



## **PRESENTATION AND PRICES OF THE LAW FIRM BENITEZ JARAMILLO LAWYERS**

**BENÍTEZ JARAMILLO ABOGADOS** is a law firm specializing in Intellectual Property, Innovation, and Sustainability. We help our clients position and protect their intangible assets by integrating legal solutions with technological tools, strategic vision, and a human approach. Our approach combines expert advice, AI-powered diagnostics, and alternative dispute resolution, generating competitive advantages for businesses committed to the future.

We assist companies of all sizes—from startups to established companies—that seek to protect their intellectual property, comply with digital regulations, and grow sustainably. We specialize in the creative, technology, and sports industries, providing strategic advice to artists, inventors, and entrepreneurs seeking to transform their ideas into valuable and scalable assets. Our approach combines legal insight, technological innovation, and customized solutions to address the challenges of the digital and regulatory environment in Ecuador and the region.

### **Why to choose me?**

I can be your legal partner for innovation, intellectual property, and sustainability

We position ourselves as strategic legal partners for innovative companies that value the protection of their intellectual property and seek to differentiate themselves in the market. We understand the challenges of the digital and sustainable world, which is why we combine legal experience, business acumen, and technological tools to promote high-impact projects locally and internationally.

**My Reason for Being:** I exist on legal market so that our clients can innovate sustainably, protect their intellectual property, grow legally, and generate positive impact. We provide legal solutions that modernize society, transform sectors, and build trust.

### **GENERAL INFORMATION:**

#### **Benítez Jaramillo Attorneys**

**Address:** Manuel Espinoza OE2-76 and Av. Real Audiencia

**First Name:** Francisco Xavier

**Last Name:** Benítez Jaramillo

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**Mission:** My mission is to offer highly specialized legal services in intellectual property, sustainability, and innovation, integrating technology and alternative dispute resolution mechanisms. I focus on providing efficient, cost-effective, and humane legal solutions to creative companies, startups, universities, and technology and sustainable industries that wish to grow and compete in local and global markets.

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**Vision:** To be recognized as a leading global strategic legal advisory firm that drives sustainable development and innovation in Latin America, protecting our clients' intangible assets with technical excellence, disruptive thinking, and customized solutions.

**Values and Culture:** Our values define us:

- **Practical excellence:** efficiency, discipline, and professionalism.
- **Legal empathy:** human solutions for real needs.
- **Evolutionary ethics:** doing good, well done, and with purpose.
- **Strategic innovation:** legal creativity focused on sustainable results.
- **Transformative commitment:** defending causes that drive fair, technological, and ecological development in Ecuador and the region.

**Strategic Diagnosis:** Legal Strategic Diagnosis Session with AI. I analyze cases with artificial intelligence tools to reduce risks, anticipate scenarios, and propose forward-looking legal solutions. This session allows you to build a personalized legal roadmap, designed from a strategic perspective, not just a reactive perspective.

I am a member of the **WIPO ADR Young** program and am authorized to provide professional guidance on accessing the WIPO Mediation Center, which operates with international mediators with expertise in IP and technology, offering:

- a) Confidential procedures
- b) Significant reduction in time and costs
- c) Customized agreements with contractual effect
- d) Freedom to choose language, venue, and mediator
- e) Unilateral filing option, with no upfront costs

**AREAS OF LEGAL PRACTICE:** Constitutional Law - Litigation, Arbitration, and Mediation - Commercial and Corporate Law - Financial and Collection Law - Intellectual Property - Labor and Social Security Law - Civil Law - Cultural and Administrative Law - Family Law

**1.1. Constitutional Law:** The Constitution of the Republic of Ecuador establishes protection mechanisms through jurisdictional guarantees for violations of constitutional rights, such as the Action for Protection against acts issued by non-judicial authorities, the Extraordinary Action for Protection to challenge judicial decisions, the Action for Habeas Data and the Action for Habeas Corpus to protect personal information and prevent unlawful detentions, the Action for Access to Public Information, and the Action for Non-Compliance, to access information and when legal regulations or decisions issued by authorities are not complied with.

**1.2. Public and Administrative Law:** I sponsor all administrative and judicial claims and appeals. I provide consulting services on resolutions from the Superintendency of Banks and banking claims.

**1.3. Intellectual Property:** Obtaining copyright certificates, drafting and registering commercial and service contracts, administrative protection proceedings for violations of intellectual property rights, registration of patents, utility models, industrial designs, trade names, trademarks, commercial slogans, distinctive appearances, and plant varieties. Filing of administrative, civil, and criminal legal actions for violations of intellectual property rights and actions for unfair competition. In general, any procedure or process that must be brought before the National Intellectual Property Rights Service or actions before the Superintendency for the Control of Market Power.

