

**RECENT IP
UPDATES**

ANDORRA:

Patents may now be filed

As of January 25th, 2016 patent applications can be filed in Andorra. Even though the patent law had been approved back in 1999, it had never entered into force.

The new patent law in 2014 and it enables the filing of patent applications in Catalan, Spanish, French and English (Catalan translation of the claims is required). The Andorran Patent and Trademark Office will conduct merely a formal examination of the application unless there is an evident lack of novelty.

ARGENTINA:

Changes in the trademark opposition process.

The Argentinian Congress has passed a law pursuant to which the mediation proceedings will no longer suspend the 1 year term to settle trademark oppositions. As of March 26th, 2016, applicants will have to file a court action claiming the dismissal of the opposition before the expiration of the 1 year term if they do not want to see their application lapse.

BRAZIL:

Pilot program with US to examination of patents.

A bilateral agreement between the USPTO and BRPTO has recently been enacted allowing for a PPH request. The program will be valid for a period of two years (or until 150 US or BR priority applications are accepted by each of the offices following this program). Please note that, as clause B-4 indicates, the Brazilian PTO is engaged in this PPH program for applications filed within the last 3 years, containing claims directed to Oil, Gas and Petrochemical inventions only. January 16th, 2016.

CHILE:

Amendments of Medicinal Products.

On January 4th, 2016, a series of amendments were introduced to the bill of law that modifies the Health Code in order to regulate generic bioequivalent pharmaceutical products and prevent the vertical integration of pharmaceutical laboratories and pharmacies. Among other provisions the bill sets forth that pharmaceutical companies that either manufacture or import products must provide the Ministry of Health and the Public Health Institute with information about the prices of the pharmaceutical products that are available for sale.

COSTA RICA:

Annuities will be "retroactively" paid as from the international filing date.

Costa Rican Patent Office is changing its interpretation on the calculation term to pay patent annuities. As a result, overdue annuities are to be paid retroactive from the international application date.

Before, annuity payments were calculated starting from the Costa Rican filing date (that is, the national phase entrance filing date.).

COLOMBIA:

New official fees.

The Superintendence of Industry and Trade of Colombia has issued Resolution No.73446 of 2015, approving the new official taxes for patents, industrial models, industrial designs, trademarks, collective marks and similar, which have come into effect as of January 1st 2016. There are some

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EUROPEAN UNION:

New Directive on Trade Secrets.

On 15 December 2015 the negotiating teams of the European Parliament and the Council reached a preliminary agreement on the text of the Directive o. The Commission participated in the negotiations as a facilitator. The agreement will need to be formalized by the European Parliament and the Council. Companies, inventors, researchers and creators will be put on equal footing throughout the Internal Market, and the EU will have a common, clear and balanced legal framework which will discourage unfair competition, and facilitate collaborative innovation and the sharing of valuable know-how to make the EU a stronger and more competitive economic region. The Directive will align existing laws against the misappropriation of trade secrets across the EU.

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EUROPEAN UNION:

New trademark reforms.

The EU trademark reform legislative package has been approved and will enter into force on March 23rd, 2016. The OHIM will now be called EU Intellectual Property Office (EUIPO) and community trademarks will be EU trademarks (EUTM). This legislative package aims at promoting better co-operation between the Member States, lower the cost to register and renew EU trademarks, diminish complexity, increase the speed of registration procedures and provide more legal certainty between national offices and the EUIPO.

JAPAN:

Lowered fees for trademark registrations and renewals.

Effective April 1st, 2016, fees for trademark registration and renewals are lowered as follows.

Office fee per class (JPY) Current New Reduction Registration fee for 10 years 37,600 28,200 9,400 - for 5 years 21,900 16,400 4,400 Renewal fee for 10 years 48,500 38,800 9,700 - for 5 years 28,300 22,600 5,700

LAOS:

Accession to Madrid Protocol.

The Government of the Lao People's Democratic Republic (Lao PDR) deposited with the Director General of WIPO its instrument of accession to the Madrid Protocol for the International Registration of Marks on December 7, 2015. With this accession, Lao PDR became the 97th member of the Madrid System. The Protocol will enter into force, with respect to Lao PDR on March 7, 2016.

MEXICO:

Future opposition system in Trademarks

Last November 10th, 2015, a proposal to amend the Mexican IP Law was published. The proposal needs to be studied but, if approved it will set up an opposition system for trademarks in Mexico.

As currently drafted, the opposition would be valid for a period of 1 month since the publication and it would not suspend the examination and registration process.

SAUDI ARABIA:

New regulations for PCT national phases.

Saudi Arabia has recently implemented new regulations on its Patent Law concerning the national stage entry of PCT patent applications. These new regulations include the possibility of requesting extensions of time during prosecution as well as to restore abandoned or canceled patent applications. Furthermore, the international filing date will be the filing date of a PCT national entry and the base year for calculating annuities.

TURKMENISTAN:

Accession to the 1999 Act:

the Government of Turkmenistan deposited with WIPO its instrument of accession to the Geneva (1999) Act of the Hague Agreement Concerning the International Registration of Industrial Designs. The Act will enter into force on March 16, 2016.

VENEZUELA:

New increase of official fees.

In accordance to recent Official Gazette 40.846, the Venezuelan Government has established a new and increased Official Tributary Unit. The Tax Unit is a mechanism intended to confer permanence and stability across time to the amounts in bolivares (local currency) or nominal values disposed by different tributary laws. The new Tributary Unit will result in a further increase of official fees to be paid for patent and trademark filings, renewals, grant fees, changes of ownership and licenses.

VIETNAM:

Patent acceleration program with Japanese Patent Office.

A PPH program will begin on April 1st, 2016 to enable accelerated patent examination based on the findings of the Japanese Patent Office.

There are currently two other ways to accelerate examination in Vietnam which had not been widely used so far. It is expected that this new route helps obtaining patents faster and reducing the back-log at the Vietnamese Patent Office.