

REQUIREMENTS FOR FILING PATENT APPLICATIONS IN MEXICO

(INCLUDING UTILITY MODELS AND DESIGN)

- 1. NAME, FULL DOMICILE AND NATIONALITY OF THE INVENTOR(S).**
- 2. NAME, FULL DOMICILE AND NATIONALITY OF THE APPLICANT(S).**
If the applicant is a corporate entity, please indicate place of incorporation (country or state).
- 3. TITLE OF THE INVENTION.**
- 4. SPECIFICATION, CLAIMS AND ABSTRACT.**

NOTE: Under the Mexican Law of Industrial Property, the following are not deemed to be inventions:

- Theoretical or scientific principles;
- Discoveries consisting of making known or disclosing something that already existed in nature, even if previously unknown to man;
- Schemes, plans, rules and methods to perform mental feats, games or businesses and mathematical methods;
- Computer software;
- Forms of presentation of information;
- Aesthetic creations and artistic or literary works;
- Methods of surgical or therapeutical treatment or diagnosis applicable to the human body, and those relating to animals; and
- The juxtaposition of known inventions or mixtures of known products, their variation of use, form, dimensions or materials, unless they are actually combined or merged in such a manner as not to be able to operate separately or that the qualities or characteristic functions thereof are modified to obtain an industrial result or use not openly apparent to a person versed in the subject matter.

The following are Non Patentable:

- Processes that are essentially biological for the production, reproduction and propagation of plants and animals.
- Biological and genetic material as found in nature;
- Animal breeds;
- The human body and the living parts that compose it; and
- Plant varieties; however effective as of October 26, 1996 Mexico enacted a Federal Law of Plant Varieties, which is administered by the Ministry of Agriculture. Filing requirements for Plant Varieties Applications can be sent with our compliments, upon request.

- 5. PRIORITY DATA** (if the application is based on foreign patent application (s)).

- Please provide the complete serial number of patent application(s), country(ies) and filing date(s), clearly indicating month , day and year.

6. DRAWINGS (if any)

- The drawings must be submitted concurrently with the filing of the application.
- It is possible to submit informal drawings concurrently with the application if the formal drawings cannot be prepared in time. Formal drawings must be filed within a non-extendible term of two months commencing from the filing date of the application.

The requirements for the formal drawings are as follows:

- The formal drawings must be originals prepared in black ink and on 36 kg. bond paper.
- Paper size can be either 21.5 cm x 28 cm or A4 (21 cm x 29.7 cm).
- Three duplicates which can be quality photocopies.
- Limits for the area surface employed for the figures are 1.75 cm x 24.5 cm and 17 cm x 26.2 cm, respectively depending on the paper size .
- No sketches or hand written notations are permitted.
- No legends are permitted with the exception of a word or isolated words when absolutely indispensable, such as “water”, “ vapor” , “open”, “closed”, etc., and in the case of electric circuits, etc., the code words indispensable for their understanding.

THE ABOVE MENTIONED REQUIREMENTS (SECTION 1 THROUGH 6) ARE ABSOLUTELY NECESSARY FOR OBTAINING A FILING DATE. THE FOLLOWING DOCUMENTS CAN BE SUBMITTED AFTER FILING THE APPLICATION.

7. FORMAL DRAWINGS

- If the formal drawings were not filed concurrently with the application, they can be filed within a non-extendible term of two months commencing from the filing date of the application.

8. CERTIFIED COPY(IES) OF THE PRIORITY DOCUMENT(S)

- If the application is to be filed claiming priority(ies) under the Paris Convention, the certified copy(ies) must be filed with the Mexican Patent Office within a non-extendible term of three months commencing from the filing date of the application.

9. ASSIGNMENT OF THE RIGHTS OF THE INVENTION

An Assignment of Rights of an invention from the inventor(s) to applicant is required.

- If the inventors assigned their rights world wide to the applicant, it will be necessary to file a certified copy thereof, duly legalized by Mexican Consul or legalized by Apostille, in countries that are members of the Hague Convention.
- If the rights have not been previously assigned for Mexico then it is possible to use our form of Assignment of Rights which does not require notarization or Apostille. The form of Assignment of Rights must indicate the full names of the inventor(s) and Assignee and must be executed before two witnesses, whose signatures, full names and addresses must also be indicated.

REQUIREMENTS FOR FILING PCT NATIONAL PHASE PATENT AND UTILITY MODEL APPLICATIONS IN MEXICO

CHAPTER I

Translation into Spanish of the International Application, i.e. specification, claims (if amended, as amended only, together with any statement under Article 19), any text matter of drawings and abstract.

In case of anticipated entry into the National Phase (i.e. before the transmission of the copy of the International Application by the International Office) a copy of the International Application.

CHAPTER II

Translation into Spanish of the International Application, i.e. specification, claims, and text matter of drawings and abstract (if any of these parts amended, only as amended by the attachments to the international preliminary examination report).

Translation into Spanish of the attachments to the international preliminary examination report.

**AFTER FILING, UPON REQUEST OF THE MEXICAN
PATENT OFFICE
(CHAPTER I AND II)**