



BUFETE MEJIA & ASOCIADOS

YOUR CENTRAL-AMERICAN IP FIRM

2021



**CENTRAL-AMERICAN
IP LITIGATION
BOOKLET**

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1. Can Oppositions be filed online?

No. However, it is possible to file oppositions by email, provided that the usual filing hours granted by the Trademark Office are respected.

2. What is the deadline to file an Opposition? Are extensions possible?

2 months counted from the first publication date (2 publications in total) of the application in the Official Gazette.

Extensions are not possible.

3. What documentation is required to file an Opposition?

- a) *Power of Attorney duly legalized by the Apostille,
- b) Certificate of registration of the mark base of the Opposition (in case the Opposition is based in registered trademark), and
- c) Proof of use.

*We may act as "de-facto" agents promising to file the required POA within the next 30 business days.

4. What can be the base for the filing of an Opposition?

- a) Registration of a trademark,
- b) Previous rights, or
- c) inherent reasons.

5. What is the deadline for the applicant to answer an Opposition?

2 months counted from the Hearing's notification date.

6. Is there any deadline to file means of proof?

Yes, along with the Opposition. However, if the means of proof are not completely submitted at that time, the same may be filed 30 days counted from the filing date of the Opposition.

7. Is it possible for the affected party to file an appeal against the first instance resolution?

Yes, the affected party has 3 business days to file an Appeal and another 5 business days to file a subsidiary Appeal. Additionally, both parties are granted 15 business days to file formal allegations before the Court.

8. How long does it take for the Trademarks Office to decide on the Review Appeal?

Approximately 6-12 months

9. Is it possible to file an appeal against the final decision?

The Recourse left is to file a Contentious-Administrative Claim before the Supreme Court of Justice. The deadline for filing this Claim is 2 months after the notification of the final decision.

10. How long does it take to resolve an Opposition?

Approximately 18-24 months.

CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes.

2. What is the non-use period for filing a cancellation action?

5 years counted from the registration date.

3. Who must prove the use of the mark?

The burden to prove the use of the mark corresponds to its owner (defendant).

4. How long does it take to resolve a cancellation action?

Once the trademark owner is directly notified it takes approximately six months. However, if it is necessary to notify through an edict published in the Official Gazette which takes approximately eight months.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are Nullity Actions possible?

Yes.

2. Who may file a Nullity Action?

A third party with legitimate interest.

3. Who knows about these cases?

The Trademarks Office Legal Department.

4. How long does it take to resolve a Nullity Action?

Approximately 6 months.

BORDER MEASURES

1. Is registration of trademarks before the Customs Authority possible?

No.

2. Is there a mechanism to comply with the Regulations of the Central American Uniform Customs Code, Section V Intellectual Property, Article 316?

Customs Officers in Costa Rica proceed to notify the legal representatives of any suspicious products they come across in their routine inspections. Generally, upon these findings the Customs Officers immediately contact the corresponding trademark agents and request a physical inspection on site within the next 48 hours.

Once the inspection is carried out, a precautionary measure can be requested in order for the merchandise to not clear customs, and the importer is required to personally appear before customs and confirm if the infringing product is not legitimate. If the offense is confirmed, then the custody of the merchandise passes to the judicial authorities, awaiting the judicial order for its destruction.

It is important to take into consideration that within the month of the request of the precautionary measure, a judicial action due to trademark infringement must be filed.

3. Have there been any progress or changes in proceedings on the application of border measures?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

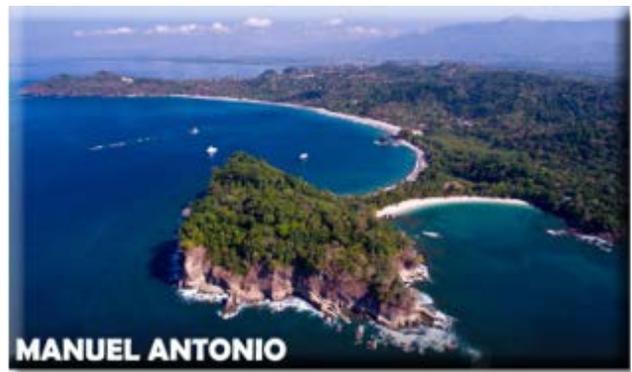
Yes, before the Special Prosecutor of Intellectual Property and Informatics Security.

