

NORMS AND PROCEDURE FOR REGISTRATION AT THE MEXICAN INSTITUTE OF INTELLECTUAL PROPERTY

The IMPI (Mexican Institute of Intellectual Property) "is a decentralized public body with legal personality and its own assets and with the legal authority to administer the industrial property system in our country" Rojas, F. & Rojas, L. (2016 pag. 3).

This body was created in November 1993, and its primary function is to provide technical and professional support to administrative authorities, and to give guidance and advice to individuals to take advantage of the industrial property system.

ADMINISTRATIVE PROCESS.

1. The writing of a patent application is different from the writing of a scientific paper.
2. The data must be real in the application, and all the basic documents must be presented, using a simple and clear wording.
3. Care must be taken to maintain the confidentiality of the information of the future patent, since a disclosure to the public may affect the novelty of the object. It is also recommended to investigate if there are no inventions that use the same technique since this could impede their patentability.

INTELLECTUAL PROPERTY LAW

In accordance with the industrial property law, its regulations and Rules for filing applications with the Mexican Institute of Industrial Property, some important guidelines for filing patent applications and registering utility models are mentioned below.

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- ✓ The title of the invention must indicate by itself the nature of the invention, it must be brief, avoiding names, signs, commercial indications or expressions of fantasy.
- ✓ The general requirements regarding the presentation of the application can be found on the following page:<http://ri.uaemex.mx/bitstream/handle/20.500.11799/63646/secme-32931.pdf?sequence=1>

DIVULGATION

- The main function of the description is to disclose the invention, it must be done completely and clearly so that it is possible to evaluate the invention and as established in article 47 of the industrial property law to be able to guide its realization by a person. who has capacity and knowledge in the subject.
- Applications can be submitted directly by the inventor or a successor in title, who acquires the legal title of the inventor's rights, or they can be submitted by a legal representative.
- The requests will be presented in written form, written in Spanish before the IMPI, at the central or regional offices, federal delegations or subdelegations of the secretary of economy (SE) within the republic.

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- Patents are temporary, since the rights are granted for a defined time, when this expires, the exclusivity is lost and they become public domain. In the case of invention patents, they are valid for 20 years, utility model registrations 10 years, industrial design registrations 15 years; The validity begins to run from the date the application is filed with the IMPI and is subject to the granting of the right and remaining in force with the payment of corresponding annuities.
- The legislation does not consider inventions the following concepts: the theoretical and scientific principles; discoveries that reveal something that already existed in nature; schemes, plans, rules, and methods for performing mental acts, games, or business, and mathematical methods; computer programs, forms of presentation of information; aesthetic creations, artistic or literary works; surgical, therapeutic or diagnostic treatment methods applicable to the human body and related to animals; juxtaposition of several known inventions, variation of use, form or materials, unless they give an industrial result or use not obvious to a technician in the field.
- The IMPI electronically publishes the industrial property gazette in the Industrial Property Gazette Information System (SIGA), through which: patent applications are published; the requirements of the examination of form and substance, abandonment of patent applications and registrations of utility models; licenses, transmissions and changes in applications; registrations of utility models and patents granted; as well as patents and inventions in the public domain. The copies are published monthly and free of charge.

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There is a format for filing patent applications, and it is the IMPI-00-009 format, which can be found on the website: <http://www.impi.gob.mx/servicios/Paginas/Formatos.aspx>; The format must be printed on an official sheet on both sides, it must be completed in Spanish, preferably on a computer, although it may be presented in print, and it must also be signed autographically. The form is submitted in duplicate to the Institute and if you require your acknowledgment of receipt, you must submit an additional amount.

The words used in the application must be those used in the technical area of the invention, imprecise terms are not accepted, there should be no inconsistencies between descriptions and claims, relative terms of the “major” “strong” type are not allowed, since they are not precise.

The registration in the Mexican institute of intellectual property is possible by the web page, to learn more you can access in the next pages:

Page of IMPI (Mexican institute of the industrial property) <https://www.gob.mx/impi>

Portal of access to services: <https://eservicios.impi.gob.mx/seimpi/>

Register page: <https://eservicios.impi.gob.mx/seimpi/>

Referencia

Rojas, F. & Rojas, L. (2016). *Instituto mexicano de propiedad intelectual IMPI registro de patentes*. [Mexican Institute of Intellectual Property IMPI patent registration]Recuperado de https://www.researchgate.net/publication/328161728_INTELLECTUAL_PROPERTY_RIGHTS_IPR