

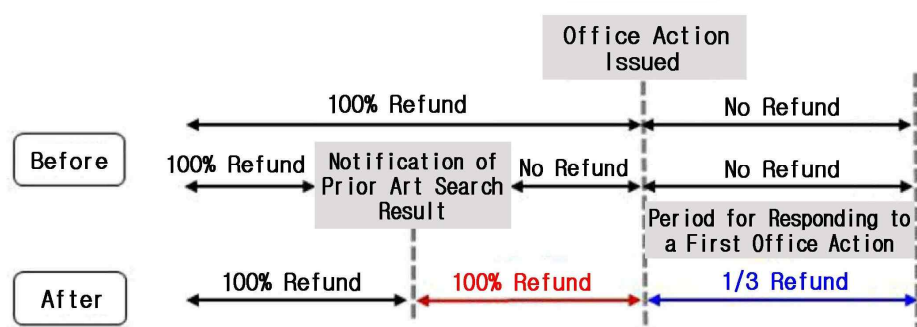
Expanding the Provisions for Refunds of Examination Fees According to the Time of Request for Withdrawal/ Abandonment of a Patent Application

We would like to inform you that a revised Korean Patent Act is currently effective as of November 18, 2021 regarding the refund of examination fees except for examination services actually provided for a patent application which has been withdrawn or abandoned by the applicant.

The revised parts are as follows:

- (1) Until an examiner issues a first office action, the full amount of the examination fees can be refunded regardless of prior art searches conducted by the Korean Intellectual Property Office (KIPO) because the examination services have not yet been provided.
- (2) Even if the examiner issues a first office action, 1/3 of the examination fees can be refunded within the due date for responding to the office action.

<Changes in the Scope of Refund of the Examination Fees Before and After the revised Patent Act>



With respect to the conditions for the above No. (2) refund of the examination fees, please keep the following in mind:

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T +82 2 2188 5454
F +82 2 2188 5455
E ip@BKL.co.kr

- ① A request for withdrawal or an abandonment must be filed within the due date for responding to a first office action (if an applicant let the application go abandoned by not responding to the office action, it is not subject to a refund of the examination fees).
- ② It is possible only within the period for responding to the first office action (if a second office action is issued, it is not subject to a refund of the examination fees).
- ③ When an applicant obtains an extension of time, the examination fees can be refunded if a request for withdrawal or an abandonment is filed within the extended due date.
- ④ Even if a response or an amendment to the office action has been filed, examination fees can be refunded if a request for withdrawal or an abandonment is filed within the due date for responding to the office action.
- ⑤ This revision is applicable to patent applications which are withdrawn or abandoned on and after November 18, 2021 (examination fees can be refunded if a request for withdrawal or an abandonment is filed on and after November 18, 2021).