2. What is the approximate time to obtain an injunction or Seizure order?

10 business days counted from the filing date of the infringement action.

3. Is a Registered mark required for these actions?

Yes.



MANUEL ANTONIO

**NATURE RESERVE & WILDLIFE REFUGE,
COSTA RICA**



1. Can Oppositions be filed online?

No

2. What is the deadline to file an Opposition? Are extensions possible?

45 days counted from the publication date (1 publication only) of the application in the Official Gazette.

Extensions are not possible.

3. What documentation is required to file an Opposition?

Certificate of Registration of the mark base of the Opposition (in case the Opposition is based in a registered trademark)

4. What can be the base for the filing of an Opposition?

a) Absolute prohibitions to the registration, or

b) Relative prohibitions given the existence cue of third-party's rights.

5. What is the deadline for the applicant to answer an Opposition?

30 days counted from the admission of the Opposition.

6. Is there any deadline to file means of proof?

Yes, along with the Opposition or within the time limit to file the Opposition (45 days).

7. Is it possible to file an appeal against the first instance resolution for the affected party?

Yes, the affected party has 15 days to file an Appeal before ONAPI's General Director.

8. How long does it take for the Trademark Office to issue a resolution for the Review

Appeal?

Approximately 12-18 months.

9. Is it possible to file an appeal against the final decision?

Against the final decision proceeds the filing of an Appeal before the Civil and Commercial Court of Appeal. The deadline for filing this Appeal is 30 days counted from the notification date of the final decision.

10. How long does it take to resolve an Opposition?

Approximately 24 months.

CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes.

2. What is the non-use period for filing a cancellation action?

3 years counted from the registration date.

3. Who must prove the use of the mark?

The burden to prove the use of the mark corresponds to its owner (to the defendant).

4. How long does it take to resolve a cancellation action?

Approximately 12-16 months.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are nullity actions possible?

Yes.

2. Who may file a Nullity Action?

The owner of the mark that is considered infringed by having identity or similarity in degree of grammatical, visual and phonetic confusion, or if the mark is descriptive or generic.

3. Who knows about these cases?

The Trademark Office (Administrative Process).

4. How long does it take to resolve a Nullity Action?

Approximately 12-24 months.

BORDER MEASURES

1. Is registration of trademarks before the Customs Authority possible?

Yes.

2. Is it possible to request the Customs authority to issue an alert to the Honduras` s customs authorities when they suspect that there is merchandise in transit with products under marks that could be counterfeit?

Yes. Local customs authorities are enabled to act by Law 20-00, article 174; substituted by Article 30, paragraph 1 number 3 of Law 424-06 that rules the implementation of the agreement DR-CAFTA

which states that Customs Authority, when there are enough reasons to consider a merchandize (been imported, exported, or in transit) to be suspicious of counterfeit, may act and retain the merchandize without requiring formal request by a private party or by the owner of the IP asset.

Other possible scenario is that the owner of the IP asset alerts local Customs Authorities about products under marks that could be counterfeit which have been shipped to Honduras as to be ready to proceed accordingly.

3. Have there been any progress or changes in proceedings on the application of border measures?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

Yes, before the Criminal Court.

2. What is the approximate time to obtain an injunction or Seizure order

Approximately 10 days.

3. Is a Registered mark required for these actions?

Yes.





1. Can Oppositions be filed online?

No

2. What is the deadline to file an Opposition? Are extensions possible?

2 months counted from the first publication date (2 publications in total) of the application in the Official Gazette.

Extensions are not possible.

3. What documentation is required to file an Opposition?

- a) *Power of Attorney duly legalized by the Apostille,
- b) Certificate of Registration of the mark base of the Opposition (in case the Opposition is based in a registered trademark), and
- c) Proof of the publication made in the Official Gazette.

*We may act as "de-facto" agents promising to file the required POA within the next 30 business days.

4. What can be the base for the filing of an Opposition?

- a) Registration of a trademark,
- b) Previous use of the mark in the country (use must be proven) or,
- c) The applied mark is descriptive and of common use.

5. What is the deadline for the applicant to answer an Opposition?

Two months counted from the admission of the Opposition and the means of proof.

