

## ARGENTINA (AR)



### I. LEGISLATIVE PROFILE

#### 1. National Legislation

##### a. Industrial Property

**Capital:** Buenos Aires

**Population:** 37,478,000

##### Patents:

- Ley de Patentes de Invención y Modelos de Utilidad No. 24.481 de septiembre 1995, modificada por la Ley No. 24.572 d'octubre 1995, aprobado por el Decreto No. 260/96 de marzo 1996, regulado por el Anexo II de dicho Decreto. Law No. 24.481, September 1995, on Patents and Utility Models, as last amended by Law 24.572, October 1995, consolidated text approved by Decree No. 260/96, March 1996, and regulated in Annex II of said Decree.

##### Trade Marks:

- Law No. 22.362 on Trade Marks, January 1981.
- 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 el Mercado Común), agosto 1995. Harmonization Protocol of Norms on Intellectual Property involving Trademarks, Indications of Source and Appellations of Origin (Decision No. 8/95 of Mercosur Council, August 1995, under administrative approval procedure).

##### Industrial Designs:

- Decree No. 6673/63, August 1963, as modified by Law No. 16.478 on Industrial Models and Designs, September 1964.
- Decree No. 5.682, regulating of Law No. 16.748, July 1965.

##### b. Copyright and Related Rights

##### Copyright:

- Law No. 11.723 Copyright Act, September 1933.
- Law No. 17.648 concerning the Argentinean Society of Authors and Composers of Musical Works (SADAIC), March 1968.
- Law No. 20.115 concerning the General Society of Authors of Argentina (Argentores), January 1973.

##### Related Rights:

As above, under copyright.

##### c. Other Country-Specific Legislation or Activities

##### Appellations of Origin / Geographical Indications / Indications of Source:

- Law No. 19.982 on Merchandise Identification, December 1972, derogated by Law 22.802, May 1983 (Geographical Indications).  
As above under Trademarks, Decision No. 8/95.

##### Unfair Competition:

- Law No. 17.086, January 1967 and 17.088, January 1967 on Unfair Competition, derogated

by Law No. 22.802 on Commercial Loyalty, May 1983.

- Law No. 24.786 on Legal Protection of Confidential Information, December 1996.

Transfer of Technology:

- Law No. 22.426 on Technology Transfer, March 1981.
- Decree No. 580, March 1981, regulating Law No. 22.426 on Technology Transfer, March 1981, as modified by Decree No. 1853/93, September 1993.

Computer Programs:

- Decree 165/1994 concerning the legal protection of computer programmes and databases, February 1994.

Plant Variety Protection:

- Law No 20.247 on Seed and Phyto-genetical Creation (Plant Varieties Law), April 1973.

**d. Sources for Information on National Laws**

<i>Honorable Senado de la Nación</i> <i>Palacio del Congreso</i> Hipólito Yrigoyen 1849 – 1er Piso 1089 Buenos Aires	Tel.: (54.11) 379.58.58 ext. 58.58.59 Fax: (54.11) 49.54.47.07 Internet website: <a href="http://www.senado.gov.ar/">http://www.senado.gov.ar/</a>
<i>Honorable Cámara de Diputados</i> <i>de la Nación</i> <i>Dirección de Información Parlamentaria</i> <i>Palacio del Congreso</i> Avda. Rivadavia 1864, 2o, Of. 228 1033 Buenos Aires	Tel.: (54.11) 43.70.71.00 ext.: 3629/3630/3636 Fax: (54.11) 43.70.71.69 4954/1093 E-mail: <a href="mailto:dip@hcdn.gov.ar">dip@hcdn.gov.ar</a> Internet website: <a href="http://www.diputados.gov.ar/">http://www.diputados.gov.ar/</a>
<i>Biblioteca del Congreso de la Nación</i> <i>Referencia General (Sala Pública)</i> Alsina 1835 Referencia Legislativa Rivadavia 1850 – Piso 3 1033 Buenos Aires	Tel.: (54.11) 43.71.71.26 Fax: (54.11) 43.71.36.43 Modem: 4375-3215/4374-8823/ 4374-8824 E-mail: <a href="mailto:congreso@bcnbib.gov.ar">congreso@bcnbib.gov.ar</a> Internet website: <a href="http://www.bcnbib.gov.ar">http://www.bcnbib.gov.ar</a>
<i>Centro de Consultas de la Secretaría</i> <i>de la Función Pública</i> Roque Sáenz Peña 501 1135 Buenos Aires	Tel.: (54.11) 43.43.90.01 E-mail: <a href="mailto:infoleg@mecon.ar">infoleg@mecon.ar</a> Internet websites: <a href="http://www.sfp.gov.ar">http://www.sfp.gov.ar</a> <a href="http://www.infoleg.com.ar">http://www.infoleg.com.ar</a>
<i>Ministerio de Economía, Obras Servicios</i> <i>Públicos</i> Ministry of Economic Affairs and Public Works and Services <i>Departamento de Información Legislativa</i> As below, under Supervisory Ministry for Industrial Property	Tel.: (54.11) 43.49.83.85/87/88 Fax: (54.11) 43.49.83.89 E-mail: <a href="mailto:infoleg@mecon.ar">infoleg@mecon.ar</a> Internet website: <a href="http://www.infoleg.com.ar/">http://www.infoleg.com.ar/</a>

