STATE SERVICE OF INTELLECTUAL PROPERTY AND INNOVATION UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC
(KYRGYZ RESPUBLIKASYNYN OKMOTUNUN KARASHTUU INTELLEKTUALDYK MENCHIK JANA INNOVACIALAR MAMLEKETTIK KYZMATY)
AS DESIGNATED (OR ELECTED) OFFICE

CONTENTS

THE ENTRY INTO THE NATIONAL PHASE—SUMMARY

THE PROCEDURE IN THE NATIONAL PHASE

ANNEXES

Fees .............................................................................................................................................................................. Annex KG.I
Power of attorney .......................................................................................................................................................... Annex KG.II

List of abbreviations:
Office: State Service of Intellectual Property and Innovation under the Government of the Kyrgyz Republic
KPL: Kyrgyz Patent Law

1 The text of the Kyrgyz Patent Law may be obtained on the Internet at http://patent.kg.

(23 January 2020)
## STATE SERVICE OF INTELLECTUAL PROPERTY AND INNOVATION UNDER THE GOVERNMENT OF THE KYRGYZ REPUBLIC

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

<table>
<thead>
<tr>
<th>Time limits applicable for entry into the national phase:</th>
<th>Under PCT Article 22(3): 31 months from the priority date</th>
<th>Under PCT Article 39(1)(b): 31 months from the priority date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Translation of international application required into:</td>
<td>Kyrgyz or Russian</td>
<td></td>
</tr>
<tr>
<td>Required contents of the translation for entry into the national phase:</td>
<td>Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings, abstract</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Under PCT Article 39(1): 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)</td>
<td></td>
</tr>
<tr>
<td>Is a copy of the international application required?</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>National fee:</td>
<td>Currency: Kyrgyz som (KGS) or equivalent in EUR or in USD²</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Filing and provisional examination fee:³ KGS 8,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Claim fee for each independent claim in excess of one:³ KGS 1,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Examination fee:⁴ KGS 15,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Claim examination fee for each independent claim in excess of one:⁴ KGS 7,500</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Renewal fee for the third year: KGS 8,500</td>
<td></td>
</tr>
<tr>
<td>Exemptions, reductions or refunds of the national fee:</td>
<td>Fees are reduced by 90% where the applicant is a natural person or a non-commercial organization. Participants in the Great Patriotic War or persons equated to them, as well as persons with “Group 1” disabilities are exempted from the payment of fees.</td>
<td></td>
</tr>
<tr>
<td>Who can act as agent?</td>
<td>Any person registered to practice before the Office as patent attorney</td>
<td></td>
</tr>
</tbody>
</table>

---

1. Must be furnished within the time limit applicable under PCT Article 22 or 39(1).
2. For non-residents of Kyrgyzstan, the equivalent amount of the fees can be paid in euro or US dollar in accordance with the exchange rate established by the National Bank of Kyrgyzstan and applicable on the date of payment.
3. Must be paid within the time limit applicable under PCT Article 22 or 39(1). The requirement may still be complied with within two months from the expiration of that time limit, provided that a surcharge is paid.
4. A written request for examination must be made and the examination fee simultaneously paid.
<table>
<thead>
<tr>
<th>Special requirements of the Office (PCT Rule 51bis):⁵</th>
<th>Instrument of assignment of the priority application where the applicants are not identical⁶</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Appointment of an agent if the applicant is not resident in Kyrgyzstan</td>
</tr>
<tr>
<td>Does the Office accept requests for restoration of the right of priority (PCT Rule 49ter.2)?</td>
<td>Yes, the Office applies both the “unintentional” and the “due care” criteria to such requests</td>
</tr>
</tbody>
</table>

---

⁵ 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 two months from the date of receipt of the invitation.

⁶ This requirement may be satisfied if the corresponding declaration has been made in accordance with Rule 4.17.
THE PROCEDURE IN THE NATIONAL PHASE

KG.01 **FORMS FOR ENTERING THE NATIONAL PHASE.** The Office has no special form for entering the national phase.

KG.02 **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).

KG.03 **PRIORITY DOCUMENT (TRANSLATION).** The Office requires the applicant to furnish a translation of the priority document into Russian or Kyrgyz only in certain cases where required for the examination. If not already furnished, 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.

KG.04 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex KG.I.

KG.05 **REQUEST FOR EXAMINATION.** The Office examines patent applications. At the request of the applicant, the Office will examine the application with or without conducting examination as to substance. The request for examination must be filed within 30 months from the date of entry into the national phase. If the request is not filed within the prescribed time limit, the application is considered withdrawn.

KG.06 **REPRESENTATION.** An applicant must be represented before the Office if he is not resident in Kyrgyzstan. Any applicant may be represented by a patent attorney authorized to practice before the Office and the address for service should normally be that of a registered patent attorney. A list of registered patent attorneys is available upon request from the Office and on the Office’s website at: http://patent.kg/en/attorneys/.

KG.07 **FEE FOR GRANT.** A fee for grant must be paid within two months after receipt by the applicant of the decision to grant the patent. Where the applicant fails to pay the fee within that time limit, he can make this payment, together with a prescribed surcharge for late payment, within three months from the date of the expiration of the above-mentioned time limit.

KG.08 **INVENTOR.** The indication of the name and address of the inventor must be in the request but may be furnished at a later stage. The Office will invite the applicant to furnish the name and address of the inventor within two months from the date of the receipt of the invitation.