6. Is there any deadline to file means of proof?

Yes, 2 months counted from the filing date of the Opposition.

7. Is it possible for the affected party to file an appeal against the first instance resolution?

Yes, the affected party has 30 business days to file an Appeal before the Trademarks Office.

8. How long does it take for the Trademarks Office to decide on the Review Appeal?

Approximately 3-4 months counted from the filing date of the Appeal.

9. Is it possible to file an appeal against the final decision?

The Recourse left is to file a Contentious-Administrative Claim before the Supreme Court of Justice. The deadline for filing this Claim is 60 business days after the notification of the final decision.



10. How long does it take to resolve an Opposition?

Approximately 8 months.

CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes.

2. What is the non-use period for filing a cancellation action?

5 years counted from the registration date.

3. Who must prove the use of the mark?

The Plaintiff (interested party).

4. How long does it take to resolve a cancellation action?

Approximately 12-15 months.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are Nullity Actions possible?

Yes.

2. Who may file a Nullity Action?

The owner of the presumably infringed mark, because of its identity or confusing similarity.

3. Who knows about these cases?

The Civil and Mercantile Court.

4. How long does it take to resolve a Nullity Action?

Approximately 12-15 months.

BORDER MEASURES

1. Is registration of trademarks before the Customs Authority possible?

No.

2. Is there a mechanism to comply with the Regulations of the Central American Uniform Customs Code, the Section V Intellectual Property, Article 316.?

In El Salvador, the Ministry of Treasury, on its official site, keeps providing alert of counterfeit product entry (at least of the most recurrent trademark and famous and / or well-known trademarks). We proceed to request to the Custom Office to allow us to act as an interested party, in order to review the merchandise have entered it and after we verified with and expert if the merchandise is false, we have 10 days to file the criminal complaint at the District Attorney Office.

In other cases, we filed a petition before the Custom Offices and General Attorney Office by accompanying a list of trademarks and a copy of the certificates of registration in order to alert them to prevent the introduction of counterfeit products, in application of the above indicate legislation.

3. Have there been any progress or changes in proceedings on the application of border measures?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

Yes, before the Civil and Mercantile Court.

2. What is the approximate time to obtain an injunction or Seizure order?

48 hours counted from the filing date of the infringement action.

3. Is a Registered mark required for these actions?

If the mark is notorious it is not necessary to have a trademark registration for the filing of these actions.



OPPOSITION AGAINST A THIRD-PARTY APPLICATION

1. Can Oppositions be filed online?

No

2. What is the deadline to file an Opposition? Are extensions possible?

2 months counted from the first publication date (2 publications in total) of the application in the Official Gazette.

Extensions are not possible.

3. What documentation is required to file an Opposition?

- a) *Power of Attorney duly legalized by the Guatemalan Consulate,
- b) Certificate of registration of the mark base of the Opposition (in case the Opposition is based in a registered trademark), and
- c) Proof of the publication made in the Official Gazette.

*We may act as "de-facto" agents promising to file the required POA within the next 30 business days.

4. What can be the base for the filing of an Opposition?

- a) Registration of a trademark;
- b) Notoriety of the mark;
- c) The applied mark is descriptive and of common use; or,
- d) Inherent reasons.

5. What is the deadline for the applicant to answer an Opposition?

2 months counted from the admission of the Opposition.

6. Is there any deadline to file means of proof?

Yes, 2 months counted from the admission date of the response to the opposition.

7. Is it possible for the affected party to file an appeal against the first instance resolution?

Yes, the affected party has 5 business days to file a Review Appeal before the Ministry of Economy.

8. How long does it take for the Trademarks Office to decide on the Review Appeal?

Approximately 12-24 months, however, it is resolved by the Ministry of Economy.

9. Is it possible to file an appeal against the final decision?

The Recourse left is to file a Contentious-Administrative Claim before the Supreme Court of Justice. The deadline for filing this Claim is 2 months after the notification of the final decision.



10. How long does it take to resolve an Opposition?

Approximately 12-18 months.

CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes.

2. What is the non-use period for filing a cancellation action?

5 years counted from the registration date.

3. Who must prove the use of the mark?

The burden to prove the use of the mark corresponds to its owner (defendant).

