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1. Can Patents be filed online?
   Yes.

2. Can patent applications be prosecuted online?
   No.

3. Are letter patents issued online?
   No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?
   Yes.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?
   Yes, to secure filing date only. Original documents required to commence the examination process.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
   a. Power of Attorney duly legalized by The Apostille.
   b. Title, claims, specification, abstract, drawings (if applicable).
   c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled? Yes. It must be legalized by The Apostille. However, the filing of the Assignment Document can be substituted by the filing of the Declaration of Inventorship (according to Rule 4.17 PCT) which does not require any legalization.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application? Yes. Two months.

9. What is the maximum number of claims without having an additional cost? No limit.

10. When does the first annuity tax have to be paid?
    Annuities for the first, second and third year must be paid at the moment of entering the National Phase application counted from the date of the international filing.
11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months?
Yes, however, payment of restoration fee is required.

12. Is the patent application published for opposition purposes? If so, when?
What is the opposition term? Yes. The opposition term begins during publication and lasts up to 3 months after the publication takes place.

13. Are computer programs (software), business methods, therapeutic methods and medical procedures patentable? Are Swiss type claims allowed?
Not allowed.

14. Is the Patent Prosecution Highway (PPH) or some other expedited examination process available?
Not allowed.

15. How long does it typically take for a patent to be granted?
Approximately 3 - 4 years.

16. What is the duration of a patent?
20 years counted from the International filing date.

**Working patent provisions or Declaration of use**

17. What is the statute related to working requirements of a patent?
ARTICLE 66.- At the request of any person / entity who proves its capacity to exploit the patented invention, filed after four (4) years starting from the date of filing of application of the patent, or three (3) years starting from the date of grant of the patent, applying the term that expires later, the Honduran Patent Office shall grant an compulsory license for the exploitation of a patent, if such patent is not already being worked and after holding a hearing with the patent holder. A compulsory license will not be granted when it is proven that the lack of use or insufficient use is due to a fortuitous case or force majeure, or to circumstances that are out of the will or control of the holder of the patent, which justify the lack of or insufficient industrial use of the patented invention. The lack of financial resources or lack of financial viability will not be considered as just causes for lack of use. Before granting a compulsory license, the Patent Office will provide the patentee with the opportunity to begin working the patent within a term of two (2) years counted from the official notification date. Following a hearing with the parties, the Honduran Patent Office will decide on the grant of a compulsory license. If the Patent Office decides to grant the compulsory license, it will
set out its duration, conditions, field of application and the amount of royalties that should be paid to the patent holder.

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18. **What documentation or other requirements are necessary to satisfy this provision?** Documents attesting to the working of the patent. These documents are requested by the authorities on a case by case basis.

19. **Are there any deadlines associated with the working patent provision?** If so, please let us know which of these deadlines are renewable. The submission of excuse affidavits for justifying non-working of patents is not necessary and even useful. A patent will not lapse due to non-working but instead will fall in the compulsory licensing regime after the end of three years as of grant or four years as of the filing date, whichever occurs later. If no compulsory license is granted, which is the most probable situation, the patent will remain valid for all of its life term, provided that mandatory annuities are timely paid.

20. **Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent?** Compulsory licenses at the request of any person who proves his or her capacity to use the patented invention, presented four years starting from the date of the filing of the application of the patent, or three years starting from the date of grant of the patent, whichever expires later, the Patent Office shall grant a compulsory license for the use of a patent if it is not in use in the country and following an audience with the patent holder. A compulsory license will not be granted when it is demonstrated that lack of use is due to a fortuitous case or force majeure, or to circumstances that are out of the will or control of the holder of the patent and that justify the lack or insufficiency of industrial use of the patented invention. Lack of financial resources or lack of financial viability of the use will not be considered as sufficient circumstances for non-working. Before granting a compulsory license, the Registration Office will give the holder of the patent the opportunity to proceed to its use within a term of two years starting from the notification made to him or her. Whoever requests a compulsory license according to the Honduran Industrial Property Law must prove that he or she has previously asked the holder of the patent for a contractual license, and that he or she has not been able to obtain it within reasonable conditions and terms. The application for the compulsory license will indicate the conditions under which the license is claimed to be obtained.

