/Carey

May 2022

ENTRY INTO FORCE OF AMENDMENTS TO THE INDUSTRIAL PROPERTY LAW

As announced by the Trademark and Patent Office ("INAPI") in the context of the day of Intellectual Property, the amendments to Law No. 19,039 on Industrial Property will come into force on **Monday, May 9, 2022** , through the publication in the Official Gazette of its application regulations, which have been approved by the Comptroller General of the Republic. Said publication complies with the provisions of the eighth transitory article of Law No. 21,355, which modifies the current Industrial Property Law No. 19,039.

The entry into force of the dispositions of Law No. 21,355 imply the incorporation of unprecedented figures in the Chilean Industrial Property regulation, such as the recognition of new types of signs that may be registered as trademarks (considered "non-traditional signs", such as olfactory, three-dimensional, color patterns, movement, etc. marks, among others), the cancellation of trademark registrations due to its lack of use, the end of trademarks of commercial and industrial establishments, the incorporation of the crime of trademark counterfeiting, the incorporation of provisional patents, the new patent usurpation action, and the update of the figure of trade secret.

Regarding the particularities of this milestone in our Industrial Property regulation, which will have relevant effects on the strategy of protection of intangible assets, we invite you to review our detailed analysis and practical recommendations in our legal alert and our blog Hipervínculos .

Authors: Guillermo Carey; Francisco Carey; Carla Encalada; Sebastián Jara

This news alert is provided by Carey y Cía. Ltda. for educational and informational purposes only and is not intended and should not be construed as legal advice.

Carey y Cía. Ltda.
Isidora Goyenechea 2800, 43rd Floor.
Las Condes, Santiago, Chile.
www.carey.cl