4. How long does it take to resolve a cancellation action?

Approximately 6-18 months.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are Nullity Actions possible?

Yes.

2. Who may file a Nullity Action?

The owner of the presumably infringed mark, because of its identity or confusing similarity.

3. Who knows about these cases?

The Civil Court.

4. How long does it take to resolve a Nullity Action?

Approximately 12-24 months.

BORDER MEASURES

1. Is registration of trademarks before the Customs Authority possible?

No.

2. There is a mechanism to comply with the Regulations of the Central American Uniform Customs Code, the Section V Intellectual Property, Article 316?

Formally, there are not exists any Registry Custom of trademarks. Fortunately, some IP Attorneys we have worked unofficially with the National Police in their border and customs unit called "DIPAFRONT", in which they (own initiative) have created a database of trademark owners, where the National Police call to the agents (mandatary) of each entity in order to prevent the introduction of counterfeit products under said marks.

The Fiscal Authority of Customs does not have within its legal powers or faculties to create a Registry of such nature.

Additionally, the Intellectual Property Office (Fiscalía de Propiedad Intelectual) under any aspects or circumstances acts ex officio.

3. Have there been any progress or changes in proceedings on the application of border measures?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

Yes, before the Civil Court.

2. What is the approximate time to obtain an injunction or Seizure order?

2-3 weeks counted from the filing date of the infringement action.

3. Is a Registered mark required for these actions?

Yes.



1. Can Oppositions be filed online?

Yes.

2. What is the deadline to file an Opposition? Are extensions possible?

30 business days counted from the last publication date (3 publications in total) of the application in the Official Gazette. Extensions are not possible.

3. What documentation is required to file an Opposition?

- a) *Power of Attorney duly legalized by the Apostille or nearest Honduran Consulate;
- b) Certificate of registration of the mark base of the Opposition (in case the Opposition is based in a registered trademark), and
- c) Proof of the publication made in the Official Gazette.

*We may act as "de-facto" agents promising to file the required POA within the next 30 business days.

4. What can be the base for the filing of an Opposition?

- a) Registration of a trademark,
- b) Previous use of the mark in the country (use must be prevent) or,
- c) Inherent reasons.

5. What is the deadline for the applicant to answer an Opposition?

1 O business days counted from the notification date of the admission of the Opposition.

6. Is there any deadline to file means of proof?

Yes, 10-20 business days counted from the admission date of the response to the opposition.

7. Is it possible for the affected party to file an appeal against the first instance resolution?

Yes, the affected party has 1 O days to file a Review Appeal before the Trademarks Office and 3 business days to file a subsidiary Appeal before the Highest Administrative Office (In case the Review Appeal is also dismissed).

8. How long does it take for the Trademarks Office to decide on the Review Appeal?

Approximately 45-60 business days, counted from the admission date of the response of the Review Appeal.

9. Is it possible to file an appeal against the final decision?

The Recourse left is to file a Contentious-Administrative Claim before the Contentious Administrative Court demanding the nullity of the final decision issued by the Highest

Administrative Office. The deadline for filing this Claim is 30 business days counted from the notification date of the final decision.

10. How long does it take to resolve an Opposition?

Approximately 8-12 months.

CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes, provided that the mark is not being used in commerce, and its owner has not paid the rehabilitation taxes for the last 3 years.

2. What is the non-use period for filing a cancellation action?

3 years counted from the registration date.

3. Who must prove the use of the mark?

The burden to prove the use of the mark corresponds to its owner (defendant).

4. How long does it take to resolve a cancellation action?

Approximately 12-15 months.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are Nullity Actions possible?

Yes.

2. Who may file a Nullity Action?

The owner of the presumably infringed mark, because of its identity or confusing similarity.

3. Who knows about these cases?

The Honduran Trademarks Office (Administrative Process).

4. How long does it take to resolve a nullity action?

Approximately 12-15 months.

BORDER MEASURES

1. Is registration of trademarks before the Customs Authority possible?

No.

2. There is a mechanism to comply with the Regulations of the Central American Uniform Customs Code, the Section V Intellectual Property, Article 316?