KG.09 **AMENDMENT OF THE APPLICATION; TIME LIMITS.** Within two months after entry into the national phase, the applicant has the right to amend or correct any element of his international application on his own initiative, without paying any fee for that purpose, provided that the amendments or corrections do not modify the subject matter of the claimed invention or utility model beyond the original disclosure. After the expiration of the said time limit, such amendments or corrections may be made only on payment of the prescribed fee and only until the final decision on the results of the substantive examination.
KG.10 **RENEWAL FEES.** After a patent has been granted, a continuation (renewal) fee must be paid for maintaining the patent in force. The first continuation fee is to be paid simultaneously with payment of the fee for granting the patent. All subsequent fees are to be paid before the beginning of the corresponding year. Payment can still be made, upon application for extension of time together with the payment of a corresponding fee, within six months from the final date. The amounts of the annual fees and of the fees for late payment are indicated in Annex KG.I.

| KG.11 **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. |

| KG.12 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. |

| KG.13 **UTILITY MODEL.** Where the applicant wishes to obtain a utility model, on the basis of an international application, instead of a patent, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office. |

| KG.14 **CONVERSION.** The applicant may, prior to publication of a patent application, convert the said application into a utility model application by filing a request to that effect. The utility model application may be converted into a patent application at any time before the decision to grant is taken. The converted application shall have the priority date of the initial application. |
# FEES

**(Currency: Kyrgyz som)**

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing and provisional examination fee</td>
<td>8,000</td>
</tr>
<tr>
<td>— plus, for each additional invention</td>
<td>1,500</td>
</tr>
<tr>
<td>Examination fee</td>
<td>15,000</td>
</tr>
<tr>
<td>— claim examination fee for each independent claim in excess of one</td>
<td>7,500</td>
</tr>
</tbody>
</table>

The examination fee is reduced by 25% where an international search report has been established and by 50% where an international preliminary examination report has been established.

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reinstatement fee for each delayed month up to 12 months from the expiry date</td>
<td>3,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conversion fee:</td>
<td></td>
</tr>
<tr>
<td>— for a utility model application into a patent application</td>
<td>3,500</td>
</tr>
<tr>
<td>— for a patent application into a utility model application</td>
<td>2,000</td>
</tr>
<tr>
<td>Fee for grant and publication of description up to 35 pages</td>
<td>5,000</td>
</tr>
<tr>
<td>— for each page in excess of 35</td>
<td>500</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewal fees for patents:</td>
<td></td>
</tr>
<tr>
<td>— for the 3rd year</td>
<td>8,500</td>
</tr>
<tr>
<td>— for the 4th year</td>
<td>10,500</td>
</tr>
<tr>
<td>— for the 5th year</td>
<td>12,500</td>
</tr>
<tr>
<td>— for the 6th year</td>
<td>14,000</td>
</tr>
<tr>
<td>— for the 7th year</td>
<td>17,000</td>
</tr>
<tr>
<td>— for the 8th year</td>
<td>21,000</td>
</tr>
<tr>
<td>— for the 9th and 10th years, per year</td>
<td>25,000</td>
</tr>
<tr>
<td>— for the 11th and 12th years, per year</td>
<td>33,500</td>
</tr>
<tr>
<td>— for the 13th, 14th and 15th years, per year</td>
<td>50,500</td>
</tr>
<tr>
<td>— for the 16th, 17th and 18th years, per year</td>
<td>59,000</td>
</tr>
<tr>
<td>— for the 19th and 20th years, per year</td>
<td>67,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee for restoration of the right of priority</td>
<td>3,500</td>
</tr>
</tbody>
</table>

**How can payment of fees be effected?**

The payment of fees should be effected in Kyrgyz som (KGS) or in equivalent amounts in euro (EUR) or US dollar (USD). All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

Fees in Kyrgyz som (KGS) must be paid to:

<table>
<thead>
<tr>
<th>Beneficiary:</th>
<th>State Service of Intellectual Property and Innovation under the Government of the Kyrgyz Republic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beneficiary bank:</td>
<td>Central Treasury of the Ministry of Finance of the Kyrgyz Republic</td>
</tr>
<tr>
<td>Account No.:</td>
<td>4402042100005341</td>
</tr>
<tr>
<td>BIC:</td>
<td>440001</td>
</tr>
<tr>
<td>Payment reference:</td>
<td>14511200</td>
</tr>
</tbody>
</table>

---

1 For non-residents of Kyrgyzstan, the equivalent amount of the fees can be paid in euro or US dollar in accordance with the exchange rate established by the National Bank of Kyrgyzstan and applicable on the date of payment.

(23 January 2020)
For non-residents of Kyrgyzstan, the equivalent amount of the fees in US dollar must be paid to:

- **Beneficiary:** Central Treasury of the Ministry of Finance of the Kyrgyz Republic, State Service of Intellectual Property and Innovation under the Government of the Kyrgyz Republic
- **Correspondence bank:** Federal Reserve Bank of New York, New York, US
- **SWIFT code:** FRNYUS33
- **USD account No.:** 0210-8671-5

and the equivalent amount of the fees in euro must be paid to:

- **Correspondence bank:** Deutsche Bundesbank, Frankfurt am Main
- **SWIFT code:** MARKDEFF
- **EUR account No.:** 5040040042
- **Beneficiary bank:** National Bank of the Kyrgyz Republic, Bishkek, Kyrgyz Republic
- **SWIFT code:** NBKIKG22
- **Account No.:** 1013350100590106

(23 January 2020)
Доверенность - Power of Attorney

The present Power of attorney is granted to (name of the attorney and the number of his certificate)

Address (and the name of the firm if any):

which is hereby empowered to represent the interests of

in all matters related to application for granting, maintenance and protection of industrial property rights within the territory of the Kyrgyz Republic

Place:

Date:

Signature