

Leaflet Patents in Argentina

Duration

The duration for patents of invention is 20 years from the date of filing.

Compulsory use

If a patented invention is not or not sufficiently used within 3 years from grant or 4 years from the filing date (whichever period expires last), serious and effective preparations for its exploitation have not been made within that period, or if the exploitation of a patented invention has been discontinued for one year or longer, any person may apply for a compulsory license to use the invention, except if the non-exploitation is due to force majeure. The distribution and marketing of the patented invention to a sufficient degree so as to satisfy the needs of the domestic market under reasonable commercial conditions is regarded as sufficient exploitation.

Marking

Marking of patented articles is not mandatory. There is no law or jurisprudence that marking products has implications for awarding compensation in case of past in-fringement.