

REGISTRATION OF PATENTS IN NO PCT SIGNATORY LATIN

AMERICAN COUNTRIES

1. BOLIVIA

FIRST PART

Request: Application addressed to the National Director of Intellectual Property, signed by the applicant or his attorney.

The specification of the invention (a hard copy and in electronic format)

One or more claims (a hard copy and in electronic format).

One or more drawings, if needed to understand the invention, which are considered as integral part of the specification (1 printed sample and in electronic format).

The abstract in electronic and printed format.

Public Deed of power of attorney, when the application is not made by the interested person (original or authenticated photocopy).

LOCAL ENTERPRISES

Receipt of payment of established fees:

- Receipt of payment for the patent application Bs 400 (SENAPI Bank account)
- Receipt of payment of the first annuity Bs 500 (SENAPI Bank account)
- Receipt of payment of the Official Journal of Bolivia Bs 40 (original and photocopy) and, if applicable, an additional fee for each design Bs 20 (Bank account Official Journal of Bolivia).

INTERNATIONAL ENTERPRISES

- Receipt of payment of the prescribed fees:
- Receipt of payment for the patent application Bs 800 (SENAPI bank account)
- Receipt of payment of the first annuity Bs 1000 (SENAPI Bank account)



- Receipt of payment of the Official Journal of Bolivia Bs 40 (original and photocopy) and, if applicable, an additional fee for each design Bs 20 (Bank account Official Journal of Bolivia).

Files adequate to the volume of documentation.

If applicable, a statement with appropriate documentation, certified by the country's patent office claiming priority.

If applicable, a copy of the access contract when the goods or procedures for which a patent is sought have been obtained or developed from genetic resources or products derived from any of the member countries.

Members of the Andean Community are the country of origin.

If applicable, a copy of the document that certifies the license or authorization to use the traditional knowledge of indigenous, Afro-American or local communities of the Member Countries of the Andean Community, where the products or processes whose protection is sought have been obtained or developed from such knowledge of any of the origin Member Countries, as established in Decision 391 and its amendments and regulations in force.

If applicable, certificate of deposit of the biological material.

If applicable, a copy of the document evidencing the assignment of rights of the invention from the inventor to the applicant or its assignee.

SECOND PART

Application for extension of the title of the Patent of Invention.

Publication of the Official Journal of Bolivia (original clipping).

NATIONAL BUSINESSES

Receipt of payment to determine the patentability upon receipt of notification of substantive examination Bs 500 (SENAPI bank account).



FOR FOREIGN COMPANIES

Receipt of payment to determine the patentability upon receipt of notification of substantive examination Bs 1000 (SENAPI bank account). Receipt of payment of the annuities per year (SENAPI bank account).

2. ARGENTINA**1. Start of the process**

The first step for obtaining a patent is to file a patent application at the National Institute of Industrial Property.

2. Minimum Requirements

A declaration that the patent is applied, the identification of the applicant, a specification and one or more claims, even if they do not meet the formal requirements, shall be submitted on the appropriate form

3. Instances

After 90 days from the filing date, there will be a preliminary examination for the purpose of resolving any formal defects of the request, in view of its publication.

Once approved the preliminary examination, the application will be published within 18 months from the filing date and after payment of the corresponding fee, a substantive examination will be made, for purposes of determining the novelty of the proposed invention.

In order to expedite the processing, the application can be published before 18 months after paying the corresponding fee.

4. Priorities

The filing date assigned to a patent application when the first deposit is made, gives priority to the applicant against a third party who in good or bad faith, could file the



same application later. When there are such cases, the second application is postponed until the first one be resolved.

5. Expectant Rights

Once filed the application it is considered that the applicant already has an expectant right since such right is only granted when the patent is granted. Any dispute which may arise between an applicant to whom a patent is granted and a potential infringer having the applicant's product in the market should be settled in the judicial channel.

3. URUGUAY

BACKGROUND SEARCH

This proceeds in the archives of the National Directorate of Industrial Property (NDIP). It is possible the national or international background search request, in the same way that it is possible to search by matter or bibliographic data. The NDIP takes a time between about 25 to 40 days, according to the characteristics of the patents and the extension of documents that may arise from the State of the Art.

ADMINISTRATIVE STAGES

1. Application for registration

Applicant's name, address, name of the inventor, specification and claims, drawings and, if applicable, details of the priority claimed.

Authorization of Agent, only requires signature of a representative of the applicant.

This authorization can be sent by fax or email and the original by mail.

Priority Document issued by the respective Patent Office. No legalization is required and may be submitted until 90 days after the filing of the patent application.

Document of assignment of rights, if necessary.

It is important to underline that it is possible the filing of an application for a patent of invention only identifying the applicant, a specification of the object and the claims,



and the payment of fees, in which case a 30-day term is given to verify the compliance of the other requirements.

2. Formal Examination

Verifying of Requirements

3. Publication

18 months from the filing date of the application. Publication could be anticipated.

4. Deadline for making observations / objections

60 days from the date of publication.

5. Substantive examination request -

The corresponding fee must be paid. After 120 days from the publication without the payment for the substantive examination has been made, the application will be considered as abandoned.

The observations arising from the substantive examination shall be made in a single report which will give to the applicant a maximum period of 90 days for replying.

6. Resolution

- Granting of the patent - Application for the Certificate of Registration. Payment of the first annuity within 60 days after notification of the granting. The remaining annuities must be paid within 60 days before the lapsing of each year.
- If the patent is denied, it is possible to supply revocation and hierarchical administrative resources.

7. Term - 20 years from the date of application.

