

## Mexico transforms patent processes by adapting online solutions

Mauricio Sámano of OLIVARES explores how the pandemic has changed IP processes for businesses in Mexico

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Since the pandemic started in March 2020, social distancing has become a necessity and has led businesses to rethink the way they work. Employees are now avid users of electronic platforms and spend long hours at the office, which for many is our home office.

A few years ago, the Mexican PTO (IMPI) developed an electronic platform for filing and prosecuting patent applications. However, before March 2020, only few law firms used this electronic platform since it had many details that needed to be addressed and was very slow to use. Nevertheless, IMPI improved the platform and in March 2020, once the pandemic started, suddenly all applications needed to be filed electronically because the Mexican PTO remained closed from March 24 2020 until July 12 2020 which made physical filing impossible during this period.

Once IMPI reopened, new filings have continued to be made in the electronic platform since it has several advantages such as cost efficiency (less use of paper and ink and a person does not need to physically go to the patent office to file the application). Applications filed through the online platform have also seemed to enjoy a more expedited prosecution.

Furthermore, the Mexican PTO developed a new alternative during the pandemic in which it is possible to request electronic conversion for applications that are being prosecuted physically. By paying a small fee, the applicant may switch from physical to online prosecution which has the advantage that responses can still be filed regardless that the Mexican PTO is opened or closed. Several of the firm's clients have decided to make this electronic conversion of their files.

It is a fact that COVID-19 is here to stay but the experiences that one can take from this pandemic are permanent and in the case of Mexico, the online era for patents has begun.

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