

Opposition systems

Honduras

According to Article 55 of the Industrial Property Law of Honduras, once the application is in order, or any deficiency of form has been corrected, an individual substantive examination of the application is conducted in which it is verified whether the general conditions of novelty, inventive step and industrial applicability are satisfied, and the publication of a relevant notice (notice of publication) is ordered in the Official Journal, La Gaceta, on three consecutive occasions, each 30 days apart. This publication will provide details of the applicant's name and a summary of the invention.

As per Articles 40 and 41 of the Industrial Property Law of Honduras, any interested person may, during the period in which the publications in question are made, raise an opposition in the form of observations and the presentation of information or documents relating to the patentability of the invention. In the case of patents, the opposition may be based on a previous patent, on a patent application already published or on any other form of proof which includes information on the invention that has been made available to the public prior to the application.

Once the period of publication has elapsed without any opposition being raised, or if the opposition has been considered unfounded, the decision to grant a patent is published and subsequently the patent registration certificate is issued. Should the opposition be proven, a new substantive examination of the application is carried out in order to establish whether the conditions of patentability are satisfied.