<hr/> <i>Sistema Argentino de Informática Jurídica</i> Moreno 1228 Buenos Aires	Tel.: (54.11) 43.81.90.61/90.68 Fax: (54.11) 43.81.90.61 ext. 10.81.091 E-mail: <a href="mailto:saij@jus.gov.ar">saij@jus.gov.ar</a> Internet website: <a href="http://www.saij.gov.ar">http://www.saij.gov.ar</a>
<hr/> <i>Boletín Oficial</i> Suipacha 767 1008 Buenos Aires	Fax: (54.11) 43.22.37.88/39.49 39.60/40.55/40.56 41.64/44.85 E-mail: <a href="mailto:boletin@jus.gov.ar">boletin@jus.gov.ar</a> Internet website: <a href="http://www.jus.gov.ar/servi/boletin">http://www.jus.gov.ar/servi/boletin</a>
<hr/> <i>Biblioteca Nacional</i> Agüero 2502 1425 Buenos Aires	Tel.: (54.11) 48.06.46.93 48.07.04.34/16.08 Fax: (54.11) 48.07.05.98 48.06.47.21 (Conmutador) ext.1030/1034 E-mail: <a href="mailto:webmaster@bibnal.edu.ar">webmaster@bibnal.edu.ar</a> Internet website: <a href="http://www.bibnal.edu.ar">http://www.bibnal.edu.ar</a>
<hr/> <i>Sistema de bibliotecas universitarias de la UBA</i> <i>Universidad de Buenos Aires</i> Azcuénaga 280 – piso 2 – oficina 203 1029 Buenos Aires	Tel.: (54.11) 49.51.13.66/33.94 06.34/36.80ext.500 Fax: (54.11) 49.52.65.57 E-mail: <a href="mailto:webmaster@sisbi.uba.ar">webmaster@sisbi.uba.ar</a> Internet website: <a href="http://www.sisbi.uba.ar">http://www.sisbi.uba.ar</a>
<hr/> <i>Universidad de Buenos Aires</i> <i>Facultad de Derecho</i> Av. Figueroa Alcorta 2263 425 Buenos Aires	Tel.: (54.11) 48.09.57.06 E-mail: <a href="mailto:webmaster@margay.fder.uba.ar">webmaster@margay.fder.uba.ar</a> Internet website: <a href="http://www.fder.uba.ar">http://www.fder.uba.ar</a>

## 2. Membership of International Bodies

### a. Membership of WIPO treaties:

- WIPO Convention, since October 1980.
- Paris Convention (Industrial Property), since February 1967.
- Berne Convention (Artistic and Literary Works), since June 1967.
- Nice Agreement (International Classification of Goods and Services), since January 2008.
- Strasbourg Agreement (International Patent Classification), since September 2007.
- Rome Convention (Performers, Producers of Phonograms and Broadcasting Organizations), since March 1992
- Geneva Convention (Unauthorized Duplication of Phonograms), since June 1973.
- Nairobi Treaty (Olympic Symbol), since January 1986.
- 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 September 1991.
- Member of UCC since November 1957.
- Member of UPOV since December 1994.

