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PATENT AGENTS

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ARGENTINA

PTO enhances accelerated patent exam and grant procedure

This is to kindly inform you that yesterday, May 13, 2026, the PTO published Resolution 142/2026 in the Official Gazette introducing positive amendments to the accelerated patent examination and grant mechanism included in Resolution 056/2016.

As you may recall, Resolution 056/2016 acts as an internal PPH and allows for the accelerated examination and grant of an Argentine patent application provided the scope of the Argentine claim set is adapted to the scope of a foreign equivalent granted patent which has undergone substantive examination - typically a US, EP, JP, AU, GB, CN, KR or CA granted patent - and the corresponding fee is paid.

However, while in the original Resolution 056/2016 this mechanism could only be applied to Argentine applications in which no office action had been issued yet, by means of the amendments introduced yesterday, the PTO now allows using this mechanism at any stage of the prosecution - even if one or more office actions have been issued in the Argentine file - provided this is done prior to the application's grant or rejection by the Examiner.

This amendment substantially expands the universe of pending patent applications to which this effective means of accelerating the prosecution and grant of Argentine applications can be applied to.

Also, this very positive amendment of Resolution 056/2016 comes at a time when the PTO has begun applying it to applications in the pharmaceutical and biotechnological fields. It should be borne in mind that the more generous approach to what is considered patentable subject matter in the pharmaceutical field after the repeal of the Joint Ministerial Resolution which we reported on last March 18, 2026, combined with the application of the updated accelerated examination and grant mechanism of Resolution 056/2016 described above can become a powerful tool for building stronger and more robust patent portfolios in Argentina.

As customary, from our side we will continue to review periodically the status of all pending Argentine applications entrusted to us and we will recommend the application of Resolution 056/2016 as needed after checking the status of the equivalent applications belonging to the same family.

Should you have any comments or questions do not hesitate to contact our patent team.