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Committee for Technical Cooperation

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APPOINTMENT OF THE MEXICAN INSTITUTE OF INDUSTRIAL PROPERTY AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

Document prepared by the International Bureau

1. On December 2, 2025, in conformity with paragraph (e) of the procedures set out in the Understanding with regard to the procedures for appointment of International Authorities adopted by the PCT Assembly at its forty-sixth session in 2014, as modified by the Assembly at its fiftieth session in 2018, the Mexican Institute of Industrial Property (IMPI) submitted its application for appointment as an International Searching and Preliminary Examining Authority (ISA/IPEA). The documentation in support of the application is set out in the Annexes to this document. Annex I sets out the application by IMPI for appointment as an ISA/IPEA; Annex II sets out a report by the Spanish Patent and Trademark Office on the application of IMPI for appointment as an ISA/IPEA.

2. As required by Articles 16(3)(e) and 32(3) of the PCT, before the PCT Assembly makes a decision on the appointment of an Office as an ISA and IPEA, the Assembly must seek the advice of the Committee for Technical Cooperation. Information concerning this process and role of the Committee is set out in document PCT/CTC/33/INF/1.

3. The Committee is invited to give its advice on this matter.

[Annex I follows]

APPLICATION FOR APPOINTMENT AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PCT

1 – GENERAL

(a) Name of Office or intergovernmental organization:
The Mexican Institute of Industrial Property (IMPI).

On December 10, 1993, the Decree establishing the Mexican Institute of Industrial Property (IMPI), a decentralized public body with legal personality and its own assets, was published in the Official Gazette of the Federation.

Since then, the IMPI has professionalized itself to meet the challenges of protecting innovation in Mexico, increase and ensure the promotion of industrial property, and improve its services for the benefit of Mexican inventors and creators.

The IMPI has positioned itself as an international benchmark office by promoting greater access to tools for the benefit of users. Mexico is part of four international industrial property protection systems: the Madrid Protocol (trademarks), the Patent Cooperation Treaty (PCT), the Lisbon Agreement (appellations of origin), and the Hague Agreement (industrial designs).

(b) Date on which application for appointment was received by the Director General:

December 2, 2025.

(c) Session of the Assembly at which appointment is to be sought:

Sixty-eighth series of meetings (July 2026).

(d) Expected date at which operation as ISA/IPEA could commence:

January 2027 (tentative date for IMPI).

(e) Existing ISA/IPEA(s) assisting in assessment of extent to which criteria are met:

Spanish Patent and Trademark Office (OEPM).

2 – MINIMUM REQUIREMENTS FOR APPOINTMENT

2.1. SEARCH AND EXAMINATION CAPACITY

Rules 36.1(i) and 63.1(i): The national Office or intergovernmental organization must have at least 100 full-time employees with sufficient technical qualifications to carry out searches and examinations.

(a) Employees qualified to carry out search and examination:
Currently, the Patent Division has two Subdivisions for Substantive Examination, consisting of five Coordination Units for substantive examination of patents, utility models and industrial designs, according to the technical fields they cover:

- Patent Substantive Examination Coordination Unit, Mechanical Field.
- Patent Substantive Examination Coordination Unit, Electrical Field.
- Patent Substantive Examination Coordination Unit, Chemistry Field.

- Patent Substantive Examination Coordination Unit, Pharmaceutical Field.
- Patent Substantive Examination Coordination Unit, Biotechnology Field.

In all, the substantive examination coordination teams for patents and utility models have 181 substantive examiners who work full-time on search and examination tasks, 10 area supervisors who oversee the examination work of the examiners under their charge and five area coordinators.

The substantive examination team has a high degree of technical specialization. All members hold bachelor's degrees, 1% hold specializations, 29% hold master's degrees, and 21% hold doctorate degrees, with 3% of these having postdoctoral fellowships.

The team possesses advanced knowledge of English and basic or intermediate knowledge of other languages such as French and German.

This year, a group of 84 examiners were recruited. Of these examiners, 79 were assigned to the substantive examination of patents and utility models and are currently undergoing intensive training, which involves conducting substantive examinations with assigned tutors. They are expected to conduct unsupervised searches and examinations within four months.

Technical field	Number (in full-time equivalent)	Average experience as examiners (years)	Breakdown of qualifications
Mechanical	57[1]	Expert specialists: 15.7 years Newly hired specialists: 8 months	1 coordinator 4 supervisors 52 examiners: 28 experts 24 specialists
Electrical/electronic	35	Experts; 15.8 years Specialists: 8 months	1 coordinator 2 supervisors 32 examiners: 21 experts 11 specialists
Chemistry	35	Experts: 16.4 years Specialists: 8 months	1 coordinator 1 supervisor 33 examiners: 18 experts 15 specialists
Pharmacy	33	Experts: 12.82 years Specialists: 8 months	1 coordinator 2 supervisors 30 examiners: 17 experts 13 specialists
Biotechnology	36	Experts: 15.8 Specialists: 8 months	1 coordinator 1 supervisor 34 examiners: 19 experts 15 specialists
Total	*196*		*196*

(b) Training programs

Through its Patent Division, the IMPI has developed an intensive training program for new examiners, lasting approximately six weeks (see table).

