

## Legal requirements

Below you can find the legal requirements to register trademarks, patents, intellectual property rights, and domain names in Chile:

### Trademarks

Requirements to apply for the registration of trademarks in Chile:

Word, word and design (word plus label) or label to be registered. If the trademark includes labels, they must be in their original colors in a size no larger than 20cm. X 20cm.

Description of the products and/or services to be protected. The products, services and or establishments in question have to be specifically described in each pertinent service class, in accordance to the 8<sup>th</sup> edition of the Nice Classification.

Full name, address, profession or trade, and taxpayer I.D. number of the applicant. General Power of Attorney granted to our lawyers, which has to be executed before a Notary Public and legalized before the corresponding Chilean Consulate, if appropriate, and according to the format of the General Power of Attorney enclosed herein.

### Patents

Registration of Invention Patents, Utility Models, and Industrial Designs:

Full name and address of actual owner.

Full name and address of the inventor.

Title/Name of the Invention.

Priority information in detail (if any)

General Power of Attorney of the actual owner executed before a Notary Public and legalized before the Chilean Consulate

Assignment of the patent from the inventor(s) to its actual owner, if any. The assignments must be executed before a Notary Public and legalized before the corresponding Chilean Consulate.

An abstract of the invention, the specifications of the invention, the set of claims to protect and drawings of the invention. (Industrial designs: specifications and drawings).

Authenticated copy of the priority application (if available).

Simple copies of the results of the international searches, the official action and other of the documents previously named (if available).

### Legal requirements to apply for a pct in Chile

For an application of a patent in Chile, before the *Instituto Nacional de Propiedad Industrial* (INAPI) acting as the Receiving Office, to be considered as a PCT filing, it must fulfill the following requisites:

- > At least one applicant must be national or domiciled in Chile.
- > The filing/application must be written in the language indicated by the Receiving Office, in this case, in Spanish;
- > The application must contain at least:
  - > The indication it has been presented as an international PCT application
  - > The requesting form
  - > The name of the applicant

- > A description
- > One or a set of claims
  
- > In case there are no observations regarding the previous items, an international filing date is set
- > In case of corrections, the filing date will be the same as the reception date stated
- > The following are not necessary conditions to obtain a filing date:
  - > Payment of fees along with the presentation
  - > Translations along with the presentation
  - > Signatures
  - > Title of the Invention
  - > Abstract
  - > Drawings

## Copyright

To file for the registration of Copyrights we will need the following documentation:

Complete information about the author.

Sample of the protected work.

For software registration, a copy of the material media containing the computer software, an indication of its name, and the user's manual of the program. If a protected program was used in order to develop this software, a photocopy of the corresponding license must be enclosed, or an indication that it was an open source program.

Power of Attorney to our firm that has to be notarized and legalized before a Chilean Consulate.

## Domain names

The procedures for this application are the following:

The filing of a domain name cl in Chile is carried out through an electronic application available in NIC Chile's web page.

This application must meet the following requisites:

1. Identification of the domain name to be protected.
2. Identification of the owner of the domain: If the owner is an individual, he/she must be currently a resident or be legally domiciled in Chile. If the owner is a legal entity, either public or private, corporations, and public or private rights entity, it must be constituted in Chile or duly authorized to operate in Chile. Individuals or entities with no residence in Chile must appoint a representative with domicile in Chile. In this case, this representative shall act as the Administrative Contact for the domain name for all legal purposes. A power of attorney granted to our firm will suffice for this purpose. The document must be executed before a Notary Public and legalized before the Chilean Consulate.

Along with the required information of the owner of the domain, information must be provided indicating type of organization (individual, commercial, educational, governmental, military, or any other type).

3. Complete information of the Administrative Contact, including name, phone number, and email address.
4. Complete information of the Technical Contact, including name, phone number and email address.
5. Information of the Primary Name Server: This information is optional.
6. Information of the Secondary Name Server. This information is optional.
7. Payment of the registration fee which is set by NIC Chile.