# NATIONAL INSTITUTE OF INTELLECTUAL PROPERTY (NIIP) (KAZAKHSTAN)
AS DESIGNATED (OR ELECTED) OFFICE

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**List of abbreviations:**

- **Office:** National Institute of Intellectual Property (NIIP) (Kazakhstan)
- **KPL:** Kazakh Patent Law
### KZ NATIONAL INSTITUTE OF INTELLECTUAL PROPERTY (NIIP) (KAZAKHSTAN)

#### Summary of requirements for entry into the national phase

<table>
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<th>Requirement</th>
<th>Requirement Details</th>
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| **Time limits applicable for entry into the national phase:** | Under PCT Article 22(3): 31 months from the priority date  
Under PCT Article 39(1)(b): 31 months from the priority date |
| **Translation of international application required into:** | Kazakh or Russian |
| **Required contents of the translation for entry into the national phase:** | Under PCT Article 22: Request, description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings, abstract  
Under PCT Article 39(1): Request, description, claims, any text matter of drawings, abstract (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report) |
| **Is a copy of the international application required?** | No |
| **National fee:** | Currency: Kazakh tenge (KZT)  
For patent:  
Filing fee: KZT 15,971  
Examination fee: KZT 56,120  
Annual fees for the first three years, per year: KZT 15,971  
For utility model:  
Filing fee: KZT 14,426  
Annual fees for the first three years, per year: KZT 11,334 |

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1. Must be furnished within two months from the expiration of the time limit applicable under PCT Article 22 or 39(1). This time limit can be extended by no more than two months if the applicant has paid additional fees.
2. This fee is subject to value added tax (VAT). Applicants may consult the receiving Office or a registered patent attorney for the latest applicable VAT rate.
3. Applicants who reside in a State in which per capita national income is below USD 3,000 pay the following reduced amounts: in the case of a legal entity, 30% of the fee amount; in the case of a natural person, 15% of the fee amount.
4. Must be paid within the time limit applicable under PCT Article 22 or 39(1) or within two months from the date of entry into the national phase. This time limit can be extended by two months, provided that a surcharge of 20% is paid.
5. Must be paid for requesting substantive examination after publication of the information on issuing the provisional patent within three years from the international filing date or five years from the international filing date if the duration of the provisional patent has been prolonged.
### Designated (or elected) Office

**KZ NATIONAL INSTITUTE OF INTELLECTUAL PROPERTY (NIIP) (KAZAKHSTAN)**

[Continued]

<table>
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<tr>
<th>Exemptions, reductions or refunds of the national fee:</th>
<th>The examination fee is reduced by 15% where an international search report or an international preliminary examination report has been established.</th>
</tr>
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<td>Special requirements of the Office (PCT Rule 51bis):⁶</td>
<td>Instrument of assignment of the priority application where the applicants are not identical⁷</td>
</tr>
<tr>
<td></td>
<td>Appointment of an agent if the applicant is not resident in Kazakhstan</td>
</tr>
<tr>
<td>Who can act as agent?</td>
<td>Any patent attorney registered to practice before the Office</td>
</tr>
<tr>
<td>Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?</td>
<td>Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests</td>
</tr>
</tbody>
</table>

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⁶ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of three months from the date of the invitation.

⁷ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

(19 March 2015)
THE PROCEDURE IN THE NATIONAL PHASE

KZ.01 TRANSLATION (CORRECTION). Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).

KZ.02 PRIORITY DOCUMENT (TRANSLATION). The Office will require the applicant to furnish a translation of the priority document into Russian or Kazakh only in certain cases where required for the examination upon special invitation. The Office will invite the applicant to furnish a translation of the priority document within a time limit which shall be fixed in the invitation.

KZ.03 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex KZ.I.

KZ.04 REQUEST FOR EXAMINATION. A patent is granted only after substantive examination, the procedure for which starts upon request of the applicant or of a third party. The request for examination must be filed after the publication of the information on issuing the provisional patent and within three years from the international filing date. The request for examination is effective if the fee for requesting examination has been paid. The time limit for requesting examination may be extended by 12 months by the Office upon the request filed by the applicant and subject to payment of a fee.

KZ.05 REPRESENTATION. Applicants having their residence outside Kazakhstan must appoint a patent attorney registered to practice before the Office. A list of registered patent attorneys is available upon request from the Office and may be obtained from the website at www.kazpatent.kz, www.kazpatent.org or www.intellkaz.kz.

KZ.06 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant has the right to amend or correct any element in his international application on his own initiative without paying any fee within two months after entry into the national phase provided that the scope of the subject matter of the application is not broadened thereby. After the expiration of the said time limit but before the date of the decision of grant such amendments or corrections may be made only on payment of the prescribed fee (see Annex KZ.I).

KZ.07 UTILITY MODEL. If the applicant wishes to obtain a utility model instead of a patent in Kazakhstan, on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

KZ.08 If the international application is for a utility model instead of a patent, the requirements are basically the same as for a patent except that the applicant is not required to make a request for substantive examination.

KZ.09 After the expiration of five years from the international filing date, the term of a utility model may be extended by the Office at the request of the owner of the patent by a maximum of three years.