[1] Includes utility model examiners.

Thereafter, training is provided on the job and supervised by a mentor, who is an experienced examiner, for approximately one year until the new examiners can independently conduct searches and examine the patent applications assigned to them. The examiners discuss the technical aspects of all work generated with the mentor, the supervisor, and/or the coordinator to standardize examination criteria and reinforce the concepts of patentability in accordance with the examination practices of the IMPI and the provisions of the Federal Law on Industrial Property Protection and other applicable legal provisions.

Training program for new substantive examiners of the IMPI Patent Division

Program

Objective:	To lay down the general guidelines to be followed by patent examiners during substantive examinations, when determining the tasks to be performed and their respective hierarchies. Duration: 51 hours

Module I. General knowledge of patent examination

Topic	Points to discuss/activities
1. Introduction **1.1** Introduction to IMPI **1.2** Structure of the Patent Division **1.3** Legal concepts related to inventions: patents, utility models and industrial designs	What is an invention? Why is it important to protect a new technological development?
1.4 Federal Law on Industrial Property and its Regulations	Participants will be provided with links to the national and international legal framework and to the IMPI user guides.
1.5 Types of patent applications: National route PCT route Paris Convention route	Requirements for filing a patent application Processing an international application (PCT) Processing an application via the Paris Convention
1.6 Functions of the substantive examiner: Technical functions associated with substantive examination Ethics of the patent examiner	Activities to be performed, confidentiality, conflict of interest, one-year hiatus at the end of the contract, before engaging in the same activity Communication via the Patent Module (PatMod). Code of Ethics and Ethics Committee
1.7 The life cycle of a file	Processing a patent application (timeline). The tasks involved in each department in granting a patent (window, formal, substantive and legal)
1.8 Exceptions to patentability and non-inventions	Identification of cases of exceptions or non-inventions

Module II. How to work on a patent application?	
Topic	**Points to be covered/activities**
2. Overview **2.1** Study of an application **2.2** Formal criteria:	How is a patent application file structured? General guidelines for conducting a substantive examination Assign each participant five patent application files. A copy of the agreement establishing the rules for filing applications with the IMPI will be provided.
2.2.1 Review of the description: Technological area Background Description of the drawings Examples	Explain the purpose of the description: ▪ explain what should be reviewed ▪ use a case study, show how the review should be carried out ▪ work on the file, reviewing only the description ▪ ask participants to write down all their observations ▪ if there are any questions, the instructor will provide an explanation to all participants
2.2.2 Review of figures: Explain the purpose of the figures Explain what should be reviewed	Rules for presenting figures ▪ Use a case study to show how the review should be performed. ▪ work on the file, reviewing only the description ▪ ask participants to write down all their observations ▪ if there are any questions, the instructor will provide an explanation to all participants
2.2.3 Review of claims: Explain the purpose of the claims Explain what needs to be reviewed	Rules for presenting claims ▪ Use a case study to show how the review should be performed. ▪ work on the file by reviewing only the description ▪ ask participants to write down all their observations ▪ if there are any questions, the instructor will provide an explanation to all participants
2.2.4 Review of the title: Explain the purpose of the title	Rules for presenting the title ▪ Use a case study to show how the review should be performed. ▪ Work on the file, reviewing only the description. ▪ ask participants to note down all observations ▪ if there are any questions, the instructor will provide an explanation to all participants

2.2.5 Review of the summary: Explain the purpose of the summary Explain what should be reviewed	▪ Use a case study to show how the review should be performed. ▪ Work on the file, reviewing only the description. ▪ ask participants to write down all their observations ▪ if there are any questions, the instructor will provide an explanation to all participants
2.2.6 Review of Annexes: Presentation of sequence listings Records of biological material deposits	Standard ST.26/Rules for sequence submission Budapest Treaty International depository authorities Depositary office: Collection of Microorganisms of the National Genetic Resources Centre
2.3 Patent application files 2.3.1 Explain the concept of priority 2.3.2 Explain the concept of prior disclosure 2.3.3 Explain the concept of patent family	Show examples of: PCT files with and without priority Paris Convention files (concept of priority) National files with prior disclosure Comparison of priority document with national application
Module III. Classification Schemes.	
Topic	**Topics to be covered/activities**
3. Introduction to the use of classification systems **3.1** International Patent Classification	Assignment of classification symbols (format, hierarchical structure). Explain how to classify according to classification schemes using a sample file
3.2 Cooperative Patent Classification	Advantages of using classification symbols for technical searches. Using the ProClass tool
Module IV. Establishing the state of the art.	
Topic	**Points to be covered/activities**
4. Search strategies **4.1** Criteria for establishing the state of the art (PCT, Paris Convention and national applications)	What to search for? Information on the invention/Additional information Use of the Search Report template
4.1.1 SAGPAT 4.1.2 The Industrial Property Gazette Information System (SIGA) and ViDoc (a document viewer)	Search for national patent application Search for PCT application, Paris Convention
4.1.3 ESPACENET and PATENTSCOPE	Search in ESPACENET Retrieve search report, IPER

