

BARZANÒ & ZANARDO

INTELLECTUAL PROPERTY

ROMA – MILANO – TORINO – VICENZA – BIELLA

WWW.BARZANO-ZANARDO.COM

Re : Finance Act 2006 – abolition of taxes on patents

Dear Sirs,

We inform you that among the measures provided for by the Finance Act 2006, approved by the Parliament on December 22, 2005, the elimination of government grant and stamp duties for the filing and maintenance of patents, utility models and designs or models.

In this context, from January 1, 2006, duties for the above mentioned rights shall no longer be payable.

Nevertheless, at present, a series of Government and Parliamentary initiatives are being studied which will tend to mitigate, if not completely annul, the effects of the provisions introduced by the Finance Act, tending to restore the payment, albeit probably in different forms and for different amounts, of government duties on patents, utility models and designs or models.

Furthermore, article 225 of the Industrial Property Code, which entered into force on March 19, 2005, provides for the payment of fees for the maintenance of the aforementioned titles in addition to the payment of grant duties.

The amount and the mode of payment of such fees have not yet been determined and, most likely, will be so with the entry into force of the Implementing Regulations on the Industrial Property Code, expected to be issued in 2006.

Therefore, as matters stand, from January 1, 2006, new applications should be made without paying the filing duties and it will be no longer necessary to provide for the maintenance in force of existing rights.

Nevertheless, in view of the above, it is impossible to predict at present how the question will unfold or the procedures which will be devised with



respect to rights for which the maintenance duties have not been paid in the event that the payment of a tax is reintroduced in the subsequent months (government grant duties and/or fees within the meaning of article 225).

Naturally, we will keep you informed, on a timely basis, of further developments in order to ensure the protection of your Industrial Property Rights.

Kind Regards

Barzanò & Zanardo