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01 Generalities

Under the Mutual Understanding Agreement between ONAPI and the USPTO to expedite the granting of patent applications, ONAPI may, at the request of interested parties, expedite the granting of patent applications that have a corresponding analogous patent in the USPTO.

This document details the requirements for patent applicants in the Dominican Republic to submit their application for Accelerated Patent Granting (APG) through the APG program.

02 Declaration

**Joint Declaration of Intent
between
the United States Patent and Trademark Office
and
the National Industrial Property Office of the Dominican Republic
regarding
Cooperation to Expedite the Granting of Patent Applications Related to the
Dominican Republic**

Whereas the United States Patent and Trademark Office (hereinafter referred to as the “USPTO”) and the National Office of Industrial Property of the Dominican Republic (hereinafter referred to as “ONAPI”) (hereinafter collectively referred to as “the Participants”),

Reaffirm the importance of patent protection in playing a fundamental role in fostering technological innovation and accelerating economic development,

Recognize the importance of ensuring high-quality patents and granting patent protection expeditiously to applicants who file their patent applications with ONAPI, and

Recognize the benefits of reducing the workload and streamlining patent procedures at ONAPI,

Intend to proceed as follows:

1. PURPOSE

The Participants intend to initiate a “Cooperation Program to Accelerate the Granting of Patent Applications Related to the Dominican Republic” (the Program). Under this Program, after the USPTO has granted a patent to an applicant based on a U.S. patent application, the applicant may request that ONAPI grant a Dominican Republic patent based on the corresponding pending Dominican Republic patent application before ONAPI.

It is intended that the Dominican Republic patent granted under the Program will be based on the positive results of the USPTO's review of the U.S. patent application and will comply with applicable law.

2. EFFECTIVE DATE

The Participants intend to commence the Program on the date of the last signature of this Joint Declaration of Intent (JDI).

The Program is planned to last for an initial period of five years. The Participants may review it and decide to continue their cooperation at any time. Either Participant may notify the other of its intention to discontinue the Program at any time, but should endeavor to provide written notice at least 90 days prior to discontinuation.

3. GENERAL TERMS

ONAPI intends to develop procedural guidelines outlining the details of the Program's implementation.

The USPTO plans to announce the Program to the public, including U.S. companies, through a publication on the USPTO's official website and a notice in the Official Gazette.

This Joint Statement of Intent may be revised by mutual written agreement of the Participants.

All questions or disputes relating to the interpretation and application of this Joint Declaration of Intent should be resolved through consultations.

This Joint Declaration of Intent does not give rise to any rights or obligations under national or international law.

The implementation of activities in accordance with this Joint Declaration of Intent is subject to the availability of funds and human resources, as well as the budgetary priorities of each Participant. This Joint Declaration of Intent does not commit funds.

This Joint Declaration of Intent is signed in duplicate, in Spanish and English.

Por la Oficina de Patentes y Marcas
Registradas de los Estados Unidos



Katherine K. Vidal

Subsecretaria de Comercio para Propiedad
Intelectual y directora de la Oficina de
Patentes y Marcas Registradas de los Estados
Unidos

Fecha: April 18, 2024

Lugar: Alexandria, Virginia

Por la Oficina Nacional de la Propiedad
Industrial de la República Dominicana


Salvador Ramos

Dirección General de la
Oficina Nacional de la Propiedad Industrial
De la República Dominicana

Fecha:

Lugar:

03 Guidelines

Guidelines for the Accelerated Granting of Patents within the framework of the Cooperation between the National Office of Industrial Property (ONAPI) and the United States Patent and Trademark Office (USPTO) and in accordance with Law 20-00 of the Dominican Republic.

Article 1

The accelerated patent granting process within the framework of the cooperation for accelerated patent granting between the Dominican Republic and the USPTO will be carried out at **ONAPI**.



Article 2

The applicant may request an accelerated patent grant for patent applications that have been filed with ONAPI.

Article 3

The accelerated patent grant application can only be used for a patent application filed with ONAPI that meets the following criteria:

1st Criterion

A patent application that validly claims priority under the Paris Convention on the basis of the corresponding USPTO patent application.

2nd Criterion

A patent application that serves as the basis for validly claiming priority under the Paris Convention of the corresponding USPTO patent, including a PCT patent application that has entered the national phase.

3rd Criterion

A patent application that is based on the same patent application to claim priority under the Paris Convention as the corresponding USPTO patent application, including a PCT patent application that entered the national phase.

Article 4

For the accelerated patent grant application, the applicant will use the Accelerated Patent Grant Application (APG) Form and provide the following information:

- a)** Title of the invention;
- b)** Filing date;
- c)** Submit an application number;
- d)** Name of the applicant;
- e)** Corresponding patent application filed with the USPTO;
- f)** An accompanying document that includes the following:
 - I.** A copy of the patent granted by the USPTO in the corresponding patent application that has been published in the Patent Bulletin and certified by the USPTO;
 - II.** A translation of the claims and specifications described in the Patent Bulletin into Spanish. The applicant must submit this translation after the date on which the application for accelerated patent granting was filed in the Dominican Republic; and
 - III.** Corresponding claims.