4.1.4 CLARIVATE 4.1.5 SequenceBase	Search for patent documents and non-patent literature Sequence search
4.1.6 Contents of a search report	Preparation of search reports for national files

Module V. Other patent offices

Topic	Points to be covered/activities
5. Retrieval of work products from other offices **5.1** Explanation of the United States Patent and Trademark Office (USPTO) server **5.2** Explanation of the Japan Patent Office server **5.3** Explanation of the Ministry of Intellectual Property Office (MOIP) – Republic of Korea server **5.4** Explanation of the Canadian Intellectual Property Office server	Explain the procedure and codes used in other patent offices. Retrieve other patents granted
5.5 Reviewing a patent application with its counterpart granted in another office.	Comparison between patents granted with respect to the application filed with the IMPI

Module VI. Legal criteria for patentability

Topic	Points to be covered/activities
6.1 Novelty 6.1.1 Explanation of the criteria and their principle 6.1.2 Explanation of legal background	Explain the procedure and codes used in other patent offices. Retrieve other patents granted
6.2 Inventive step 6.2.1 Explanation of the criteria and their principle 6.2.2 Explanation of legal background 6.2.3 Brief overview of the problem-solution approach	Ask applicants to apply the problem-solution approach. Discuss the results in a group
6.3 Industrial application 6.3.1 Explanation of the criteria and their principle 6.3.2 Explanation of legal background	Discuss some examples of lack of industrial application.
6.4 Clarity 6.4.1 Explanation of the criteria and their principle 6.4.2 Explanation of legal background	Discuss some examples of lack of clarity
6.5 Sufficiency of description 6.5.1 Explanation of the reasons for this requirement 6.5.2 Explanation of the legal requirements 6.5.3 Explanation of how to assess this requirement	Discuss some examples of lack of sufficiency of description

6.6 Unity of invention 6.6.1 Explanation of the reasons for this criterion 6.6.2 Explanation of the legal background	Lack of unity of invention *a priori* Lack of unity of invention *a posteriori*
6.7 Divisional applications 6.7.1 Origin 6.7.2 Criteria under the Federal Law of the Protection of Industrial Property	Explain the concepts of parent application and child application Deadlines for filing a divisional application Filing at the request of the IMPI
Module VII. Official actions	
Topic	**Points to be covered/activities**
7. Drafting an official action 7.1 Purpose of an official action 7.2 Importance of order and structure in an official action 7.3 Formulation of objections	Assign each participant five patent application files. Provide participants with the verification document for substantive examination (worksheet)
7.4 Types and structure of official actions: formal examination 7.4.1 Formal requirements and approvals	Review examples of official actions on formal matters
7.5 Types and structure of official actions: substantive examination 7.5.1 Substantive requirements 7.5.2 Payment requirement 7.5.3 Payment notices 7.5.4 Abandonments 7.5.5 Negatives	Review examples of official actions on formal matters Discuss with trainee examiners the elements necessary for drafting an official action using a case study
7.6 Legal basis for official actions and their interpretation (Federal Law for the Protection of Industrial Property)	
Working session	Working in groups under each technical field and supported by a specialist in each area, examiners will review one of their files based on the verification document for substantive examination (worksheet), using the knowledge acquired in the first part of the course.
Working session	Identify in the assigned file: What is the invention? What is the technical problem? How is it solved? Discuss the results in a group.

