

OFFICIAL GAZETTE OF BOLIVIA

SUPREME DECREE No. 27938

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CARLOS D. MESA GISBERT **CONSTITUTIONAL PRESIDENT OF THE REPUBLIC**

WHEREAS:

In the framework of Law No. 1788 of September 16, 1997 - Organization of the Executive Branch Act – LOPE, the National Intellectual Property Service (SENAPI) was created, as a decentralized body of the Ministry of Economic Development, responsible for administering the rules for intellectual property in the country.

Supreme Decree No. 25159 of September 4, 1998 establishes the organizational structure and operational rules of SENAPI, defining it as a decentralized public law body of the Ministry of Economic Development with national jurisdiction and its own administrative structure, hierarchically subordinate to the Minister of Economic Development and operationally subordinate to the Vice-Minister of Industry and Internal Trade.

In the above framework, the functioning of SENAPI has been characterized by weakness and slow institutional development: a situation caused mainly by strong political interference, which has not enabled the entity to fulfill its institutional mandate in an appropriate and efficient way.

At present, the topic and disciplines of intellectual property have gradually taken on a new dimension and significance, characterized by their direct link with market regulation and aspects relating to international trade and productive and technological development policies, as the basis for efficiency and competitiveness.

The administration of intellectual property systems not only has national scope but also involves compliance with the different international treaties and regional agreements that commit the faith of the State and that constitute, in the case of the Andean Community, the subject and content of a common system of laws that must be implemented as national law, thereby making it fundamental for there to be a competent national body with an institutional hierarchy and technical level similar to those set up in the other countries of the region.

In this new scenario, intellectual property projections are determining the need for the country to have a national authority or competent body with sufficient independence and management capacity to ensure efficient institutional performance, compliance with legislation and effective protection for the rights that arise from the creativity of citizens and society, thus making it essential to strengthen and undertake institutional reform of SENAPI.

Under Law No. 2446 of March 19, 2003, Organization of the Executive Branch Act, and its Regulations approved by Supreme Decree No. 26973 of March 27, 2003, a new classification of public sector institutions has been introduced, according to the greater or lesser degree of management independence, and it is therefore vital to adapt the structure of SENAPI to this new legal and institutional framework.

Similarly, under Law No. 2341 of April 23, 2002, Administrative Procedure Act, principles and rules have been established to regulate the administrative activity and administrative procedures of the public sector, making it necessary to adapt management procedures and processes to the system established by this Law;

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IN CABINET COUNCIL,

DECREES:

CHAPTER I INSTITUTIONAL FRAMEWORK

ARTICLE 1. (OBJECT). The object of the present Supreme Decree is to establish the organization and functioning of the National Intellectual Property Service (SENAPI), in the framework of Law No. 2446 (LOPE), its statutory provisions and the international and integration agreements to which Bolivia is a party.

ARTICLE 2. (INSTITUTIONAL NATURE). The National Intellectual Property Service (SENAPI) is a decentralized public institution, a public law body, with national jurisdiction and its own administrative structure, hierarchically subordinate to the Minister of Economic Development and operationally subordinate to the Vice-Minister of Industry, Trade and Exports.

ARTICLE 3. (SPHERE OF JURISDICTION AND DOMICILE). SENAPI has national jurisdiction and legal domicile in the city of La Paz, and may also set up district offices in other Department capitals of the territory of the Republic.

ARTICLE 4. (MISSION). SENAPI administers all elements of the intellectual property system in a decentralized and integral way, by means of strict compliance with legal intellectual property rules, monitoring of their enforcement, and effective protection of the exclusive rights in terms of industrial property, copyright and related rights, the breeding of new plant varieties and access to and use of genetic resources, thus making it the competent national office with regard to international treaties and regional agreements signed and acceded to by Bolivia, as well as common intellectual property systems and rules that have been adopted in the framework of the Andean integration process.

ARTICLE 5. (LEGAL SYSTEM). The legal system applicable by SENAPI comprises the rules contained in the national legal order, international agreements to which Bolivia is a party, and community rules adopted with regard to intellectual property.

