

COSTA RICA (CR)



I. LEGISLATIVE PROFILE

1. National Legislation

a. Industrial Property

Capital: San José
Population: 3,886,000

Patents:

- Law on Patents, Industrial Designs and Utility Models No. 6867, June 1983, as amended by Law No. 7979 of January 2000.
- Regulation No. MN15222 MIEM-J, March 1984, implementing Law No. 6867.
- Decree No. 17602-J, May 1987, amending several provisions of Regulation No. MN15222 MIEM-J.

Trade Marks:

- *Ley de Marcas y Otros Signos Distintivos*, Law on Trademarks and other Distinctive Signs, No. 7978, January 2000.
- Law No. 8020, September 2000, amending articles 94 and 95 of Law No. 7978.
- Law No. 7982, Protocol to the Central American Convention for the Protection of Industrial Property (Trademarks, Trade Names, and Advertising Slogans or Signs), January 2000.

Industrial Designs:

As above, under Patents, Law No. 6867.

b. Copyright and Related Rights

Copyright:

- Basic Law on Copyright and Related Rights No. 6683, November 1982, as amended by Law No. 7397, May 1994, Executive Decree No. 26882-J, May 1998 and by Law No. 7979, January 2000.
- Regulating Decree No. 246111-J, October 1995, related to Law No. 6683.

Related Rights:

- Ley de Espectáculos Públicos No. 7440, November 1994.
- Executive Decree No. 26937-J, May 1998, related to Law No. 7440.
As above, under Copyright.

c. Other Country-Specific Legislation or Activities

Utility Models:

As above, under Patents, Law No. 6867.

Appellations of Origin / Geographical Indications / Indications of Source:

As above, under Trademarks, Law No. 7978.

Unfair Competition:

As above, under Trademarks.

Establishment of Commercial Code:

Advertising/Commercial Slogans, as above, under Trademarks.

Protection of Undisclosed Information:

- Law No. 7975, of January 2000.

Layout Designs (Topographics) of Integrated Circuits:

- Law No. 7961, of December 1999.

Enforcement:

- Law on Procedures for the Enforcement of Intellectual Property Rights No. 8039, October 2000.

Plant Variety Protection:

- Draft Law on the Protection of Plant Varieties, is under consideration.

d. Sources for Information on National Laws

<i>Registro Nacional</i>	Fax:	(506)	243.15.37
<i>Registro de la propiedad intelectual</i>			
Zapote			
San José			
<i>Asemblea legislativa de Costa Rica</i>	Tel.:	(506)	243.20.00
Cuesta de Moras	Fax:	(506)	233.16.56
San Jos			
<i>Biblioteca Nacional de Costa Rica</i>	Tel.:	(506)	221.24.36
San José			
<i>Biblioteca de la Corte Suprema de Justicia</i>			
San José			

2. Membership of International Bodies**a. Membership of WIPO treaties:**

- WIPO Convention, since June 1981.
- Paris Convention (Industrial Property), since October 1995.
- Berne Convention (Literary and Artistic Works), since June 1978.
- PCT (Patent), since August 1999.
- Lisbon Agreement (Appellations of Origin), since July 1997.
- Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since September 1971.
- Geneva Convention (Unauthorized Duplication of Their Phonograms), since June 1982.

- Brussels Convention (Distribution of Programme-Carrying Signals Transmitted by Satellite), since June 1999.
 - Budapest Treaty (Deposit of Micro-organisms), since September 2008.
 - WCT (WIPO Copyright Treaty), since March 2002.
 - WPPT (WIPO Performances and Phonograms Treaty), since May 2002.
- b. WTO: Member and Signatory to TRIPS Agreement, since January 1995.
- c. Membership of other bodies/treaties: UCC.
- Member of UCC since December 1954.

II. ADMINISTRATION

1. Industrial Property

Supervisory Ministry:

Ministry of Justice	Tel.:	(506)	24.81.11 ext. 203
Calle 1, Avenidas. 12 y 14	Fax:	(506)	234.15.37
Apartado postal 60			
2010 Zapote			
San José			
<i>Title of Head:</i> Minister for Justice			

Industrial Property Office:

National Registry	Tel.:	(506)	280.77.76
Industrial Property Registry			290.90.54
Edificio del Registro Nacional	Fax:	(506)	234.79.59
Modulo 8, 4 th Floor			
Apartado Postal 5685-1000			
Zapote			
San José			
<i>Title of Head:</i> Director General of the National Registry			

2. Copyright and Related Rights

Supervisory Ministry:

As above, under Supervisory Ministry for Industrial Property.

Copyright Office:

As above, under Industrial Property Office.

Collective Management Societies:

<i>Asociación de Compositores de Autores</i>	Tel.:	(506)	223.42.18
<i>Musicales de Costa Rica (ACAM)</i>	Fax:	(506)	223.16.84
Apartado. Postal 234 – 2400			
San José			

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTYIndustrial Property Tribunal

<i>Sección Tercera</i>	Tel.:	(506)	247.90.00
<i>Tribunal Superior Contencioso Administrativo</i>			
<i>Tribunales de Justicia</i>			
<i>Corte Suprema de Justicia</i>			
Guadalupe, Goicoechea			
Segundo circuito judicial			
San José			
<i>Registro de la Propiedad Industrial</i>			
Industrial Property Registry	Tel.:	(506)	234.15.37
Edificio del Registro Nacional	Fax:	(506)	234.15.37
Zapote			
San José			

Copyright Tribunal

<i>Registro Nacional de Derecho de Autor y</i>	Tel.:	(506)	280.77.94
<i>Derechos Conexos</i>	Fax:	(506)	280.77.94
Edificio del Registro Nacional			
Zapote			
San José			

Other

<i>Ministerio de Comercio Exterior</i>	Tel.:	(506)	256.71.11
<i>Dirección General de Comercio Exterior</i>	Fax:	(506)	255.32.81
Avenida 1 y 3, Calle 40, Paseo Colón			
San José			
E-mail : info@comex.go.cr			
<i>Dirección General de Aduanas</i>	Tel.:	(506)	233.95.25
Frente al Ministerio de Educación Pública	Fax:	(506)	223.73.34
San José			

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

There are no specific institutions teaching Industrial Property. This subject can be part of legal courses.

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 1998:

		Patents	Trade Marks	Industrial Designs
Applications by:	residents	86	7,653	2
	non-residents	343	11,479	3
Grants to:	residents	16	4,005	1
	non-residents	19	9,343	1

PCT – 2002

Applications by residents and non-residents: 89,225 (non-residents only).

Grants to residents and non-residents: Information not available.