

# ECUADORIAN INSTITUTE OF INTELLECTUAL PROPERTY

AS  
DESIGNATED (OR ELECTED) OFFICE

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### List of abbreviations:

Office: Ecuadorian Institute of Intellectual Property

IPL: Intellectual Property Law (Consolidation No. 2006-13)

**SUMMARY****Designated  
(or elected) Office****SUMMARY****EC****ECUADORIAN INSTITUTE OF  
INTELLECTUAL PROPERTY****EC****Summary of requirements for entry into the national phase**

Time limits applicable for entry into the national phase:	Under PCT Article 22(3): 31 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into: <sup>1</sup>	Spanish
Required contents of the translation for entry into the national phase: <sup>1</sup>	Under PCT Article 22: Description, claims (if amended, as amended only, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: <sup>1</sup>	Currency: US dollar (USD) For patent: Filing fee: <sup>2</sup> USD 495.33 Additional fee for each claim in excess of 10: USD 55.07 For utility model: Filing fee: <sup>3</sup> USD 136.00
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51bis): <sup>4</sup>	Name and address of the inventor if they have not been furnished in the "Request" part of the international application <sup>5</sup> Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in a notification from the International Bureau (Form PCT/IB/306) Instrument of assignment of the priority right where the applicants are not identical <sup>5</sup> Instrument of assignment of the international application if the applicant has changed after the international filing date Appointment of an agent if the applicant is not resident in Ecuador

*[Continued on next page]*

<sup>1</sup> Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

<sup>2</sup> This fee may be reduced by up to 90% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions, small and medium farmers and enterprises of popular and solidarity economy.

<sup>3</sup> This fee may be reduced by up to 50% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions, small and medium farmers and enterprises of popular and solidarity economy.

<sup>4</sup> If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit of two months from the date of receipt of the invitation.

<sup>5</sup> This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

## THE PROCEDURE IN THE NATIONAL PHASE

EC.01 **LANGUAGE OF PROCEEDINGS.** The language of proceedings is Spanish.

EC.02 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).

EC.03 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex EC.I.

IPL Art. 144 EC.04 **EXAMINATION.** A patent will be granted only after examination as to patentability. The amounts of the examination fees are indicated in Annex EC.I.

PCT Art. 28  
41 EC.05 **AMENDMENT OF THE APPLICATION.** The applicant may, at any time before the patent is granted, make amendments to his application, provided that the amendment does not go beyond the original disclosure.

PCT Art. 24(2)  
48(2)  
PCT Rule 82*bis* EC.06 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase.

PCT Art. 25  
PCT Rule 51 EC.07 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the Office.

PCT Art. 4(3)  
43  
PCT Rule 49*bis*.1  
(a), (b)  
76.5 EC.08 **UTILITY MODELS.** If the applicant wishes to obtain a utility model instead of a patent in Ecuador on the basis of an international application, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

**FEES****(Currency: US dollars)****Patents<sup>1</sup>**

Filing fee: . . . . .	495.33
Additional fee for each claim in excess of 10 . . . . .	55.07
Search fee:	
— for a search of the national documentation . . . . .	148.00
— request for a report on the state of the art . . . . .	836.96
Examination fee (additional 10% for each page in excess of 20) . . . . .	596.49
Fee for modification. . . . .	227.25
Maintenance fees:	
— for the 1 <sup>st</sup> year . . . . .	125.00
— for the 2 <sup>nd</sup> year. . . . .	145.00
— for the 3 <sup>rd</sup> year . . . . .	158.20
— for the 4 <sup>th</sup> year . . . . .	195.11
— for the 5 <sup>th</sup> year . . . . .	226.33
— for the 6 <sup>th</sup> year . . . . .	262.54
— for the 7 <sup>th</sup> year . . . . .	304.55
— for the 8 <sup>th</sup> year . . . . .	353.28
— for the 9 <sup>th</sup> year . . . . .	409.80
— for the 10 <sup>th</sup> year . . . . .	475.37
— for the 11 <sup>th</sup> year . . . . .	551.43
— for the 12 <sup>th</sup> year . . . . .	639.66
— for the 13 <sup>th</sup> year . . . . .	742.00
— for the 14 <sup>th</sup> year . . . . .	860.72
— for the 15 <sup>th</sup> year . . . . .	998.44
— for the 16 <sup>th</sup> year . . . . .	1,158.19
— for the 17 <sup>th</sup> year . . . . .	1,343.50
— for the 18 <sup>th</sup> year . . . . .	1,558.46
— for the 19 <sup>th</sup> year . . . . .	1,807.81
— for the 20 <sup>th</sup> year . . . . .	2,097.06

**Utility models<sup>2</sup>**

Filing fee: . . . . .	136.00
Search fee:	
— for a search of the national documentation . . . . .	46.00
— for a search of the state of the art . . . . .	48.00
Maintenance fees:	
— for the period from the 1 <sup>st</sup> to the 5 <sup>th</sup> year, per year . . . . .	12.00
— for the period from the 6 <sup>th</sup> to the 10 <sup>th</sup> year, per year . . . . .	16.00

<sup>1</sup> The fees may be reduced by up to 90% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions small and medium farmers and enterprises of popular and solidarity economy.

<sup>2</sup> The fees may be reduced by up to 50% for micro, small and medium enterprises, recognized national universities, independent researchers, public institutions, small and medium farmers and enterprises of popular and solidarity economy.

**How can payment of fees be effected?**

The payment of fees should be effected in US dollars. All payments must indicate the application number (national, if already known; international, if the national number is not yet known), the name of the applicant and the category of fee being paid.

The payment of fees can be effected by bank transfer to the following account:

Beneficiary:	Instituto Ecuatoriano de la Propiedad Intelectual - IEPI
Name of the bank:	Banco del Pacífico
Account No.:	748529 (Cuenta Corriente)
SWIFT code:	PACIECEG