## II. ADMINISTRATION

### 1. Industrial Property

Supervisory Ministry:

Ministry of Economic Affairs and Public Works and Services Secretariat for Industry, Commerce and Mining Hipólito Yrigoyen 250 1086 Buenos Aires	Tel.: (54.11) 43.49.50.00 43.49.88.01/3/5 43.49.34.07/8
<i>Title of Head:</i> Minister of Economic Affairs and Public Works and Services	Fax: (54.11) 43.49.34.77

Industrial Property Office:

National Institute of Industrial Property <i>Instituto Nacional de Propiedad Industrial (INPI)</i> Avenida Paseo Colón 717 1063 Buenos Aires	Tel.: (54.11) 43.44.49.01/02 43.43.50.32/52.78
<i>Title of Head:</i> President	Fax: (54.11) 43.43.52.86 E-mail: <a href="mailto:maramburu@inpi.gov.ar">maramburu@inpi.gov.ar</a> Internet website: <a href="http://www.inpi.gov.ar">http://www.inpi.gov.ar</a>

### 2. Copyright and Related Rights

Supervisory Ministry:

Ministry of Justice and Human Rights Sub-secretariat of Registration Rights Sarmiento 329 Buenos Aires	Tel.: (54.11) 43.28.30.10/15/19/74/75 40.54.94
<i>Title of Head:</i> Minister of Justice and Human Rights	Fax: (54.11) 43.28.80.56/ 83.78/08.21 E-mail: <a href="mailto:www@jus.gov.ar">www@jus.gov.ar</a> Internet website: <a href="http://www.jus.gov.ar">http://www.jus.gov.ar</a>

Copyright Office:

National Directorate of Copyright <i>Dirección Nacional del Derecho de Autor</i> Dr. Mariano Moreno 1228 Ciudad Autónoma de Buenos Aires C 1091 AAZ	Tel.: (54.11) 43.71.42.89/ 43.71.54.94/44.21
<i>Title of Head:</i> Director	Fax: (54.11) 43.71.54.94 43.71.42.89 E-mail: <a href="mailto:www@jus.gov.ar">www@jus.gov.ar</a> Internet website: <a href="http://www.sntsl.jus.gov.ar/minis/autorid/dnda.htm">Aireshttp://www.sntsl.jus.gov.ar/minis/autorid/dnda.htm</a>

Collective Management Societies:

Argentine Society of Authors and Composers <i>Sociedad Argentina de Autores y Compositores (SADAIC)</i> Lavalle 1547	Tel.: (54.11) 43.71.22.27/28.8 32.27/49.76
	Fax: (54.11) 43.79.86.33 Internet website:

1048 Buenos Aires <i>Title of Head: President</i>	<a href="http://www.sadaic.org.ar">http://www.sadaic.org.ar</a>		
General Society of Authors of Argentina <i>Sociedad General de Autores de Argentina (Argentores)</i> Pacheco de Melo 1820 1126 Buenos Aires <i>Title of Head: President</i>		Tel.: (54.11) 48.12.45.18/69.54 48.12.06.61 Fax: (54.11) 48.12.69.54 E-mail: <a href="mailto:argentores@pinos.com">argentores@pinos.com</a>	
<i>Asociación Argentina de Intérpretes (AADI)</i> Viamonte 1665 1055 Buenos Aires		Tel.: (54.11) 48.11.34.21 48.12.10.09 Fax: (54.11) 48.12.32.86	
Argentine Chamber of Producers of Phonograms & Videograms (CAPIF) Leandro N. Alem 530, piso 9° 1001 Buenos Aires <i>Title of Head: Executive Director</i>		Tel.: (54.11) 43.15.05.80 Fax: (54.11) 43.15.05.90 E-mail: <a href="mailto:rpiay@impsatl.com.ar">rpiay@impsatl.com.ar</a>	
Argentine Chamber of Music Editors (CAEM) Piamonte 1636, 2.cuerpo, 3-A 1055 Buenos Aires <i>Title of Head: President</i>		Fax: (54.11) 43.74.92.16	

### III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

#### Industrial Property Tribunal

Argentina does not have specific courts to deal with intellectual property rights per se. However, a person whose application for a patent or trademark has been rejected can make use of administrative remedies which can be judicially reviewed.

A patentee or owner of a trademark may start a claim to the Federal Court on civil and commercial matters and also – if necessary – in a criminal court, in order to obtain a judicial decision. This decision may be appealed against in a superior court.

