




















COPYRIGHT IN LATIN AMERICA AN ADMINISTRATIVE SHORTLIST PER COUNTRY

- | | | | |
|---|--------------------|---|-----------|
|  | ARGENTINA |  | GUATEMALA |
|  | BOLIVIA |  | HONDURAS |
|  | BRAZIL |  | MEXICO |
|  | CHILE |  | NICARAGUA |
|  | COLOMBIA |  | PANAMA |
|  | COSTA RICA |  | PARAGUAY |
|  | CUBA |  | PERU |
|  | DOMINICAN REPUBLIC |  | URUGUAY |
|  | ECUADOR |  | VENEZUELA |
|  | EL SALVADOR | | |



	Argentina	Bolivia	Brazil	Chile	Colombia
Applicable Law	<u>Law Nº11723 of 1933 on Intellectual Property</u>	<u>Law Nº1322 of 1992 on Copyright and Supreme Decree Nº23907 of 1994 Regulating the Law on Copyright</u>	<u>Law Nº9610 of 1998 on Copyright and Neighbouring Rights as amended by Law Nº.12853 of 2013 and Law Nº.9069 of 1998 on Protection of Intellectual Property of Software</u>	<u>Law Nº17336 on Intellectual Property</u>	<u>Law Nº23 of 1982 on Copyright as amended by Law 1915/2018</u>
What is copyright?	Copyright is the exclusive legal right granted to the author of a literary, musical, artistic or scientific work to publish, reproduce, sell or distribute said work or to authorise a third party to do so. The protection granted by Copyright covers the tangible expression of the ideas. Therefore, ideas or concepts themselves are not protected.				
Duration*	Life of the author + 70 years	Life of authors + 70 years	Life of author + 70 years	Life of author + 100 years	Life of author + 70 years
Software Duration	Life of the author + 70 years	50 years from first publication	50 years from first publication	70 years from first publication if made created in the course of employment and owned by the employer	Life of author + 70 years
Is it mandatory to register?	Not compulsory				
Registration cost	1-6€ depending on the nature of the work	21-61€ depending on the nature of the work	135-185€ depending on the nature of the work	6-25€ depending on the nature of the work	0€ - free of charge
Where to register	<u>DNDA</u>	<u>SENAPI</u>	<u>Ministerio da Cultura</u>	<u>Intellectual Property Department (DDI)</u>	<u>National Copyright Directory</u>
Need for copyright notice and/or © sign?	No	No	No	No	No

* The above table shows the general term of protection. Duration may vary depending on the type of work (e.g. audio-visual works, anonymous works, and collective works, among others) or the legal status of the owner (whether is a physical or a legal person). Moreover, be aware that the starting date of the term may also vary.

** Costs do not include attorney's fees, multiple registrations of works, translation costs neither maintenance fees unless otherwise expressed. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

	Costa Rica	Cuba	Dominican Republic	Ecuador	El Salvador
Applicable Law	<u>Law Nº6683 of 1982 on Copyright and Related Rights</u>	<u>Law nº14 of 1977 on Copyright</u>	<u>Law Nº6500 of 2000 on Copyright</u>	<u>Organic Code on the Social Economy of Knowledge, Creativity and Innovation</u>	<u>Law on Intellectual Property of 1993</u>
What is copyright?	Copyright is the exclusive legal right granted to the author of a literary, musical, artistic or scientific work to publish, reproduce, sell or distribute said work or to authorise a third party to do so. The protection granted by Copyright covers the tangible expression of the ideas. Therefore, ideas or concepts themselves are not protected.				
Duration*	Life of author + 70 years	Life of author + 50 years	Life of author + 50 years	Life of author + 70 years after death of the author or 70 years after creation/disclosure when originally owned by legal person	Life of author + 70 years
Software Duration	Life of author + 70 years	Life of author + 50 years	50 years from publication	Life of author + 70 years after death of the author or 70 years after creation/disclosure of the software when originally owned by legal person	Life of author + 70 years
Is it mandatory to register?	Not compulsory				
Registration cost	3,15€ minimum	9€ for musical works, 47€ for other types of works	Costs are being re-evaluated. Last data: 8€ to 175€ depending on the type of work	11-18€ depending on the type of work	13 €
Where to register	RPI	CENDA	ONDA	SENADI	CNR
Need for copyright notice and/or © sign?	No	No	No	No	No

* The above table shows the general term of protection. Duration may vary depending on the type of work (e.g. audio-visual works, anonymous works, and collective works, among others) or the legal status of the owner (whether is a physical or a legal person). Moreover, be aware that the starting date of the term may also vary.

