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Intellectual Property in Nicaragua

What is Intellectual Property?

Intellectual Property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

In **CENTRAL LAW** we are aware of the importance of this area of Corporate Law and we are committed to advising our national and foreign clients in the protection of their innovations.

How to protect trademarks in Nicaragua?

APPLICABLE LEGISLATION:

- Law 380, Law of Trademarks and Other Distictive Signs, published in The Gazette No. 70 of April 16th, 2001.
- Rule No. 83-2001, Regulation of Law of Trademarks and Other Distinctive Signs, published in The Gazette No. 183 of September 27th, 2001.

The Nicaraguan IP System aims to Foster an environment in which creativity and innovation can flourish.

Trademark Registration Process

Before filing any application before the Intellectual Property Registry Office (IP Office), a trademark search is suggested to make sure it is available for registration in Nicaragua. The results of a trademark search is issued within 3 to 4 business days.

1. File for the application before the IP Office. The IP Office gives a serial number and issues the payment order for the required initial fee.
2. The IP Office reviews the application to determine if it complies with all applicable rules and statutes. If the application complies with the rules, the IP approves the trademark for publication, issuing a Legal Notice to be published in The Gazette for opposition purposes.
3. The Legal Notice is published in The Gazette and the Law provides third parties a period of 2 months after the publication date to file any opposition.
4. Once the two months are completed without any opposition, the IP Office reviews the application to verify it is within any of the absolute or relative prohibitions established by Law.
5. If the application is approved the IP Office issues a resolution admitting the trademark for registration and issues the payment order for the Certificate Fee.
6. The IP Office issues a certificate of registration

Estimated Time:

8 to 12 months to complete the entire process.

Requirements and Documents needed

- Owner's Details, name, address, place of incorporation (in case of a company), phone number and e-mail.
- List of products or services of the trademark (if possible which class protects). If it is a Commercial Name, specify the business activities and the first date of use in the commerce. If it is a publicity sign, specify the trademark it will be associated with.
- A digital reproduction of the trademark (containing a design, script, logo, special shape or color).
- Power of Attorney duly apostilled or legalized by the Nicaraguan Consulate at the place of origin.

Registration Effects

- Exclusive right to use the trademark in connection with the goods or services and in the form listed in the registration.
- The ability to bring an action against any party that disturbs the exclusive right, be it in an administrative or judicial process.
- The ability to go before the Nicaraguan Customs Services to prevent importation of infringing foreign goods. Among other actions the Law provides to maintain the integrity of the exclusive right granted by the registration.

Important: The registration of a trademark has a validity of 10 years, and can be renewed for consecutive periods of 10 years.

Trademark Fees

REGISTRY	
Legal Fees for the application of one (1) trademark in one (1) class	US\$ 250.00
Official Costs for the application of one (1) trademark in one (1) class	US\$ 190.00
Office Expenses for the application of one (1) trademark in one (1) class	US\$ 20.00
TOTAL FOR ONE (1) REGISTRATION IN ONE (1) CLASS	US\$ 460.00
MULTICLASS	
Legal Fees for the application in additional classes (per each additional class)	US\$ 225.00
Official Costs for the application in additional classes (per each additional class)	US\$ 140.00
TOTAL FOR EACH ADDITIONAL CLASS	US\$ 365.00
SEARCH	
Legal Fees for the search of one trademark in one class	US\$ 60.00
Official Costs for the search of one trademark in one class	US\$ 20.00
TOTAL FOR EACH SEARCH	US\$ 80.00



For more information on IP matters,
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THANK YOU!