Latin America Utility Models in a Nutshell

An Administrative Shortlist per Country

Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela.
## Utility Models in Latin America

### Applicable Law

<table>
<thead>
<tr>
<th>Country</th>
<th>Law</th>
<th>Law</th>
<th>Law</th>
<th>Law</th>
<th>Decision 486 of the Andean Community</th>
</tr>
</thead>
</table>

### What can be protected?

Any new shape, configuration or arrangement of components of any device, tool, implement, mechanism, or other object that makes for improved or different operation, use or manufacture, or which endows it with any usefulness, advantage or technical effect that it did not have previously.

### Where to register?

<table>
<thead>
<tr>
<th>Country</th>
<th>INPI</th>
<th>SENAPI</th>
<th>INPI</th>
<th>INAPI</th>
<th>SIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bolivia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colombia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Requirements

- **Novelty**
- **Industrial Applicability**
- **Novelty**
- **Inventive Act**
- **Industrial Applicability**
- **Novelty**
- **Industrial Applicability**
- **Novelty**
- **Industrial Applicability**

### Grace period

1 year

### Duration*

- 10 years from the date of filing
- 10 years from the date of filing
- 15 years from the date of filing. It must not be less than 7 years.
- 10 years from the date of filing
- 10 years from the date of filing

### Costs*

<table>
<thead>
<tr>
<th>Country</th>
<th>Costs</th>
<th>Costs</th>
<th>Costs</th>
<th>Costs</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>Application with no more than 10 claims 48€ + Examination 80€</td>
<td>Application 131€ + Examination fee 132€ + Issuance of certificate 20€</td>
<td>Ministerio da Cultura</td>
<td>Intellectual Property Department (DDI)</td>
<td>National Copyright Directory</td>
</tr>
<tr>
<td>Bolivia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chile</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colombia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*This is only an estimation of the minimum price of protection, serving as a guide, since additional costs may apply. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

Some companies prefer to hire a European law firm to manage its entire Patent portfolio. In those cases, a European attorney is the responsible to choose and supervise a representative in each country where the patent is registered, this option is advisable in cases of very large patent portfolios and/or when the company prefers an external IP management rather than an in-house one.
<table>
<thead>
<tr>
<th>Applicable Law</th>
<th>Costa Rica</th>
<th>Cuba</th>
<th>Dominican Republic</th>
<th>Ecuador</th>
<th>El Salvador</th>
</tr>
</thead>
</table>

What can be protected? Any new shape, configuration or arrangement of components of any device, tool, implement, mechanism, or other object that makes for improved or different operation, use or manufacture, or which endows it with any usefulness, advantage or technical effect that it did not have previously.

Where to register? RPI

OCPI

ONAPI

SENADI

CNR

Requirements

Novelty

Industrial Applicability

Novelty

Inventive Step

Industrial Applicability

Novelty

Industrial Applicability

Novelty

Industrial Applicability

Grace period

1 year

6 months

1 year

1 year

1 year

Duration*

10 years from the date of filing

10 years from the date of filing

15 years from the date of filing

10 years from the date of filing

10 years from the date of filing

Costs*

69€ Application with no more than 5 claims 339€

Application 202€ + Examination fee 161€ + Publication 80€

Application 124€ + Examination fee 179€ + Final registration and issuance of certificate 146€

52€

* This is only an estimation of the minimum price of protection, serving as a guide, since additional costs may apply. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

Some companies prefer to hire a European law firm to manage its entire Patent portfolio. In those cases, a European attorney is the responsible to choose and supervise a representative in each country where the patent is registered, this option is advisable in cases of very large patent portfolios and/or when the company prefers an external IP management rather than an in-house one.
## Utility Models in Latin America