ARTICLE 6. (ADMINISTRATIVE, LEGAL AND TECHNICAL MANAGEMENT INDEPENDENCE). SENAPI has administrative, legal and technical management independence. Its operational subordination to the Vice-Minister of Industry, Trade and Exports shall be understood as the Minister's oversight of compliance with the legislation in force and institutional aims and results.

ARTICLE 7. (MANAGEMENT BASIS). The management of SENAPI is based on the following principles:

- (a) application, compliance and monitoring of intellectual property systems, including those that arise from the national legal order, as well as from rules contained in international conventions and Andean intellectual property systems, with a view to providing effective oversight of the rights that result therefrom.
- (b) effective legal, administrative and technical management independence that prioritizes efficiency, transparency and quality of services.
- (c) a system of stable and skilled staffing based on merit and performance, in accordance with the system established by the Statute on Civil Servants and Public Administration.
- (d) a system of management, control and follow-up based on information technology, which comprehensively ensures full user participation, information security and transparent and timely management.
- (e) rationalized and streamlined development and flow of processes to avoid bureaucratic complexity and provide the security of due process, in compliance with

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the principles and rules of Law No. 2341, Administrative Procedure Act, and its statutory rules.

- (f) application of government control and administration systems established by Law No. 1178 – Government Administration and Control Act – (SAFCO) and its statutory provisions.
- (g) a user-enabling and user-friendly policy for service users, aimed at providing effective support and rights protection, and ensuring their participation in the national process of productive and technological development.

ARTICLE 8. (PRINCIPLES). In accordance with the Administrative Procedure Act, the principles governing the activities of SENAPI are as follows:

- (a) legality or full lawfulness of its acts, which are subject to the Law and the applicable legal order.
- (b) presumption of legitimacy: as they are subject to the Law, the administrative acts of SENAPI are presumed to be legitimate, except where they are explicitly declared null, void or revoked.
 - (c) principle of impartiality, acting without any form of discrimination or difference towards service users.
 - (d) principle of good faith, assuming mutual loyalty and trust in the acts of authorities, officials and SENAPI service users. .
- (e) principles of effectiveness: any act or administrative procedure shall achieve its objective through rational use of available resources.
- (f) principle of economy: the actions of SENAPI shall be carried out with economy, simplicity and promptness, while avoiding unnecessary procedures, formalities and acts.
- (g) principle of publicity: the acts of SENAPI are public, except for reserve or confidentiality imposed by regulations.
- (h) principle of transparency: the management and acts of SENAPI shall be carried out in such a way that, at any time, they can be subjected to auditing processes by the competent authorities. The duty to inform, except for the confidential technical aspects belonging to the applicants for rights, is one of the principles of management.
- (i) principle of ongoing due diligence, SENAPI shall officially drive forward the procedures of its service users.
- (j) principle of due process, adapting its acts of administrative jurisdiction to established procedures and safeguarding the right of defense.
- (k) principle of proportionality, using appropriate and necessary means to enforce its acts, particularly when dealing with infringements and penalties.

CHAPTER II FUNCTIONS AND RESPONSIBILITIES

ARTICLE 9. (FUNCTIONS).

I. The roles of SENAPI are as follows:

- (a) to administer the integrated intellectual property system, made up of the rules of industrial property, copyright and related rights, breeding of new plant varieties and access to genetic resources, with the internationally recognized scope afforded to these matters.

In terms of breeding new plant varieties and access to genetic resources, SENAPI shall issue Plant Breeder Certificates and shall sign Access Contracts, based on

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the processing and technical assessment carried out by specialized entities duly accredited by the Ministry of Agriculture and the Ministry for Sustainable Development, respectively.