The new Patent Law and the civil law provide for legal action against anyone who violates exclusive owners' rights. Owners of intellectual property rights can obtain preliminary measures and provisional remedies, always on the basis of documentary evidence. Conciliatory measures or mediation hearings have been provided for according to TRIPS provisions.

Judicial authorities may order provisional measures, in particular where a delay can cause irreparable harm to the right-holder, or where evidence could be destroyed. It is important to state that the provisional measures are not only included in the trademarks and patents laws, but also in the General Judicial Procedure Code on Civil and Commercial Matters.

Copyright Tribunal

As above, under Industrial Property Tribunal.

Other

*Contact point for trade in general:*

*Secretaría de Comercio e Inversiones*  
H. Yrigoyen 250, 5° Piso, Of. 526  
Buenos Aires

Tel.: (54.11) 349.54.14/16

Fax: (54.11) 349.54.22

*Contact point for border measures:*

*Administración Nacional de Aduanas*  
Azopardo 350, 1er Piso  
Buenos Aires

Tel.: (54.11) 331.76.35/06

Fax: (54.11) 334.50.44

**IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY**

*Universidad de Buenos Aires (UBA)*

*Facultad de Derecho y Ciencias Sociales:*

*Departamento de Graduados*  
*(Posgrado en Propiedad Intelectual)*

University of Buenos Aires

Faculty of Law and Social Sciences:

Graduate Department

(Post-graduate Degree in Intellectual Property)

Avda. Figueroa Alcorta 22.63

Buenos Aires

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48.09.56.06/07

E-mail: [posgrado@fder.uba.ar](mailto:posgrado@fder.uba.ar)

Internet website:

<http://www.fder.uba.ar>

*Escuela de Abogacía de Buenos Aires*

*Práctica de Posgrado en Propiedad Industrial*

Buenos Aires School of Law

Postgraduate Programme in Industrial Property

Avda. Presidente Roque Sáenz Peña 720 – Piso 1

1035 Buenos Aires

Fax: (54.11) 43.28.87.45/

87.66/44.80

E-mail: [eaba@satlink.com](mailto:eaba@satlink.com)

*Universidad de Palermo*

*Centro de Posgrado en Derecho*

Mario Bravo 1302

1175 Buenos Aires

Tel.: (54.11) 49.63.13.97

Fax: (54.11) 49.63.15.60

E-mail: [informes@mail.palermo.edu.ar](mailto:informes@mail.palermo.edu.ar)

Internet website: <http://www.palermo.edu.ar>

*Universidad Torcuato di Tella*

*Escuela de Derecho*

Miñones 2177

1428 Buenos Aires

Tel.: (54.11) 47.84.00.80

47.83.30.70

Fax: (54.11) 47.84.00.89

E-mail: [admission@utdt.edu.ar](mailto:admission@utdt.edu.ar)

Internet website: <http://www.utdt.edu>

*Universidad Austral*

*Facultad de Derecho*

Avda. Juan de Garay 125 – 2do Piso

1063 Buenos Aires

Tel.: (54.11) 43.07.48.22

Fax: (54.11) 43.61.13.29

E-mail: [postmaster@uarec.edu.ar](mailto:postmaster@uarec.edu.ar)

Internet website: <http://www.utdt.edu>

*Universidad Católica Argentina*  
*Facultad de Derecho y Ciencias Políticas*  
 Edificio Santo Tomás Moro  
 Avda. Alicia Moraueu de Justo 1400  
 1107 Buenos Aires

Tel.: (54.11) 43.45.54.25/32  
 Fax: (54.11) 43.49.02.73  
 E-mail: [webmaster@uca.edu.ar](mailto:webmaster@uca.edu.ar)  
 Internet website:  
<http://www.uca.edu.ar>

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*Universidad del Salvador*  
*Facultad de Ciencias Jurídicas*  
 Tte General Juan D. Peron  
 1824 Buenos Aires

## V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2000 and 2002:

		Patents (2000)	Trade Marks (2002)	Industrial Designs (2002)
Applications by:	residents	6,634	30,839	495
	non-residents	(residents and non-residents)	12,007	360
Grants to:	residents	145	35,474	523
	non-residents	1,442	17,214	388