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**1.4. Civil and Commercial Law:** Drafting all types of contracts, defense in all types of civil lawsuits for acts and contracts; family law, divorce, dissolution and liquidation of marital partnership, alimony, paternity recognition, inheritance, easements (powers of attorney, sales contracts, exchanges, donations, mortgages, etc.). Advice on company incorporation, mergers, spin-offs, dissolution, and liquidation, capital increases, amendments to corporate bylaws, transfer of shares, foreign investment, creation of joint-stock companies, collections, etc.

**1.5. Labor Law and Social Security:** Advice on labor and social security matters such as the drafting and legalization of contracts, approvals, unfair dismissals, settlement agreements, representation in labor lawsuits, and representation in coercive actions.

**1.6. Innovation, Sustainability, Environmental Law:** Legal advice on strategies for innovation and sustainability and social responsibility for companies or projects, advice on filing environmental lawsuits, complaints, administrative claims, and the filing of Protection Actions to report damages and request the necessary reparations to adequately safeguard Ecuador's ecological and environmental heritage.

**1.7. Criminal Law:** Representation in criminal trials for economic crimes and their different stages, filing complaints, presentation of evidence, private accusations, and hearings.

**1.8. Alternative Dispute Resolution Methods: Negotiation, conciliation, arbitration, and mediation.** All types of alternative dispute resolution procedures and procedures are supported by the country's various Arbitration and Mediation Centers.

**1.9. User Complaints, Administrative Procedures, and Litigation:** Management of complaints and legal claims before administrative authorities. Strategic litigation tailored to each case, analysis and diagnosis of the case using AI.

**1.10. Data Protection, Privacy Compliance, and Regulatory Defense:** Compliance with Ecuador's Personal Data Protection Law before the Superintendency of Personal Data Protection.

**1.11. Management of data subject rights requests, regulatory inquiries, and investigations:** Development of data privacy frameworks aligned with international standards (GDPR, CCPA). Cybercrime, identity theft, and hacker attacks

**1.12. Legal defense against cybercrime, unauthorized access, and hacking incidents:** Representation in legal disputes related to identity theft, impersonation, and fraudulent accounts.

**1.13. Intellectual property protection and online brand defense and unfair competition:** Enforcement of trademark and copyright laws to prevent unauthorized use, administrative remedies for intellectual property rights infringement, and combating counterfeit content, piracy, and digital fraud.

In conclusion, we would be happy to provide our services to you on behalf of your business, so we would appreciate if you let us know if you require any additional information about any legal service.

## **NEXT STEPS**

We welcome the opportunity to discuss how our firm can support your legal needs in Ecuador.

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Please find the rates for our specialized Intellectual Property Service and any other services in accordance with the proposal described. We are at your service. We believe it is necessary for you to have a representative, legal advisor, or counselor for any legal event in Ecuador.

We are available for a consultation to develop a customized legal representation strategy that aligns with your company's goals and needs.

We like to be your strategical legal advisor in Ecuador.

For more information, please feel free to contact us **+593 99 8531 290**

**AB. FRANCISCO BENITEZ JARAMILLO**

**Benítez Jaramillo Abogados – Your Trusted Legal Partner in Ecuador.**



## **2. SPECIALIZED ADVICE ON INTELLECTUAL PROPERTY:**

### **2.1. INTELLECTUAL PROPERTY**

**2.1.1. INDUSTRIAL PROPERTY: Advice** on the protection of invention patents, utility models, industrial drawings and models.

**2.1.2 Invention Patents:** It can be a product or procedure that is new, that has a sufficient inventive level and is susceptible to industrial application.

- Background search: By owner or applicant or by invention
- Submission of application and registration process, includes:
- Priority claim
- Patent application modification
- Request for expert examination
- Cancellation of rights to register, obtain and review the certificate
- Modality change
- Opposition or response to opposition
- Presentation of evidence
- Allegations
- Presentation of administrative or judicial appeals

**2.1.3. Utility Models:** Any new shape, configuration or arrangement of elements of an artifact, tool, instrument, mechanism or other object or of some parts, which allows a better or different operation, use or manufacture of the object, can be constituted as a utility model. that incorporates it or that provides it with some utility, advantage or industrial effect that does not enjoy a sufficient inventive level to allow the granting of a patent.

