



AMÉRICA LATINA



Annual Work Plan

Year 2 - 2019

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Bajo la dirección de la Comisión Europea, IP Key es un programa gestionado por la Oficina de Propiedad Intelectual de la Unión Europea.

Sob a direção da Comissão Europeia, IP Key é un programa gerido pelo Instituto da Propiedade Intelectual da União Europeia

Introduction

About IP Key LA

IP Key is designed to support European Union (EU) interests by helping countries address selected emerging challenges in the area of intellectual property (IP) in Latin America (LA). In addition to emerging opportunities arising from LA countries' own policy choices, a major driver for activities under IP Key LA is market access. Both the EU and LA countries have a common interest in facilitating trade and investment by removing obstacles that hinder their development.

The project is consistent with the strategic indications of the EC, for example, as defined in the Communication by the Commission "*Trade, growth and intellectual property - Strategy for the protection and enforcement of intellectual property rights in third countries.*"¹ In this sense, it faces the challenge of improving the protection and enforcement of IPRs in the region, while raising public awareness of the economic and other impacts of IPR-infringing goods and their detriment to innovation and also on health and safety.

To achieve this, IP Key Latin America attempts to offer adequate responses in the relevant domains such as:

- Facilitating the conclusion/implementation of multilateral and bilateral trade agreements and the establishment of successful dialogues including on IPRs. In this vein, IP Key LA is already providing assistance to the EC via a number of studies to help benchmark the IP situation in the region, also useful as a baseline for the project actions.
- Providing technical assistance for the modernisation of IP institutions in LA Countries, in particular IPOs (Intellectual Property Offices).
- Providing assistance and improving the environment for EU right holders, including improved accessibility to IP information present in IPO data bases
- Improving stakeholder engagement, in particular, by promoting dialogue with key stakeholders on the importance of IPRs in LA countries from a social and economic point of view, and as an engine of development.
- Ensuring better data collection and awareness raising to sustain informed policy debate as well as awareness raising efforts. In this sense, the strategy is to extend EU experience, in particular the knowledge and experience accumulated by the European Observatory on Infringements of Intellectual Property Rights.

¹COM(2014) 389 final, Strasbourg 1.7.2014

The IP Key Action in LA seeks to further enhance cooperation between the EU and LA in the field of IPR protection and enforcement, by tackling the identified challenges in the common interest of promoting a sustainable and healthy development of the trade relationship between the EU and LA.

The overall objective of the action is to promote a more **level playing field for European Union companies operating in LA** by contributing to greater **transparency and fair implementation of the IPR protection and enforcement system** in LA.

In order to accomplish the overall objective, the following specific objectives will be pursued:

- Prepare and accompany FTA negotiations in the region.
- Promote European standards in IPR legislation, protection and enforcement and the development of best practices.
- Support the interests of European innovators and right holders trading with or investing in LA.
- Increase political and public awareness of the importance of IPR protection.

The AWP2 covers an implementation period of 12 months, from 1 January to 31 December 2019. It comprises 24 activities, potentially contributing to six specific results of the action, including communication and visibility.

The activities included in this document derive from an extensive stakeholder consultation conducted throughout the last quarter of 2018 and taking into consideration the information gathered during IP Key's implementation of AWP1.

A "front-loading" of activities is an approach that continues to be adopted in 2019, as was the case in 2018, in line with the potential and demand of IP activities in the Region.