Module VIII. Specific technical fields

Topic	Points to be covered/activities
8.1 Computer-implemented inventions. 8.1.1 Technical problem 8.1.2 Sufficiency of description 8.1.3 Type of claims	Review of examples from different cases
8.2 Biotechnological inventions 8.2.1 Involving sequence listings 8.2.2 Involving biological material deposit records.	Change of filing date (due to deposit)
8.3 Pharmaceutical inventions 8.3.1 First and second pharmaceutical use 8.3.2 Markush formulas 8.3.3 Active ingredient protection	Review of examples of different cases of pharmaceutical uses Review of the Medicines Gazette

Module IX. Complementary topics

Topic	Points to be covered/activities
9.1 Titling and preservation of rights	Integration of technical reports SIAI module for "Technical Report Management"
9.2 Acceleration mechanisms for patents 9.2.1 PPH (Patent Prosecution Highway), APG, 9.2.2 PAMX	Modalities in PPH agreements Participation requirements Differences among acceleration mechanisms
9.3 Third-party observations	Various situations in which third-party observations are submitted.
9.4 PCT and Paris Convention	
9.5 International organizations and treaties applicable to the patent system 9.5.1 WIPO 9.5.2 European Patent Office (EPO) 9.5.3 Agreement on the Trade-Related Aspects of Intellectual Property Rights 9.5.4 Paris Convention 9.5.5 USMCA provisions	

Module X. Utility models

Topic	Topics to be covered/activities
10.1 Study of a utility model application	Review examples of different cases of utility models

Training for the substantive examination team is ongoing. Examiners are required to take the general courses offered by the WIPO Academy, "Intellectual Property Course DL-001" and "Basic Intellectual Property Course DL-101S".

Under the IMPI regulations, all staff must receive a minimum of 40 hours of training per year, a percentage of which must be specialized training.

Examiners receive training in core technical subjects to update their knowledge of the technical field which they examine and of patent examination criteria.

This training includes courses on prior art searches, up-to-date guides on the use of search tools and databases, and specialized courses on specific topics offered by the various patent offices with which the IMPI cooperates, such as the USPTO, the EPO and the Japan Patent Office.

In 2007, the IMPI has established a system of cooperation with Latin American and Caribbean countries, known as the Patent Application Management Support System for Central American Countries and the Dominican Republic. It uses the system to share with these offices the results of substantive examinations of applications filed with the IMPI and these offices to streamline procedures and avoid duplication of searches and examinations.

As part of this cooperation, the IMPI also supports prior art searches and issues opinions on the patentability of national applications filed with the industrial property offices of Latin American and Caribbean countries, even when they do not have applications corresponding with those filed with the IMPI.

The results of examinations, searches and patentability opinions are shared with participating countries through the electronic portal developed by IMPI for this purpose: https://cadopat.impi.gob.mx/

2.2 –MINIMUM DOCUMENTATION – MAKING AVAILABLE FOR CONSULTATION

Rules 36.1(ii) and 63.1(ii): That Office or organization must make available for consultation as part of the minimum documentation referred to in Rule 34, in accordance with the requirements specified in the Administrative Instructions, any patent issued, and any patent application published, by it, and where applicable by its legal predecessor(s).

The requirements specified in the Administrative Instructions are set out in Circular C. PCT 1672, dated June 19, 2024.

The making available for consultation, as part of the minimum documentation referred to in Rule 34, of patents granted and patent applications published by the Office or, where applicable, by the Offices forming part of the intergovernmental organization, in accordance with the agreement adopted by the PCT Assembly in paragraph 8 of document PCT/A/55/2, is reported as follows:

☐ The Office has notified the International Bureau, in accordance with Rule 31.4(d)(i), that its patent documents and, where applicable, its utility model documents are available to the International Searching Authorities with effect from [DATE]. The most recent reference file, detailing the scope of the available patent documents and, where applicable, utility model documents, was submitted to the International Bureau on [DATE] and can be consulted at the following link: [LINK].

Or:

☒ The Office reports on the availability of its collection of patent and, where applicable, utility model documentation, as indicated below, including a timetable for testing and when availability can be certified and notified to the International Bureau, pursuant to Rule 34.1(d)(i). Please also

provide details on the coverage of your reference file, as required in paragraphs 7 to 13 of Annex H to the Administrative Instructions, including the relevant links.

Type of document	Publication dates		Format of documents	Availability and source of documents
	From	To		
Published national or regional patent application	01/01/2001	09/01/2025	PDF (text)	Online repository hosted by this Office
Published national or regional patent	01/01/2001	09/01/2025	PDF (text)	Online repository hosted by this Office
Utility model application	01/01/2001	09/01/2025	PDF (text)	Online repository hosted by this Office
Utility model issued	01/01/2001	09/01/2025	PDF (text)	Online repository hosted by this Office

The IMPI does not yet have all the application texts in XML. Only the abstract in Spanish and English are currently available in that format. The description and claims are in PDF.

The IMPI declares that, upon its designation as the ISA and the IPEA, it will comply with the minimum documentation requirements set forth in Rule 34, in accordance with the requirements established in the applicable Administrative Instructions. It will also make its patent documents published on or after January 1, 2026, available for bulk download in the appropriate formats (XML or TXT).

