

SUPERINTENDENCE OF INDUSTRY AND COMMERCE (COLOMBIA)

AS DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Superintendence of Industry and Commerce (Colombia)
 CAN Decision 486: Decision 486 of the Commission of the Andean Community
 CCo: Code of Commerce
 CPC: Civil Procedure Code

SUMMARY**Designated
(or elected) Office****SUMMARY****CO****SUPERINTENDENCE OF INDUSTRY
AND COMMERCE (COLOMBIA)****CO****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: ¹	Spanish																												
Required contents of the translation for entry into the national phase: ¹	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, 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, both as originally filed and as amended by the annexes to the international preliminary examination report)																												
Is a copy of the international application required?	A copy is required only if the applicant expressly requests early commencement of the national phase at a time when the Office has not been sent a copy of the international application from the International Bureau under PCT Article 20.																												
National fee: ¹	Currency: Colombian peso (COP) <table border="1" style="margin-left: 20px;"> <thead> <tr> <th></th> <th></th> <th style="text-align: right;"><i>Online</i></th> <th style="text-align: right;"><i>On paper</i></th> </tr> </thead> <tbody> <tr> <td colspan="4">For patent:</td> </tr> <tr> <td>Filing fee:</td> <td>COP</td> <td style="text-align: right;">76,000</td> <td style="text-align: right;">95,000</td> </tr> <tr> <td>Annual fees:</td> <td></td> <td></td> <td></td> </tr> <tr> <td>— for the 1st to the 4th year, per year:</td> <td>COP</td> <td style="text-align: right;">266,500 (396,000)²</td> <td style="text-align: right;">320,000 (475,000)²</td> </tr> <tr> <td colspan="4">For utility model:</td> </tr> <tr> <td>Filing fee:</td> <td>COP</td> <td style="text-align: right;">66,500</td> <td style="text-align: right;">83,000</td> </tr> </tbody> </table>			<i>Online</i>	<i>On paper</i>	For patent:				Filing fee:	COP	76,000	95,000	Annual fees:				— for the 1 st to the 4 th year, per year:	COP	266,500 (396,000) ²	320,000 (475,000) ²	For utility model:				Filing fee:	COP	66,500	83,000
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Exemptions, reductions or refunds of the national fee:	Certain fees are reduced where the applicant is a national of Colombia. ³																												

[Continued on next page]

¹ Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1). The Office or the agent should be consulted for the latest applicable fee amount.

² The amount in parentheses is applicable in case of late payment within a grace period of six months from the due date (see paragraph CO.09).

³ Please refer to the Office for details.

SUMMARY**Designated
(or elected) Office****SUMMARY****CO****SUPERINTENDENCE OF INDUSTRY
AND COMMERCE (COLOMBIA)****CO***[Continued]*Special requirements of the Office
(PCT Rule 51*bis*):⁴Name and address of the inventor if they have not been furnished in
the "Request" part of the international application⁵Document 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 international application if the
applicant has changed after the international filing date

Appointment of an agent if the applicant is not resident in Colombia

Who can act as agent?

Any attorney registered in Colombia

Does the Office accept requests for
restoration of the right of priority
(PCT Rule 49*ter.2*)?

No

⁴ 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.

⁵ 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

CO.01 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).

CO.02 FEES (MANNER OF PAYMENT). The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex CO.I.

CCo Art. 543
CPC Art. 63
67

CO.03 REPRESENTATION. If the applicant is not resident in Colombia, an agent must be appointed by filing a simple power of attorney. Any attorney registered in Colombia may act as agent.

CAN Decision 486
Art. 26(h)

CO.04 COPIES OF ACCESS CONTRACTS. Where the products or processes for which a patent is sought are obtained or developed from genetic materials or from their derivatives, the origin of which is one of the Member States of the Andean Pact, a copy of the access contract must be furnished. If this requirement is not fulfilled, the Office will invite the applicant to comply with it within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

CAN Decision 486
Art. 26(i)

CO.05 COPIES OF LICENSES OR AUTHORIZATIONS TO USE TRADITIONAL KNOWLEDGE. Where the products or procedures for which protection is sought are obtained or developed from traditional knowledge the origin of which is one of the Member States of the Andean Pact, a copy of the document licensing or authorizing use of traditional knowledge of indigenous, African American or local communities of the Member States of the Andean Pact must be furnished. If this requirement is not fulfilled, the Office will invite the applicant to comply with it within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

CAN Decision 486
Art. 26(j)
29

CO.06 DEPOSIT OF BIOLOGICAL MATERIAL. Where the invention refers to a product or a process involving biological material and the invention cannot be understood and carried out, as described, by a person skilled in the art, a certificate of deposit of the biological material must be furnished.