Description of the Activities

No	Activity	Q1			Q2			Q3			Q4			Target	Location
		1	2	3	4	5	6	7	8	9	10	11	12		
1	On-demand study or assistance related to FTA negotiations or their implementation On-demand study or assistance related to FTA negotiations or their implementation to be defined with DG TRADE.													TBC	N/A
2	On-demand support for implementation of obligations arising from FTA The activity will include subjects/areas, as appropriate, where the EC and other specialized agencies or organizations have a common approach. Indicative Activities: - Studies - Seminars and peer to peer meetings													TBC	N/A
3	Seminar on Online Infringement of IP The main purpose of this activity is to share the EU experience on infringements of IP rights in the digital environment. The activity will consist of a study workshop involving officials of the competent national authorities, research bodies and judges.													National copyright authorities, research bodies and judges – Colombia.	Colombia
4	Customs and border enforcement The activity is addressed to both customs officials and other enforcement agencies such as police authorities and officials. Its main purpose is to share best practices among Latin American authorities and provide access to technology and IT-based tools.													Customs officials, police authorities, lawyers, right holder/representatives - All Latin America.	Argentina

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
	The activity will be a section of an "Enforcement Week 2019"														
5	<p>Judges symposium</p> <p>Follow up of 2018 activity, where Latin American judges gathered for the first symposium – for a general enforcement discussion. In 2019, the proposal is address the topic of IPR infringements in the digital environment.</p> <p>The goal of the activity is to examine the laws and jurisprudence regarding direct, as well as intermediary or indirect responsibilities, in the infringement of intellectual property in the digital environment.</p>													Judges, prosecutors, rightholder representatives (including associations such as IFPI, EMPA, INTA, CISAC) – All Latin America	Argentina
6	<p>Enforcement summit</p> <p>Following EU interests, this activity will promote the sharing of best practices on enforcement activities in LA, as well as raising awareness - where EU Enforcement tools and studies could be shared and where the participation of High-level officials should foster the adequate implementation of a region-wide IP enforcement system.</p> <p>The opportunity will be used, in addition, to examine the development of EU and Latin American legislation in relation to topics of crucial importance in the digital environment such as the civil liability for damages in certain cases of copyright infringement committed with the use of online services.</p>													IP Offices, rightholder representatives, customs, lawyers – All Latin America	Argentina

No	Activity	Q1			Q2			Q3			Q4			Target	Location
		1	2	3	4	5	6	7	8	9	10	11	12		
7	<p>Seminar on IPR in Digital Environment – Online market places</p> <p>The activity consists of a seminar organized with the objectives of facilitating discussions among brands, online platforms and government organisations; to discuss methods for reducing the volume of counterfeit goods on these legitimate platforms and to share recent European and national legislation and experience, to exchange best practices for online portals and e-commerce platforms relating to the role of intermediaries, ISPs / payment service providers / the online marketplace, supply chain auditing, counterfeit goods and Copyright.</p>													IP Offices, right holder representatives, lawyers, internet platforms, prosecutors - Mercosur	Brazil
8	<p>SME Awareness roving seminar</p> <p>Awareness raising roving seminar, following up to 2018 activity, delivering basic IP information to SMEs. Accordingly, a set of awareness raising workshops are to be organized in selected countries of CA and CAN. In the framework of these workshops, EU and local businesses will be presented with basic principles on recognition of IP issues, such as copyright, patents, trade marks and industrial designs.</p>													Local and EU SME's, universities, research entities, rightholders, lawyers - México, Guatemala, El Salvador and Costa Rica, Colombia, Bolivia, Perú, Ecuador.	México, Guatemala, El Salvador and Costa Rica (in March) Colombia, Bolivia, Perú, Ecuador (in May)
9	<p>EU Conference on Geographical Indications and the Lisbon Agreement (Geneva Act)</p> <p>The activity will be organized in coordination with IP KEY SEA, which also includes such an activity its AWP. The activity includes a</p>													IP Government authorities responsible for GIs – Andean Authorities	Portugal

