



The importance of protecting your export products in a global market

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Introduction

- What is Intellectual Property?
- Why should I protect my Intellectual Property?
- How can I protect my Intellectual Property?



What is Intellectual Property?



Concept



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A B O G A D O S

Recognition of a property right in favor of a particular author or owner on the works or creations of the human intellect.



Branches of Intellectual Property

Intellectual Property

Copyright

Industrial Property

Distinctive Signs
Patents
Utility model
Industrial Designs
Traditional Knowledge
Denominations of Origin



Distinctive Signs

Distinctive signs are elements of Industrial Property which are used by producers, processors and traders in developing their economic activities.

Trademarks

Commercial slogans

Trade names

Collective trademarks

Trademarks of Certification



Trademarks

It is understood by all that a trademark sign serves to distinguish the goods and services of a person (natural or legal).

The marks may consist of words, pictures or logos.

Types: Word
Figurative
Mixed
Three-dimensional
Sounds



Principles of Trademark Law

Top of registration - Use

- Establishing System
- Declaration System

Top of Territoriality:

The marks are protected and the owner acquires rights in the country where they have been registered or used.

Top of Expertise:

Trademarks protect the goods and services for which they have been registered.

International Classification

Classes 01 - 34: Products

Classes 34 - 45: Services



Why should I protect my trademark?





Exclusive Use

Protecting Intellectual Property gives its owner exclusive use for a specified period.

In the case of trademarks, the exclusive use is for 10 years with possibility of renewal.



Dimensions of exclusive use

Positive

Identification
Marketing
Export
Import
Disposal
- Sale
- Guarantee

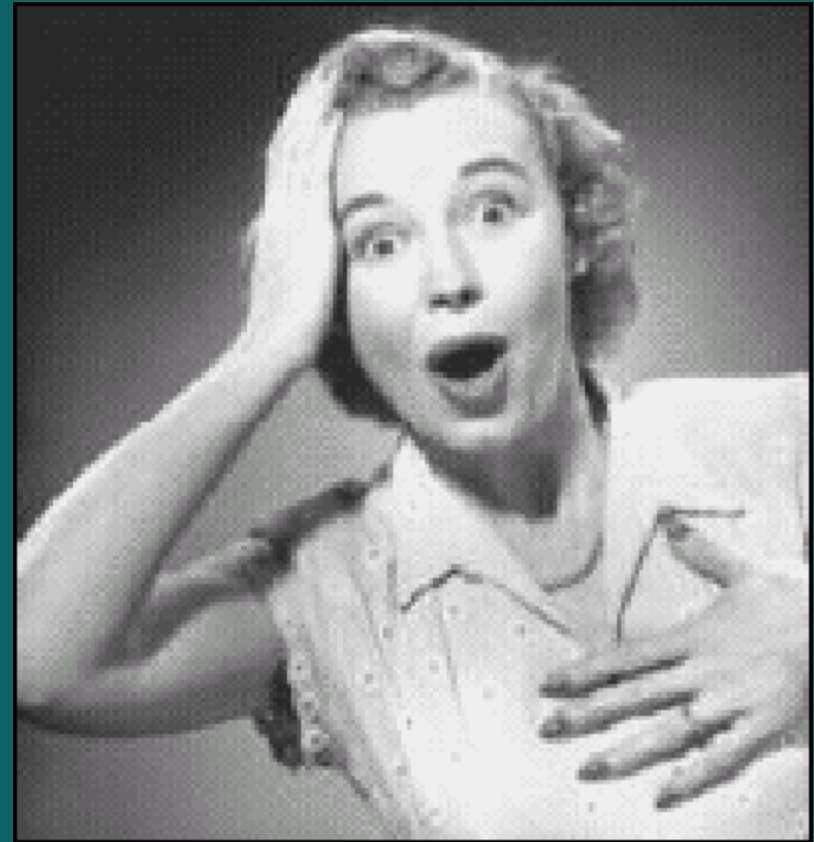
Negative

Opposition against use
Opposition against registration



The Big Problem

The trademark is
already registered or
filed by third party





Possible consequences for failure to protect a trademark

- Reduction of commercial possibilities.
- Impaired-income products country of destination: arrest of products in customs.
- Complaints by trademark infringement for unauthorized use.



