

# China Patent Official Fees Reduction Rules

Version : 2022-04-07

## **1. Definitions / Requirements**

### (1). Individuals

- Income:
  - monthly average income in the previous fiscal year of less than RMB 5,000 (RMB 60,000 annually).
- Required documents:
  - a copy of the individual's ID card; and
  - a certification of annual income issued by the individual's employer (individuals with no regular income may submit a certification of financial hardship issued by the local government district in which he or she resides).

### (2). Enterprises

- Income:
  - taxable income in the last fiscal year of less than RMB 1,000,000.
- Required documents:
  - a copy of the company's business registration certificate;
  - a copy of the company's organization code certificate (the only acceptable substitute for this is a uniform social credit code); and
  - a copy of the company's annual corporate income tax return for the preceding fiscal year (or, within the period of settlement and payment of income taxes, the fiscal year before the preceding one).

### (3). Business units, social entities, or non-profit research institutions

- Income:
  - N.A.
- Required documents:
  - a copy of a juristic person certificate.

In the case of multiple applicants or patentees, all applicants party to the application or all patentees party to the patent have to meet the relevant requirements and provide the prescribed supporting documents.

### ※ Note:

The Helpdesk of China National Intellectual Property Administration (CNIPA) replied that the fee reductions are applicable to Taiwanese applicants and patentees. Our Chinese counsel, however, cautioned that in practice a Taiwanese Company would not be entitled to fee reductions. On the other hand, a Taiwanese individual whose income includes taxable income earned in Taiwan may request for fee reductions. Fee reduction requests filed with false statements or on false grounds, if detected and proven to be false by China National Intellectual Property Administration (CNIPA), will lead to revocation of the fee reduction decision. An applicant and patentee so informed will need to pay the balance of the full fees within the prescribed period and will be unable to receive any reduction in fees for the following five years.

## **2. Fee Reduction**

### (1). Fees that can be reduced:

- Filing fees (not including print fees and other additional fees);
- Examination fees for invention patent applications;
- Annual fees for ten years calculated from the year of grant; and
- Re-examination fees.

### (2). Fee discount:

- One individual or juristic person: 85%.
- Multiple individual(s) and/or juristic person(s): 70%.

### (3). Only fees not yet due may be reduced. The second-phase request for fee reduction can be submitted on filing or two and a half months before the due date of a fee payment. Untimely fee reduction requests are not acceptable.

### (4). If there is a change of applicant or patent holder after the first-phase fee reduction application is granted, a new request for fee reduction is required.

## **Remarks :**

- (1) The information above was collected on [April 7, 2022](#). In the event of any patent law changes in the said country, the new amendments shall prevail.
- (2) We are not responsible for verifying the client's fee reduction qualification status and will follow the client's instructions to process the patent renewals payment. In case of any changes of client's fee reduction qualification status, please inform us for processing in order to comply with the payment regulations of the patent laws of various countries.
- (3) We do not assume any legal liability in case of the case abandoned, payment failed or any other rights losses or damages caused due to the above mentioned client's instructions or incorrect data.