



Advancing Industry's View On Intellectual Property Since 1920

Paul Twyman  
Room 3Y58  
The Patent Office  
Cardiff Road  
Newport  
South Wales  
NP10 8QQ

6 January 2006

Ref:C1-P2/06

Dear Mr Twyman,

Informal Consultation on the Review of Patent Office Fees

I refer to recent email correspondence we have had on the above-mentioned informal consultation the deadline for which is 12 January 2006.

Currently the Federation has not finalised its views on this subject and is unlikely to have done so before the deadline. This is not because we regard the subject as unimportant, rather the contrary. To the extent that this review considers re-positioning the timing and origin of revenues from the system, it has provoked a deep discussion amongst our membership about whether any change would, in the long term, be of benefit to users (especially SMEs) and innovation in the United Kingdom.

Bringing forward revenues to a point earlier in the life-cycle of a patent for example, moves away from the established principle that it is the successful patents which fund the system. It will also alter the cost differential between the national and European routes. Again larger companies which tend to use the European route in any case will be less affected than SMEs.

Whilst we recognise that a combined search and examination fee may reflect cost reduction if both steps are performed together, it will remove a decision point for applicants where claims may be revised or applications withdrawn altogether. This could result in nugatory work for the office.

Clearly the issues are not straightforward and we are keen to debate things fully within the Federation before expressing our views. This may involve a consideration of whether to support independent research on the subject to assist our thinking.

Reluctantly therefore, we will not be expressing our views further before the deadline although we will seek to do so as soon as possible thereafter.

Please be assured that we will participate actively in the formal consultation when it arises.

Your sincerely,

Sheila Draper

Secretary, TMPDF

Fifth Floor, 63-66 Hatton Garden, London EC1N 8LE

Tel: 020 7242 3923 Fax: 020 7242 3924

admin@tmpdf.org.uk www.tmpdf.org.uk