



## Argentina



The patent market in Argentina is beginning to get back on track; an improving economic environment and an administration more favourable to protecting innovation have already brought about an increase in prosecution work. However, the notoriously slow litigation process and the difficulty of recovering damages mean that the Argentine market for contentious work remains modest; oppositions to examiners' rejections at the National Institute of Industrial Technology (INTI) constitute the main source of work for firms. Entry into the Patent Cooperation Treaty is a top priority for the new president at INTI and it is becoming ever more likely; while the market is steeling itself for an initial decline in filings in the short term as it adapts to new processes, it is buoyed by the experience of its neighbours and practitioners anticipate that membership of the treaty will bring an increase in work. Looking further into the future, ongoing negotiations for an EU-Mercosur free trade agreement have been met with cautious optimism; firms are excited for the implications this will have for intellectual property – their expectations are high for a potential influx of work and an increasingly favourable environment for patent filing.

### Firms: litigation and transactions

Marval O'Farrell & Mairal

G Breuer

Berken IP

Berton Moreno + Ojam

Hausheer Belgrano & Fernández

Mitrani, Caballero & Ruiz Moreno

Noetinger & Armando

Palacio & Asociados

### Firms: prosecution

Marval O'Farrell & Mairal

Berken IP

G Breuer

Obligado & Cia

Berton Moreno + Ojam

Mitrani, Caballero & Ruiz Moreno

Moeller IP Advisors

Noetinger & Armando

Palacio & Asociados

Richelet & Richelet

## Berken IP

Taking a sledgehammer to the traditional prosecution shop model, Buenos Aires-based patent specialist Berken IP “has grown considerably, getting better as it gets bigger. The team is efficient and accurate, keeping clients informed every step of the way and always delivering on the promises it makes. Prompt, thorough and accurate, the firm expertly furnishes high-profile multinationals in the life sciences with sage legal and technical advice.” As a highly integrated group of patent attorneys and attorneys at law, backed up by an excellent in-house translation department, the firm can handle anything sent its way. A Latin American prosecution hub, its patent intelligence for the region is highly sought after; it conducted a record number of patent searches across Latin America over the last year and delivered precise analyses on the patentability of inventions. Section chief **Alicia Alvarez Berkenwald** directs the prosecution and intelligence team “with wisdom and experience, offering excellent professional feedback and advice”. For domestic innovators, fluid handling of transactional work is a competitive advantage for the firm – key players from the country’s growing research sector frequently entrust the team with complex negotiations relating to their intellectual assets. The firm’s flair in this area led to an invitation for it to assist in the creation of a good practice manual for technology transfers. Head of the legal affairs department **Pedro Berkenwald** employs his 40 years of experience to lead endeavours in this arena. Assisting him in this work is partner and licensing guru **Federico Ulled**, a life sciences and business expert adroit in all aspects of contractual work.

## Berton Moreno + Ojam

A veritable dream team of patent professionals, the newly re-branded Berton Moreno + Ojam exploded onto the Argentine IP market last year after a successful coup. Making a play for the top spot, the firm has lined up a gang of esteemed practitioners with significant experience in the

biotechnology, automotive and agricultural sectors, plucked from firms such as Mitrani Caballero and Brons and Salas. Among many other brands, Dupont subsidiary Pioneer Hi-Bred keeps the firm close at hand; the team is working in collaboration with the company to coordinate its patent filings in the region and litigating on its behalf before INTI. Leading on Pioneer Hi-Bred's instructions, former Mitrani IP man and patent scholar **Juan Carlos Ojam** is a renowned figure in the market whose partnership is a triumph for both the firm and its client roster. Assisting him, **Mercedes Bullrich** brings keen insight and diligence to prosecution work at the regional level. **María del Rosario Mauro**'s abilities across all aspects of intellectual property are instrumental to the team's successes, her specialisation lies at the line where patents and plant variety rights meet and she applies this mastery to great effect for her loyal clients in the agro-industrial sector. A stand-out in the firm's previous incarnation, **Marcio García Sellart** is still a star signing in the impressive new team; he is a skilled coordinator of patents throughout Latin America, a licensing expert and a sought-after commentator in his field.

## G Breuer

Peers aspire to compete at the level of G Breuer and praise it as being "a top firm on the Argentine Market". A well-established full-service offering, the team's professional patent practice is a line-up of Argentina's best recognised patent lawyers and engineers. It is adept at tailoring its offering to companies of any size. "Working with domestic companies' intellectual property requires a unique attitude and a vastly different skill set; patent prosecution trailblazer **Martin Guerrico** effortlessly maintains an entrenched base of local customers who flock to him." "One of the most experienced attorneys at law in his field, **Jorge Otamendi** dominates in patents. His proficiency in contentious work is frequently deployed before the patent office, where he excels in forcing it to backtrack on its positions."

