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PATENT AGENTS

October 30, 2019

ARGENTINA

Patents: Term extensions and DAS system

Automatic term extensions

The PTO has published on October 30, 2019 Resolution 297/2019 by which it extends the three 30 running day automatic term extension system to all types of Office Actions issued by the National Patent Administration.

Earlier this year the PTO issued a Resolution by means of which these automatic term extensions were made available to all Office Actions but not for the Clarifications Prior to the Basic Examination Report, that is, the first Office Action issued by the Examiner in any given file.

Additionally, also earlier this year the initial term for this type of Office Actions was reduced by the PTO to 30 running days. On top of that, the PTO recently trebled the number of Office Actions issued generating an important bottleneck.

Practitioners urged the PTO to include the Clarifications Prior to the Basic Examination Report Office Actions within the automatic term extension system so as to make the processing of these Office Actions smoother and easier. This has been implemented today.

The automatic term extensions are made available immediately to all Office Actions, even to those which have already been served to us and which terms are running. We will provide further details in each individual application in which a term is running if and as needed.

DAS System

By means of Resolution 268/2019 dated September 26, 2019 the PTO has joined the DAS Document Administration System administered by WIPO.

As of October 1, 2019 the PTO has the right to access foreign patent applications deposited by applicants in the DAS system so as to make the corresponding verification.

As of March 2, 2020 the PTO will have the capacity to act as depositing authority of the patent applications filed and submitted with the Argentine National Patent Administration.



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In light of this, in those cases in which foreign priorities are claimed in applications filed in Argentina, you can now opt for providing us the DAS access code instead of sending us the corresponding certified copy of each of the priorities claimed.

Alternatively, you can also send us scanned versions of the certified copies of the priority documents since it is no longer mandatory to submit the documents in hard copy to the PTO.

Should you have any comments please let us know.

Patent Department

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