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NEWSFLASH

Changes in Patent Annuities in Costa Rica

A recent policy issued by the Costa Rican Patent Office has established that payment of annuities should be done retroactively once an application is granted. The basis for said interpretation is that according to our patent law, annuities should be paid during all the validity term of an application. The patent validity term of 20 years is counted as of the international application date and therefore, annuities should be paid for all those years spanning from filing until expiration date. According to the same policy, it is not possible to pay in advance the annuities before granting, since the application is not yet considered valid.

We disagree with the Patent Office's interpretation and will challenge it. However, in the meanwhile the policy is enacted and the PTO is enforcing it.

We will keep you posted of any development in this matter.

If you have any doubt or comments, please do not hesitate to contact partners Luis D. Castro at Ldcastro2@castropal or Simon Valverde at



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