<table>
<thead>
<tr>
<th>Country</th>
<th>Applicable Law</th>
<th>What can be protected</th>
<th>Where to register</th>
<th>Requirements</th>
<th>Grace period</th>
<th>Duration*</th>
<th>Costs*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guatemala</td>
<td>Law 57-2000 on Industrial Property (link to page giving access to law and amendments)</td>
<td>Any new shape, configuration or arrangement of components of any device, tool, implement, mechanism, or other object that makes for improved or different operation, use or manufacture, or which endows it with any usefulness, advantage or technical effect that it did not have previously.</td>
<td>RPI</td>
<td>Novelty Industrial Applicability</td>
<td>1 year</td>
<td>10 years from the date of filing</td>
<td>Application 124€ + Examination fee 355€ + Final registration and issuance of certificate 59€</td>
</tr>
<tr>
<td>Honduras</td>
<td>Law/Decree №12-99-E on Industrial Property Law</td>
<td></td>
<td>DIGEPIH</td>
<td>Novelty Industrial Applicability</td>
<td>1 year</td>
<td>10 years from the date of filing</td>
<td>Examination fee 56€ + Final registration and issuance of certificate 26€</td>
</tr>
<tr>
<td>Mexico</td>
<td>Law of 1991 on Industrial Property (reformed in 2018)</td>
<td></td>
<td>IMPI</td>
<td>Novelty Industrial Applicability</td>
<td>12 months</td>
<td>15 years from the date of filing</td>
<td>Application 93€ + 31€ final registration</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>Law №354 of 2000 on Patents, Utility Models and Industrial Designs</td>
<td></td>
<td>RPI</td>
<td>Novelty Industrial Applicability</td>
<td>1 year</td>
<td>10 years from the date of filing</td>
<td>Application 91€ + Examination fee 183€ + Final registration and issuance of certificate 18€</td>
</tr>
<tr>
<td>Panama</td>
<td>Law of 1996 on Industrial Property</td>
<td></td>
<td>DIGERPI</td>
<td>Novelty Industrial Applicability</td>
<td>1 year</td>
<td>10 years from the date of filing</td>
<td>Application 18€ + Examination fee 226€ + Final registration 4€</td>
</tr>
</tbody>
</table>

*This is only an estimation of the minimum price of protection, serving as a guide, since additional costs may apply. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

Some companies prefer to hire a European law firm to manage its entire Patent portfolio. In those cases, a European attorney is the responsible to choose and supervise a representative in each country where the patent is registered, this option is advisable in cases of very large patent portfolios and/or when the company prefers an external IP management rather than an in-house one.
<table>
<thead>
<tr>
<th>Applicable Law</th>
<th>Paraguay</th>
<th>Peru</th>
<th>Uruguay</th>
<th>Venezuela</th>
</tr>
</thead>
<tbody>
<tr>
<td>What can be protected?</td>
<td>Any new shape, configuration or arrangement of components of any device, tool, implement, mechanism, or other object that makes for improved or different operation, use or manufacture, or which endows it with any usefulness, advantage or technical effect that it did not have previously.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Where to register?</td>
<td>DINAPI</td>
<td>INDECOPI</td>
<td>MIEM</td>
<td>SAPI</td>
</tr>
<tr>
<td>Requirements</td>
<td>Novelty Industrial Applicability</td>
<td>Novelty Industrial Applicability</td>
<td>Novelty Minimum Inventive Step Industrial Applicability</td>
<td>Novelty</td>
</tr>
<tr>
<td>Grace period</td>
<td>1 year</td>
<td>1 year</td>
<td>1 year</td>
<td>6 months</td>
</tr>
<tr>
<td>Duration*</td>
<td>10 years from the date of filing</td>
<td>10 years from the date of filing</td>
<td>10 years from the date of grant, may be extended once for a period of 5 years</td>
<td>5-10 years (upon request)</td>
</tr>
<tr>
<td>Costs*</td>
<td>73€</td>
<td>Application with no more than 5 claims 339€ Application with no more than 10 claims 89€ + Examination fee 76€ + Final registration and issuance of certificate 64€</td>
<td>Application 175€ + Examination fee 50€ + Final registration and issuance of certificate 149€</td>
<td>Application 77422Bs + Final registration, issuance of certificate and publication 302222Bs</td>
</tr>
</tbody>
</table>

