

Trade agreement between Argentina and the United States impacts Intellectual Property protection



On February 5, 2026, Argentina and the United States signed a Reciprocal Trade and Investment Agreement aimed at promoting long-term economic growth and strengthening cooperation between the two countries.

Besides lowering long-standing trade barriers and providing significant market access for both countries, through this agreement Argentina commits to strengthening, modernizing, and aligning its intellectual property protection framework with international standards. Some relevant commitments made by Argentina are the following:

- **Argentina's accession to the PCT:** a key commitment is Argentina's entry into the Patent Cooperation Treaty (PCT), which must be submitted to the National Congress for consideration and ratification before April 30, 2026.
- **Repeal of restrictive guidelines for the examination of patents:** in order to improve patent protection, the rules establishing restrictive guidelines for the examination of pharmaceutical inventions (Joint Resolution No. 118/2012, No. 546/2012, and No. 107/2012) and biotechnological inventions (Resolution No. 283/2015) will be repealed.
- **Acceleration of patent application procedures:** Argentina has undertaken to substantially reduce patent pendency times, including those relating to biotechnological and pharmaceutical inventions.
- **Streamlining procedures for regulatory authorization:** Argentina will recognize certificates issued by the U.S. Food and Drug Administration (FDA) and prior U.S. approvals for pharmaceutical products and low-risk medical devices, with the aim of expediting regulatory procedures.

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- **Protection of regulatory data:** the adoption of a data protection regime consistent with Articles 20.45 and 20.48 of the United States–Mexico–Canada Agreement will be evaluated.
- **Measures against infringements:** enact legislation that provides for effective civil action, including precautionary measures, against piracy and counterfeiting, strengthening control measures in both physical and digital environments.
- **Accession to additional international intellectual property treaties:** Argentina has also committed to joining several international IP treaties, to be submitted to the National Congress for consideration and ratification before the end of 2027.
 - Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure;
 - Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs;
 - Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks;
 - Geneva Patent Law Treaty;
 - Singapore Treaty on the Law of Trademarks;
 - International Convention for the Protection of New Varieties of Plants (UPOV 1991).

This agreement must be submitted to the National Congress for approval.

Intellectual Property experts in Argentina

At UNGRIA, we have a **local team of experts in Intellectual Property** who can advise you on how to ensure solid protection of your rights.

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