- (b) to receive, assess and process applications for intellectual property rights, publish them, grant or refuse rights, register and certify them, in accordance with the Law.
- (c) pursuant to the Common Regime on Industrial Property and the Common Regime on Copyright and Neighboring Rights, approved by Decisions 486 and 351 of the Andean Community, respectively, as well as Law N° 1322 – Copyright Act -, which grants administrative protection to monitor and protect the exercise of intellectual property rights by owners, while hearing, resolving and penalizing their violation as a result of actions of infringement and unfair competition reported to Administrative Headquarters.
- (d) to hold and maintain, with appropriate security, the records, archives, databases and information technology included in applications, acts and records of intellectual property.
- (e) to direct, coordinate and implement policies and strategies for the development of intellectual property systems and the protection of rights that arise therefrom.
- (f) to act as the competent national body in relation to international treaties, regional agreements and the rules of the Andean legal system, ensuring their effective application and enforcement.
- (g) to promote, in its area of jurisdiction and in cooperation with related entities, scientific and technological research for the purpose of Bolivia's productive and competitive development.
- (h) to promote the development and participation of organizations that represent holders of intellectual property rights, establishing coordination mechanisms for the improved protection of rights.
- (i) to set up user information and service mechanisms.

ARTICLE 10. (RESPONSIBILITIES). To carry out its functions, SENAPI shall have the following responsibilities:

- (a) to carry out all administrative acts and issue resolutions where necessary and relevant for the management, granting and registration of intellectual property rights.
- (b) to declare acts and other administrative resolutions null, annulable or cancelled, stating the grounds for the decision.
- (c) to hear and resolve, at the Administrative Headquarters, oppositions from third parties and proceedings initiated for the granting of intellectual property rights, acting as a body of administrative jurisdiction or conciliation in such matters.
- (d) to hear and resolve, at its various levels of jurisdiction, administrative appeals for revocation or appeals to a higher authority brought against final resolutions.
- (e) to hear and resolve, subject to due process, proceedings for infringement of intellectual property rights and acts of unfair competition in this sphere, applying the appropriate administrative penalties in accordance with the regulations.
- (f) to apply administrative penalties of a pecuniary nature, product seizure, suspension and revocation of activity permits and other similar administrative measures, in accordance with the regulations and without prejudice to any civil or criminal liability proceedings brought through the relevant channels.
- (g) in accordance with the provisions of Article 86 of Law No. 1990 General Customs Act, request the suspension of customs clearance for goods that are presumed to

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violate intellectual property rights, whether they have been obtained in the country or arise from international agreements signed by Bolivia.

- (h) to submit records to the Public Prosecutor's Office where criminal offenses are identified.
- (i) to adopt protective measures to safeguard and protect intellectual property rights, using the necessary means in proportion with the problem.
- (j) to propose, through the competent bodies of the Executive, the formulation and implementation of policies, rules, projects and programs aimed at developing intellectual property and improving the protection of intellectual property rights.

- (k) to carry out actions of inter-agency coordination in order to promote the dissemination, teaching and development of intellectual property disciplines.
- (l) to carry out other actions that contribute to efficient and timely fulfillment of its institutional mission.

CHAPTER III

ORGANIZATIONAL AND OPERATIONAL STRUCTURE

ARTICLE 11. (LEVELS OF ORGANIZATION). SENAPI has the following levels of technical and administrative organization:

Executive Level:	Executive Director General of the National Service.
Coordination Level:	Technical Council.
Oversight Level:	Internal Auditor.
Technical operational Level:	Technical Directors of: <ul style="list-style-type: none">- Industrial Property.- Copyright.

Support Level:	Administrative Director. Legal Director.
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ARTICLE 12. (HIERARCHICAL LEVELS). The hierarchical levels of SENAPI are as follows:

- Executive Director General of the National Service.
- Technical Directors, Administrative Director and Legal Director.

ARTICLE 13. (EXECUTIVE DIRECTOR GENERAL OF THE NATIONAL SERVICE).

I. The Executive Director General of SENAPI shall have professional training and proven experience in intellectual property, and shall be appointed by a Supreme Resolution, at the proposal of the Minister of Economic Development.

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II. The Director shall have the responsibility of maximum executive authority for a mandate of 5 (five) years, and may be confirmed in office for a similar period.

III. The Executive Director General shall be the legal representative of the institution and for the purposes of the regime and systems of administration and control established in Law No. 1178 - SAFCO.