** Costs do not include attorney's fees, multiple registrations of works, translation costs neither maintenance fees unless otherwise expressed. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

	Guatemala	Honduras	Mexico	Nicaragua	Panama
Applicable Law	<u>Law on Copyright and Related Rights (Decree N°33-98)</u>	<u>Law on Copyright and Related Rights (Decree N°4-99-E)</u>	<u>Federal Law on Copyright</u>	<u>Law N°312 of 1999 on Copyright and Neighbouring Rights</u>	<u>Law N° 64 of 2012 on Copyright and Neighbouring Rights</u>
What is copyright?	Copyright is the exclusive legal right granted to the author of a literary, musical, artistic or scientific work to publish, reproduce, sell or distribute said work or to authorise a third party to do so. The protection granted by Copyright covers the tangible expression of the ideas. Therefore, ideas or concepts themselves are not protected.				
Duration*	Life of the author + 75 years	Life of the author + 75 years from first publication when the work has been created by an employee in the course of employment.	Author's life + 100 years after author's death	Life of author + 70 years	Life of the author + 70 years
Software Duration	75 years from first publication	Life of the author + 75 years from first publication when the software has been created by an employee in the course of employment.	100 years from creation/publication	Life of the author + 70 years	70 years from first publication
Is it mandatory to register?	Not compulsory				
Registration cost	30-65€ depending on the type of work	19 €	12 €	9-92€ depending on the type of work	9 €
Where to register	RPI	DIGEPIH	<u>National Copyright Institute (INAUTOR)</u>	MIFIC	<u>National Copyright Directory</u>
Need for copyright notice and/or © sign?	No	No	Yes: absence of notice will impact on the liability of potential infringers (lower compensation and/or fines)	No	No

* The above table shows the general term of protection. Duration may vary depending on the type of work (e.g. audio-visual works, anonymous works, and collective works, among others) or the legal status of the owner (whether is a physical or a legal person). Moreover, be aware that the starting date of the term may also vary.

** Costs do not include attorney's fees, multiple registrations of works, translation costs neither maintenance fees unless otherwise expressed. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

	Paraguay	Peru	Uruguay	Venezuela
Applicable Law	<u>Law Nº1328/1998 on Copyright and Related Rights</u>	<u>Copyright Law (Legislative Decree Nº822, modified by Legislative Decree Nº1391)</u>	<u>Law Nº9379 of 1937 on Literary and Artistic Property (as amended up to Law Nº18046 of 2006)</u>	<u>Law on Copyright of 1993 and its Regulations</u>
What is copyright?	Copyright is the exclusive legal right granted to the author of a literary, musical, artistic or scientific work to publish, reproduce, sell or distribute said work or to authorise a third party to do so. The protection granted by Copyright covers the tangible expression of the ideas. Therefore, ideas or concepts themselves are not protected.			
Duration*	Life of author + 70 years	Life of the author + 70 years	Life of the author + 50 years	Life of author + 60 years
Software Duration	70 years from first publication	70 years from first publication	Life of the author + 50 years	Life of author + 60 years
Is it mandatory to register?	Not compulsory			
Registration cost	15€	53-107€ depending on the type of work	23 €	52622Bs
Where to register	<u>MICI</u>	<u>INDECOPI's Directorate of Copyright</u>	<u>Copyright Directory</u>	<u>SAPI</u>
Need for copyright notice and/or © sign?	No	No	No	No

* The above table shows the general term of protection. Duration may vary depending on the type of work (e.g. audio-visual works, anonymous works, and collective works, among others) or the legal status of the owner (whether is a physical or a legal person). Moreover, be aware that the starting date of the term may also vary.

