



Attorney at Law

Av Río Mixcoac No. 25 Floor 1 B, Col Crédito Constructor, CP 03940, México Distrito Federal.
Tel 52 55 56 61 12 78 www.tciplaw.mx

REQUIREMENTS FOR FILING PATENT APPLICATION VIA PARIS CONVENTION

1.- Full data of the inventors.- Name, full address, including the street and house number, citizenship and occupation.

2.- Full applicant data.-

a.- For individuals: name, complete address, including the street and house number and citizenship.

b.- For corporations: name, street address, nationality, State name under which law the corporation is organized.

3.- Full specification and claims (text).- The same must contain the title of the invention, an abstract, the complete specification including the background and detailed description of the drawings and of the invention, as well as the claims. We may prepare the necessary translation and copies.

According to Mexican Industrial Property Law & Regulations, we may submit text in the original language in order to save the priority date when we received the application too late to be translated and filed. We have a two-month term to voluntarily file the Spanish translation of it.

4.- Drawings.- Although you may file informal drawings with the application, the formal ones have to be filed within a two-months term as of filing date.

5.- Priority Data.- If the application is to be filed claiming priority under the Paris Convention please provide us with the information on the country of origin, serial number and filing date of priority application.

In order to hold the priority rights, if any, all the above documents and information must be filed together with the application writ before the Mexican Patent Office, precisely when filing the application. Failure to do so may conduct to the losing of the priority rights and recognition of the legal date will be delayed until the completion of the filing requirements, either voluntarily or by requirement from the Mexican Patent Office. For non convention cases, failure to file said documentation and information, will delay the recognition of the legal date until the voluntary completion of the filing requirements or when the Patent office requires them. The filing date without recognition of the legal date has not utility value.

Furthermore, please take note there are additional filing requirements such as:

Power of Attorney.- In our website you will find the POA Format to be filled as it is indicated in the instructions.

POA document only requires to be attested by two witnesses and to indicate their full name and address right below their signature. Neither notarization nor legalization is required. Copies are not accepted by the Mexican Patent Office.

Please take note if the POA is granted by a corporation or any other corporate entity for procurement of legal protection only. Neither notarization nor legalization is required, but only to indicate right below in the text of the Power of Attorney itself, the corporate resolution (such as Chart of Incorporation, or By Laws, or Board of Directors Meeting, or the like), whereby the Officer executing this Power was given authority to grant Powers of Attorney or this specific Power, mentioning its date of execution. The signatures of two witnesses are also required, indicating their names and domiciles.

Claiming of Priority Rights.- If priority is claimed, it must be filed a certified copy of home application accompanied by a certified and sworn Spanish translation. We may provide said translation.

The POA and assignment documents, our domestic law grants an additional term of 45 days around for filing them, and the filing of the priority document must be complied within the next three months as of the filing date.