

# Intellectual Property

ECORFAN-México, S.C.

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	Holdings	
Mexico	Colombia	Guatemala
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Spain	El Salvador	
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## Intellectual Property

Berne Convention for the Protection of Literary and Archaic Works 1886.

On December 20, 1996 the "TODA" and the "TOIEF" were adopted in Geneva

Only International Instruments of global vocation that refer to the use of works protected by copyright

## Purpose

Protection of works and preventing illicit.

Industrial Property: Mexican Institute of Industrial Property (IMPI)

Copyright: National Copyright Institute (INDAUTOR)



## Definition

"Privilege of exclusive and temporary use of creations and distinctive signs of products, establishments and services.

## Industrial Property

### New creations

- Patents
- Utility models
- Industrial designs

### Distinctive signs

- Brands
- Commercial adverts
- Tradenames
- Denominations of origin

## Copyright

Copyright is the recognition that the State makes in favor of any creator of literary and artistic works provided for in article 13 of this Law, by virtue of which it grants its protection so that the author enjoys exclusive prerogatives and privileges of a personal nature and patrimonial. The first integrate the so-called moral right and the second, the patrimonial.

ART. 11 LFDA

## Moral rights

Author is the only, primal and perpetual holder of the moral rights over the works of his creation. The moral right is considered attached to the author and is inalienable, imprescriptible, inalienable and unattachable.

Art. 18 y 19 LFDA

### Characteristic :

- Divulcation
- Integrity
- Paternity
- Withdrawal of circulation

## Property rights

The holder of the economic right is the author, heir or the Acquirer by any title. The author is the original owner of the economic right and his heirs or successors by any title will be considered as derivative holders.

Art. 25 y 26 LFDA

### Characteristic :

- Reproduction
- Distribution
- Public communication
- Transformation

Art. 27 LFDA

## Works to be protected can be:

### According to its author :

- **Known:** they contain the mention of the name, sign or signature with which the author is identified;
- **Anonymous:** no mention of the name, sign or signature that identifies the author, either at the will of the author or because such identification is not possible, and
- **Pseudonymous:** those disclosed with a name, sign or signature that does not reveal the identity of the author;

## Works to be protected can be:

### According to your communication :

- Disclosed: those that have been made public knowledge for the first time in any form or medium, either in its entirety, in part, or in the essential of its content or, even, through a description of it;
- Unpublished: the undisclosed, and published

### According to its origin :

- Primigenias: those that have been created originally without being based on another pre-existing one, or that being based on another, their characteristics allow to affirm their originality, and
- Derivatives: those that result from the adaptation, translation or other transformation of a primitive work;

## Works to be protected can be:

### According to the creators involved :

- Individuals: those that have been created by a single person
- Of collaboration: those that have been created by several authors
- Collective: those created by the initiative of a physical or moral person who publishes and discloses them under his or her address and name and in which the personal contribution of the various authors who have participated in its elaboration is based on the whole with a view to which It has been conceived, without it being possible to attribute to each of them a different and undivided right over the set.

## Work

### Concept of artistic work:

Work art (or work of art) is a creation whose purpose is to appeal to the aesthetic sense of the person who contemplates it.

### Protection of works

The works protected by the LFDA are those of original creation capable of being disseminated or reproduced in any form or medium.



## Works protection

### Characteristic :

- Originality: enough intellectual effort to distinguish it from any other of the same genre.
- Fixed: on a material support.

## Identification

### International standard number of the Book :

A title or an edition of a title of a particular publisher

### International standard number for Periodical publications - ISSN :

A title or a publication that appears in successive or periodic parts and that is intended to continue publishing indefinitely

## Registration of Work before Public Registry of Copyright

It is necessary to fill out the RPDA-01 "Work Registration Request" form in duplicate, [http://www.indautor.gob.mx/formatos/registro/registro\\_obras.html](http://www.indautor.gob.mx/formatos/registro/registro_obras.html)

Make a payment of rights for each of the procedures.

Submit two copies of the work.

- Full Source Code and if you have the executable append it.

## Forms

[RPDA01](#): Work Registration Application

[RPDA01A1](#): Work Registration Application (attached sheet) Author / Coauthor / Owner / Editor / Producer

[RPDA1A2](#): Application for Registration of Works (attached sheet of works)

# Thank You Very Much

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