

# How is a procedure for registration of a mark?

---

The procedure for registering a mark in Chile has three steps:

## 4) Formal examination

Once the application is submitted, INAPI makes a formal examination. If formal requirements are met (including power of attorney, a representation of the trade mark, goods and/or services classification check), the application may be published in the Official Gazette.

## 5) Publication

The applicant must request and pay for the publication of the trademark application in the Official Journal within a period of 20 working days counted as of the acceptance. The Official Journal has an office located at INAPI. Once the application is published in the Official Gazette, there is a thirty days period for third parties to file oppositions.

## 6) Examination for registration

INAPI shall examine whether there are absolute or relative grounds preventing registration. The final decision is made by the National Director of INAPI and may:

- Accept the mark. In this case the applicant must pay the governmental fees and submit copy of the of payment fee within 60 days counted as of the notification of the acceptance.
- Refuse the mark. In this case it is possible to file an appeal before the Appeal Court of Industrial Property, being necessary to hire the services of a lawyer and pay an appeal fee (2 UTM). The payment of the governmental fees must be made, submitting a copy of the payment, in the manner and places authorized to do so, within 60 working days counted as of the acceptance to registration of the application. In the case of trademark renewals, the payment must be made within 6 months counted as of the trademark expiration date or from the acceptance of the renewal, if it occurs after the expiration of the registration.