



BUFETE MEJIA & ASOCIADOS

YOUR CENTRAL-AMERICAN IP-FIRM



2021

CENTRAL-AMERICAN
IP BOOKLET

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1. Can trademark applications be filed online?

Yes.

2. Can trademark applications be prosecuted online?

No.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

No.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

Yes, to secure filing date only. Original documents required to commence the examination process.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Authorization of Agent duly Notarized. Legalization not required. Documents filed must be in English.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible?

Yes, with a scanned copy of the finalized documentation and as long as the Authorization of Agent is filed within 29 days after the filing of the application. No extensions are possible.

9. Can priority be claimed in a trademark application? If so, what documents are required?

Yes. A certified copy of the priority document in English.

10. How long does it typically take to secure a trademark registration?

Approximately 8-10 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 11th edition of the NICE Classification of Goods and Services.



TRADE MARKS

12. Are multi-class applications available?

Yes, up to a maximum of 5 classes per application.

13. Is protection of class headings allowed?

No, however, some descriptions do appear in the alphabetical list of the Nice Classification which are acceptable.

14. Does use of a trademark have to be claimed when filing an application?

Yes. Indication if the mark is being used or filed with a bona-fide intention to use needs to be provided when filing.

15. Are applications published for opposition? If so, how long does the opposition period last?

Yes. Opposition period lasts three months counted from date of the first publication.

16. How long does a registration remain in effect?

Ten years counted from granting date and can be renewed indefinitely for identical periods of time.

17. Are grace periods allowed for renewing a trademark registration?

Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?

Power of attorney document, duly notarized. Legalization is not required.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?

If a mark is not put to genuine use within five (5) years of the registration date, it may become vulnerable to cancellation proceedings by an interested party on the grounds of non-use. However, a mark can still be renewed even if it is not used, once an acceptable reason for non-use is submitted to the registrar at the time of filing the renewal.

In the event the mark has not been used in Belize, "lack of suitable distributor in Belize" or "the market conditions until now have not justified entry into the market but may change in the future" has thus far been acceptable reasons for non-use and the mark can still be renewed.

20. Is a notorious (well-known) mark afforded protection even if it is not used in the country? Yes.

21. Does a trademark license have to be recorded to be effective? Yes.

TRADEMARKS

22. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?

No.

23. Which non-traditional marks are Registrable?

Non-traditional marks, particularly sound, smell and taste marks, are not applicable in this jurisdiction.

24. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory. There is no advantage or disadvantage to use the word “registered” or any other word or symbol importing a reference (express or implied) to registration. The Trademarks Act, chapter 257 of the laws of Belize mentions only that it is an offence to do so if the mark is not duly registered in Belize “unless it is shown that the reference is to registration elsewhere than in Belize and that the mark is in fact so registered for the goods or services in question.”

COPYRIGHTS

1. Can copyright applications be filed online?

Yes.

2. Can copyright applications be prosecuted online?

No.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

Yes, to secure filing date only. Original documents required to commence the examination process.

1. Can trademark applications be filed online?

Yes.

2. Can trademark applications be prosecuted online?

Yes.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

Yes.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

Yes.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish). Power of Attorney authenticated by a Notary Public. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible? Yes, as long as the POA is filed within the following 8 weeks.

9. Can priority be claimed in a trademark application? If so, what documents are required?

Yes. A certified copy of the priority document in Spanish.

10. How long does it typically take to secure a trademark registration?

Approximately 6 - 8 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 11th edition of the NICE Classification of Goods and Services.

12. Are multi-class applications available? Yes.

13. Is protection of class headings allowed? Yes.

14. Does use of a trademark have to be claimed when filing an application?

No.

15. Are applications published for opposition? If so, how long does the opposition period last?

Yes, the opposition period lasts 2 calendar months counted from the publication date.

16. How long does a registration remain in effect?

Ten years counted from granting date and can be renewed indefinitely for identical periods of time.

