/Carey

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LEGAL ALERT

New temporary measures implemented by the National Institute of Industrial Property (CLPTO) due to national pandemic contingency for COVID-19

On April 30, 2020, the CLPTO announced the temporary application of new measures issued in relation to deadlines, procedures and legal requirements in administrative and contentious processes, with the aim of facilitating the compliance of legal obligations by applicants and users.

Previously, the CLPTO had granted ex officio, through the Exempt Resolution No. 314, an extension of the deadlines that expired until April 30, related to administrative registration procedures of industrial property rights, for a period equivalent to half the extended term.

Now, through a new resolution, the CLPTO has implemented a new term extension as follows:

- Extension of deadlines related **to administrative procedures**, providing that all deadline expiring between May 1 and 15, 2020, both included, are extended for a period corresponding to half of the extended term, only if they were not prolonged previously through Exempt Resolution No. 314.
- Extension of deadlines related to **contentious procedures**, providing that with respect to all actions or deadlines expiring between May 1 and May 15, 2020, both included, the provisions of Circular No. 398 shall be applicable, pursuant to which:

  Hearings are suspended and rescheduled to the earliest possible date after the cessation of the state of constitutional exception.

  No proceedings or judicial actions may be ordered that, as a result of the restrictions imposed by the authority in the framework of the state of constitutional exception, or due to the consequences arising of the health emergency caused by the COVID-19 disease, if carried out, could cause defenselessness to any of the parties or users. Such proceedings and actions are postponed to the earliest possible date after the cessation of the state

of constitutional exception.

The parties, their attorneys, agents or other users, who, as a result of the restrictions imposed by the authority in the framework of the state of constitutional exception, declared by Supreme Decree No. 104, of March 18, 2020, of the Ministry of the Interior and Public Security, or due to the consequences caused by the health emergency caused by the disease COVID-19, have been prevented from meeting the deadlines established for proceedings or to exercise actions or rights, may claim such impediment within the term of the ten days, following the cessation of the impediment.

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