## Hausheer Belgrano & Fernández

Hausheer Belgrano & Fernández judiciously shepherds its diverse following through the maze of patent legislation; its unique service has evolved and been refined over 115 years. Its standing among European companies continues to grow – a trend driven by the firm's outward-looking partner, International Association for the Protection of Intellectual Property Argentine Group Vice President **Graciela Claudia Pérez de Inzaurraga**. With 30 years of experience, Pérez is equally accomplished in prosecution, enforcement and litigation, warranting the excellent feedback she receives from her peers. As one confides: "We have an excellent relationship with her and on the domestic market, we'd always choose Graciela. She's extremely dedicated to her work."

## Marval O'Farrell & Mairal

“Unequivocally a tier-one offering, general practice outfit Marval O’Farrell & Mairal has earned its place in the top spot.” The IP team’s prestige in the industry reflects its incredible longevity and its expert handling of a major portion of all the patent work that passes through the country. Seasoned in contentious and non-contentious work, the firm is “adept at prosecution across Latin America”, working on behalf of a number of high-profile clients; Dow subsidiary Dow AgroSciences entrusts the firm with its regional patent portfolio. “On a list of the top patent specialists in Argentina, **Martín Bensadon** is the first name that comes to mind. He is a revered litigator with a focus on regulatory affairs”, as well as being a prominent patent law professor, he is at the forefront of IP practice in Argentina. “**Iván Alfredo Poli** has been in the patent game for a very long time. A gifted attorney, he remains tireless in his efficient handling of patent prosecution and enforcement instructions.” “**Cristian Bittel** is a champion for rights holders across multiple jurisdictions, combining a deep understanding of patent law with a highly technical background.” As a thoughtful and creative problem solver, he provides excellent assistance in the preparation of responses to rejections by patent office examiners. Co-chair of the IP Committee of the American Chamber of Commerce **Ignacio Sánchez Echagüe** is always looking out for the best interests of his clientele, working closely with them to reach the most beneficial outcomes. “A man of integrity, he is astute and realistic about outcomes and potential costs” and has earned the loyalty of a wealth of patrons in the life sciences realm.

### Mitrani, Caballero & Ruiz Moreno

Restructured and re-energised, Mitrani, Caballero Ruiz Moreno realises a breath-taking cross-border vision; a network of associates spanning 70 countries and a deep familiarity with the demands of large multinationals enable it to advise on strategy and manage patent portfolios on a global scale. The firm has an appreciation for the intricacies of technology and Argentina’s flourishing software and disruptive innovation scenes, providing a cardinal draw for native offerings, to which it provides a tailored service. Playing the central role, commander-in-chief “**Ignacio Bérèterbide** is an asset to any company navigating the world of intellectual property. He knows how to handle every aspect of transactional work, whether it’s licensing – in which he excels – tax assignments or company structure. An excellent communicator, he’s dedicated and friendly, but leaves peers in no doubt if he remains unconvinced on an issue.”

### Moeller IP Advisors

Forcing clients to sit up and take notice across Europe, Asia and the United States, Moeller IP’s far-reaching prosecution work and dexterous portfolio management for the world’s leading pharmaceutical companies are testament to the firm’s international mind set and impressive talent roster. The outfit maintains its own outposts across Latin America, allowing it to act as a trustworthy

gateway to the region for rights holders. In contentious work, its newly minted interdisciplinary patent litigation team is always prepared to be deployed across myriad jurisdictions. Spearheading the side's endeavours across Latin America, **Mariano Municoy** and **Verónica Vater** make a formidable duo. Municoy is an adept IP strategist exhibiting broad appeal among the firm's patrons. He is skilled in transactional work and well-versed in the intricacies of technology transfer agreements. At the nexus of the group's regional offices, patent coordinator Vater brings impressive regulatory know-how to the team, benefiting a cohort of large multinationals in the life sciences, telecoms and IT sectors. There was a flood of tributes for the "outstanding" Gabriela Hanak, who sadly passed away last year.

### Noetinger & Armando

"A steadfast IP practice built on rock-solid foundations", Noetinger & Armando brings a uniquely personal touch to a loyal base of illustrious international clients, for which it undertakes acclaimed patent prosecution work, complimented by a razor-sharp approach in litigious work. A sensei in the discipline of intellectual property, founding partner and pharmaceuticals expert **Fernando Noetinger** earns praise for his skilled prosecution abilities, finely honed over decades as an industrial property agent and highly sought-after lecturer. Driven by her zeal for life sciences, **Mariana Bullrich** has been stringently prosecuting patent applications throughout Latin America for 20 years and shows no sign of slowing down.