In Honduras, our firm managed to devise a mechanism for its application, whereby when we suspect entry of counterfeit trademarks, we proceed to file a petition before the Special Prosecutor's Office of Industrial Property and IT Security by accompanying a list of trademarks and a copy of the certificates of registration in order for said Office to alert all Customs authorities to prevent the introduction of counterfeit products under said marks, in application of Article 316 of the Central American uniform customs code.

3. Have there been any progress or changes in proceedings on the application of border measures?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

Yes, before the Special Prosecutor of Intellectual Property and Informatics Security.

2. What is the approximate time to obtain an injunction or Seizure order?

10 business days counted from the filing date of the infringement action.

3. Is a Registered mark required for these actions?

Yes.



1. Can Oppositions be filed online?

No.

2. What is the deadline to file an Opposition? Are extensions possible?

1 months counted from the publication date (1 publication only) of the application in the Official Gazette.

As of the Trademark Law Reforms, Oppositions generate a fee of US \$ 50.00.

Extensions are not possible.

3. What documentation is required to file an Opposition?

- a) *Power of Attorney duly legalized by the Apostille,
- b) Certificate of registration of the mark base of the Opposition (in case the Opposition is based in a registered trademark), and
- c) Proof of the publication made in the Official Gazette.

*We may act as "de-facto" agents promising to file the required POA within the next 30 business days.

4. What can be the base for the filing of an Opposition?

- a) Registration of a trademark,
- b) Previous use of the mark in the country (use must be proven),
- c) The applied mark is descriptive, or
- d) Inherent reasons.

5. What is the deadline for the applicant to answer an Opposition?

Two months counted from the admission of the Opposition.

6. Is there any deadline to file means of proof

Yes, 30 days counted from the expiration of the deadline to file a response to the opposition.

7. Is it possible for the affected party to file an appeal against the first instance resolution

Yes, the affected party has 3 business days to file an Appeal before the Ministry of Development of Industry and Trade.

8. How long does it take for the Trademarks Office to decide on the Review Appeal?

Approximately 12-24 months, however, it is resolved by the Ministry of Development of Industry and Trade.



9. Is it possible to file an appeal against the final decision?

The Recourse left is to file a Contentious-Administrative Claim before the Supreme Court of Justice. The deadline for filing this Claim is 2 months after the notification of the final decision.

10. How long does it take to resolve an Opposition?

Approximately 12-24 months.

CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes.

2. What is the non-use period for filing a cancellation action?

3 years counted from the registration date.

3. Who must prove the use of the mark?

The burden to prove the use of the mark corresponds to its owner (defendant).

4. How long does it take to resolve a cancellation action?

6 months minimum and up to 3 years maximum.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are Nullity Actions possible?

Yes.

2. Who may file a Nullity Action?

The owner of the presumably infringed mark, because of its identity or confusing similarity.

3. Who knows about these cases?

The Court.

4. How long does it take to resolve a Nullity Action?

6 months minimum and up to 3 years maximum.

1. Is registration of trademarks before the Customs Authority possible?

No.

2. There is a mechanism to comply with the Regulations of the Central American Uniform Customs Code, the Section V Intellectual Property, Article 316?

Border measures are regulated both in Chapter XXVI of The Trademark and Other Distinctive Signs Law (No. 380) and in article 316 of RECAUCA.

Article 316 of RECAUCA expressly states that customs authorities will intervene for the application of border measures based on:

- a) Resolutions of the competent authority.
- b) Ex officio, where appropriate, and
- c) By complaint of the holder of the right duly accredited.

Ex officio procedure of the Customs Authority Based on article 316 of RECAUCA mentioned above: the customs authority is entitled to retain the merchandise ex officio and avoid its clearance, provided that they infringe an industrial property right.

Once the merchandise has been retained, it notifies the owner of the infringed rights so that he can initiate the relevant legal actions. This deadline to initiate legal actions is established in Law 380, Article 149, which indicates that if 10 working days have elapsed since the suspension was notified to the applicant of the measure and without it having initiated a legal action on the merits of the matter, or that the judge has issued a precautionary measure for the extension of the suspension, the retained merchandise will be lifted and sent.

However, the Customs Authority has stated that, despite the powers established by law, acting ex officio in border measures is not a common practice and does not have statistics for seizing counterfeit products, either by complaint initiated ex officio or part.