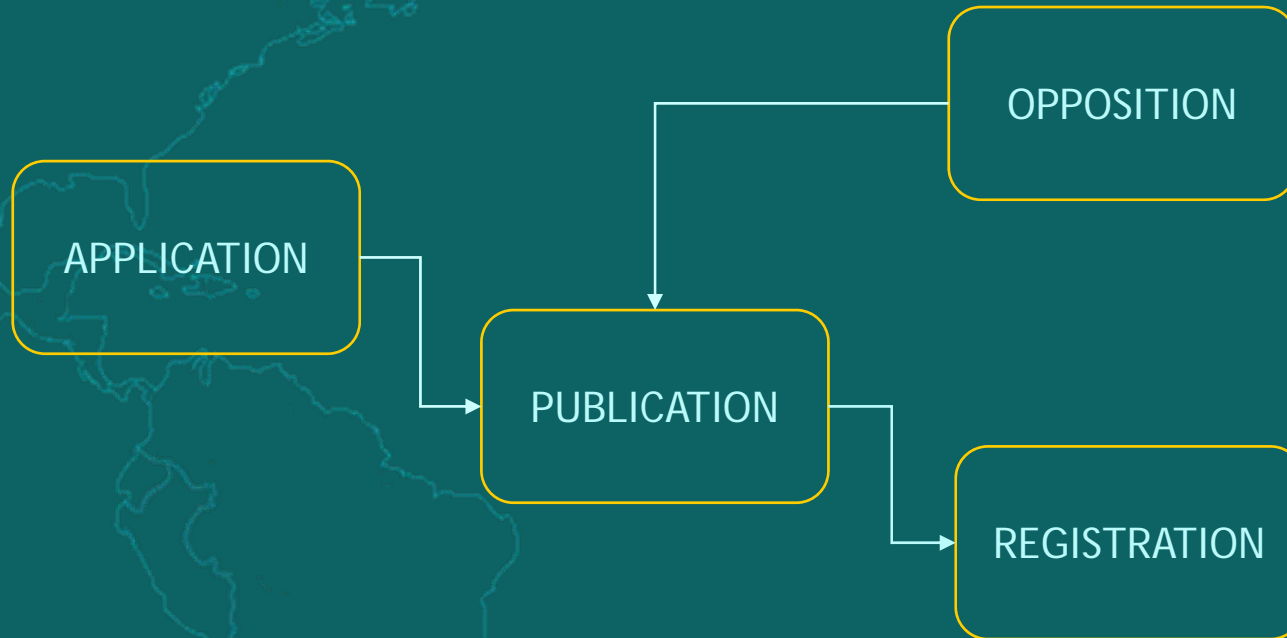
How do I protect my trademark?





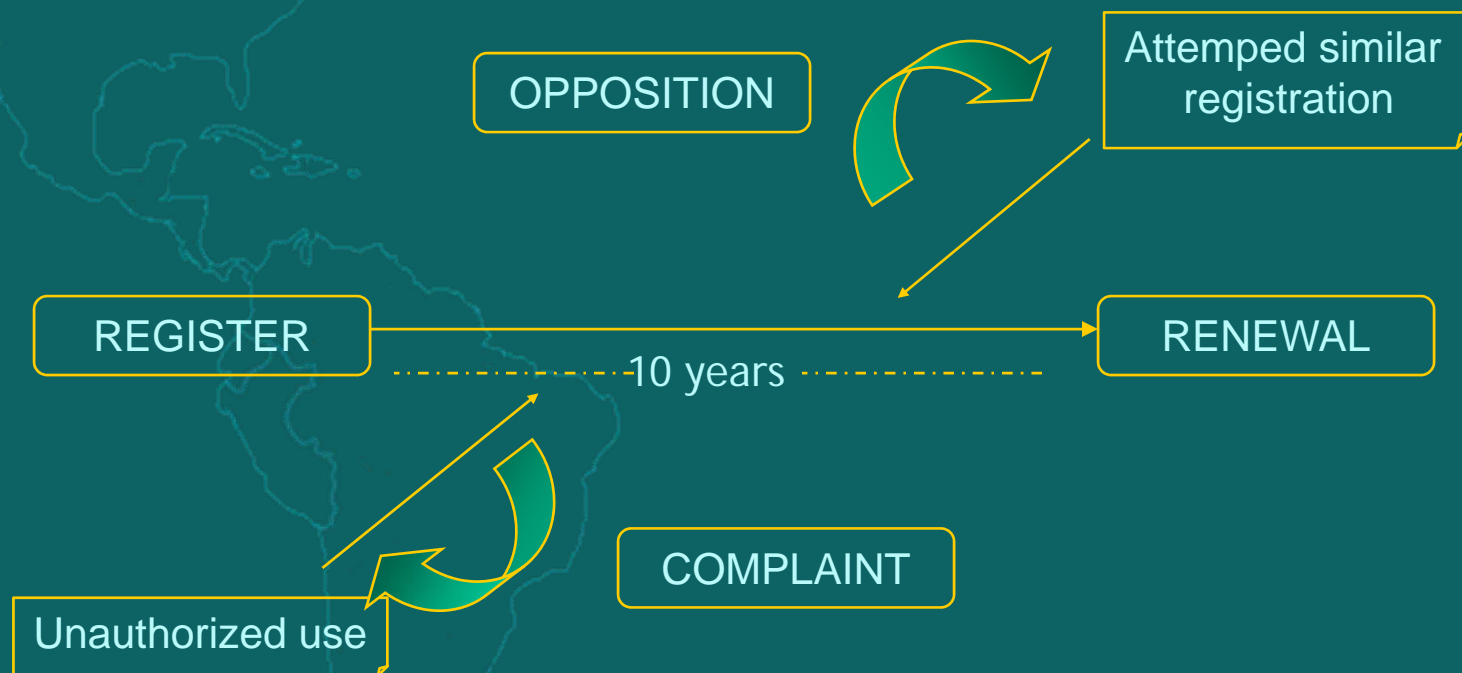
In Perú

Trademark Registration Procedure:





Watching of a Trademark:





Abroad

Commercial changes: searching for new markets



Necessity to protect the trademarks abroad

Intellectual Property International Associations

INTA: International Trademark Association.

ASIPI: Asociación Interamericana de Propiedad Intelectual.

ECTA: European Community Trademark Association.

APAA: Asian Patent Attorneys Association

AIPPA: Association Internationale pour la Protection de la Propriété Intellectuelle



Procedures abroad

- Rules procedural individuals.
- Times separate resolution.
- Influences of political and social context.
- Implementation of international treaties.
- Language of the country.

Influence of FTAs in the trademark registrations abroad



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ABOGADOS

- Andean Community and Chile
- Mercosur
- European Community
- North America
- China



Our recommendation





Protect your trademark

Protect your property



Thanks