The resolution of grant of a compulsory license will establish:
- The scope or extension of the license, specifying in particular the term and acts, which will mainly be to supply the home market of the country;
- The quantity and way of payment the licensee shall fulfill, such payment to be determined based on the amplitude of the use of the invention object of the license and the economic value of the license; and
• Other conditions that the Industrial Property Registry Office would estimate necessary or convenient for the best use of the patent.

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A compulsory license granted according to the precepts of the Honduran Industrial Property Law shall be revoked by the Industrial Property Registry Office, at request of the interested person, if the beneficiary of the license should not accomplish the obligations that are his or her duty, or if the circumstances that originated the license disappear and it would not be probable for them to occur again. The obligatory license shall be modified by the Registration Office, at the request of any of the parties, when new facts or circumstances justify it, particularly when the holder of the patent had granted contractual licenses in more favorable conditions than the ones agreed to the beneficiary of the compulsory license. Compulsory licenses cannot be exclusive, cannot be assigned or sublicensed and can only be transferred with the business or with the portion of the business in which the invention is worked.

Article Voluntary licensing.
There are no restrictions on the contractual terms by which a patent owner is permitted to license a patent. According to the Honduran Industrial Property Law, a license agreement must be recorded with the Patent Office in order for the same to be enforceable against third parties. A duly registered licensee will be entitled to exercise legal action to protect the patent rights as if he or she were the holder, unless otherwise agreed. The working of a patent by a duly registered licensee will be deemed to be worked by its holder. Thus, even though it is not mandatory to register a license agreement, it is advisable to do so that the licensee can exercise his or her legal rights, particularly against third parties.
1. Can Patents be filed online?
   Yes.

2. Can patent applications be prosecuted online?
   No.

3. Are letter patents issued online?
   No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?
   Yes.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?
   No.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
   a. Power of Attorney duly legalized by The Apostille.
   b. Title, claims, specification, abstract, drawings (if applicable).
   c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled?
   Yes. It must be legalized by The Apostille. However, the filing of the Assignment Document can be substituted by the filing of the Declaration of Inventorship (according to Rule 4.17 PCT) which does not require any legalization.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application?
   Yes. Two months.

9. What is the maximum number of claims without having an additional cost?
   No limit.

10. When does the first annuity tax have to be paid?
    Before the end of the second year, counted from the date of the international filing.
11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months? It is not possible.

12. Is the patent application published for opposition purposes? If so, when? What is the opposition term? Yes, but it is called OBSERVATION. The observation term is 3 months.


15. How long does it typically take for a patent to be granted? Approximately 4 - 6 years.

16. What is the duration of a patent? 20 years counted from the International filing date.

**Working patent provisions or Declaration of use**

17. What is the statute related to working requirements of a patent? There are no provisions related to working requirements concerning patents.

18. What documentation or other requirements are necessary to satisfy this provision? Not applicable.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable. Not applicable.

20. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent? Not applicable.
1. Can Patents be filed online?  
No.

2. Can patent applications be prosecuted online?  
No.

3. Are letter patents issued online?  
No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?  
No.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?  
No.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
   a. Power of Attorney duly legalized by The Apostille.
   b. Title, claims, specification, abstract, drawings (if applicable).
   c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled? Yes. It must be legalized by The Apostille. However, the filing of the Assignment Document can be substituted by the filing of the Declaration of Inventorship (according to Rule 4.17 PCT) which does not require any legalization.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application? Yes. Two months.

9. What is the maximum number of claims without having an additional cost?  
Official fees are paid from the first claim.

10. When does the first annuity tax have to be paid?  
Before the end of the second year, counted from the date of the international filing.
11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months? It is not possible.

12. Is the patent application published for opposition purposes? If so, when? What is the opposition term?
Yes, but it is called OBSERVATION. The observation term is 3 months.

13. Are computer programs (software), business methods, therapeutic methods and medical procedures patentable? Are Swiss type claims allowed?
Not allowed.

14. Is the Patent Prosecution Highway (PPH) or some other expedited examination process available?
Not allowed.

15. How long does it typically take for a patent to be granted?
Approximately 2 - 3 years.

16. What is the duration of a patent?
20 years counted from the International filing date.

**Working patent provisions or Declaration of use**

17. What is the statute related to working requirements of a patent?
There are no provisions related to working requirements concerning patents.

18. What documentation or other requirements are necessary to satisfy this provision?
Not applicable.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable.
Not applicable.

20. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent?
Not applicable.
1. Can Patents be filed online?  
No.

