

**RECENT IP
UPDATES**

BRAZIL:

Resolution INPI/PR No. 172/2016 regarding well-known trademarks.

On October 18th, 2016, the INPI published Resolution INPI/PR No. 172/2016, whose objective is to improve Resolution INPI/PR No. 107/2013 which deals with the application of Article 125 of Law 9,279/1996. The first of the amendments concerns with the wording of items I and II of article 3 of the Resolution INPI / PR No. 107/2013; the second amendment contemplated in Resolution INPI / PR No. 172/2016 refers to Article 9 of the previous Resolution, which deals with the new requirements for the recognition of well-known trademarks already identified under the terms of Resolution INPI / PR No. 107/2013; finally the amendment of article 10 of the previous Resolution, establishing that the competence for the investigation of appeals is from the General Coordination of Appeals and Administrative Proceedings of Nullity (CGREC).

The first of the amendments concerns with the wording of items I and II of article 3 of the Resolution INPI / PR No. 107/2013; the second amendment contemplated in Resolution INPI / PR No. 172/2016 refers to Article 9 of the previous Resolution, which deals with the new requirements for the recognition of well-known trademarks already identified under the terms of Resolution INPI / PR No. 107/2013; finally the amendment of article 10 of the previous Resolution, establishing that the competence for the investigation of appeals is from the General Coordination of Appeals and Administrative Proceedings of Nullity (CGREC). Sincerely,

CAYMAN ISLANDS:

New Trademarks Bill

A new trademark law has been published in the Cayman Islands which is expected to come into force in early 2017.

The new law will include a local trademark registry; applications will be examined on absolute and relative grounds for refusal of registration and contains also provisions for a opposition as well as revocation proceedings for non-use. There will also be provision for the registration of collective and certification marks. Furthermore, clients will still be required to pay annual maintenance fees in order to maintain a registration's validity.

CHILE:

The National Institute of Intellectual Property (INAPI) updates its Cooperation Agreement with the State Intellectual Property Office of China (SIPO).

On October 19th, 2016, both offices updated the existing cooperation agreement since February 2012.

The agreement signed between the SIPO and INAPI allows the exchange of information related to modernizations, management and development of both offices. It also increases the training of INAPI's officials in different aspects of intellectual property, the sharing of knowledge and strengthens the cooperation on patent examination.

Signed a collaboration agreement for the benefit of the intellectual property system.

On October 25th, 2016, the Mexican Institute of Intellectual Property (IMPI) and the Austrian Patent Office (APO) signed three different collaboration agreements that will strengthen relationships between both offices.

The three agreements are: Memorandum of Understanding on IP Cooperation, (ii) implementation of an Accelerated Patent Prosecution Highway (PPH) and, (iii) formalizing the recognition by the IMPI to the APO as International Search Authority (ISA) and International Preliminary Examining Authority (IPEA).

URUGUAY:

Online Presentation System (SPL).

On October 6th, 2016, MIEM-NCPA, launched the first phase of Online Presentation System (SPL).

This new system involves a new step into the process of implementation of information technology management procedures and administrative tasks of the NCPA, which result in a more modern and appropriate management to the public policies promoted by the present administration e-government. The most significant changes of the first phase are: (i) it won't be necessary for Intellectual Property Agents to come to the office in order to certify shipments of written requests (SIWeb) and payments (SPO), which will be made exclusively through user SIWeb, (ii) confirmation processing requests sent via SIWeb, or rejection of the response including justification thereof and, (iii) titles request issued in digital format and sent to the email box.

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VENEZUELA:

Ratification of Upcoming Proceedings

The Trademark Office recently published an official notice requesting all opponents to ratify their legal/administrative interest in opposition proceedings filed by November 8th, 2016.

If no brief ratifying legal/administrative interest is filed, the Trademark Office will estimate that the opposing parties have lost interest and will consider the oppositions abandoned. On the other hand, if opponents ratify legal their interest, the Trademark Office will render and publish its resolution deciding the opposition fields.