

WORLD TRADE ORGANIZATION

RESTRICTED

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**Council for Trade-Related Aspects
of Intellectual Property Rights**

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REVIEW OF LEGISLATION

Response from Argentina to the Follow-up Questions Posed by the United States

Addendum

By means of a communication from the Permanent Mission of Argentina, dated 21 June 2001, the Secretariat has received the following replies to the follow-up questions posed by the United States, as circulated in document IP/C/W/268/Add.2.

A. ENFORCEMENT

1. Please explain whether an interested party may file a sworn declaration with the customs authorities of Argentina to prevent the entry into commerce of infringing materials or to enable the seizure of infringing materials from abroad.

No, Argentine Customs may suspend clearance only by judicial order (and not on the basis of a sworn declaration filed with the administrative authority).

2. Please explain whether there are any laws or regulations in Argentina to ensure that government agencies do not infringe intellectual property rights in works such as computer software that is used in government agencies. Please describe any procedures that are in place to ensure that there is no unauthorized use of intellectual property rights by the Government of Argentina.

At the end of 2000, the Office of the Chief of Cabinet was pursuing its investigation into the matter with extremely positive results, which means that the issue of avoiding infringements of copyright in this sphere is on the way to being settled.

A number of provinces such as Santa Fe, Cordoba and Buenos Aires, which rank among the country's principal software users, have put an end to irregularities. Efforts are continuing at both public and private level in order to regularize the situation.