KZ.10 ANNUAL FEE. After a patent has been granted, an annual fee must be paid for maintaining the patent in force. The first annual fee is to be paid simultaneously with the fee for granting the patent. All subsequent fees are to be paid before the beginning of the corresponding year. If an annual fee is paid after the specified term has expired, but not later than six months, the amount of the fee is increased by 50%. A patent lapsed because of lack of payment of the annual fee can be restored within three years from the date of expiration of the time limit for payment of the corresponding annual fee. The amounts of the annual fees are indicated in Annex KZ.I.
KZ11 REVIEW UNDER ARTICLE 25 OF THE PCT. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the Office.

KZ12 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Where, during the international phase or before the Office, the applicant has missed a time limit for performing any act in relation to the international application, such time limit may be extended by the Office upon request by the applicant and where justified and subject to payment of the reinstatement fee (see Annex KZ.I).
FEES\textsuperscript{1,2}

\textbf{(Currency: Kazakh tenge (KZT))}

\textbf{Patents}

Filing fee \hfill 15,971

Examination fee:
- for one invention \hfill 62,854
- for each invention in excess of one \hfill 50,490
(reduced by 15\% where an international search report or an international preliminary examination report has been established)

Reinstatement fee:
- within 12 months from the expiration of the missed time limit \hfill 19,165

Fee for correction or amendment of application \hfill 3,091

For the preparation of the documents for grant of the title of protection, the inventor’s certificate and the publication of patent data \hfill 31,427

Annual fees for provisional patents:
- for the 1\textsuperscript{st} to the 3\textsuperscript{rd} years, per year \hfill 15,971
- for the 4\textsuperscript{th} and 5\textsuperscript{th} years, per year \hfill 23,699

Annual fees for patents:
- for the 1\textsuperscript{st} to the 3\textsuperscript{rd} years, per year \hfill 15,971
- for the 4\textsuperscript{th} and 5\textsuperscript{th} years, per year \hfill 23,699
- for the 6\textsuperscript{th} and 7\textsuperscript{th} years, per year \hfill 30,878
- for the 8\textsuperscript{th} to the 10\textsuperscript{th} years, per year \hfill 47,398
- for the 11\textsuperscript{th} and 12\textsuperscript{th} years, per year \hfill 62,854
- for the 13\textsuperscript{th} and 14\textsuperscript{th} years, per year \hfill 94,797
- for the 15\textsuperscript{th} year \hfill 94,797
- for the 16\textsuperscript{th} to the 18\textsuperscript{th} years, per year \hfill 110,253
- for the 19\textsuperscript{th} and 20\textsuperscript{th} years, per year \hfill 125,709

Reinstatement fee:
- within three years from the expiration of the missed time limit for payment of the annual fee for patents \hfill 10,293

\textsuperscript{1} This fee is subject to value added tax (VAT). Applicants may consult the receiving Office or a registered patent attorney for the latest applicable VAT rate.

\textsuperscript{2} Applicants who reside in a State in which per capita national income is below USD 3,000 pay the following reduced amounts: in the case of a legal entity, 30\% of the fee amount; in the case of a natural person, 15\% of the fee amount.
Utility models

Filing fee ................................................................. 14,425
Fee for correction or amendment of application ............................................. 3,091
For the preparation of the documents for grant of the title of protection, the inventor’s certificate and
the publication of patent data ........................................................................ 31,427

Annual fees:
— for the 1st and 2nd years, per year .......................................................... 11,334
— for the 3rd year ....................................................................................... 11,334
— for the 4th and 5th years, per year ............................................................. 32,973
— for the 6th and 7th years, per year ............................................................. 32,973
— for the 8th year ....................................................................................... 32,973

How can payment of fees be effected?

The payment of fees must be effected in Kazakh tenge, but the equivalent amounts in US dollars or euro
may be accepted. All payments must indicate the application number (national, if already known; international, if
the national application number is not yet known), the name of the applicant and the category of fee being paid by
money order or bank draft or cash. Payment is also possible by bank transfer via a correspondent bank of
"Nurbank" JSC.

Bank requisites for payment
in tenge:
Beneficiary: State Enterprise "National institute of intellectual property" Committee for Intellectual Property rights
of the Ministry of Justice of the Republic of Kazakhstan
Address: 010000, Astana, Left Bank, House of Ministries, 8 Orynbor street, Entrance 18, Body B
VAT number: 620300220118
Bank name: "Nurbank" JSC
SWIFT: NURSKZKX
Identification client code: KZ8584905KZ006015415
Beneficiary code: 16
Bank requisites for funds transfer in currency account: “Nurbank” JSC
SWIFT – NURSKZKX
Identification client code KZ7684905RU006015130

in Russian rouble
Correspondent bank SBERBANK
SWIFT: SABRRUMM
BIC: 044525225
Correspondent account 3011181020000000343 (RUB)
TIN 7707083893
Identification client code KZ1584905US006015020

in US dollars
Correspondent bank JP MORGAN CHASE BANK N.A.
SWIFT: CHASUS33
Correspondent account 40095 1010 (USD)
Identification client code KZ6984905EU006015127

in Euro
Correspondent bank JP MORGAN AG
Correspondent account 6231607570 (EUR)

(17 November 2011)