

March, 2020

TEMPORARY MEASURES IMPLEMENTED BY THE NATIONAL INSTITUTE OF INDUSTRIAL PROPERTY (INAPI) AND THE INDUSTRIAL PROPERTY COURT (TDPI) DUE TO THE NATIONAL CONTINGENCY OF THE COVID-19 PANDEMIC

Recently, both INAPI and TDPI implemented temporary measures in terms of deadlines, procedures and legal requirements for the submission of original documents, with the aim to facilitate to applicants and users of the system to comply with legal obligations, taking into account both the difficulties in meeting these obligations and the purpose of safeguarding people's health.

As for the measures implemented by INAPI, we can inform the following:

1. Extension of deadlines in cases where it has become impossible to comply with an action, with allegations of impediments.
2. In the event that it is not possible to obtain the original document of power of attorney, an office action will be issued in order to allow a longer period for its submission. Furthermore, a writ may be submitted electronically with a copy of the power of attorney with the purpose to file the original at the request of the authority, within a period of not less than 15 days.
3. A new day and time will be set for the hearings of evidence exhibition already scheduled.
4. The filing of notarial certifications of goods is recommended to avoid arranging exhibition hearings.
5. The submission of scanned final payment documents for patents, models and designs (including Decennium and Quinquennium), attached to a brief submitted online, will be accepted. The original receipt must be submitted when an office action is issued within a period of not less than 15 days.
6. Personal assistance will be exclusive for those who have essential queries and procedures that cannot be carried out by any other means and with prior reservation of appointment through the institution's telephone platform.

For its part, the TDPI implemented the following measures:

1. The hearing of cases with allegations will be carried out in a smaller number than normal, except for the expert hearings that are declared suspended until the regularization of the contingency.
2. The technical conditions for remote allegations by videoconference system are being evaluated.
3. It is possible to submit any type of writ via e-mail under advanced or simple electronic signature, whether they have an effective deadline or not, without the obligation for its subsequent ratification. This also applies to pleadings on cases that are scheduled for hearing by the Court.



If you have any questions regarding the matters discussed in this news alert, please contact the following attorneys or call your regular Carey contact.

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Both INAPI and TDPI have implemented teleworking for their employees and maintain ethical shifts in their offices for public attention in accordance with the measures adopted as described above.

As of this week, most of Carey's members are working remotely. This decision will not affect in any way the quality or speed of our service. If you need to contact your lawyer, you can continue to do so normally via email and / or telephone. To access the contact information of our team members, you can [click here](#).