17. Are grace periods allowed for renewing a trademark registration? Yes, a six-month grace period counted from the expiration date, paying an increased official fee

18. What is required to maintain a registration?

Power of attorney document, notarized. Legalization is not required.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?

Use of the mark is not required for its maintenance or for renewal purposes.

20. Is a notorious (well-known) mark afforded protection even if it is not used in the country?

It has to be used to obtain a protection.

21. Does a trademark license have to be recorded to be effective?

It is not compulsory to record a license to be effective, but it is recommended since said recorded can be used as evidence of the use of a trademark.

22. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?

Yes, security interests are recognized and they take the form of a mortgage, a pledge or a trust. The validity or enforceability of the record of a security interest will depend on the nature of the property given as a security.

23. Which non-traditional marks are Registrable?

Color or Combination of Colors, Visual Appearance, externally or internally, Trade Dress, Motion, Shape, 3-D trademarks, Sound, Scent, Taste and Touch.

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24. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory. The non-use of the legend “Registered Trademark” or the symbol ® will not affect the validity of the registration, therefore, there is no legal risk of not using them. The benefits of using the words or symbols is to inform the economic agents that a trademark is registered and in case of enforcement, the use of them is an important evidence to argue the bad faith of the defendant.

A large blue arrow pointing to the right, containing the word 'COPYRIGHTS' in white capital letters.

COPYRIGHTS

1. Can copyright applications be filed online?

No.

2. Can copyright applications be prosecuted online?

No.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

No.



1. Can trademark applications be filed online?

Yes.

2. Can trademark applications be prosecuted online?

Yes.

3. Are trademark registration titles issued online?

Yes.

4. Can the official database be searched online?

No.

5. Are Official Trademark searches possible?

No.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

No.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Power of Attorney authenticated by a Notary Public. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible?

Yes, as long as the POA is filed within 30 business days from the filing date of the application.

9. Can priority be claimed in a trademark application?

If so, what documents are required? Yes. A certified copy of the priority document in Spanish, duly legalized by the Apostille.

10. How long does it typically take to secure a trademark registration?

Approximately 4-6 months (if the application process evolves without difficulties such as official objections, oppositions, and similar).

11. What classification system is followed?

The 10th edition of the NICE Classification of Goods and Services.

12. Are multi-class applications available? Yes.

13. Is protection of class headings allowed? Yes.

14. Does use of a trademark have to be claimed when filing an application?
No.

15. Are applications published for opposition? If so, how long does the opposition period last?
Yes. Opposition period is available for 45 days after the application has been published.

16. How long does a registration remain in effect?
Ten years counted from granting date and can be renewed indefinitely for identical periods of time

17. Are grace periods allowed for renewing a trademark registration?
Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?
Power of attorney document, notarized and legalized.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?
Use of the trademark is not mandatory for renewing the registration but risk of cancellation due to non-use is real. Once the application is granted, holder should use the trademark before the end of the 5th anniversary.

20. Is a notorious (well-known) mark afforded protection even if it is not used in the country?
No. Trademark protection is valid through application for registration. However, world-wide known signs could be obstacles for new similar/identical applications if holder of the former files opposition to the new applications.

21. Does a trademark license have to be recorded to be effective?
Yes.

22. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?
Yes, they are recognized and must be recorded.

TRADEMARKS

23. Which non-traditional marks are Registrable?

Color or Combination of Colors, Visual Appearance externally, Trade Dress, Motion 3-D trademarks, Shape, Sound, and Scent.

24. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory and there are no benefits nor risks of using or not using such words or symbols.

COPYRIGHTS

1. Can copyright applications be filed online?

Yes.

2. Can copyright applications be prosecuted online?

Yes.

3. Are copyrights granted online?

Yes.

4. Can supporting documents for copyrights be filed online?

Yes.



1. Can trademark applications be filed online?

No.

2. Can trademark applications be prosecuted online?

No.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

Yes, but limited.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

No.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Power of Attorney duly legalized by The Apostille. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible?

