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Swiss Type Claims Now Allowed in Costa Rica?

According to the Costa Rican Patent Law, methods of treatment or diagnosis are considered non-patentable subject matter. "Second use" inventions are also excluded from patentability in Costa Rica.

In jurisdictions where methods of treatments are unpatentable, the Swiss type claim was devised to enable the protection of the first, second or subsequent use of a known substance or composition. The practice of drafting Swiss type claims has not been accepted by the Costa Rican Patent Office (CRPO), considering that the format of such claims circumvents restrictions on the patentability of medical treatments under the Patent Law. [Read More](#)

New Enforcement of Requisites for Registrations of Country Names

The Costa Rican Trademark Law provides a list of signs that cannot be registered as a trademark due to intrinsic reasons. Among those signs, the law includes "the reproduction or imitation, in whole or in part, of a denomination or abbreviation of any State or international organization, without permission of the competent authority or organization".

This is typically a form of protection for country names against registration by parties unconnected with the constitutional authorities of the country. In the case of Costa Rica, however, the law does not distinguish if the applicant has in fact, or not, any affiliation with the country in question.

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There is another element that has not been specified within the law. Who are the authorities competent to grant the required authorization? [Read More](#)

President Vetoes Proposed Legislation on Photocopying

In a recent decision, the President of the Republic of Costa Rica, Laura Chinchilla vetoed bill No. 17.342, which reformed several articles of the Law on Procedures for the Enforcement of Intellectual Property Rights in Costa Rica. The proposed bill, called "an Act to protect the right to education as opposed to the excesses of intellectual property laws", established decriminalization of the activity of photocopying books, as long it is for educational purposes.

This initiative came after Congress passed a series of reforms to the Costa Rican Intellectual Property Laws, in the framework of the implementation of the Free Trade Agreement with The United States. These reforms included penalties of up to five years in prison and fines of five to 500 minimum wages, for those who compile textbooks or anthologies. [Read More](#)

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