

PARAGUAY (PY)

I. LEGISLATIVE PROFILE

1. National Legislation

a. Industrial Property

Patents:

- Law on Patents for Invention No. 1630, November 2000.

Trade Marks:

- New Trademarks Law No. 1294, October 1998.
- Decree No. 22365, August 1998, which regulates Law No. 1294, October 1998.
- Protocolo de Armonización de Normas sobre Propiedad Intelectual en materia de Marcas, Indicaciones de Procedencia y Denominaciones de Origen (Decisión No. 8/95 del Consejo del Mercado Común del MERCOSUR), ratified by Paraguay and in force since August 1996.

Industrial Designs:

- Designs and Industrial Models Law No. 868, November 1981, in force February 1982.

b. Copyright and Related Rights

Copyright:

- Law No. 1328/98, November 1998.
- Decree No. 5159/99, which regulates Law No. 1328, September 1999.
- Law No. 24/1991, December 1991, for the development of literature.

Related Rights:

As above, under Copyright.

c. Other Country-Specific Legislation or Activities

Appellations of Origin / Geographical Indications / Indications of Source:

As above, under Trade Marks.

Unfair Competition:

As above, under Trade Marks.

Protection of Undisclosed Information:

Legislation under consideration.

Layout Designs (Topographics) of Integrated Circuits:

Legislation under consideration.

Enforcement:

- *Código Civil, Ley 1183/85*, Civil Code, Law 1183/85, entry into force January 1987.
- *Código Penal, Ley 1160/97*, Penal Code, Law 1160/97, entry into force November 1998.
- *Código Procesal Penal, Ley 1286/98*, Penal Procedure Code 1286/98, partial entry into force



Capital: Asunción
Population: 5,636,000

July 1999, and full entry into force March 2000.

Plant Variety Protection:

- *Ley de Semillas y protección de cultivares No. 385/94.* Law No. 385/94, On Seeds and Protection of Plant Varieties of 1994.
- *Reglamento Decree No. 7797/00.* Regulatory Decree No. 7797/00, March 2000.

d. Sources for Information on National Laws

For Industrial Property:

Dirección de la Propiedad Industrial

Directorate of Industrial Property

As below, under Industrial Property Office.

For Copyright:

Dirección Nacional del Derecho de Autor

National Directorate of Copyright

As below, under Copyright Office.

2. Membership of International Bodies

a. Membership of WIPO Treaties:

- WIPO Convention, since June 1987.
- Paris Convention (Industrial Property), since May 1994.
- Berne Convention (Literary and Artistic Works), since January 1992.
- Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since February 1970.
- Geneva Convention (Unauthorized Duplication of Phonograms), since February 1979.
- 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: MERCOSUR, UCC, UPOV.

- Member of MERCOSUR since December 1991.
- Member of UCC since December 1961.
- Member of UPOV since February 1997.

II. ADMINISTRATION

1. Industrial Property

Supervisory Ministry:

Ministerio de Industria y Comercio
 Ministry of Industry and Commerce
 Avenida España 374
 Casilla de Correo 1375
 Asunción
Title of Head: Minister of Industry and
 Commerce

Tel.: (595.21) 20.47.91
 Fax: (595.21) 44.42.31
 Fax: (595.21) 21.39.70

Industrial Property Office:

Dirección de la Propiedad Industrial
 Directorate of Industrial Property
 Ministry of Industry and Commerce
 Avenida España 477
 entre Estados Unidos y Brasil
 Casilla de Correo 1375
 Asunción
Title of Head: Director

Tel./Fax: (595.21) 21.39.70
 Tel./Fax: (595.21) 44.42.31
 E-mail: dpi@conexion.com.py
mind.com@infonet.com.py

2. Copyright and Related Rights

Supervisory Ministry:

Ministerio de Industria y Comercio
 Ministry of Industry and Commerce
 As above, under Supervisory Ministry for
 Industrial Property

Copyright Office:

Dirección Nacional del Derecho de Autor
 National Directorate of Copyright
 Avenida España 184
 Asunción
Title of Head: National Director of Copyright

Tel.: (595.21) 44.82.12.
 Fax: (595.21) 44.03.81
 E-mail: derechodeautor@mic.gov.py

Collective Management Societies:

Autores Paraguayos Asociados (APA)
 Calle Chile No 850 casi Piribebuy
 Asunción

Tel.: (595.21) 49.27.49/50/51
 Fax: (595.21) 49.27.49

III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

Industrial Property Tribunal

Agente Fiscal del Crimen para intervenir en los procesos relacionados con Propiedad Intelectual

Tel.:	(595)	21.42.43.46
Fax:	(595)	21.48.17.17

Ministerio Público

Palacio de Justicia

Alonso y Testanova

Ministerio Público 5o piso

Asunción

Title of Head: Agente Fiscal del Crimen para intervenir en los procesos relacionados con Propiedad Intelectual

Criminal Prosecutor of the Attorney General's Office on Intellectual Property Matters

Subsecretaría de Estado de Comercio del Ministerio de Industria y Comercio

Tel.:	(595)	21.27.140
		21.21.28.44

Viceministro de Comercio

España No. 323 c/EE.UU

Asunción

*Contact Official: Ing. Darío Peralta Sosa
Vice Minister*

Fax:	(595)	21.21.05.70
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E-mail: proyecto@vdimic.una.py

Copyright Tribunal

As above, under Industrial Property Tribunal.

Other

Dirección de Comercio Interior

As above, under *Subsecretaría de Estado de*

Comercio del Ministerio de Industria y

Comercio, under Industrial Property Tribunal.

*Contact Official: Dr. Vicente Renna
Director*

Tel.:	(595)	21.20.46.38
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Fax:	(595)	21.21.05.70
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E-mail: proyecto@vdimic.una.py

IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

Information not available.

V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 1999:

		Patents	Trade Marks	Industrial Designs
Applications by:	residents	17	5,414	104
	non-residents	158	6,995	65
Grants to:	residents	6	3,577	24
	non-residents	84	7,723	40