The IMPI also certifies that the minimum documentation will be made available for all patents granted and all patent applications published by it and, where applicable, by its legal predecessor, in accordance with the regulations in force and the obligations incumbent on an ISA/IPEA.

The IMPI will grant access to WIPO and the OEPM for the purposes of testing and verification of the accessibility and status of its ISA/IPEA archive prior to its designation.

2.3 –MINIMUM DOCUMENTATION - ACCESS

Rules 36.1(iii) and 63.1(iii): That Office or organization shall possess, at a minimum, the minimum documentation referred to in Rule 34, or maintain access to that minimum documentation, for search purposes in accordance with the Administrative Instructions.

(a) Access to the minimum documentation for search purposes:

The IMPI has access to the largest collections of patent and non-patent literature for search purposes. Some of these databases are freely accessible (PATENTSCOPE, Espacenet, Latipat and collections available on the websites of various IP offices, such as those of the OEPM and the USPTO).

The IMPI also has access to subscription databases designed specifically for the collection and provision of patent and non-patent documentation and literature, such as CLARIVATE with the Derwent Innovation and Derwent/Geneseq search systems and ANSERA-based Search, as part of its collaboration with the EPO.

(b) Search systems:

The IMPI has access to subscription databases designed specifically for the collection and provision of patent and non-patent documentation and literature, such as CLARIVATE with the Derwent Innovation and Derwent/Geneseq search systems and ANSERA-based Search, as part of its collaboration with the EPO.

The IMPI declares that prior to its designation as an ISA and IPEA, it will demonstrate that the search tools it uses allow for a comprehensive search of patents and non-patent literature in the minimum PCT documentation.

Prior to its designation as ISA/IPEA, the IMPI will grant access to WIPO and the OEPM for the purposes of testing and verifying that the search tools used by IMPI examiners allow for international searches in accordance with PCT standards.

2.4 –QUALITY MANAGEMENT

Rules 36.1(iv) and 63.1(iv): That Office or organization must have in place a quality management system and internal review arrangements in accordance with the common rules of international search.

National quality management system meeting the requirements of Chapter 21 of the International Search and Preliminary Examination Guidelines:

The IMPI does not have a dedicated quality control system, nor has it been certified under any established standard.

For the classification of patent and utility model applications**,** the IMPI uses **ProClass,** its inhouse computer tool, to classify patent and utility model applications. Using ProClass, through which examiners assign the symbols of the International Patent Classification and the Cooperative Patent Classification, and all classifications are reviewed and passed through the Classification Quality Management module incorporated into this tool.

The Classification Quality Management module is designed to activate alerts to review classifications and ensure that the symbols assigned to each application correspond to the technical field of the invention, that they comply with the International Patent Classification and the Cooperative Patent Classification standards, that the symbols assigned to each standard are consistent with each other, and that the invention corresponds and is automatically assigned to the Substantive Examination Department to which the technical field of the invention belongs.

When the file is transmitted to a coordination unit that is not responsible for studying the invention, it will then be forwarded to the appropriate department. When an inconsistency is found in the assigned classification, the Examiner is informed so that the corresponding corrections can be made. The examiner must correct the request and report back. The classifications are reevaluated until they are adequate at which point the file is considered to have passed quality control.

This process ensures that, on the first attempt, files are forwarded to the substantive examination department responsible for the technical field of the invention. It also ensures that files are classified with the appropriate symbols for their technical field, using current symbols that comply with the classification standards. An estimated 95% of the files treated are adequately classified, in accordance with the department which treats them.

The substantive examination of patents and utility models is conducted by the five technical substantive examination coordination units together with the team of examiners, supervisors and coordinators for each area.

The progress of the examination is managed through the Automated Management System (SIAI), which tracks and controls all files related to the process. Through this system, all official actions are issued, supervised, and signed before being notified to the user, leaving an electronic record of all official communications, their dates of issue, and the deadlines established for them. The supervisor and/or area coordinator reviews each of the official actions issued by the group of examiners and, if necessary, returns them to the examiner for corrections or modifications. To this end, the case is reviewed jointly (examiner/supervisor/coordinator). This maintains the quality of the examination in accordance with the patentability criteria established in the national and international regulatory framework.

However, the IMPI is establishing a quality management system that meets the requirements of Chapter 21 of the PCT International Search and Preliminary Examination Guidelines. It also plans to obtain ISO 9001 certification for this quality management system.

The IMPI declares that prior to its designation as an ISA and IPEA, it will submit to WIPO the status of the relevant certification and the report on the quality management system in accordance with the template entitled “Initial Report on Quality Management Systems”.

3 – INTENDED SCOPE OF OPERATION

(a) Languages in which services would be offered:

Spanish

(b) State(s) or receiving Office(s) for which Authority would offer to be competent:

The IMPI will offer its services as ISA/IPEA to Spanish-speaking countries in the Latin American and Caribbean region, and to any other country that accepts international applications in Spanish, upon request.