Complaint procedure of the Holder of the infringed rights: This assumption proceeds through a written complaint filed by the owner of the infringed rights, which must provide his right and constitute a guarantee to compensate for the possible damages to the recipient of the goods. It must also file sufficient evidence for the Customs Authority to identify the goods. In that sense, once the merchandise is retained, the holder also has a period of 10 business days established in Law 380 to initiate the corresponding legal action.

Procedure through precautionary measure decreed by the competent Judge: In the third case and which is configured as a request for precautionary measure by the rights holder and not ex officio or by complaint, it is initiated by a request made to the Judge by the holder of the rights so that in this way the Customs Authority is ordered to suspend the import or export at the time of dispatch. Precautionary measures may be requested before initiating the action, together with it or after its initiation.

3. Have there been any progress or changes in proceedings on the application of border measures in?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

Yes, before the District Court of the Supreme Justice Court.

2. What is the approximate time to obtain an injunction or Seizure order?

48 hours counted from the filing date of the infringement action.

3. Is a Registered mark required for these actions?

Yes.





1. Can Oppositions be filed online?

Yes. Oppositions can be submitted online, but 5 days later the physical documentation must be submitted. In Panama the opposition process is judicial.

2. What is the deadline to file an Opposition? Are extensions possible?

2 months counted from the first publication date (2 publications in total) of the application in the Official Gazette.

Extensions are not possible.

3. What documentation is required to file an Opposition?

*Power of Attorney duly legalized by the Apostille.

*We may act as "de-facto" agents promising to file the required POA within the next 30 business days.

4. What can be the base for the filing of an Opposition?

- a) Registration of a trademark,
- b) Previous use abroad or,
- c) The notoriety of the mark.

5. What is the deadline for the applicant to answer an Opposition?

5 days counted from the admission of the Opposition.

6. Is there any deadline to file means of proof?

Yes, however, there is not an established deadline for the same since the date is scheduled by the Judge.

7. Is it possible for the affected party to file an appeal against the first instance resolution?

Yes, the affected party has 3 business days to file an Appeal before the Intellectual Property Specialized Courts.

8. How long does it take for the Trademarks Office to decide on the Review Appeal?

Approximately 6 months, however, it is resolved by the Intellectual Property Specialized Courts.

9. Is it possible to file an appeal against the final decision?

An Extraordinary Judicial Review, only if the Claim has an amount above US\$25,000.00.

10. How long does it take to resolve an Opposition?

Approximately 12-18 months.



CANCELLATION ACTIONS ON THE GROUNDS OF NON-USE

1. Are cancellation actions possible?

Yes.

2. What is the non-use period for filing a cancellation action?

5 years counted from the registration date.

3. Who must prove the use of the mark?

The burden to prove the use of the mark corresponds to its owner (defendant). Panama recognizes international use as evidence of use.

4. How long does it take to resolve a cancellation action?

Approximately 12-18 months.

NULLITY ACTIONS BASED ON BETTER RIGHTS

1. Are Nullity Actions possible?

Yes.

2. Who may file a Nullity Action?

A third party with legitimate interest.

3. Who knows about these cases?

The files are public as any Court case.

4. How long does it take to resolve a Nullity Action?

Approximately 12-18 months.

BORDER MEASURES

1. Is registration of trademarks before the Customs Authority possible?

Yes.

2. Is it possible to request the Customs authority to issue an alert to the Honduras`s customs authorities when they suspect that there is merchandise in transit to our country with products under marks that could be counterfeit?

Yes, it is possible to file a request to issue an alert to the Honduras`s customs authorities. However, please keep in mind that this will only operate in the event that the mark is not registered in Panama. If the mark is registered in Panama Customs will seize the goods in Panama.

3. Have there been any progress or changes in proceedings on the application of border measures?

There have not been changes to the application of border measures.

INFRINGEMENT ACTIONS

1. Are infringement actions filed before a Specialized Court?

Yes, it can be either a Criminal Complaint filed before the Special Prosecutor of Intellectual Property or ex officio before the Public Ministry.

2. What is the approximate time to obtain an injunction or Seizure order?

Between 1 week and 1 month.

3. Is a Registered mark required for these actions?

Yes.



For more information about our firm,
feel free to contact Us at:

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