IV. The Executive Director General shall have the following responsibilities:

- (a) to plan, direct, control, administer and lead the technical, operational and administrative management of the entity at the central and district levels.
 - (b) to hear and resolve appeals to a higher authority brought against the resolutions of SENAPI Technical Directors, exhausting administrative channels.
 - (c) to direct the institution in all its technical and administrative activities.
 - (d) to comply with and enforce legal regulations relating to the roles and responsibilities of SENAPI.
 - (e) to oversee the application of national and international legal provisions to ensure the protection and safeguarding of intellectual property.
 - (f) to propose to the Minister of Economic Development, through the Vice-Minister of Industry and Internal Trade, draft legal regulations within his/her remit.
 - (g) to coordinate and direct the formulation and implementation of strategies, policies, plans and programs for the development of intellectual property in the country.
 - (h) to supervise the implementation of the SENAPI budget subject to the legal provisions in force.
 - (i) to promote agreements for cooperation, coordination and arrangement of technical and financial support in intellectual property matters with national and international agencies.
 - (j) to ensure the protection and safeguarding of industrial and business secrets, in accordance with international rules and SENAPI regulations.
 - (k) to hear and resolve administrative processes concerning intellectual property.
 - (l) to establish the regulation of administrative periods for the processing of intellectual property matters, in accordance with existing national and international rules in this regard.
 - (m) to present to the Minister of Economic Development, through the Vice-Minister of Industry and Internal Trade, the annual report of SENAPI.
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- (n) to appoint and dismiss SENAPI staff in accordance with the rules and procedures of the Personnel Administration System.
 - (o) to propose to the Minister of Economic Development a scale of charges for the provision of services requested, in accordance with the regulations.
 - (p) to issue Administrative Resolutions within his/her remit, to define internal institutional matters.

CHAPTER IV COORDINATION LEVEL

ARTICLE 14. (TECHNICAL COUNCIL). The Technical Council shall be the main body of institutional coordination. It shall be chaired by the Executive Director General of the National Service and made up of the Technical Directors of the National Service. It meets once a month in ordinary session, and in extraordinary session according to the needs of the Service, being

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convened by the Executive Director General of the National Service. The Legal Director shall act as secretary for the Technical Council.

CHAPTER V OVERSIGHT LEVEL

ARTICLE 15. (INTERNAL OVERSIGHT).

I. The Internal Auditor shall be directly linked to the Executive Director General of the National Service, and shall be responsible for the Internal Oversight System and thus for the subsequent checking of financial and administrative operations, as well as for checking compliance with administration and control rules and procedures established by the systems of Law No. 1178 – Government Administration and Control Act.

II. The Internal Auditor shall be selected and appointed by the Executive Director General in accordance with the Basic Rules on Personnel Administration, and shall have professional training and proven experience in the area of his/her remit.

CHAPTER VI TECHNICAL AND OPERATIONAL LEVEL

ARTICLE 16. (TECHNICAL DIRECTORS). As the technical and operational nucleus of SENAPI, the Technical Directorates are tasked with assessing and processing intellectual property rights applications, in accordance with the various legal systems applicable in each management area.

ARTICLE 17. (JOINT RESPONSIBILITIES).

I. The Technical Directors shall have the following joint responsibilities:

- (a) to direct and coordinate the work and activities of the units for which they are responsible.
- (b) to enforce the rules and regulations applicable to the areas within their remit.
- (c) to deal with matters relating to their remit.
- (d) to support the functions of the Executive Director General of the National Service and report on the development of their activities.
- (e) to exercise full jurisdiction to hear and resolve intellectual property applications and registrations, as well as for the adoption of protective measures in their respective areas of management. In the first instance, they shall also act to hear and resolve appeals for reconsideration.
- (f) to carry out functions given or delegated to them by the Executive Director General of the National Service.
- (g) in resolutions for administrative appeals, they shall be able to issue resolutions at the relevant level.

II. Technical Directors shall be subject to a process of institutionalization, shall be selected in accordance with the Civil Service Statute and the Basic Rules on Personnel Administration, and shall have professional training and proven experience in the area within their remit.

ARTICLE 18. (DIRECTOR OF INDUSTRIAL PROPERTY). The Director of Industrial Property shall have the following responsibilities:

- (a) to exercise the powers established for the competent body by the corresponding laws, decrees, resolutions and decisions.
- (b) to propose reforms and additions to the legal provisions applicable in the area within his/her remit.