Yes, as long as the POA is filed within 10 days after the official notification/requirement.

9. Can priority be claimed in a trademark application?

If so, what documents are required? Yes. A certified copy of the priority document in Spanish.

10. How long does it typically take to secure a trademark registration?

Approximately 8-10 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 11th edition of the NICE Classification of Goods and Services.

12. Are multi-class applications available?

Yes

13. Is protection of class headings allowed?

Yes

14. Does use of a trademark have to be claimed when filing an application?

No.

15. Are applications published for opposition? If so, how long does the opposition period last?

Yes. Opposition period lasts two months counted from the date of the first publication.

16. How long does a registration remain in effect?

Ten years counted from granting date and can be renewed indefinitely for identical periods of time.

17. Are grace periods allowed for renewing a trademark registration?

Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?

Power of attorney document, notarized and legalized.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?

Use of the mark is not required for its maintenance or for renewal purposes. Salvadoran Trademarks Law grants the possibility to any third party with legitimate right, to request the cancellation of a trademark registration which has not been used for more than 5 years, previous to the filing of the cancellation action. The cancellation action for non-use, is a judicial proceeding and must be filed before Civil and Mercantile Courts.

20. Is a notorious (well-known) mark afforded protection even if it is not used in the country?

Yes, as long as the public has knowledge that it exists, even if it is not used in the country.

21. Does a trademark license have to be recorded to be effective?

It is voluntary to record a license agreement.

22. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?

Security interests such as Pledges can be recorded at the Registry of Movable Guarantees for acknowledgement purposes and to demonstrate prior rights against third parties. Encumbrances and Embargoes can be recorded at the IP Office once they have been recognized by a Judicial authority.



TRADEMARKS

23. Which non-traditional marks are Registrable?

Sound marks, odor marks, labels, shapes marks, color combinations or color dispositions marks, and tridimensional marks.

24. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory and there are no benefits nor risks of using or not using such words or symbols.

COPYRIGHTS

1. Can copyright applications be filed online?

Yes.

2. Can copyright applications be prosecuted online?

No.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

No.



1. Can trademark applications be filed online?

No.

2. Can trademark applications be prosecuted online?

No.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

Yes, but limited.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

No.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Power of Attorney duly legalized by the Apostille. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible?

Yes. There is no deadline to file the POA, however, we advise that the same be filed within 2 months after the filing date of the application.

9. Can priority be claimed in a trademark application? If so, what documents are required?

Yes. A certified copy of the priority document in Spanish.

10. How long does it typically take to obtain a trademark registration?

Approximately 0-12 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 11th edition of the NICE Classification of Goods and Services.

12. Are multi-class applications available?

No.

13. Is protection of class headings allowed?

Yes.

14. Does use of a trademark have to be claimed when filing an application?

Not legally required.

15. Are applications published for opposition? If so, how long does the opposition period last?

Yes. Two months counted from the date of the publication.

16. How long does a registration remain in effect?

Ten years counted from granting date and can be renewed indefinitely for identical periods of time.

17. Are grace periods allowed for renewing a trademark registration?

Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?

Power of attorney document, notarized and legalized.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?

Use of the mark is not required for its maintenance or for renewal purposes.

20. Is a notorious (well-known) mark afforded protection even if it is not used in the country?

Yes, however, the well-known status of a trademark must be proven by interested party.

21. Does a trademark license have to be recorded to be effective?

Optional and voluntary.

22. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?

Trademarks can be used as security interests and must be recorded in order to have effect before third parties.

TRADEMARKS

23. Which non-traditional marks are Registrable?

Sound marks, odor marks, and tridimensional marks.

24. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory and there are no benefits nor risks of using or not using such words or symbols.

COPYRIGHTS

1. Can copyright applications be filed online?

No.

2. Can copyright applications be prosecuted online?

No.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

No.



1. Can trademark applications be filed online?

Yes.