### Obligado & Cia

Ascending to the silver tier this year, "Obligado is worthy of its place, maintaining an excellent IP practice and a mastery in patent work matching the best the market has to offer. The firm diligently carries out work on behalf of an impressive roster of international clients", as well as a number of smaller businesses, to whom it is a vital partner, recognising the patentability of innovations and securing iron wrought rights protection.

### Palacio & Asociados

After eight decades in the patent domain, Palacio continues to chalk up notable successes in a range of highly specialised fields. Carefully managing rights holders' demands across the patent lifecycle, the team tends to a diverse portfolio of mainly US and Pacific-based clients, which value its talents in prosecution and contentious work before INTI. It recently utilised its mastery in the latter to successfully force through a patent application that had initially been refused on behalf of Solvay Pharmaceuticals's French subsidiary, Laboratoires Fournier. Leading these efforts, patent supremo **Mingo Palacio** has attracted a loyal following in the chemical, pharmaceutical and technology sectors. Peers "value the opportunity to collaborate with him", knowing that his superlative command

of national and international patent law will be an asset for any network. “Dependable and steady, **Diego Palacio** provides valuable insight into the minutiae of the Argentine patent scene. With his vital knowledge of select inventions in medicinal chemistry, he assists in tailoring a sturdy protection strategy in the country.” He effortlessly combines a “timely and detailed approach” with remarkable linguistic skill to form personal relationships with rights holders and peers.

### Richelet & Richelet

A stalwart on the local boutique scene, family-owned IP practice Richelet & Richelet expertly straddles the prosecution/litigation divide on behalf of a coterie of international and domestic clients. Its 42-strong IP team is well practised in finding creative solutions to satisfy INTI’s ever-narrowing patentability criteria. Its efforts have paid off; there has been an impressive rise in the number of grants it has received. It is currently retained in a battle at the patent office to push through an application on behalf of a major pharmaceutical company. “**Gastón Richelet** is a young and versatile attorney with remarkable ability in the patent field and is an integral part of the local IP milieu. Well known as an excellent litigator, he truly excels in prosecution.” Peers commend the level of preparation and the attention to detail he consistently brings to his work. Demonstrating a keen awareness of international opportunities presented by patent prosecution highways, he has expertly assisted Japanese corporation Unicharm in utilising the highways’ accelerated grant system to achieve the broadest geographical coverage as rapidly as possible.

### Other recommended experts

**Santiago Ferrer-Reyes**’s clients in the oil and gas industry depend on his remarkable prosecution skills; a strong litigator when the situation demands and experienced in transactional work, he showcases his many talents at Ferrer-Reyes, Tellechea & Bouché. Foreign associates extol the virtues of Ryan IP boss **John Ryan-Lussich**, whose “accuracy in pharmaceutical patent work ensures that working with him is always a positive experience”. **Claudia Serritelli** continues to receive high praise from peers for her “efficient litigation style”. As head of legal and patents at Estudio Chaloupka, she leads the team in actions before INTI.

### Individuals

**Alicia Alvarez Berkenwald** - Berken IP

**Martín Bensadon** - Marval O’Farrell & Mairal

**Cristian Bittel** - Marval O’Farrell & Mairal

**Martin Guerrico** - G Breuer

**Fernando Noetinger** - Noetinger & Armando

**Jorge Otamendi** - G Breuer

**Iván Alfredo Poli** - Marval O'Farrell & Mairal

**Ignacio Sánchez Echagüe** - Marval O'Farrell & Mairal

**Ignacio Bérèterbide** - Mitrani, Caballero & Ruiz Moreno

**Pedro S Berkenwald** - Berken IP

**Mariana Bullrich** - Noetinger & Armando

**Mercedes Bullrich** - Berton Moreno + Ojam

**Santiago Ferrer Reyes** - FRTB - Ferrer Reyes, Tellechea & Bouché

**Marcelo García Sellart** - Berton Moreno + Ojam

**María del Rosario Mauro** - Berton Moreno + Ojam

**Mariano Municoy** - Moeller IP Advisors

**Juan Carlos Ojam** - Berton Moreno + Ojam

**Diego F Palacio** - Palacio & Asociados

**Mingo Palacio** - Palacio & Asociados

**Graciela Claudia Pérez de Inzaurraga** - Hausheer Belgrano & Fernández

**Gastón Richelet** - Richelet & Richelet

**John Ryan-Lussich** - Ryan-Lussich & Asociados

**Claudia Serritelli** - Estudio Chaloupka

**Federico Ulled** - Berken IP

**Verónica Vater** - Moeller IP Advisors