for determination of due date and amount of fees, report on this in annual list
 - EUR 25,- per IP right in case of payment of the fee or in case of receipt of the non-payment instruction < 1 month before due date
- all regional patents and applications or IP rights with non-annual payment (= US, DE-utility model, ...):
 - EUR 120,- per IP right for determination of due date and amount of fees and report thereon
 - plus EUR 25,- per IP right on instruction of payment of the fee
- Settlement and confirmation of payment at choice
 - individually per property right
 - monthly or quarterly

II.3 Service Model III “Standing Order”

a) Included service

- Due date and fee amount are determined for each IP right
- Payment of the fee if no instruction of non-payment is received
- If non-payment instruction is received > 1 month before due date: Secure avoidance of payment of fee
- If non-payment instruction is received < 1 month before due date: Payment instructions and payments already issued will be revoked immediately. Avoidance of all office fees and foreign attorney fees, insofar as these can still be stopped or refunded

b) Additional services

- Advice on individual IP rights by phone / e-mail by annuities department / attorney according to time spent
- Preparation of requested budget planning lists, monthly, quarterly, annual overview lists, etc. according to time spent.

c) Attorney Fee

- EUR 125,- per IP right in case of payment of the fee or in case of receipt of the non-payment instruction < 1 month before due date
- Settlement and confirmation of payment at choice
 - monthly or quarterly

II.4 Service Model IV “Individual Support”

a) Included service

- In case of non-payment of the fee: report of non-payment when official or other notification of non-payment is received

b) Additional services

- Flat rate option a) (“**Individual support for self-payers**”) Due date and fee amount are determined for each IP right and reported in an annual list
- Flat-rate option b) (“**Individual support for self-monitors**”) Payment of the fee if payment instruction is received in time before the due date
- Advice on individual IP rights by phone / e-mail by annuities department / attorney according to time spent
- Preparation of requested budget planning lists, monthly, quarterly, annual overview lists, etc. according to time spent

c) Attorney Fee

- EUR 75,- per report of non-payment when official or other notification of non-payment is received
- Flat-rate option a): EUR 65,- per IP right (EUR 125,- for regional patents and applications or IP rights with non-annual payment (= US, DE-utility model, ...) for determination of due date and fee amount as well as report on this in annual list
- Flat-rate option b) EUR 40,- per IP right on payment of the fee
- Flat-rate options a+b) as a) plus EUR 30,- per IP right on payment of the fee
- Settlement and confirmation of payment at choice
 - individually per property right
 - monthly or quarterly