



EXCO MEETING, CAPE TOWN 13 & 18 APRIL 2015

COUNTRY REPORT	
TITLE:	Country report for Argentina
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TABLED TO:	FICPI delegates
PURPOSE:	For information and consideration
SNIPPET:	News from and activities of the FICPI national group in Argentina since the Barcelona ExCo in November 2014.

SECTION A: ACTIVITIES OF FICPI ASSOCIATION/SECTION

The information supplied in Section A will remain confidential on FICPI's website after the ExCo (will require a password).

SECTION B: CHANGES IN LAW

Information supplied under Sections B and C will be published on FICPI's website after the ExCo and will be available to the public.

B1. LEGISLATION

1. Please provide details of any changes to IP legislation (patent, trade mark, design and other) in [A new draft bill to amend the design patent law is expected to be sent to Congress shortly.](#)

B2. MAJOR CASES

2. Please provide brief details of any new case law in the field of patents, trademarks, design or other IP of general interest.
[There is no new case law of general interest in the field of patents or design patents.](#)

B3. OFFICIAL PRACTICE

3. Please provide details of any changes in official patent and trade mark office practice which would be of general interest to other members. [N/A](#)

B4. PROPOSALS FOR CHANGES

4. Please provide details of any proposed changes in IP laws or practice and indicate if your National Association/Section is involved in providing comments to such changes.
Would it be of assistance to have input from the CET on any proposed changes?
[N/A](#)

SECTION C: OTHER INFORMATION

Please provide details of any other information pertaining to your country or region that would be of general interest to FICPI members and other IP practitioners browsing FICPI's website.

C1. QUALIFICATION AND THE RIGHT TO REPRESENT CLIENTS BEFORE A COURT

- 1.1 Please describe the qualification process for becoming a patent attorney in your



country/region.

Patent attorney is not a specific category recognized in Argentina. However, lawyers and Industrial Property Agents can work in the patent field. Industrial Property Agents are persons who have registered with the National Institute of Industrial Property after meeting a number of personal and professional qualifications and have passed the corresponding examinations. Only Industrial Property Agents and lawyers may represent petitioners in specific trademark proceedings and appeals. Only Industrial Property Agents may authorize up to five persons per calendar year to represent them for handling the administrative. Only lawyers may act before the Courts (e.g., represent plaintiffs or defendants in patent rejections appeals and patent infringement trials).

- 1.2 Has the patent attorney qualification process changed in any way in the past 5 years?

N/A

- 1.3 Does qualification as a patent attorney permit you any right of representation before any Court in your country?

Please refer to the answer to question 1.1.

- 1.4 If so are there any special requirements or restrictions?

Please refer to the answer to question 1.1.

- 1.5 Are qualified lawyers in your country permitted to work in the patent field without any further qualification?

In Argentina any lawyer registered with the bar association of the correspondent jurisdiction is allowed to work in judicial cases related to the patent field without any further qualification.

If so are there any restrictions on what they may do?

N/A

If so, please describe those restrictions.

N/A

- 1.6 Please describe what privilege attaches to patent attorney communications including any restrictions.

N/A

- 1.7 Please describe the qualification process for becoming a trade mark attorney in your country/region.

Trademark attorney is not a specific category recognized in Argentina. However, lawyers and Industrial Property Agents can work in the patent field. For the rest, please refer to the answer to question 1.1.

- 1.8 Has the trade mark attorney qualification process changed in any way in the past 5 years?

N/A

- 1.9 Does qualification as a trade mark attorney permit you any right of representation before any Court in your country?

Please refer to the answer to question 1.1.

If so are there any special requirements or restrictions?

- 1.10 Are qualified lawyers in your country permitted to work in the trade mark field without any further qualification?

Yes.

If so are there any restrictions on what they may do?

Yes: only Industrial Property Agents may authorize up to five persons per calendar year to represent them for handling the administrative. Only lawyers may act before the Courts (e.g., represent plaintiffs or defendants in patent rejections appeals and patent infringement trials).

If so, please describe those restrictions.

- 1.11 Please describe what privilege attaches to trade mark attorney client communications including any restrictions.

These communications are considered confidential and breach of this confidence may constitute a crime.



C.2 CET AND PEC SPEAKERS

- 2.1 Would your National Section/Association be interested in obtaining assistance from FICPI, through either the CET Work and Study Group or the Professional Excellence Commission (PEC), in providing speakers for seminars organized by your national group in your country?
[Not at this moment](#)
- 2.2 If your group does, or in the future might, require such assistance, please identify topics that might be of interest to your members, with a view to raising FICPI's profile and providing added value from membership of FICPI in your country.
[Duly noted](#)

C.3 TOPICS OF INTEREST

- 3.1 Please list three IP topics that are of particular interest to you and/or your national section members.
[Draft bill to amend the Industrial Model Design Law](#)
[Anticounterfeiting](#)
[Border measures](#)

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