

## TRADEMARK REGISTRATION HIGHWAY IN COLOMBIA

National Trademark Office of Colombia is trying to be part of the fastest offices to prosecute trademark applications in the world. For achieving this goal, it issued resolution No. 48348 of August 10, 2014, by which it will be possible to grant trademark registrations in less than six months.

The National Trademark Office of Colombia (Superintendence of Industry and Commerce), found a mechanism to be able to grant trademark registrations in less than six months.

This was not possible in the past, as with the right of priority granted by the Paris Convention, an applicant claiming a priority of six months could prevent the registration of a trademark filed in Colombia within these six priority months.

In the event, a trademark registration would have been granted in less than six months, the right or priority would not have the desired effect, that is, to prevent the registration of a similar trademark filed within the priority term.

In order to solve this eventuality, the Superintendence of Industry and Commerce issued resolution No. 48348 of August 10, 2014, by which the applicant wishing to take advantage of “the trademark prosecution highway” will express its desire to obtain a decision in less than six months.

The National Trademark Office will although issue the possible registration, under the condition that if a priority claim would be affected by the granted registration, the National Trademark office will declare its enforcement loss.

The applicant can express its desire of a decision in less than six months together with the application or after the filing of the application, on a separate request.

By this mechanism, the National Trademark Office of Colombian wishes to reduce to four months the average term of deciding on trademark registrations.



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Margarita combines the practice in both trademark and patent departments of the firm. She has a broad knowledge of Colombian patent prosecution and has advised for almost two decades on the consecution of patent rights in Colombia, nationally and via PCT. She also manages all administrative litigation on trademarks and other distinctive signs with a very high rate of success.