

REGISTRATION OF TRADEMARKS AND PATENTS IN THE REPUBLIC OF PANAMA

The Republic of Panama is signatory of multiple International Agreements that regulate Trademarks and Industrial and Intellectual Property matters. Our law firm has a Department specialized in the processing, registration, and opposition of trademarks and has close collaboration with its representation and correspondent's offices worldwide, which allows us to register for our customers their distinctive signs in any other country of the world. This is done with the only purpose of giving all our customers the security of having their creations protected in the most adequate manner.

REQUIREMENTS TO REQUEST THE REGISTRATION OF A TRADEMARK IN PANAMA

1. Power of attorney granted by the President or the person authorized to represent the corporation, by means of which we are authorized to request the registration of the trademark. The power of attorney should be granted before a Notary Public, who will attest that the principal is a person authorized by the corporation to represent it in such act.
2. Sworn Statement of the President or person authorized to represent the corporation with respect to the proprietary rights of the corporation on the trademark that he wishes to register. The Sworn Statement should be signed before a Notary Public.
3. Certified copy of the Registration of the Trademark in its country of origin. In case that the trademark is object of a request abroad, but the Certificate of Registration has not been granted, the Panamanian legislation allows to request the registration of the trademark in Panama, by enclosing a Certified Copy of the Foreign Request. When it is a request of Panamanian registration based on a foreign request, the Foreign Basic Registration Certificate should be presented in the Republic of Panama within the period of a year subsequent to the date of presentation of the Panamanian Request. Otherwise, the Panamanian Request will expire.
4. If you wish to register any particular design or style of the trademark, or if you wish to claim the colors, ten (10) copies of the trademark should be enclosed.

The Panamanian Consulate should legalize the first three documents in the place of issue. Nevertheless, if the country of issuance is signatory of The Hague Convention of 1961, the documents can be duly apostilled instead of being legalized by the Panamanian Consulate.

REQUIREMENTS TO REQUEST THE REGISTRATION OF PATENTS

Any person, natural or juridical, national or foreign, can obtain an Inventor's Patent in Panama that will insure the exclusive use over his/its

invention for a maximum term of twenty (20) years, in the case of National Patents, or for a maximum of fifteen (15) years, in the case of Foreign Patents.

The Foreign Patents can be registered in the Republic of Panama as Patents of Confirmation or Revalidation for a period that does not exceed fifteen (15) years. In the event that the Foreign Patent that serves as basis for the Panamanian request has been issued for a period of less than fifteen (15) years, the privilege will be granted for this lesser period. In the case of Pharmaceutical Patents, the registration is granted generally for five (5) years; and extensions are seldom granted.

The documents required for the Registration of an Invention Patent in the Republic of Panama are the following:

1. Power of Attorney. If the inventor has assigned its rights to a company, a Power of Attorney with an assignment signed both by the inventor and the requestor is necessary.
2. Two (2) copies of the specifications and claims of the invention in Spanish language.
3. A design or drawing of the invention.
4. Certified copy of the Registration of the Patent in the country of origin. If the title has not been issued in the country of origin, a certified copy of the Request for Registration of the invention in the country of origin can proceed.

If the request for patent is presented in the Republic of Panama, based on a foreign request, the corresponding Foreign Basic Registration Certificate should be presented in the Republic of Panama in order that the corresponding Panamanian Certificate of Registration be issued. If the Foreign Patent is not issued and is not enclosed to the Panamanian Request within the period of one (1) year subsequent to the presentation of the Request, the same will expire, unless evidence is presented that the invention continues being processed in its country of origin.

All the documents issued abroad should come duly translated into Spanish and duly legalized by the Panamanian Consulate in the country of origin or duly apostilled.