

REGISTRY OF **INTELLECTUAL PROPERTY** (**COSTA RICA**)

AS
DESIGNATED (OR ELECTED) OFFICE

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SUMMARY**Designated
(or elected) Office****SUMMARY****CR REGISTRY OF INTELLECTUAL PROPERTY CR
(COSTA RICA)****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, 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?	The applicant should only send a copy of the international application if he/she has not received Form PCT/IB/308 and the Office has not received a copy of the international application from the International Bureau under PCT Article 20. This may be the case where the applicant expressly requests an earlier start of the national phase under PCT Article 23(2).
National fee: ^{1, 2}	Currency: US dollar (USD) For patent: Filing fee: ³ USD 500 For utility model: Filing fee: USD 75
Exemptions, reductions or refunds of the national fee:	Refunds of up to 50% may be possible. ⁴ It is possible to reuse the fee already paid for an application that was subsequently abandoned for the payment of the national fee in respect of a new application with the same subject matter.

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

² See Law No. 6867 on Patents, Industrial Designs and Utility Models, Article 33(a) and Regulations to the Law on Patents, Industrial Designs and Utility Models, Article 47.

³ This fee is reduced by 70% where the international application has been filed by natural persons, micro or small enterprises, as defined in Law No. 8262 of Costa Rica, public institutions of higher education or public institutes for scientific or technology research. Together with the request for reduction of the fee, the applicant must provide, in addition to the proof of payment, the following documents: a sworn statement in which the applicant declares that he is entitled to the reduction, a copy of the identification card ("cédula de identidad") in the case of a natural person or a copy of the corporation card ("cédula jurídica") in the case of a legal person. To proceed with the registration of the transfer of rights to a third party which is not entitled to the reduction, the latter has to pay the remaining 70% of the fee that was not initially paid by the assignor. In addition, as from the date of transfer to a third party, the assignee has to pay the total amount of the annual fees due to maintain the validity of the patent.

⁴ See Regulations to the Law No. 6867 on Patents, Industrial Designs and Utility Models, Article 14.

SUMMARY**Designated
(or elected) Office****SUMMARY****CR REGISTRY OF INTELLECTUAL PROPERTY CR
(COSTA RICA)***[Continued]*

Special requirements of the Office
(PCT Rule 51*bis*):⁵

Name and address of the inventor if they have not been furnished in the “Request” part of the international application⁶

Instrument of assignment or transfer of the right to the application⁶

Evidence of entitlement to claim priority where the applicant is not the applicant who filed the earlier application⁶

Evidence concerning non-prejudicial disclosures or exceptions to lack of novelty, such as disclosures resulting from abuse, disclosures at certain exhibitions and disclosures by the applicant during a certain period of time⁶

Appointment of an agent or address for notification in Costa Rica

Translation of the international application or any document relating to it to be furnished in two copies (one paper copy and an additional copy in electronic format (CD-ROM))

Verified translation of the international application, where deemed necessary

Verified translation of the priority document⁷

Who can act as agent?

Any attorney registered in Costa Rica⁸

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

Yes, the Office applies the “due care” criterion to such requests

⁵ If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the applicant must comply with the requirement within 90 days after entry into the national phase. The Office will not issue an invitation to this effect.

⁶ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

⁷ Only if the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

⁸ See Law No. 6867 on Patents, Industrial Designs and Utility Models, Article 34.

FEES**(Currency: US dollars)****Patents**

Filing fee including formal examination ¹	500
Fee for divisional application ¹	500
Examination fee	525
Registration fee ¹	500
Opposition fee	25
Annual fees: ¹	
— from the 2 nd to the 20 th year, per year	500
Surcharge for payment within the grace period	30% of the annual fee
Fee for requesting extension of the patent term ¹	150
Fee for reinstatement of rights	144
Fee for restoration of the right of priority	144

Utility Models

Filing fee	75
Examination fee	525
Opposition fee	30

How can payment of fees be effected?

All fees must be paid to the Bank of Costa Rica, Banco de Costa Rica, presenting evidence of the payment to the Registry together with the application.

¹ This fee is reduced by 70% where the international application has been filed by natural persons, micro or small enterprises as defined in Law No. 8262 of Costa Rica, public institutions of higher education or public institutes for scientific or technology research. Together with the request for reduction of the fee, the applicant must provide, in addition to the proof of payment, the following documents: a sworn statement in which the applicant declares that he is entitled to the reduction, a copy of the identification card ("cédula de identidad") in the case of a natural person or a copy of the corporation card ("cédula jurídica") in the case of a legal person. To proceed with the registration of the transfer of rights to a third party which is not entitled to the reduction, the latter has to pay the remaining 70% of the fee that was not initially paid by the assignor. In addition, as from the date of transfer to a third party, the assignee has to pay the total amount of the annual fees due to maintain the validity of the patent.