

European Patent Office (EPO) Divisionals Update

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In October 2013, [we reported that the EPO had removed the time limits for filing divisional applications](#). An outstanding detail at that time was the level of the fees that would be levied for filing second or any subsequent generation divisional applications. Those fees, which are payable in addition to the filing fee, have now been announced:

- Additional fee for a divisional application of second generation – €210
- Additional fee for a divisional application of third generation – €420
- Additional fee for a divisional application of fourth generation – €630
- Additional fee for a divisional application of fifth or any subsequent generation – €840

It seems unlikely that these fees will put applicants off since they already have to pay retrospective renewal fees for divisional applications, which will often swamp the new fees. It would nevertheless be worthwhile taking care to file new divisional applications based on the oldest generation earlier application that is still pending to minimise the fees due. The new fees will be payable from 1 April 2014.

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