2. Can trademark applications be prosecuted online?

No.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

No.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

Yes, to secure filing date only. Original documents required to commence the examination process.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Power of Attorney duly legalized by The Apostille or Honduran Consulate. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted?

Are extensions possible? Yes, as long as the POA is filed within 30 business days after the filing of the application.

9. Can priority be claimed in a trademark application? If so, what documents are required?

Yes. A certified copy of the priority document in Spanish.

10. How long does it typically take to secure a trademark registration?

Approximately 10-12 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 10th edition of the NICE Classification of Goods and Services.

12. Are multi-class applications available? No.

13. Is protection of class headings allowed? No.

14. Does use of a trademark have to be claimed when filing an application? No.

15. Are applications published for opposition? If so, how long does the opposition period last?

Yes. Oppositions can be filed up to 30 business days counted from the third (last) publication in the Official Gazette.

16. How long does a registration remain in effect? Ten years counted from granting date and can be renewed indefinitely for identical periods of time

17. Are grace periods allowed for renewing a trademark registration?

Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?

1. Power of attorney document, notarized and legalized.
2. Payment of Annuity taxes of the past 10 years.

Payment of annuity taxes is a requirement for the maintenance and for renewing a trademark registration in Honduras. The whole idea behind payment of these taxes is to bring revenue to the Honduran Trademarks Office, while keeping renewal fees relatively low when compared to others in the region. These taxes may be paid yearly, in advance for several periods, for the whole validity term of the registration, or at the moment of filing the renewal application.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?

Use of the mark is not required for its maintenance or for renewal purposes. However, registered marks that have not been used in Honduras for three consecutive years or more may be subject to cancellation actions on the grounds of non-use and following a simple petition from a third interested party.

20. Is there a way of protection for registered marks that are not in use against cancellation actions?

Yes, through payment of rehabilitation or non-use tax. Payment of rehabilitation tax protects a mark that is not in use in Honduras against possible cancellation actions on the grounds of non-use. Therefore, if a registered mark it is not being used within the territory then it would be convenient to pay the rehabilitation (non-use) taxes starting at the end of the third year of non-use and then every year thereafter until actual use of the mark begins or the registrant decides that it is not

TRADEMARKS

convenient or useful to continue to pay the tax. Once a cancellation action is filed it is not possible to pay the taxes in arrears.

21. Is a notorious (well-known) mark afforded protection even if it is not used in the country? Yes, as long as notoriety of the trademark is proven.

22. Does a trademark license have to be recorded to be effective?

It is voluntary to record a license agreement. Note, however, that only use carried out by a duly registered licensee will inure to the benefit of the trademark owner.

23. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?

Security interests are recognized and must be recorded for purposes of its validity and enforceability.

24. Which non-traditional marks are Registrable?

Sound marks, combination of colors, and tridimensional marks.

25. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory and there are no benefits nor risks of using or not using such words or symbols.

COPYRIGHTS

1. Can copyright applications be filed online?

Yes.

2. Can copyright applications be prosecuted online?

No.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

Yes, to secure filing date only. Original documents required to commence the examination process.

1. Can trademark applications be filed online?

No.

2. Can trademark applications be prosecuted online?

No.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

No.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

No.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Power of Attorney duly legalized by The Apostille. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible?

Yes, as long as the POA is filed within 2 months after the filing of the application.

9. Can priority be claimed in a trademark application? If so, what documents are required?

Yes. A certified copy of the priority document in Spanish.

10. How long does it typically take to secure a trademark registration?

Approximately 8 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 9th edition of the NICE Classification of Goods and Services.

12. Are multi-class applications available?

Yes.



TRADEMARKS

13. Is protection of class headings allowed? No.

14. Does use of a trademark have to be claimed when filing an application? No.

15. Are applications published for opposition? If so, how long does the opposition period last?

Yes, the opposition period lasts 2 calendar months counted from the publication date.

16. How long does a registration remain in effect? Ten years counted from granting date and can be renewed indefinitely for identical periods of time

17. Are grace periods allowed for renewing a trademark registration? Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?

