

INDUSTRIAL DESIGNS (DESIGN PATENTS) IN ARGENTINA

Design Patent Act:

- Design Patents are governed by Decree-Law N° 6.673/63 dated August 9, 1963, ratified by Law 16.478, and its regulation Decree No. 5.682/65 of July 2, 1965.
- Argentina is a member of Paris Convention since 1968.

Documents required for filing a Design Patent application in Argentina:

1. Full name and address of applicant, whether an individual or corporation. Applicant must be the legal successor of the Author/s.
2. Full name and address of Author/s.
3. A Design Patent specification, containing a title, a brief description and a list of the drawings.
4. Drawings on A4 size papers.
5. Ten reduced copies of the main drawing.
6. Power of Attorney, duly signed by applicant. Notary or Government Official Attestation of signing party as well as Consular Legalization or The Hague Apostille is required. Kindly note that if the POA is not restricted to a particular case, we can record it at the Patent and Trademark Office as a general Power of Attorney, and we may use it for any future Patent, Trademark and Design application or opposition of the same client.
7. Assignment of Priority Rights, signed before or on AR filing date, only if applicant in AR is not an applicant of the priority application. No legalization required.
8. Certified copy of application/s (specification and drawings) on which priority is claimed, along with its Spanish translation.

Power of Attorney must be filed within forty (40) working days as from AR filing date. Items 7 and 8 may be filed within ninety (90) days as from AR filing date.

Documents required for filing a Design Patent renewal application in Argentina:

1. Original Certificate of the Design Patent.
2. Power of Attorney, duly signed by applicant. Notary or Government Official Attestation of signing party as well as Consular Legalization or The Hague Apostille is required.

Official procedure for Design Patent registration in Argentina:

1. Formal examination. No Substantive Examination is carried out.
2. Once all requirements are met, the Patent Office shall grant the Design Patent and issue corresponding Design Letter Patent.
3. Design Patents are granted for a five (5) year term as from application date.
4. Protection of a granted Design Patent will last for five (5) years as from filing date and can be extended for two consecutive five (5) year periods. Renewal application must be filed within nine (9) to six (6) months prior to expiration date.

Annuities:

No Annuities' payment needs to be made. ■