



## Measures adopted by INAPI as consequence of the COVID-19 health emergency<sup>1</sup>

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Aiming to ensure public safety and service continuity, the Chilean Institute of Industrial Property (INAPI) has taken a number of preventive temporary measures concerning internal management, processing of applications and access to information, enabling 100% operability via online services.

### Internal Management

#### 1. Exceptional remote work:

In order to face the coronavirus health emergency and by reformulating the telework system carried out since 2017, an exceptional remote work plan was implemented, which allowed for 100% of INAPI's staff to perform their tasks remotely, ensuring continuity for all our services.

This week some essential functions took ethical shifts, such as the reception desk staff in charge of submitting certified letters for notification purposes and members of the management team who are not in risk groups.

### Processing of Applications

#### 2. Suspension of face-to-face assistance:

Once the competent authority declared the quarantine, as from March 27 INAPI suspended all on-site support at its headquarters. On the other hand, INAPI's electronic services are 100% operational to carry out the proceedings online through our website using *Clave Única*, a system developed by the Civil Registry for allowing electronic processing of formalities requiring to be personally executed. Online proceedings include, among others: filing trademark and patent applications; paying official fees using the National Treasury's platform; inquiring about the status of an application; searching trademark and patent databases; submitting documentation and obtaining certificates and official documents.

#### 3. Extension of deadlines in administrative proceedings:

By means of resolution No. 314<sup>2</sup> of March 17, 2020, INAPI granted an extension of all the deadlines regarding required actions within the administrative proceedings conducted before INAPI, for a period equivalent to half of the original term. This extension applies to all those deadlines expiring between the date of issuance of resolution 314 and until April 30 of this year, which could be extended if necessary.

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<sup>1</sup> April 22, 2020

<sup>2</sup> Available at: [https://www.inapi.cl/docs/default-source/default-document-library/rex-314\\_20\\_ampliacion-plazos\\_covida534ec653f4c43bfaf54fec7881f639f.pdf?sfvrsn=e8614e39\\_2](https://www.inapi.cl/docs/default-source/default-document-library/rex-314_20_ampliacion-plazos_covida534ec653f4c43bfaf54fec7881f639f.pdf?sfvrsn=e8614e39_2)

#### 4. Submission of PoA & proxy:

Given that the original Power of Attorney/Proxy must be submitted to INAPI for record keeping, the user may electronically attach a copy of the original document by means of filing a brief. An official action will be made so that the original document can be submitted afterwards, within a period not less than 15 days. When submitting the original PoA/Proxy, it will be requested to attach evidence of the previous submission, in order to avoid duplication of record numbers.

#### 5. Suspension of legal proceedings and deadlines:

By Law N°21.226 on the suspension of hearings and other activities in judicial cases, in force since April 2, 2020, the following measures will be applied regarding the contentious proceedings followed before INAPI:

- a) All hearings that might be held under these proceedings will be suspended.
- b) Judicial determinations and actions that may cause defenselessness to any of the parties will not be decreed due to the restrictions imposed within the framework of the state of constitutional exception.
- c) In the event of unfeasibility to meet any deadline due to the restrictions imposed within the framework of the state of constitutional exception or as consequence of the health emergency, judiciary obstruction may be claimed within 10 days after impairment cessation.
- d) The evidentiary terms will be suspended until the expiration of 10 business days after the state of constitutional exception ends.

#### **Access to Information and Measures for access to medicines**

#### 6. Preliminary analysis of liberty for using relevant medicines:

INAPI carried out a preliminary analysis of use lack of restrictions regarding the seven drugs that according to the WHO promisingly tested for COVID-19 treatment, identifying whether or not they hold patent protection in Chile. This report was made available to the Ministry of the Economy and other government authorities for their consideration when evaluating policies to be implemented on this matter.

#### 7. Report on public domain technologies for inventions seeking to avoid contagion:

As a way to collaborate in the effort to contain the expansion of the Coronavirus outbreak (COVID-19), INAPI prepared special editions of its reports on public domain technologies focused on elements for personal protection designed to mitigate contagion. These reports can be accessed at the following links:

IDP N° 106 - [Elementos de protección personal: Mascarillas](#) [Elements for personal protection: face masks]

IDP N° 107 - [Elementos de protección personal: Gafas de seguridad](#) [Elements for personal protection: safety goggles]

IDP N° 108 - [Elementos de protección personal: Guantes](#) [Elements for personal protection: gloves]