2. Can patent applications be prosecuted online?  
No.

3. Are letter patents issued online?  
No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?  
Yes.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?  
No.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).  
a. Power of Attorney duly legalized by The Apostille.  
b. Title, claims, specification, abstract, drawings (if applicable).  
c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled?  
Not required.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application?  
Yes. Two months.

9. What is the maximum number of claims without having an additional cost?  
No limit.

10. When does the first annuity tax have to be paid?  
Before the end of the second year, counted from the date of the international filing.

11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months?  
It is not possible.
12. Is the patent application published for opposition purposes? If so, when? What is the opposition term? Yes, however, oppositions can be filed at any stage of the proceeding and before the patent is granted.


15. How long does it typically take for a patent to be granted? Approximately 2 - 3 years.

16. What is the duration of a patent? 20 years counted from the International filing date.

Working patent provisions or Declaration of use

17. What is the statute related to working requirements of a patent? There are no provisions related to working requirements concerning patents.

18. What documentation or other requirements are necessary to satisfy this provision? Not applicable.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable. Not applicable.

20. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent? Not applicable.
1. Can Patents be filed online?
No.

2. Can patent applications be prosecuted online?
Certain writs can be filed online.

3. Are letter patents issued online?
No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?
No.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?
No.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
   a. Power of Attorney duly legalized by The Apostille.
   b. Title, claims, specification, abstract, drawings (if applicable).
   c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled? Yes. It must be legalized by The Apostille. However, the filing of the Assignment Document can be substituted by the filing of the Declaration of Inventorship (according to Rule 4.17 PCT) which does not require any legalization.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application? Yes. Two months.

9. What is the maximum number of claims without having an additional cost? No limit.

10. When does the first annuity tax have to be paid?
    Annuities are paid after the patent is registered, but annuities must be paid since the filing of the application.

11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months? No, it must be within 31 months of priority date.
12. Is the patent application published for opposition purposes? If so, when? What is the opposition term? Yes, it is published for 2 consecutive times. There is a term of 3 months from the last publication date.


15. How long does it typically take for a patent to be granted? Approximately 4 - 5 years.

16. What is the duration of a patent? 20 years counted from the International filing date.

Working patent provisions or Declaration of use

17. What is the statute related to working requirements of a patent? Article 18 of the Patent Law establishes that a patent must be used within the following 3 years from its granting.

18. What documentation or other requirements are necessary to satisfy this provision? Currently no documentation must be submitted before the Patent Office to demonstrate the use/ work of the patent. The section of article 18 of the Patent Law that established the filing of a sworn declaration in such sense was revoked by the Act No. 8632 of April 25, 2008.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable. At this time, there are no deadlines to submit the sworn declaration, since this section of article 18 of the Patent Law was revoked.

20. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent? If a third party wishes to obtain a license, and the owner of the patent is not using it, the Patent Office will grant to such third party a compulsory license.
1. Can Patents be filed online?
No.

2. Can patent applications be prosecuted online?
No.

3. Are letter patents issued online?
No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?
No.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?
No.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
   a. Power of Attorney duly legalized by The Apostille.
   b. Title, claims, specification, abstract, drawings (if applicable).
   c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled? Not required.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application?
Yes. Two months.

9. What is the maximum number of claims without having an additional cost?
No limit.

10. When does the first annuity tax have to be paid?
   Annuities for the first to fifth year (quinquennium) must be paid at the moment of entering the National Phase application counted from the date of the international filing.

11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months? Yes, however, payment of restoration fee is required.
12. Is the patent application published for opposition purposes? If so, when? What is the opposition term? No.


15. How long does it typically take for a patent to be granted? Approximately 3 - 4 years.

16. What is the duration of a patent? 20 years counted from the International filing date.

**Working patent provisions or Declaration of use**

17. What is the statute related to working requirements of a patent? There are no provisions related to working requirements concerning patents.

18. What documentation or other requirements are necessary to satisfy this provision? Not applicable.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable. Not applicable.

12. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent? Not applicable.
BELIZE

1. Can Patents be filed online?
Yes.

2. Can patent applications be prosecuted online?
No.

3. Are letter patents issued online?
No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?
No.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?
Yes, to secure filing date only. Original documents required to commence the examination process.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
a. Power of Attorney duly legalized by The Apostille.
b. Title, claims, specification, abstract, drawings (if applicable).
c. All documentation in English.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled? Not required.

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application?
Yes. One month.

