



ATTORNEYS AT LAW  
PATENT AGENTS

## Argentine Annuity Payment System

<p><b>Argentina</b></p> 	<p>The following will help you understand how the annuity payment scheme for issued patents and utility models works in Argentina.</p> <p>In case you have entrusted our Firm with the prosecution of patent or utility model applications, we will provide you with the necessary information and will send you the corresponding reminders indicating the due dates at the appropriate time.</p> <p>Should you have any comments or doubts please feel free to contact us.</p>
<p>When are annuities to be paid?</p>	<p>Annuities are to be paid only upon grant and not during the prosecution of a patent or a utility model application.</p>
<p>What is the starting date for calculating which annuity/ies are due?</p>	<p>The starting date for calculating the due date for the payment of annuities is the filing date of the patent or utility model application.</p> <p>In the case of divisional applications, the starting date is the filing date of the parent application.</p>
<p>Which annuities are to be paid upon grant?</p>	<p>Upon grant of an application all accumulated annuities during the prosecution of the application counted as from the third year onwards are to be paid together before the next anniversary of the filing date of the application.</p> <p>The first and second annuities do not have to be paid according to our Patent Law (1995). Annuities always are to be paid in advance.</p> <p>Ex.: If a patent application issued during the seventh year of prosecution of the application, then before the next anniversary of the filing date, the applicant should pay annuities 3<sup>o</sup> to 8<sup>o</sup>.</p>
<p>What about the following annuities?</p>	<p>After the accumulated annuities have been paid, each subsequent annuity has to be paid before the next anniversary of the filing date of the application until the 20<sup>th</sup> year in the case of patents or until the 10<sup>th</sup> year in the case of utility models.</p>
<p>Is there a grace period available?</p>	<p>If annuities are not paid before the corresponding due date, our Law grants a grace period of 180 days to pay the corresponding annuity/ies with a 30% surcharge.</p> <p>If the due fees have not been paid after the expiration of said term, the patent or utility model is considered as abandoned. (Article 62 c)</p>