(c) Limitations on scope of operation:

The IMPI will not conduct international searches and preliminary examinations for applications filed in languages other than Spanish.

(d) Other international administrations that will continue to be competent to process applications filed with the Office in its capacity as receiving Office:

the OEPM;
the Austrian Patent Office;
the Swedish Patent and Registration Office;
the National Institute of Industrial Property - Chile;
the USPTO;
the Intellectual Property Office of Singapore;
the EPO; and
the Ministry of Intellectual Property (MOIP) - Republic of Korea.

4 – STATEMENT OF MOTIVATION

Since its creation, the IMPI has been responsible for administering the industrial property system in Mexico, taking a modern, technical, and efficient approach in line with the highest international standards. Within this framework, it has consolidated its role as a leader in the protection of industrial property and the promotion of technological innovation in Latin America.

The IMPI fully recognizes the strategic importance of the PCT as a key tool for facilitating the access of inventors to international protection for their inventions. Mexico has been an active member of the PCT System since 1995 and IMPI has played a key role as a receiving Office, effectively managing a growing number of international applications from both domestic and foreign applicants.

IMPI's application to be designated as an ISA/IPEA arises from its institutional commitment to contribute more actively and directly to strengthening the PCT System, particularly for Spanish-speaking countries and to build the innovation ecosystem in Latin America. The presence of an additional ISA/IPEA in the region with advanced technical capabilities and highly qualified personnel is an opportunity to decentralize search resources, diversify options for users, and promote a broader and more equitable use of the system in our region.

Mexico has a solid legal industrial property framework and a technological infrastructure that allows it to offer high-quality international search and preliminary examination services. IMPI staff have received specialized training in searching and examining in accordance with PCT guidelines. They also have access to international databases and tools for rigorous and efficient search and examination.

In addition, through its national policy on innovation and technological development, the Government of Mexico has strongly supported the institutional reinforcement of the IMPI, recognizing its strategic role in promoting entrepreneurship, competitiveness and technology transfer. The eventual designation of the IMPI as an ISA/IPEA is in line with these national objectives and would directly facilitate access to the international patent system for more inventors, especially small and medium-sized enterprises.

The experience of the IMPI as a receiving Office has demonstrated growing user confidence in its services, as reflected by the number of PCT applications filed through this route. In recent years, Mexico has witnessed a sustained increase in international applications, reflecting the dynamism of the national innovation ecosystem and the interest of Mexican inventors in accessing international markets.

In addition, the possibility of having a Spanish-speaking ISA/IPEA based in Mexico would benefit not only Mexican users, but also applicants from other Latin American and Caribbean countries, particularly those that have not yet designated their own international authorities, thus promoting regional inclusion and cooperation.

The IMPI firmly believes that its designation as an ISA/IPEA will strengthen the PCT System by providing users with better options, encouraging regional participation and contributing to the overall efficiency of the system. The IMPI reiterates its commitment to the principles of quality, transparency and international cooperation that underpin the PCT, and is technically and operationally prepared to responsibly assume this new role within the international patent system.

5 – APPLICANT STATE(S)

(a) Regional location:

The headquarters of the IMPI are in Mexico City, the capital of Mexico.

(b) Regional organization memberships:

Mexico has been a member of WIPO since June 14, 1975. Mexico is a party to 20 treaties administered by WIPO.

It is also a member of the following regional organizations:

- the Community of Latin American and Caribbean States;
- the Organization of American States;
- the Association of Caribbean States;
- the Latin American Integration Association; and
- the Economic Commission for Latin America and the Caribbean.

(c) Population:

Mexico has a population of 130.9 million (2024, World Bank data)

(d) GDP per capita:

US$14,157.9 (2024, World Bank data)

(e) Estimated national expenditure on R&D (% of GDP):

0.27% (2023, World Bank data)

(f) Number of research universities:

Mexico has more than 900 public, autonomous, technological, polytechnic and intercultural universities and 3,401 private universities. All of them are highly committed to research projects.

(g) Summary of national patent information network:

The IMPI has a portal called SIGA (the Industrial Property Gazette Information System) where the Patent Gazettes, Registers, and any other information of interest on industrial property and related matters are published in order to provide the legal dissemination required by the Federal Law on Industrial Property Protection. In addition, SIGA allows you to search and consult complete files in PDF format dating back to 2001 and download bibliographic information and summaries of applications and grants available to the public in XML format, which can be accessed via the following link: *https://siga.impi.gob.mx/.*

(h) Major local industries:

The main industries in Mexico include manufacturing (especially automotive, electronics and aerospace), food, construction, mining, and energy (according to the Monthly Industrial Activity Indicator of the National Institute of Statistics and Geography).