Article 5

An accelerated patent authorization request can only be accepted for a patent application corresponding to a patent application filed with the USPTO that meets the following criteria:

1st Criterion

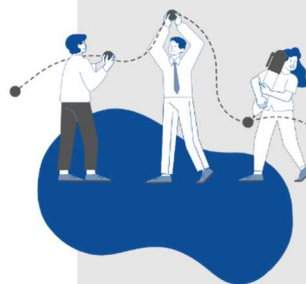
There must be a USPTO patent application that has the same earliest date as the patent application filed with ONAPI in which acceleration is requested.

2nd Criterion

The corresponding USPTO patent application has been determined to be patentable by the USPTO.

3rd Criterion

The corresponding USPTO patent application must have the same or corresponding claims that have been filed with ONAPI and in which one or more claims in the corresponding USPTO patent application are determined to be patentable by the USPTO and that ONAPI determines that they comply with the provisions of Law 20-00 on Industrial Property of the Dominican Republic in force.



Article 6

The application for accelerated patent grant under the cooperation for accelerated patent grant between the National Office of Industrial Property (ONAPI) and the United States Patent and Trademark Office (USPTO) under these Guidelines is free of charge, provided that the applicant has made the payment of the substantive examination fee to ONAPI.

Article 7

Any provision whose meaning is contrary to these Guidelines shall be considered null and void.

Artículo 8

ONAPI will have the duty to apply these guidelines within thirty (30) calendar days from the date of their signature.

04 Procedure

Step-by-step instructions for requesting a form

Step #1

To request the APG form, the applicant must access the platform through the following link:

<https://www.onapi.gov.do/>

Step #2

Navigate the website and go to the bottom section where the application forms are located (as shown in the image), then access it by left-clicking (**arrow A**)



Step #3

In this new section, go to the last link where the PDF forms of the Inventions department are located, and click left again.



Formularios PDF - Inventiones

Step #4

Here you will find the breakdown of the Inventions Department forms, and the last one on this list is for the Accelerated Patent Grant Application Form (APG). Please download it and fill in each of the corresponding boxes.



Form

Form content

Section 1.

Title of the Invention

Section 2.

- Filing Date
- Application Number (USPTO)
- Dominican Republic Application/Patent No.

Section 3.

Applicant Information

Sections 4, 6, 7, 8, etc.

Information of another applicant and/or inventor.

Section 5.

Information of the Manager or Representative



Section 9.

Submissions to be filed with the application, verified by ONAPI.

- A copy of the patent granted by the USPTO in the corresponding patent application, published in the Patent Bulletin and certified by the USPTO;
- A translation of the claims and specifications described in the Patent Bulletin into Spanish. The applicant must submit this translation after the date the application for expedited patent granting was filed in the Dominican Republic; and
- The corresponding claims document.

Form

Form content

	Departamento de Inenciones Solicitud de Concesión Acelerada de Patente (APG)	FO-IN-52 Versión: 00 16/05/2024	
Sección I. Título de la Invención: _____ _____ _____		Sección II. - Fecha de Presentación: _____ - Número de Aplicación (USPTO): _____ - No. Solicitud / Patente República Dominicana: _____	
Sección III. Solicitante. - Nombres: _____ - Apellidos: _____ - Nacionalidad: _____ - País de residencia: _____ - Provincia / Estado: _____ - Municipio / Ciudad: _____ - Sector: _____ - Calle / Casa No.: _____ - Código Postal: _____ - Teléfono: _____ - Correo electrónico: _____ - Tipo de Identificación: _____ <input type="checkbox"/> RNC <input type="checkbox"/> Cédula <input type="checkbox"/> Pasaporte		Tipo de persona: <input type="checkbox"/> Física <input type="checkbox"/> Jurídica Esta persona es: <input type="checkbox"/> Solicitante Únicamente <input type="checkbox"/> Solicitante e Inventor Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino	
Sección IV. Otros Solicitantes y/u (otro) Inventores. - Nombres: _____ - Apellidos: _____ - Nacionalidad: _____ - País de residencia: _____ - Provincia / Estado: _____ - Municipio / Ciudad: _____ - Sector: _____ - Calle / Casa No.: _____ - Código Postal: _____ - Teléfono: _____ - Correo electrónico: _____ - Tipo de Identificación: _____ <input type="checkbox"/> RNC <input type="checkbox"/> Cédula <input type="checkbox"/> Pasaporte		Tipo de persona: <input type="checkbox"/> Física <input type="checkbox"/> Jurídica Esta persona es: <input type="checkbox"/> Inventor Únicamente <input type="checkbox"/> Solicitante Únicamente <input type="checkbox"/> Solicitante e Inventor Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino	
Sección V. Gestor o Representante. - Nombres: _____ - Apellidos: _____ - Nacionalidad: _____ - País de residencia: _____ - Provincia: _____ - Municipio / Ciudad: _____ - Sector: _____ - Calle / Casa No.: _____ - Código Postal: _____ - Teléfono: _____ - Correo electrónico: _____ - Tipo de Identificación: _____ <input type="checkbox"/> RNC <input type="checkbox"/> Cédula		Tipo de persona: <input type="checkbox"/> Física <input type="checkbox"/> Jurídica Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino Firma:	

