



**Canadian
Intellectual Property
Office**

An Agency of
Industry Canada

**Office de la propriété
intellectuelle
du Canada**

Un organisme
d'Industrie Canada

Instructions for Maintenance Fee Calculation Sheet

The maintenance fee calculation sheet guides the applicant in providing the necessary maintenance fee information. This will assist the Patent Office to correctly apply the payments and to help identify any errors. It will also provide a mechanism for the authorization of credit card or deposit account payments.

It is strongly recommended that the applicant complete the fee calculation sheet by entering the required data and amounts in the appropriate areas, and to include this sheet when submitting maintenance fee payments.

Information about the applicable maintenance fee payable can be obtained by consulting Schedule II, Tariff of Fees, Part VI, Maintenance Fees of the *Patent Rules*. This information is also available on CIPO's website: www.cipo.gc.ca.

Calculation of the prescribed maintenance fee

Listing number (if applicable)

Indicate the number that your company is assigning to represent your files for tracking purposes. This information will be used by the finance section in any future communication with you for validation purposes.

Name and address of the person and company paying the fee

Please provide the name of the person paying the fee. For patent applications, the maintenance fee can only be paid by the authorized correspondent, as defined in section 2 of the *Patent Rules*.

Patent application or patent number

Indicate the patent application number or issued patent number for which a maintenance fee is being paid.

Reference number

Indicate the applicant's or patentee's file reference number for which a maintenance fee is being paid.

Anniversary

Specify the anniversary of the filing date of the application in Canada (2nd, 3rd, 4th, etc.) that occurs immediately before the one-year period in respect of which the maintenance fee is being paid. (For example, if the fee is being paid in respect of the one-year period ending on the 3rd anniversary, indicate 2nd).

Maintenance fee

Enter the amount of the maintenance fee being paid. Please note that the amount of the maintenance fee will vary depending on the entity size as defined in section 2 of the *Patent Rules*, and on whether, in the case of an issued patent, the payment occurs on or before the respective anniversary of the filing date, or within the prescribed 12-month period of grace.

Small entity

Indicate whether the applicant or patentee claims status as a small entity. Note: In addition to claiming small entity status, the applicant or patentee must file a small entity declaration. **See Practice Notice May 30, 2003 : Payment of Fees Relating to Patents and Entity Size.**

Reinstatement fee

Enter the amount of the reinstatement fee. If the patent application for which you are submitting a maintenance fee is currently abandoned for non-payment of a maintenance fee, and you are within the prescribed 12-month reinstatement period, it is possible to reinstate your patent application by making a request for the reinstatement of the patent application, by paying the maintenance fee that should have been paid, and by submitting a reinstatement fee (subsection 73(3) of the *Patent Act*).

Late fees

Enter the amount of the late fee. If the patent for which you are submitting a maintenance fee is currently considered lapsed for non-payment of a maintenance fee, and you are within the prescribed 12-month grace period, you may pay the maintenance fee

that should have been paid as well as the late fee pursuant to section 46 of the *Patent Act* and items 31 and 32 of part VI of Schedule II of the *Patent Rules*.

Total

The total of the amounts indicated in the maintenance fee and reinstatement fee columns.

Page total

The total of the amounts indicated in the total column.

Method of payment

To help the Patent Office identify the method of payment of the prescribed fees, please check the applicable box(es).

When paying by credit card, please provide the credit card number and the expiry date unless the authorization form for payments, made by credit card has been completed and submitted to CIPO's finance section.

Authorization to charge deposit account or credit card account

The Patent Office will not charge fees to deposit accounts or credit card accounts unless the deposit account or credit card account authorization is signed and the deposit account or credit card number is indicated.

Authorization to charge a deficiency

Please indicate if you are authorizing CIPO to debit your deposit account or credit card the additional sum of money needed to effect payment of the appropriate fees where there is a clear intent to pay a fee.

If you require assistance in completing the maintenance fee calculation sheet, please call CIPO's Client Service Centre at 1-866-997-1936.

NOTE: Please refer to the *Patent Act* and *Patent Rules* for further information concerning the official requirements associated with the preceding guidelines. In the event of any inconsistency between these guidelines and the applicable legislation, the legislation must be followed.

