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# Marshall Marks

Registered Trade Mark Attorneys

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## Schedule of Trade Mark Costs and Fees

From 2 May 2016

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Marshall Marks Pty Ltd (ABN 91 605 529 002) t/a Marshall Marks. Marshall Marks is an Incorporated Registered Trade Mark Attorney Practice. Regulated by the Professional Standards Board. MARSHALL MARKS and IPROTECT are trade marks of Marshall Legal Services Pty Ltd. Marshall Marks is part of Marshall IP Group.

## Searching and Pre-Application Investigations

Item	Marshall Mark's Fees	IP Australia Fees	Total (Incl. GST)
<p><b>Triage Search and Investigations</b></p> <p>A brief search used to determine if there are any substantially identical trade marks on the Australian Trade Marks Register.</p> <p>Suitable for weeding out unsuitable trade marks from a list.</p> <p>Not suitable as a clearance for use or application.</p>	\$100.00	-	\$110.00
<p><b>Application Investigation</b></p> <p>This will be conducted for every trade mark application filed.</p> <p>It will consider the suitability of the trade mark for registration and involve searching for deceptively similar trade marks on the Australian Trade Marks Register.</p> <p>It is not reported unless there are negative aspects such as unsuitability of the trade mark for registration or similar earlier registered trade marks</p> <p>It is suitable for filing an application.</p>	\$250.00	-	\$275.00
<p><b>Pre-Application Report</b></p> <p>This will be conducted on instruction by the client and will be presented in our standard Pre-Application Report format.</p> <p>It includes comments on the suitability of the trade mark for registration and medium level of searching for deceptively similar trade marks on the Australian Trade Marks Register.</p> <p>It also advice on the likelihood of objections being raised by the Australian Trade Marks Office and if and how they may be overcome and the likely cost of overcoming such objections.</p> <p>It is suitable for filing an application and is highly recommended where use of the trade mark has or will commence within the next 6 months or there are to be dealings with the trade mark such as transfer, licensing, sponsorship or franchising.</p>	\$500.00	-	\$550.00

## Applications, Prosecution and Registration

Item	Marshall Mark's Fees	IP Australia Fees	Total (Incl. GST)
<b>Preliminary Trade Mark Application – PART 1</b>	\$300.00 per application	\$120.00 per class	\$450.00 (one class) \$570.00 (2 classes)
<b>Preliminary Trade Mark Application – PART 2</b>	\$300.00 per each additional class	\$80.00 per class	\$80.00 (one class) \$490.00 (2 classes)
<b>Reporting Preliminary Examination</b>  Receiving, considering and reporting the Preliminary Trade Mark Application Examination Report; obtaining client instructions to continue.  No fees will be incurred if there are no objections to report.	\$400.00	-	\$440.00
<b>Standard Trade Mark Application</b>	\$300.00 per class	\$200.00 per class	\$530.00 per class
<b>Series Trade Mark Application</b>	\$500.00 + \$300.00 for each subsequent class	\$300.00	\$850.00 (1 class)
<b>Reporting Standard Examination</b>  Receiving, considering and reporting the Trade Mark Application Examination Report.	\$400.00	-	\$440.00
<b>Responding to Standard Examination</b>  Receiving and considering your instructions; responding to the Examination Report, including letters forwarding Evidence of Use or Letter of Consent	\$400.00	-	\$440.00
<b>Deferment of Application</b>	\$200.00	-	\$220.00
<b>Expedited Examination</b>	\$300.00	-	\$330.00
<b>Extensions of Time Between 15 – 21 Months from the date of the First Examination Report</b>	\$100.00 per month	\$100.00 per month	\$210.00 per month
<b>Extensions of Time After 21 Months</b>	\$400.00 + \$100.00 per month	\$100.00	\$650.00 (1 month) \$860.00 (2 months) \$1,070.00 (3 months)
<b>Change of Applicant Details ( Non-Assignment)</b>	\$200.00 + \$50.00 for each subsequent trade mark	-	\$220.00 (1 mark)

<b>Item</b>	<b>Marshall Mark's Fees</b>	<b>IP Australia Fees</b>	<b>Total (Incl. GST)</b>
<b>Obtaining and Forwarding Certified Copies from IP Australia</b>	\$100.00	\$100.00	\$210.00
<b>FOI Request</b>	\$200.00	As determined by IP Australia	
<b>Registration</b>	\$300.00 per class	\$300.00 per class	\$630.00 (one class) \$660.00 (2 classes)
<b>Trade Mark Renewal</b>	\$400.00	\$300.00 per class	\$740.00 (one class) \$940.00 (2 classes)
<b>Evidence of Use – for s41 or s44 objections</b>	From \$2,000.00	-	From \$2,200.00
<b>Requests for further Evidence of Use</b>	\$200.00	-	\$220.00
<b>Reminder letters/emails for instructions – sent 3 months after original letter requesting instructions and every 2 months thereafter, and every month on anniversary of application</b>	\$100.00	-	\$110.00
<b>Initial letter requesting a Letter of Consent</b>	\$500.00	-	\$550.00
<b>Subsequent work for Letter of Consent</b>	\$500.00 per hour	-	\$550.00 per hour