**2.1.4. Industrial Drawings and Models:** It can be any combination of lines, shapes or colors.

- Background search
- Submission of application
- Opposition or response to opposition
- Presentation of evidence
- Allegations
- Presentation of administrative or judicial appeals

**Fees and Rates for Patents, Industrial Designs and Utility Models:** Patents, Industrial Designs and Utility Models, should be new, the novelty in these cases is worldwide.

You would have to send me a summary of the background of the Patent, Industrial Design or Utility Model, designs and a brief description of how it is made with a graphic explaining the materials and how it is assembled.

**Background Search:** Then it is necessary to carry out a worldwide background search report requesting information from the patent office. The costs are:

Search Report National Data Base \$300  
Senadi Rate \$36  
Expenses \$25  
Total \$361

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**Filing Application:** Application for Patent or Utility Model or Industrial Design

Fee \$1000  
Senadi Rate \$495.33  
Expenses \$25  
Total \$1520.33

Other legal actions, fees and rates

Fee: \$300  
For each additional claim after the tenth \$55.07

Fee \$1000  
Rate for filling applications, registration or granting of Industrial Design Rights \$526.46

Fee \$1000  
Filing applications for concession processing utility model patent rights \$136.00

Fee \$ 300  
Title of grant of invention patents \$204.00

Title of concession of industrial designs \$ 136.00  
Title of grant of patents for models of \$136.00

Fee \$500  
National searches or technological report \$148.00

Fee \$ 300  
Search of national patent database invention \$60.00

National Design Database Searches industrial \$36.00  
National patent database searches utility models \$46.00  
National search on total content of technical memory and patent claims invention \$88  
National search on total content of technical memory and patent claims  
utility models \$44.00  
Background searches for the state of the art of Industrial Designs \$36.00  
Background searches for the state of the art of utility model patents \$48.00  
Request for the report on the State of the Art \$836.96  
Fee \$500

Submission of Request for Modifications to the Invention and Procedure Patent Registrations  
\$227.25  
Modifications to industrial design registrations \$60.00  
Modifications to model patent records utility \$104.00  
Fee \$300

It is necessary to pay an annual patent maintenance rate fee starts at \$ 125 and continue increase per year.

The registration grants you exclusive exploitation of industrial design for 10 years.

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**Opposition Procedure:** Once the patent, industrial design or utility model, is published in the intellectual property gazette, if interested third parties oppose the registration of the patent USD \$ 800 is charged for the response to the opposition received. Note, this is only generated if someone opposes. If necessary, evidence and arguments must be presented \$600

**4.1. DISTINCTIVE SIGNS:** Advice on the protection of distinctive signs, such as trademarks, trade names, trade slogans and distinctive appearances.

**4.1.1. Trademark:** Any sign that serves to distinguish products or services in the market can be registered as a trademark.

**4.1.2. Trade Name:** The sign or denomination that identifies a business or economic activity of a natural or legal person is registered as a trade name.

**4.1.3. Commercial Slogan:** A slogan accompanies the brand, it is made up of one or several words that together provoke a particular idea in the consuming public, the slogan can also be registered as a trademark.

- Trademark history search
- Registration of trademarks, commercial names or commercial slogans.
- Submission of registration application
- Gazette publication report
- Report of oppositions presented
- Answer of oppositions
- Presentation of Evidence
- Allegations
- Follow up until resolution
- Presentation of administrative or judicial appeals
- Trademark surveillance – Presentation of oppositions

**4.1.4. Distinctive Appearances:** Distinctive appearances are registered as the set of colors, shapes, presentations, structures and characteristic and particular designs of a commercial establishment, which identify and distinguish it in the presentation of services or sale of products.

**4.2. PLANT VARIETIES:** Advice on the protection of plant varieties.

- Obtaining a plant variety breeder's certificate
- Submission of application and registration process

**4.3. UNFAIR COMPETITION:** Our assistance includes legal advice both in the administrative field before the Ecuadorian Institute of Intellectual Property IEPI, and in the judicial field, carrying out different actions, whether administrative, civil, criminal or judicial, depending on the infraction committed or the need that arises.

**4.4. BORDER MEASURES:** Customs surveillance advice.

- Registration of trademark or patent registration title in Customs
- Inspection and review of allegedly fraudulent merchandise
- Technical and legal support for the release of merchandise or its confiscation.