* This is only an estimation of the minimum price of protection, serving as a guide, since additional costs may apply. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

Some companies prefer to hire a European law firm to manage its entire Patent portfolio. In those cases, a European attorney is the responsible to choose and supervise a representative in each country where the patent is registered, this option is advisable in cases of very large patent portfolios and/or when the company prefers an external IP management rather than an in-house one.
Country IP Factsheets

Argentina IP Country Fact Sheet
Bolivia IP Country Factsheet
Brazil IP Country Factsheet
Chile IP Country Factsheet
Protecting your creation in the Andean Community
Cost Rica IP Country Factsheet
Cuba IP Country Factsheet
Dominican Republic IP Country Factsheet
Ecuador IP Country Factsheet
Central America IP Country Factsheet
Mexico IP Country Factsheet
Paraguay IP Country Factsheet
Peru IP Country Factsheet
Uruguay IP Country Factsheet

Further information
Identifying your Intellectual Property
The Latin America IPR SME Helpdesk offers multilingual services (English, French, German, Spanish and Portuguese¹), with free information and first-line legal advice on IP related subjects, as well as training, webinars and publications, especially designed for EU SMEs.

**HELPLINE** First-line advisory service on IP protection and enforcement for EU SMEs working or planning to operate in Latin America.

**TRAINING** Targeted trainings and webinars on IPR protection and enforcement for EU SMEs (including sector-specific approaches).

**IP CONTENT** State-of-the-art publications (factsheets, learning modules, videos, IP glossary, info graphics, case studies and newsletters) on the protection and enforcement of IPR in Latin America – specifically addressing IP matters from the SME business needs point of view.

**AWARENESS RAISING EVENTS** Participation in events attended by EU SMEs to increase the awareness of IP and of the visibility of the services provided by the Helpdesk.

**IP ANALYSIS** Analysis of IP challenges faced by EU SMEs in the target markets.

**IP DIAGNOSTIC TOOLKIT** Toolkit for self-evaluation of the IP-status of the user in terms of IP knowledge and management.

**IP COST TOOL** Online tool that allows the user to pre evaluate the costs related to IP management in every Latin American country covered by the Helpdesk.

¹The language offer will depend on the specific service and experts’ availability.
If you have any queries on how to protect your Intellectual Property in Latinamerica contact our Helpdesk service:

helpline@latinamerica-ipr-helpdesk.eu
+34 96 590 9684
Working Hours: Monday – Friday 9:00 -16:30 (CEST)

If you want more information on additional free services offered by the Helpdesk contact the coordination team:

info@latinamerica-ipr-helpdesk.eu
University of Alicante, Campus San Vicente del Raspeig, Edificio Torre de Control, 03690 Alicante, Spain
+34 96 590 9684

Follow us on Social Media and stay tuned on new releases of factsheets and other IP content:

@latinamericaipr

www.latinamerica-ipr-helpdesk.eu

Supervisor: Rebeca Nieto Carracedo
Author: Nicolás Gutierrez Douénel

©European Union, 2020

Reuse is authorised provided the source is acknowledged.

Disclaimer: The Latin America IPR SME Helpdesk –An initiative of the European Commission– is a free service for SMEs which provides practical, objective and factual information about Intellectual Property Rights in Latin America. The services are not of a legal or advisory nature and no responsibility is accepted for the results of any actions made on the basis of its services. The content and opinions expressed are those of the authors and do not necessarily represent the views of the European Commission and/or the Executive Agency for Small and Medium-sized Enterprises or any other body of the European Union. Before taking specific actions in relation to IPR protection or enforcement all customers are advised to seek independent advice. Neither the European Commission nor the Agency may be held responsible for the use which may be made of the information contained herein.


Last update November 2019