## Oppositions

### Opposition to Registration

Item	Marshall Mark's Fees	IP Australia Fees	Total (Incl. GST)
Advising on Opposition	\$500.00 per hour	-	\$550.00 per hour
Notice of Intention to Oppose and Filing Statement of Grounds and Particulars	\$750.00	\$250.00	\$1,075.00
Notice of Intention to Defend	\$250.00	\$250.00	\$525.00
Collecting and filing Evidence in Support, Answer or Reply	\$500.00 per hour	-	\$550.00 per hour
Submissions	\$500.00 per hour	-	\$550.00 per hour
Preparation and attendance at hearings in Canberra	\$500.00 per hour	-	\$550.00 per hour

### Non-Use Actions

Item	Marshall Mark's Fees	IP Australia Fees	Total (Incl. GST)
Advising on Non-use Action	\$500.00 per hour	-	\$550.00 per hour
Filing Non-use Application	\$250.00	\$250.00	\$525.00
Notice of Intention to Oppose and Filing Statement of Grounds and Particulars	\$500.00	\$250.00	\$800.00
Notice of Intention to Defend	\$250.00	\$250.00	\$525.00
Collecting and filing Evidence in Support, Answer or Reply	\$500.00 per hour	-	\$550.00 per hour
Submissions	\$500.00 per hour	-	\$550.00 per hour
Preparation and attendance at hearings in Canberra	\$500.00 per hour	-	\$550.00 per hour

Notes: For all non-fixed fees, estimates for each tranche of work will be provided.

## Overseas Trade Mark Applications - Madrid

Item	Marshall Mark's Fees	WIPO Fees	Total (Incl. GST)
<b>Madrid Protocol Trade Mark Application</b>	\$1,000.00 per application + \$500 for each additional country and \$1,000.00 if includes European Union	(as per International Calculator)	TBD on case by case basis
<b>Reporting Standard Examination (WIPO)</b>  Receiving, considering and reporting WIPO's Trade Mark Application Examination Report.	\$400.00	-	\$440.00
<b>Responding to Standard Examination (WIPO)</b>  Receiving and considering your instructions; responding to the Examination Report in accordance with your instructions.	\$400.00	-	\$440.00
<b>Reporting Standard Examination (Designated State(s))</b>  Receiving, considering and reporting Local Trade Mark Office's Application Examination Report.	\$400.00	Local Attorney Costs will be incurred	TBD on case by case basis
<b>Responding to Standard Examination (Designated State(s))</b>  Receiving and considering your instructions; responding to the Examination Report in accordance with your instructions.	\$400.00	Local Attorney Costs will be incurred	TBD on case by case basis
<b>All other work on International Applications</b>	\$500.00 per hour	Local Attorney Costs may be incurred	\$550.00 per hour

## Overseas Trade Mark Applications – Non-Madrid

Item	Marshall Mark's Fees	Local Fees	Total (Incl. GST)
<b>Non-Madrid Country Trade Mark Application</b>	\$600.00	Local Attorney Costs will be incurred	TBD on case by case basis
<b>Reporting Standard Examination</b>  Receiving, considering and reporting Local Trade Mark Office's Application Examination Report.	\$400.00	Local Attorney Costs will be incurred	TBD on case by case basis
<b>Responding to Standard Examination</b>  Receiving and considering your instructions; responding to the Examination Report in accordance with your instructions.	\$400.00	Local Attorney Costs will be incurred	TBD on case by case basis
<b>All other work on International Applications</b>	\$500.00 per hour	Local Attorney Costs may be incurred	\$550.00 per hour

## Trade Mark and Copyright Agreements

Item	Marshall Mark's Fees	IP Australia Fees	Total (Incl. GST)
Trade Mark Assignment (simple)	\$600.00	-	\$660.00
Trade Mark Assignment including copyright assignment (simple)	\$1,000.00	-	\$1,100.00
Copyright Assignment (simple)	\$600.00	-	\$660.00
Trade Mark Assignment and/or Copyright Assignment (complex)	\$500.00 per hour	-	\$550.00 per hour
Recording change of ownership on Trade Marks Register	\$100.00 per mark	-	\$110.00 per mark
Trade Mark Licence (pro-forma intragroup)	\$1,500.00	-	\$1,650.00
Trade Mark Licence	\$500.00 per hour	-	\$550.00 per hour