No	Activity	Q1			Q2			Q3			Q4			Target	Location
		1	2	3	4	5	6	7	8	9	10	11	12		
	Conference for IP Officials and representatives of the government agencies tasked with Agriculture and/or Trade/Commerce that are involved in GI issues from LA countries. The Conference will also serve as a venue for the exhibit of paired LA and EU GIs to be identified in collaboration with the LA countries participating in the Conference. A Study Visit on GIs for the officials from LA countries will then be organized back-to-back with the Conference.														
10	<p>Trade Mark Practice and Design Practice \ Convergence project workshops on IP examination guidelines and convergence of practices.</p> <p>One of the IPKey strategies to help create predictable and converging practices in trade mark and design examination in Latin America is promoting the development of guidelines, which codify IPOs' uses and procedures applied during the examination of trade marks and designs. The activity would therefore provide an insight to a selected group of trade mark and design examiners, allowing them to engage IPO's practices and methods.</p>													IP Offices, trade mark and design examiners, IT staff – All Latin America	Chile (April) , Costa Rica (July) and Andean (November)
11	<p>GI Event in Peru with OriGIn</p> <p>The workshop will replicate the successful GI seminar organized at EUIPO headquarters on the 3rd and 4th of October, 2018, dedicated to "Trade marks and Geographical Indications, future perspectives", co-organised with the EU Commission - DG AGRI. Particular items will focus on the relations between trade marks</p>													Local GI holders, local authorities with responsibility for GIs, EU GI holders – Andean authorities	Peru

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
	and geographical indications. This activity will be carried out within the framework of the opening of an OriGIN office in Lima.														
12	<p>Support in the development for studies on the Economic importance of IPRs, Social perception of IPRs; Impact of infringements of IPRs</p> <p>Following the methodology of the Observatory, the studies should cover a broad range of IP rights — trade marks, patents, designs, copyright (it may cover geographical indications (GIs) and plant variety rights (PVRs) as well if centralised data is readily available). The studies consider a variety of economic indicators, in particular, gross domestic product (GDP), employment, external trade and wages. It will be designed to provide evidence that can be used by policymakers in their work and to serve as a basis for raising IP awareness among policymakers and citizens of target countries.</p>													IP policy makers, IP Offices – Uruguay and Peru	N/A
13	<p>Seminar on IP "User IP Experiences"</p> <p>The objective of this seminar is to share useful knowledge and to analyse the challenges that relevant stakeholders face in registering and defending their intellectual property rights - such as innovation and technology transfer, copyright piracy (both online and offline), online counterfeiting and piracy, as well as the role of free trade zones in illicit trade. Focused on the IP industry, the private sector being the main target, this Seminar serves as a</p>													IP industry, private sector right holders, rightholder representatives, associations, public authorities involved in IP	Central America

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
	platform to discuss the most relevant IP topics in the different sub-regions of LA, and will help build IP Key LA activities based on the conclusions and key aspects discussed at this type of event. It also increases the visibility of the Project, whose acknowledgment and importance is growing in the Region.														
14	<p>Support to the accession and/or implementation of IP international Treaties (Madrid, Hague, Lisbon, TLT, PCT, etc)</p> <p>This 2019 activity will be a follow-up action designed to continue to deliver workshops and seminars, with expert and practical work sessions, dedicated to the promotion of International Registration Systems. Providing expertise and favour exchanges of knowledge, to facilitate progress towards the adherence and application of the provisions of the International Treaties, such as the Madrid Protocol, the PCT or the Lisbon Agreement by Latin American countries and describing the already established benefits of being part of them.</p>													IP Offices, examiners involved in trade mark examination, designs, GIs, patents; IP policy makers - Argentina	Argentina
15	<p>High level IP Seminar - "IP digital trends for 2019"</p> <p>Designed for heads of IP Offices – both EU and LA - the activity is aimed to be a platform for information exchange, seeking to create synergy among the IP Offices, sharing experiences and collecting information from the heads of IP Offices of Latin America, which are some of the main focal points for the development of the activities of IP Key LA.</p>													IP Offices (local and EU) – All Latin America	EU