9. What is the maximum number of claims without having an additional cost?
No limit.

10. When does the first annuity tax have to be paid?
At the moment of entering the National Phase Application.

11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months? It is not possible.
12. Is the patent application published for opposition purposes? If so, when? What is the opposition term? No.


15. How long does it typically take for a patent to be granted? Approximately 2 - 3 years.

16. What is the duration of a patent? 20 years counted from the International filing date.

Working patent provisions or Declaration of use

17. What is the statute related to working requirements of a patent? Section 38-(1) of the patents act states “at any time after the expiration of four years from the date of filing of a patent application or three years from the date of the grant of a patent, whichever happens later, any interested person may apply to the court for the grant of a non-voluntary license under the patent on the grounds that the patented invention is not being exploited or is being insufficiently exploited by working the invention in Belize, or by importation into Belize.”

18. What documentation or other requirements are necessary to satisfy this provision? Normal usage in Belize.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable. See aforesaid section 38 at (1.) Above. If so, please let us know which of these deadlines are renewable.
20. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent?

Non-Voluntary License.
DOMINICAN REPUBLIC

PATENTS

1. Can Patents be filed online?
   No.

2. Can patent applications be prosecuted online?
   No.

3. Are letter patents issued online?
   No.

4. Is it possible to conduct hearings / interviews with officers of the PTO?
   Yes.

5. Can supporting documents for patents (eg. POA’s, declarations, Assignments etc.) be filed online?
   No.

6. What documentation is needed to file a patent application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).
   a. Power of Attorney duly legalized by The Apostille.
   b. Title, claims, specification, abstract, drawings (if applicable).
   c. All documentation must be translated to Spanish.

7. Is it necessary to file an Assignment document? If so, what formalities have to be fulfilled? Not required

8. Is late filing of the required documents allowed? If so, what is the deadline to file the same as from the filing date of the patent application? Yes. Two months.

9. What is the maximum number of claims without having an additional cost?
   No limit.

10. When does the first annuity tax have to be paid?
    Before the end of the second year, counted from the date of the international filing.

11. Is it possible to enter the national phase of PCT after the expiration of 30/31 months? Yes, however, payment of restoration fee is required.
12. Is the patent application published for opposition purposes? If so, when? What is the opposition term?
Yes, but it is called OBSERVATION. The observation term is two months after publication.

13. Are computer programs (software), business methods, therapeutic methods and medical procedures patentable? Are Swiss type claims allowed?
Not allowed.

14. Is the Patent Prosecution Highway (PPH) or some other expedited examination process available?
Not allowed.

15. How long does it typically take for a patent to be granted?
Approximately 3 years.

16. What is the duration of a patent?
20 years counted from the International filing date.

17. What is the statute related to working requirements of a patent?
Act 20-00.

18. What documentation or other requirements are necessary to satisfy this provision?
An agreement between worker and employee.

19. Are there any deadlines associated with the working patent provision? If so, please let us know which of these deadlines are renewable?
The deadlines for procedure to obtain a patent for working patent are the same for other patents regaled by Act 20-00. Please read the article 9 of Act 20-00: Article 9.- Inventions Made by an Employee Who Is Not an Inventor when an employee, who is not obliged by his or her labor contract to carry out inventive activities, makes an invention through the use of data or means to which he or she has access by reason of his or her employment, he or she shall immediately communicate this fact to his or her employer in writing. If, within two months of the date on which the employer received said communication or had knowledge of the invention by some other means, the earlier date being applicable, the employer notifies the employee in writing of his or her interest in the
invention, the same shall belong to the employer and the right to the patent shall be deemed to have belonged to the employer from the beginning. Should the employer not affect the notification within the established time limit, the right to the patent shall belong to the employee.

In case the employer notifies its interest in the invention, the employee shall have the right to an equitable remuneration, taking into account his or her salary and the estimated economic value of the invention. In the absence of agreement among the parties, the remuneration shall be set by the competent court. Any contractual provision less favorable to the inventor than the provisions of this article shall be null and void.

20. Are there any consequences of non-compliance, like compulsory licensing or cancellation of the patent?
The consequences are the same as those applicable for other type of patents, some specific consequences can be found in article 9, for example if the employer does not make the notification within the established time limit, the right to the patent shall belong to the employee. Others regulations for compulsory licensing will apply for working patent too.
For more information about our firm, feel free to contact us at:

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