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## Australia Trademark Registration Costs and Registration Procedures

The legal basis of Australia trademark is the Trade Marks Act 1995. Australia is a member of the Paris Convention and Madrid Protocol. Australia adopts first-to-file basis for trademark protection. A trademark registration is valid for 10 years from the date of application and could be renewed for 10 years before the expiry date.

### 1. Australia Trademark Registration Fees

Services		Fees (USD)
<b>Step 1: Pre-filing Search</b>		
	First class	220
	Each additional class	170
(1) Pre-filing search is not compulsory in Australia. (2) Pre-filing search is limited to the IP Australia's database only. (3) Pre-filing search report delivered in 15 working days by email.		
<b>Step 2: Trademark Registration Request</b>		
	First class	1,000
	Each additional class	800
(1) Fees covers both our service fees and official filing fees. (2) Fees for trademark registration request listed above cover not more than 20 items of products or services in each class. Each item in excess of 20 will be charged with an extra fee of USD10.		
<b>Step 3: Final Registration/Certificate</b>		
	Each application	200

Note:

- (1) The fixed fees quoted above apply only to trademark applications which are unopposed and proceed without complication.
- (2) All fees quoted above do not include delivery fees.

## 2. Calculation of Registration Costs

### Example 1: One mark one class

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear), that is, one mark one class, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search: USD220

Request for registration: USD1,000

Final registration/Certificate: USD200

**TOTAL: USD1,420**

### Example 2: One mark two classes

If you want to have your trademark "ABC" registered in Class 25 (clothing, footwear, headgear) and Class 26 (lace and embroidery, ribbons and braid; buttons, hooks and eyes, pins and needles; artificial flowers), that is, one mark two classes, the total fees for trademark pre-filing search, registration request and certificate are:

Pre-filing search:  $220 + 170 = \text{USD}390$

Request for registration:  $1,000 + 800 = \text{USD}1,800$

Final registration/Certificate: USD200

**TOTAL: USD2,390**

### Example 3: Two marks one class

If you want to have your trademarks "ABC" and "DEF" registered in Class 25 (clothing, footwear, headgear), that is, two marks one class, the total fees for trademark pre-filing searches, registration requests and certificates are:

Pre-filing searches:  $220 + 220 = \text{USD}440$

Request for registrations:  $1,000 + 1,000 = \text{USD}2,000$

Final registrations/Certificates:  $200 + 200 = \text{USD}400$

**TOTAL: USD2,840**

The costs illustrated in the examples above are based on the assumption of a smooth application, that is, no objection being raised by IP Australia or any other third party. Also, the costs stated above exclude courier charges for sending the Certificate of Registration upon acceptance of registration.

It is further assumed that the number of items of products included in each class is no more than 20. Each additional item after the first 20 is charged at a fee of USD10.

### **3. Materials Required for Filing of Trademark Application in Australia**

- (1) A duly completed trademark search/registration order form (to be provided by Kaizen).
- (2) A soft copy of the trademark in JPEG format.
- (3) A copy of identity proof of the applicant (passport for individuals and Business Registration Certificate/Certificate of Incorporation for companies).
- (4) A priority document when priority is claimed (extra charge will be charged for filing priority claim documents).

### **4. Australia Trademark Application Procedures**

- (1) Kaizen acknowledges the information including the specimens of mark, its goods/services and registration details, then provides the latest quotation, preliminary advice and classifies your goods/services;
- (2) After the quotation has been confirmed, client will be required to complete our Trademark Search/ Registration Order Form and send it back to Kaizen by email, fax or post;
- (3) Once receipt of the payment for pre-filing search, Kaizen will conduct the pre-filing search (if requested). The search report will be sent to client within 15 working days (based on the duration of the official search);
- (4) Client could refer to our analysis and suggestion in the search report and decide whether to file the application. Kaizen will file trademark application to IP Australia upon receipt of your payment and instruction;
- (5) IP Australia will conduct a search of the trademarks records to see if the same or similar trademark has already been registered or been applied for by another trader in the same or similar class. They will also see if the trademark satisfies the registration requirements laid down in the Trade Marks Act 1995. If the requirements for registration are not met, the Examiner will object to the mark;
- (6) Once your trademark has been accepted for registration, it will be published on the Australian Official Journal of Trade marks;
- (7) If no objection by a third party, a registration certificate will be issued by IP Australia. We will review and send the certificate to you.

### **5. Time scale**

Currently it takes around **8 - 12** months to get a trademark registered in Australia in a smooth case.

## 6. Payment Term and Payment Method

Our fees for each stage of an application are to be invoiced and settled before the commencement of each stage of service. If a China or Taiwan Value-Added Tax invoice is required, 7% or 5% additional charge will be incurred.

We currently accept cheque, cash, TT and credit card through Paypal (5% additional charge will incur for paypal). [Please click here for payment methods.](#)

## 7. Refund Policy

No refund of fees will be made after the commencement of services. For example, if we have conducted a pre-filing search and found an identical mark is already in the register, the application will not be proceeded, the fees for pre-filing search will not be refunded. If we have already filed an application and the application is objected by IP Australia or any other party or refused, there will not be any refunded of fees.

In case you have paid our fees for all three stages of an application and the search result indicates that an identical mark is already in the register, the application will not be proceeded. The fees for services not performed, i.e., filing for application and issuing of certificate of registration will be refunded, after deducting bank wiring charge.