CAN Decision 486
Art. 44

CO.07 EXAMINATION. A patent will be granted only after examination as to substance, which must be specifically requested by the applicant within six months after publication of the application by the Office, and is subject to payment of a fee (for utility models, see paragraph CO.12). Evidence that payment has been effected must accompany the request for examination (see Annex CO.I). If that time limit expires without the applicant having requested examination, the application shall be considered to have been abandoned.

PCT Art. 28
41
CAN Decision 486
Art. 34

CO.08 AMENDMENT OF THE APPLICATION; TIME LIMITS. The applicant may, at any time during the processing, request the modification of the application, provided that the scope of the subject matter of the application is not broadened thereby.

CAN Decision 486
Art. 80

CO.09 ANNUAL FEES. After a patent has been granted, annual fees shall be paid in advance in order to keep the patent in force. The deadline for the payment of each annual fee shall be the last day of the month containing the anniversary of the international filing date. Two or more annual fees may be paid in advance. Annual fees may be paid within a grace period of six months after the starting date of the corresponding annual period, together with the prescribed surcharge. The patent shall remain in force during the grace period. Failure to pay an annual fee shall result in the lapsing of the patent.

CAN Decision 486
Art. 39

CO.10 EXCUSE OF DELAYS IN MEETING TIME LIMITS. Reference is made to paragraphs 6.022 to 6.027 of the National Phase. If the applicant fails to comply with the applicable requirements prescribed by the national law upon entry into national phase, the Office will invite the applicant to comply within a period of two months following the date of notification; this period may be extended once, upon request, for an equal length of time.

PCT Art. 25
PCT Rule 51

CO.11 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 denied an error or omission on the part of the receiving Office, an appeal against this decision may be lodged with the Office within a period of two months following the date of notification.

PCT Art. 4(3)
43
PCT Rule 49bis.1
(a), (b)
76.5

CO.12 UTILITY MODEL. If the applicant wishes to obtain a utility model patent instead of a patent 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. Examination must be requested within three months after publication of the application by the Office, and is subject to the payment of a fee (see Annex CO.I).

FEES

(Currency: Colombian peso)

Patents	<i>Online</i>	<i>On paper</i>
Filing fee	76,000	95,000
Fee for requesting examination		
— where an international search report has been established	1,097,600	1,317,000
Fee for extension of time limits or additional time limit	138,000	169,000
Fee for amendment or correction of application	72,000	85,000
Fee for filing an opposition	422,500	506,500
Annual fees:		
— for the 1 st to the 4 th year, per year	266,500	320,000
	(396,000) ¹	(475,000) ¹
— for the 5 th to the 8 th year, per year	414,500	497,000
	(551,000) ¹	(662,000) ¹
— for the 9 th to the 12 th year, per year	621,000	746,000
	(828,000) ¹	(994,000) ¹
— for the 13 th to the 16 th year, per year	963,500	1,156,000
	(1,274,000) ¹	(1,529,500) ¹
— for the 17 th to the 20 th year, per year	1,280,500	1,537,000
	(1,708,000) ¹	(2,047,000) ¹
 Utility models		
Filing fee	66,500	83,000
Fee for requesting examination		
— where an international search report has been established	578,500	623,500
Fee for extension of time limits or additional time limit	138,000	169,000
Fee for amendment or correction of application	72,000	85,000
Fee for filing an opposition	422,500	506,500
Annual fees:		
— per year	247,000	300,000
— surcharge for late payment during grace period	332,000	397,000

The complete list of national fees for the Office is in *Resolución 69831* of [September 2018](#). These fees will be re-calculated on an annual basis according to the rate of inflation applicable to the year they will be in force.

How can payment of fees be effected?

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 must be effected in Colombian pesos in cash, by check, bank giro or bank transfer to bank account No. 062754387, at Banco Bogotá, Sucursal Bogotá. Name of account: D.T.N. Recaudo Superintendencia de Industria y Comercio. Recaudo Nacional. Código Rentístico 01.

¹ The amount in parentheses is applicable in case of late payment within a grace period of six months from the due date (see paragraph CO.09).