** Costs do not include attorney's fees, multiple registrations of works, translation costs neither maintenance fees unless otherwise expressed. The costs expressed in Euro are subject to change due to variations in the exchange rate with the local currency. Cost updated in October 2019.

Country IP Factsheets

Argentina IP Country Fact Sheet



Bolivia IP Country Factsheet



Brazil IP Country Factsheet



Chile IP Country Factsheet



Protecting your creation in the Andean Community



Cost Rica IP Country Factsheet



Cuba IP Country Factsheet



Dominican Republic IP Country Factsheet



Ecuador IP Country Factsheet



Central America IP Country Factsheet



Mexico IP Country Factsheet



Paraguay IP Country Factsheet



Peru IP Country Factsheet



Uruguay IP Country Factsheet



Further information

Infographic – IPR as a tool for internationalisation:



IP in the ICT Sector



Identifying your Intellectual Property assets



Copyleft in Latinamerica (I): Introduction



Copyleft in Latinamerica (II): Creative Industries



Software Protection in Brazil



The **Latin America IPR SME Helpdesk** offers **multilingual services** (English, French, German, Spanish and Portuguese¹), with free information and first-line legal advice on IP related subjects, as well as training, webinars and publications, especially designed for EU SMEs.



HELPLINE First-line advisory service on IP protection and enforcement for EU SMEs working or planning to operate in Latin America.



TRAINING Targeted trainings and webinars on IPR protection and enforcement for EU SMEs (including sector-specific approaches).



IP CONTENT State-of-the-art publications (factsheets, learning modules, videos, IP glossary, info graphics, case studies and newsletters) on the protection and enforcement of IPR in Latin America – specifically addressing IP matters from the SME business needs point of view.



AWARENESS RAISING EVENTS Participation in events attended by EU SMEs to increase the awareness of IP and of the visibility of the services provided by the Helpdesk.



IP ANALYSIS Analysis of IP challenges faced by EU SMEs in the target markets.



IP DIAGNOSTIC TOOLKIT Toolkit for self-evaluation of the IP-status of the user in terms of IP knowledge and management.



IP COST TOOL Online tool that allows the user to pre evaluate the costs related to IP management in every Latin American country covered by the Helpdesk.

¹The language offer will depend on the specific service and experts' availability.

If you have any queries on how to protect your Intellectual Property in Latinamerica contact our Helpdesk service:

helpline@latinamerica-ipr-helpdesk.eu
+34 96 590 9684
Working Hours: Monday - Friday 9:00 -16:30 (CEST)

If you want more information on additional free services offered by the Helpdesk contact the coordination team:

info@latinamerica-ipr-helpdesk.eu
University of Alicante, Campus San Vicente del Raspeig,
Edificio Torre de Control, 03690 Alicante, Spain
+34 96 590 9684

Follow us on Social Media and stay tuned on new releases of factsheets and other IP content:



www.latinamerica-ipr-helpdesk.eu

Supervisor: Rebeca Nieto Carracedo
Author: Nicolás Gutierrez Douënel

©European Union, 2020

Reuse is authorised provided the source is acknowledged.

The reuse policy of European Commission documents is regulated by Decision 2011/833/EU (OJ L 330, 14.12.2011, p.39).

Disclaimer: The Latin America IPR SME Helpdesk –An initiative of the European Commission– is a free service for SMEs which provides practical, objective and factual information about Intellectual Property Rights in Latin America. The services are not of a legal or advisory nature and no responsibility is accepted for the results of any actions made on the basis of its services. The content and opinions expressed are those of the authors and do not necessarily represent the views of the European Commission and/or the Executive Agency for Small and Medium-sized Enterprises or any other body of the European Union. Before taking specific actions in relation to IPR protection or enforcement all customers are advised to seek independent advice. Neither the European Commission nor the Agency may be held responsible for the use which may be made of the information contained herein.

Luxembourg: Publications Office of the European Union, 2020

Print ISBN 978-92-9202-854-1 doi:10.2826/62517 EA-04-20-160-EN-C
PDF ISBN 978-92-9202-855-8 doi:10.2826/932280 EA-04-20-160-EN-N

Last update November 2019



Publications Office
of the European Union

Download Guide