(i) Main trading partner States:

The United States of America, China, Germany, Japan, and the Republic of Korea, according to information from the National Institute of Statistics and Geography.

(j) Other key information:

Since Mexico became a contracting party to WIPO in the 1970s, it has demonstrated a clear interest in strengthening the intellectual property protection system in Mexico and promoting innovation.

Currently, the President of Mexico has issued “Plan Mexico”, which focuses on innovation and intellectual property as pillars of economic development and seeks to transition from a consumption model to one of innovation production. This will be achieved by strengthening an intellectual property system that protects creations while also promoting their transfer from the academic and scientific spheres to the productive sphere.

Similarly, the National Development Plan 2025-2030 aims to transform Mexico into a scientific, technological and innovation powerhouse. Cross-cutting Theme 2 of the plan is entitled “public innovation for national technological development” on the basis that innovation will drive Mexico towards digital self-sufficiency and build a government of the future that relies on technology, digital sovereignty and civil participation to achieve inclusive and sustainable national development.

Likewise, Cross-cutting Axis 2 establishes a relevant objective, as follows:

“Objective T2.4: Promote collaborative research, technological development and innovation in strategic sectors with the aim of turning Mexico into a sovereign scientific and technological power that seeks to achieve development accompanied by well-being and prosperity. This approach will promote scientific training, knowledge generation and technology transfer with a humanistic vision, contributing to the country’s comprehensive progress.”

6 – PROFILE OF PATENT APPLICATIONS

(a) Number of national applications received – by technical field:

Year Technical field (Study coordination)	2020	2021	2022	2023	2024
Biotechnology	2,971	3,529	3,809	3,319	2,886
Electrical/electronic	3,128	3,772	3,662	2,811	3,181
Pharmaceutical	2,069	2,314	2,498	2,232	1,991
Mechanical	3,048	3,365	3,158	3,857	4,069
Chemist	2,713	2,810	3,234	3,106	2,833
Unclassified	0	0	2	14	879
Total	**15,949**	**17,811**	**18,385**	**17,362**	**17,863**

(b) Number of national applications received – by route:

Year Via	2020	2021	2022	2023	2024
First national submission/internal priority	1,085	1,070	950	934	1,144
Priority under the Paris Convention	1,187	1,900	2,377	2,352	3,143
Entry into the national phase of the PCT	12,038	13,191	13,278	12,344	11,902
Total (patents received per year)	**14,310**	**16,161**	**16,605**	**15,630**	**16,189**

(c) Number of international applications received from nationals and residents of the State(s):

Year Technical field (study coordination)	2020	2021	2022	2023	2024
Biotechnology	2	6	3	4	1
Electric	9	2	3	6	5
Pharmacy	2	4	6	5	2
Mechanics	15	6	1	7	6
Chemistry	6	18	10	11	9
Unclassified formal	0	0	0	0	2
Concluded formal examination	4	2	2	4	2
Total (patents received per year)	**38**	**38**	**25**	**37**	**27**

*International applications: PCT subtype patents of Mexican nationality and/or residence were considered.

(d) Average time taken for national patent processing:

Indicator	Counted from	Time (months)	Comments
Search	N/A	N/A	N/A
To initial examination	The calculation was based on the period from the date of receipt by IMPI to the date of issuance of the first official substantive examination action.	45.99 months	The average time for issuance of Mexican patents examined in 2024 is **45.99 months (3.83 years)**.
To grant	The calculation was based on the period from the date of receipt by the IMPI to the date of issuance of communication of approval for grant in substantive examination.	59.70 months	The average time for granting the 700 Mexican patents granted in 2024 is **59.70 months (4.98 years)**.

At the IMPI, substantive examinations are undertaken in order of priority, considering the number of applications pending and the number of examiners.

The IMPI has signed several PPH agreements with the intellectual property Offices of various countries, such as the USPTO, EPO, OEPM, the MOIP – Republic of Korea and the Canadian Intellectual Property Office. This allows for the acceleration of the examination of applications when the applicant so requests, based on patentability results in other countries or on a favorable PCT opinion.

In addition, memoranda of understanding have been signed with the USPTO and the EPO to recognize the work of those offices related to granted patents, where the applications filed with the IMPI have a corresponding application.

Finally, the IMPI is committed to improving its overall customer service but recognizes the strict time limits imposed by the PCT for international search and international preliminary examination and would ensure that international applications are prioritized accordingly.

(e) National workload:

Task	Number of MX applications	Number of EX applications	Total number of requests
Pending requests	3,520	56,599	60,119
Applications undergoing substantive examination	1,867	9,524	11,391
Applications undergoing substantive examination not yet started	363	41,785	42,148
Applications before substantive examination	1,290	5,290	6,580

(f) Time and environment for examiners for search and examination:

Prior art searches and substantive examinations take an IMPI examiner an average of 16 to 30 hours, depending on the technical complexity of the invention and the experience of the examiner.

