

Accelerated patent prosecution in Argentina

In Argentina, patent application prosecution may be accelerated when the application claimed as priority, or another application claiming the same priority, has been granted abroad. Likewise, where no priority has been claimed, acceleration may be requested if an equivalent application has been granted.

This mechanism, established by INPI **Resolution 56/2016**, authorizes the National Patent Administration to deem the patentability requirements set forth in Patent Law No. 24,481 to have been met, as well as the international search requirement, provided that the foreign patent office that granted the patent has patentability standards similar to those of the Argentina Office.

In such cases, the national application may be granted if its scope corresponds to that of the equivalent application granted in another country, as long as no prior national applications are found, and the application meets all other requirements under Argentine law.

Resolution 56/2016 provided that this mechanism could only be applied ex officio by the National Patent Office or at the request of the applicant if it took place prior to the commencement of the substantive examination of the application.

Through **Resolution 142/2026** (published on 13 May 2026), **the National Institute of Intellectual Property (INPI) amended Resolution 56/2016, removing the time limit.**

This new development has significant practical implications for both domestic and international applicants: **it will now be possible to request expedited patent processing at a much wider stage of the procedure.**

Resolution 142/2026: streamlining patent granting

This Resolution amends the long-standing INPI Resolution No. 56/2016. Until now, one of the main limitations of the system was that requests for accelerated examination **had to be filed prior to the commencement of substantive examination**. Under the new regulation, **this requirement has been removed**.

Under this reform, **the applicant may request the application of the expedited procedure “at any stage of the process,” provided that a final decision to grant or deny the application has not yet been issued**.

Specifically, the Resolution states the following:

“The applicant may voluntarily submit a request for the application of this Resolution to the case under review at any stage of the proceedings prior to the issuance of the administrative decision granting or denying the application.”

- “For such purposes, the applicant must submit an amendment aligning the scope of the national claims with the claims granted abroad, together with the corresponding translation.”

This accelerated mechanism established by Resolution No. 56/2016, as amended by Resolution No. 142/2026, establishes that the National Patent Administration must issue a decision within 60 days of the applicant’s request.

In short, this new development provides patent applicants with greater **strategic flexibility, now applicable at all stages of the proceedings prior to a decision**:

- It reduces prosecution times;
- It allows for cost optimization;
- It strengthens the protection of intangible assets.

Filing and prosecution patents in Argentina

At **UNGRIA**, we have a local team of patent experts in Argentina who can help you protect your invention in the country. Please, do not hesitate to contact us for more information.

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