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
	It is proposed to divide the meeting into three different blocks. The first one to expose relevant subjects on IP that affect the region. The second, to present important topics that affect stakeholders, and finally the third one, to promote the programmed activities scheduled for AWP 2019.														
16	<p>Search and classification IP tools (Trade marks and Designs)</p> <p>This activity is designed to facilitate the adoption of search and classification IT assisted IP tools by LA IP Offices, which allow building a foundation for future more advanced tools.</p> <p>Building on the first AWP, where most LA IP Offices have integrated their trade marks in TMview and several have adopted DesignView and TMclass. For 2019, it is proposed to follow the same formula: organizing a workshop, in the region, dedicated to hands-on implementation and knowledge transfer.</p>													IP Offices staff, trade marks and design examiners – All Latin America	Andean Region
17	<p>IT assisted quality and productivity IP tools</p> <p>This activity is designed to facilitate the adoption of IT assisted quality and productivity IP tools by LA IP Offices, which allow streamlining and strengthening IP registration processes.</p> <p>For 2019, and based on the experience of the first AWP, where several offices were gathered in workshops to implement and / or use CESTO (the tool to support the examination of</p>													IP Offices, trade marks, designs, patents, plant varieties examiners, IT staff – All Latin America	Central America

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
	Trade marks), Front Office (the tool to manage online applications for Trade marks and Designs), EPO free search tools for Patent examiners and the GAIA software for plant variety examination, the proposal is to organize a workshop dedicated to the implementation of IT assisted quality and productivity IP tools.														
18	GI Event A seminar will be organized in one Central America country in order to promote the use and expansion of the GI sui generis approach. The seminar will be based on the format of the 2018 GI activity where different aspects of the GI sui generis approach were discussed. The action will be completed by an analysis of the EU PDO/PGI registration process.													Authorities responsible for GIs, examiners, rightholders	Central America
19	Patent Digitalisation To initiate a high-quality digitalisation process with the final aim of producing full-text backfile data in one or two middle size pilot IP offices.													IP Offices, patent examiners	Ecuador
20	Patent examination training Regional training for patent examiners on how to access EPO search and examination results via Global Dossier and how to understand and interpret such results.													IP Offices, patent examiners, IT staff – Mercosur+Chile	Uruguay
21	Update the Central American Manual on Patents for examiners It is proposed to assist IPOs in increasing efficiency, predictability, coherence and transparency of internal processes, in particular those related to the processing and													IP Offices, patent examiners – CA Countries	Costa Rica

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
	<p>registration of IPRs (Operations).</p> <p>This collaboration will aim, on the one hand, to promote the development of examination guidelines, to reflect IPO practice in the frequent scenarios according to a set of “general instructions” and, on the other hand, at assisting IPOs to develop policies and procedures to meet user requirements (according to international standards) in their core business activities.</p>														
22	<p>Training on licensing of protected plant varieties</p> <p>The purpose of this activity is to design and implement a course on basic aspects of licensing agreements of protected plant varieties.</p>													Authorities in Chile and Andean Countries responsible for registration of plant varieties, local breeders, EU right holders, (distance learning course development)	Chile
23	<p>Benefits of the 1991 Act of the UPOV Convention awareness raising regional activity</p> <p>Regional activity aimed to demonstrate the benefits of the 1991 Act of the UPOV Convention for the development of agricultural and to highlight the importance of the harmonization of the legislation of the LA countries to the Act 91 of UPOV, designed for policymakers of the region.</p>													Local authorities responsible for registration of plant varieties, local policy makers	Peru

		Q1			Q2			Q3			Q4			Target	Location
No	Activity	1	2	3	4	5	6	7	8	9	10	11	12		
24	<p>Copyright event with CAN</p> <p>The activity will consist in a two day seminar promoting a discussion on the types of Copyright applicable to creators, as enshrined in the copyright laws of Latin America, and on the obstacles that may exist in the region for their effective implementation.</p>													Collecting societies, copyright right holder representatives, local authorities responsible for copyright and related rights	Peru