## 5. PROCEDURES AND COSTS OF DISTINCTIVE SIGNS. –

Among the registration procedures before the SENADI Intellectual Services office we have the following:

**a. Commercial Name:** It is the sign or denomination that identifies a business or economic activity of a natural or legal person, refers to the Name of the commercial establishment and protects activities related to those established in the RUC in the Internal Revenue Service Office, it is requested in the same way, its registration before the SENADI Intellectual Property office, document and registration necessary to carry out economic activities and pay taxes.

**b. Brand:** A brand will be understood as any sign that serves to distinguish products or services in the market. Signs that are sufficiently distinctive and capable of graphic representation can be registered as trademarks. Trademarks can be denominative, mixed (denomination in characteristic letters or accompanied by a design) and graphic (design only).

**c. Labels:** They are the wrappers, packaging or presentation that protect the original products. Procedure:

**4.1. Power of Attorney and Registration Form in SENADI:** To represent a foreign company, the signature of the Special Power of Attorney form is required, which must be Notarized and Apostilled or legalized before the Ecuadorian Consulate of the foreign country. Once this power of attorney is legalized, it must be sent to our offices in Quito - Ecuador and must be registered with SENADI for a single time, this serves to represent the holder and request the signs that he requires in his name.

Form of Power USD \$ 300

Registration of Power of Attorney USD\$200

**4.2. Trademark background search:** Prior to registering the sign, a trademark background search must be carried out to find out if the registration is viable or not, the costs are as follows:

Search Report USD \$200

Official rate at SENADI USD \$16

Expenses USD \$25

Total USD \$241

**4.3. Registration:** Once the results are reviewed and registration is feasible, the following costs occur:

For presentation of each application USD \$300

Official Fee at SENADI USD \$208

Expenses USD \$25

Total USD \$533

Once the sign is published in the intellectual property gazette, if interested third parties oppose the registration of the trademark or trade name, USD \$400 is charged for the response to the opposition received. Note, this is only generated if they oppose. For this reason, it is important to search for trademark antecedents to detect possible obstacles, however third parties from member countries of the Andean Community of Nations that consider themselves affected can also present Andean opposition if that is the case. If necessary, evidence and arguments must be presented \$300.





In the event that there are no oppositions, SENADI carries out an ex officio registrability examination and issues the corresponding resolution approving or denying the sign.

Additionally, I report that the registration process without opposition lasts approximately 9 months, approximately for the issuance of the corresponding title, which grants the right to exclusive use, the cost for sending title USD \$100.

**4.4. In the event that third parties file oppositions:**

Fee for answering oppositions USD \$400  
Evidence presentation fee USD \$300  
Fee for presentation of allegations USD \$300  
Fee for favorable resolution USD \$100  
Hearing Fee USD \$500  
Fee for filing administrative appeals USD \$800  
Fee for filing judicial appeal USD \$1000

**4.5. Protection of the distinctive sign:**

Trademark surveillance USD \$100  
Official Opposition Fee USD \$100  
Presentation of Opposition USD \$400

**4.6. Other costs:**

Official Rate USD \$40  
License contracts USD \$400  
Distribution contracts USD \$400

**5. Registration of the company's Know How Manual or catalogs of products or services.** It is also necessary to register the manuals of the company's Know How and the catalogs of its products or services, which refer to operational issues that make the business unique or how a product is made or how a service is provided, particularities.

The price is:

Manual or catalog registration fee: USD \$300  
SENADI fee USD \$12  
Expenses USD \$25  
Total USD \$337

**6. Commercial/Distribution/License or Labor or Services Contract:** In the same way, they require advice on commercial and labor service contracts. The cost is from USD \$400 depending on the complexity of the negotiation, the contract could cost a little more.

**7. Costs for registration of Confidential Information and Trade Secrets:**

Registration office fee for Trade Secret request USD \$22  
Public Notary Expenses for Trade Secret registration USD \$176  
Application processing fees USD \$25  
Professional fees USD \$500

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Total, for registration of Trade Secret USD \$723

To carry out additional procedures, all of them must be duly requested, informed, quoted, agreed upon, authorized and will be directed to their realization, without their result affecting the actions of the legal services provided. All actions must be duly canceled before they are carried out.

The bureaucratic procedures take a long time, estimated to obtain, constitute, register approximately one year, this depends on the administrative management and the Government and if the sign gets some oppositions, so it is necessary to carry out impulses to process them from time to time, \$100 each impulse, which will be informed, quoted depending on of the management and in the same way agreed for its realization.

If there are independent works that must be carried out, they will be duly quoted, depending on the work and its severity.

Sincerely,

**AB. FRANCISCO BENITEZ JARAMILLO**