Form

Form content

Sección VI. Otros Solicitantes y/u (otro) Inventores.	
- Nombres: _____ - Apellidos: _____ - Nacionalidad: _____ - País de residencia: _____ - Provincia / Estado: _____ - Municipio / Ciudad: _____ - Sector: _____ - Calle / Casa No.: _____ - Código Postal: _____ - Teléfono: _____ - Correo electrónico: _____ - Tipo de Identificación: _____ <input type="checkbox"/> RNC <input type="checkbox"/> Cédula <input type="checkbox"/> Pasaporte	Tipo de persona: <input type="checkbox"/> Física <input type="checkbox"/> Jurídica Esta persona es: <input type="checkbox"/> Inventor Únicamente <input type="checkbox"/> Solicitante Únicamente <input type="checkbox"/> Solicitante e Inventor Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
Sección VI. Otros Solicitantes y/u (otro) Inventores.	
- Nombres: _____ - Apellidos: _____ - Nacionalidad: _____ - País de residencia: _____ - Provincia / Estado: _____ - Municipio / Ciudad: _____ - Sector: _____ - Calle / Casa No.: _____ - Código Postal: _____ - Teléfono: _____ - Correo electrónico: _____ - Tipo de Identificación: _____ <input type="checkbox"/> RNC <input type="checkbox"/> Cédula <input type="checkbox"/> Pasaporte	Tipo de persona: <input type="checkbox"/> Física <input type="checkbox"/> Jurídica Esta persona es: <input type="checkbox"/> Inventor Únicamente <input type="checkbox"/> Solicitante Únicamente <input type="checkbox"/> Solicitante e Inventor Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
Sección VI. Otros Solicitantes y/u (otro) Inventores.	
- Nombres: _____ - Apellidos: _____ - Nacionalidad: _____ - País de residencia: _____ - Provincia / Estado: _____ - Municipio / Ciudad: _____ - Sector: _____ - Calle / Casa No.: _____ - Código Postal: _____ - Teléfono: _____ - Correo electrónico: _____ - Tipo de Identificación: _____ <input type="checkbox"/> RNC <input type="checkbox"/> Cédula <input type="checkbox"/> Pasaporte	Tipo de persona: <input type="checkbox"/> Física <input type="checkbox"/> Jurídica Esta persona es: <input type="checkbox"/> Inventor Únicamente <input type="checkbox"/> Solicitante Únicamente <input type="checkbox"/> Solicitante e Inventor Sexo: <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
Sección IX. Lista de documentos a depositar en esta solicitud. (*Serán verificados por la ONAPI*)	
<input type="checkbox"/> Una copia de la patente concedida por la USPTO en la solicitud de patente correspondiente que haya sido publicada en el boletín de patentes y certificada por la USPTO. <input type="checkbox"/> Una traducción de las reivindicaciones y especificaciones descritas en la gaceta de patentes en idioma español. El solicitante debe presentar esta traducción a partir de la fecha en que se presentó la solicitud de aceleración de la concesión de patente en la República Dominicana. <input type="checkbox"/> Pliego reivindicatorio correspondiente.	
<i>Nota: Las informaciones antes señaladas deben ser presentadas en formato PDF en un soporte electrónico.</i>	
Sección X. Personal de la ONAPI que recibe la solicitud.	
Nombre(s) y Apellido(s): _____ Observaciones: _____	Firma: _____

05 Law 20-00

Articles of the Law that are used in this process

EXAMINATION OF FORM

Articles 11, 12, 13 & 19

This examination is performed by a collaborator whose designation is formal examiner, who must evaluate the formal part of the application.

Article 11 Patent Application.

Article 12 Filing Date and Admission of the Application.

Article 13 Description (formal part of the application).

EXAMINATION OF THE MERITS

Article 22, Paragraphs 1 to 11

CONTINUANCES ON DEADLINES

Article 153

MAINTENANCE OF VALIDITY

Article 28

RESOLUTION No. 003-2017/DIR-ONAPI

"DIRECTOR GENERAL'S RESOLUTION REGARDING THE CONVERSION OF AN APPLICATION FOR A PATENT OF INVENTION TO AN APPLICATION FOR A UTILITY MODEL"



06 More information

Contact

If you have any questions, write to us at: servicioalusuario@onapi.gob.do
or **Go to the website:** <https://www.onapi.gov.do/>

Phone number: (809) 567-7474

Social media



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