Power of attorney document, notarized and legalized.

19. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period?

Use of the mark is not required for its maintenance or for renewal purposes.

20. Is a notorious (well-known) mark afforded protection even if it is not used in the country?

It has to be used to obtain protection.

21. Does a trademark license have to be recorded to be effective?

Not required by law. Note: the registration of a license is always a proof of use of a trademark, when a third party challenges its registration in court.

22. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability? No.

23. Which non-traditional marks are Registrable?

Color or Combination of Colors, Visual Appearance, externally or internally, Trade Dress, 3-D trademarks and Sound.



TRADEMARKS

24. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory and there are no benefits nor risks of using or not using such words or symbols.

COPYRIGHTS

1. Can copyright applications be filed online?

No.

2. Can copyright applications be prosecuted online?

No.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

No.



1. Can trademark applications be filed online?

Yes.

2. Can trademark applications be prosecuted online?

Yes.

3. Are trademark registration titles issued online?

No.

4. Can the official database be searched online?

Yes.

5. Are Official Trademark searches possible?

Yes.

6. Can supporting documents for trademarks (eg. POA's, certified copies, assignment / License documents, etc.) be filed online?

Yes.

7. What documentation is needed to file a trademark application? What formalities have to be fulfilled? (e.g. Legalization, translation to Spanish).

Power of Attorney. No legalization required. All documentation must be translated to Spanish.

8. Is it possible to file a trademark application without a power of attorney? If so, when must the Power be submitted? Are extensions possible?

Yes, this is possible by posting a bond, which has a considerable cost. The POA must be filed within 2 months after the filing of the application.

9. Can priority be claimed in a trademark application? If so, what documents are required?

Yes. A certified copy of the priority document in Spanish.

10. How long does it typically take to secure a trademark registration?

Approximately 8-10 months from the date of filing, provided that there are no office actions.

11. What classification system is followed?

The 11th edition of the NICE Classification of Goods and Services.



TRADE MARKS

12. Are multi-class applications available?

Yes.

13. Is protection of class headings allowed?

Yes.

14. Does use of a trademark have to be claimed when filing an application?

Yes. Indication if the mark is being used or filed with a bona-fide intention to use needs to be provided when filing. No.

15. Are applications published for opposition?

If so, how long does the opposition period last? Yes. Opposition period lasts two months counted from the publication date.

16. How long does a registration remain in effect?

Ten years counted from granting date and can be renewed indefinitely for identical periods of time

17. Are grace periods allowed for renewing a trademark registration?

Yes, a six-month grace period counted from the expiration date, paying an increased official fee.

18. What is required to maintain a registration?

Power of attorney document. Notarization and legalization are not required. Is it required to submit use evidence when renewing a trademark registration or at any time during its validity period? Use of the mark is not required for its maintenance or for renewal purposes.

19. Is a notorious (well-known) mark afforded protection even if it is not used in the country?

Yes.

20. Does a trademark license have to be recorded to be effective? Yes.

21. Are security interests recognized and what form must they take? Must the security interests be recorded for purposes of its validity or enforceability?

Security interests are recognized and must be recorded for purposes of its validity and enforceability.

TRADEMARKS

22. Which non-traditional marks are Registrable?

Color or Combination of Colors, Trade Dress, Shape and 3D trademarks, Sound and Smell marks.

23. What words or symbols can be used to indicate trademark use or registration? Is marking mandatory? What are the benefits of using and the risks of not using such words or symbols?

Marking is not mandatory and there are no benefits nor risks of using or not using such words or symbols.

COPYRIGHTS

1. Can copyright applications be filed online?

Yes.

2. Can copyright applications be prosecuted online?

Yes.

3. Are copyrights granted online?

No.

4. Can supporting documents for copyrights be filed online?

Yes.



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YOUR CENTRAL-AMERICAN IP-FIRM

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

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Intellectual Property Law, Related Contracts
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