Examiners have the necessary technological tools to search both public and paid databases for patent and non-patent literature using computers with high-speed internet access and dual monitors to facilitate their work.

(g) Quality of national search and examination:

The low rate of administrative litigation proceedings for patent infringement or invalidity compared to the number of patents granted per year makes it possible to estimate the quality of the search and patentability examination conducted at the IMPI.

Another way to demonstrate the high quality of the search and examination carried out by the IMPI is to review programs to accelerate the granting of patents. In the case of the USPTO, 31 applications have been filed under the PPH program between the IMPI and the USPTO, of which 25 patents have been granted and six have been denied.

7 – SUPPORT REQUIRED

The IMPI can use its own resources to perform the functions of an Authority responsible for international search and international preliminary examination under the PCT. The IMPI is aware of the need to continuously improve the skills of its staff for its work as an ISA/IPEA and will accordingly seek advice from other ISA/IPEAs.

8 – OTHER

N/A

9 – ASSESSMENT BY OTHER AUTHORITIES

The OEPM functioned as an associated office that helped the IMPI assess whether it met the requirements to be appointed as an International Authority under the PCT System.

Annex II contains the report of the OEPM on how the IMPI meets the criteria for designation as an International Authority under the PCT System.

[Annex II follows]

APPLICATION OF THE MEXICAN INDUSTRIAL PROPERTY INSTITUTE FOR APPOINTMENT AS AN INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITY UNDER THE PATENT COOPERATION TREATY

REPORT FROM THE SPANISH PATENT AND TRADEMARK OFFICE

I. LEGAL FRAMEWORK

1. Amendments to Rules 36 and 63 of the Regulations under the Patent Cooperation Treaty (PCT), with effect from January 2026, define the minimum requirements that a national Office must satisfy before it can be appointed as an International Searching and Preliminary Examining Authority. The minimum requirements are as follows:

(a) the national Office must have at least 100 full-time employees with sufficient technical qualifications to carry out searches in the required technical fields;

(b) that Office must make available for consultation as part of the minimum documentation referred to in Rule 34, in accordance with the requirements specified in the Administrative Instructions, any patent issued, and any patent application published, by it, and where applicable by its legal predecessor(s);

(c) that Office must have in its possession, or maintain access to, at least the minimum documentation referred to in Rule 34, for search purposes in accordance with the Administrative Instructions;

(d) that Office must have in place a quality management system and internal review arrangements in accordance with the common rules of international search; and

(e) that Office must hold an appointment as an International Searching and Preliminary Examining Authority.

II. MEXICAN INSTITUTE OF INDUSTRIAL PROPERTY

2. The Mexican Industrial Property Institute (IMPI) has submitted its application for appointment as an International Searching and Preliminary Examining Authority.

(a) IMPI has over 100 full-time employees who carry out substantive examinations. They include 196 examiners for both patents and utility models, specializing in various technical fields (mechanical, electrical/electronic, chemical, pharmaceutical and biotech).

(b) Regarding minimum PCT documentation requirements:

(i) Making available for consultation: documents are only available in PDF (text) format.

(ii) Access to the minimum documentation for search purposes: not all application texts are available in XML format; only the summary in Spanish and English is available in XML format. The description and claims are in PDF format.

(c) IMPI does not have a specific quality management system, nor has it been certified under any standard.

(d) It has applied to be appointed as an International Searching Authority and an International Examining Authority under the PCT.

3. Therefore, IMPI does not currently meet the following requirements:

- It does not have a quality management system as defined in Chapter 21 of the PCT International Search and Preliminary Examination Guidelines.

- It does not comply with the minimum PCT documentation requirements for patent information text formats accepted by WIPO (XML or TXT).

4. However, in a meeting between the Spanish Patent and Trademark Office (OEPM) and IMPI on December 1, 2025, the OEPM shared information to guide IMPI in the areas where work remains to be done.

5. The OEPM is committed to supporting IMPI in its efforts and will visit the Institute in 2026 to ensure that it is in full compliance with all the technical requirements that an Office must meet in order to be appointed as an International Searching and Examining Authority under the PCT.

III. CONCLUSION

6. In the light of the foregoing, the OEPM supports the application of IMPI, provided that it:

(a) complies with the quality management system as defined in Chapter 21 of the PCT International Search and Preliminary Examination Guidelines; and

(b) can provide patent information in the text formats accepted by WIPO (XML or TXT).

7. The OEPM will verify the above during its visit to IMPI headquarters in 2026.

[End of Annex II and of document]