

Step 1. Filing Foreign Patent Application in Mexico (Via PCT or Via Paris Convention).

Once Patent Application is filed before the Mexican Patent Office, it takes from 3 to 5 months to obtain the Official Action that declares that Formal requirements have been duly fulfilled according to the Mexican Industrial Property Law.

1.1. In case of missing documentation (not filing the complete documents on time) such as the power of attorney, the assignment document, priority documents, payment receipt, or other, the Examiner Attorney notifies an Official Action requesting the filing of the withstanding missing documentation. In case of an Official Action, the procedure takes from 2 to 4 months more. It is important to mention that each time the examiner requests documents or information, an extra fee must be paid in order to comply with the required documentation or information.

Step 2. Once all documents are properly fulfilled, an Official Notice is issued by the Examiner Attorney, which states that the application will be forwarded to another Examiner Attorney who will study the essence of the application. This part of the procedure may take between 3 and 4 months.

Step 3. If the Examiner Attorney requires further explanations in order to understand the contents of the patent application, he will forward an Official Action requesting more details about it. This action may take between 2 and 4 months and will be necessary to file a response of the withstanding Official Action including payment of the official fees.

Step 4. When the analysis of the entire contents of the patent is completed, and the Examiner Attorney concludes that the patentability requirements have been fulfilled, he proceeds to issue a document to the Patents Department Director of the Mexican Patent Office who will review the patent one more time and give his approval by signing the Certificate of Patent Registration.

Step 5. Once the Certificate of Patent Registration is finished and has the appropriate seals and signatures, the Mexican Patent Office grants the withstanding document.