

Ruo Patentes y Marcas

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PATENTS IN PERU

REQUIREMENTS

- Full details of the applicant (name and address).
- Full details of the inventor (name and address).
- Title of the invention.
- Copy of the description, claims and an abstract of the invention.
- Copy of the drawings.
- Details of priority (date, number and country)
- Statement declaring whether the invention has been made available to the public prior to the filing date.
- Power of attorney – no legalisation required.
- Assignment of the inventor's rights to the applicant if applicant is different from the inventor,

PROCEDURE

After filing the patent application is subjected to a preliminary examination following which, the application will be published in the Official Gazette. 18 months after the filing date, the applicant needs to request formal examination of the application and pay the corresponding examination fee.

Once the fee has been paid the patent will be examined by the Patent Office for novelty

If the application receives no objections from the Patent Office, the average time scale from application to granting of the patent is approximately five years.

OBSERVATIONS

- The patent is valid for 20 years from the date of filing.
- The annuity fees are required to be paid from the third year after the date of filing. These fees apply even if the application has not yet completed the examination phase.