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- (c) to grant or refuse industrial property rights, in accordance with the legislation in force.
- (d) to hold and maintain the register of applications and amendments to industrial property rights.
- (e) to represent the National Service, upon delegation from the Executive Director General, in dealings with national and international agencies in matters within his/her remit.
- (f) to provide information services on industrial property to various national and international public and private entities.
- (g) to enforce the laws, regulations, decrees, resolutions, treaties, international agreements and decisions, relating to inventions and also marks and other distinctive signs.
- (h) to hold the register of industrial property agents and draft regulations to govern their activity.
- (i) to carry out those functions assigned to him/her by the Executive Director General of the National Service.

ARTICLE 19. (DIRECTOR OF COPYRIGHT). The Director of Copyright shall have the following responsibilities:

- (a) to exercise the authority invested in him/her by laws, decrees, regulations, resolutions and decisions on such matters.
- (b) to represent SENAPI in dealings with national and international agencies on matters within his/her remit.
- (c) to enforce legal provisions and international agreements and treaties in force, within his/her remit.
- (d) to hold and maintain registers of authors, legal deposit and reservations and use of names.
- (e) to authorize the operation of and hold the register of collective management societies and supervise them, in accordance with the Copyright Act and its relevant regulations.
- (f) to propose reforms, additions and updates to the legal provisions applicable in the area within his/her remit.
- (g) to carry out those functions assigned to him/her by the Executive Director General of the National Service.

CHAPTER VII SUPPORT LEVEL

ARTICLE 20. (ADMINISTRATIVE DIRECTORATE).

I. The administrative and support function of SENAPI shall be governed and implemented by the Administrative Directorate, which is responsible for the introduction of and compliance with the financial and non-financial systems set up in the framework of Law No. 1178 - SAFCO, verification and monitoring of documentation, information technology development, as well as attending to the general services of the institution.

II. The Administrative Director shall be selected and appointed by the Executive Director General in accordance with the Civil Service Statute and the Basic Rules on Personnel Administration, and shall have professional training and proven experience in the area within his/her remit.

ARTICLE 21. (LEGAL DIRECTORATE).

I. The legal function of SENAPI shall be the responsibility of a Legal Directorate, which shall be in charge of legal management and advice relating to the processing of applications for intellectual property rights, and shall notify and certify those rights. It shall also act as the body which hears all proceedings for opposition, infringement and unfair competition brought by right holders, as well as in proceedings for the adoption of protective measures.

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II. The judgment and analysis of the Legal Directorate shall be expressed in Legal Reports.

III. The functions of the Legal Directorate shall be to:

- (a) provide specialized legal advice to SENAPI.
- (b) review and report on ongoing proceedings to the Executive Director General.
- (c) draft resolutions to resolve administrative appeals lodged with the National Service.
- (d) hear cases of infringements of intellectual property rights and work with lawfully designated bodies to implement the relevant measures.
- (e) deal with reports of violations and infringements of intellectual property rights.
- (f) intervene in legal proceedings where SENAPI is a plaintiff or defendant.
- (g) produce draft amendments or updates for legal provisions relating to such matters.

- (h) act as secretariat for the Technical Council.

IV. The Legal Director shall be selected and appointed by the Executive Director General in accordance with the Civil Service Statute and the Basic Rules on Personnel Administration, and shall have professional training and proven experience in the area within his/her remit.

ARTICLE 22. (DECENTRALIZED LEVEL). SENAPI shall be decentralized at the level of Department Capitals where District Offices operate, under the responsibility of a Head, who shall be responsible for reception, formal review, follow-up and user information in terms of industrial property rights application procedures, as well as the promotion and dissemination of rules, proceedings and benefits relating to intellectual property.

CHAPTER VIII ECONOMIC AND FINANCIAL RULES

ARTICLE 23. (FINANCIAL RESOURCES).

I. The activities of SENAPI shall be financed by the following income sources:

- (a) Master Budget of the Nation assigned to the institution.
- (b) Own Resources from the collection of fees for services inherent in the fulfillment of the institutional mission.
- (c) Gifts and bequests in favor of the institution.
- (d) Financing from international cooperation, in accordance with the rules that govern this type of operation.

II. The own resources mentioned in subsection (b) of the previous paragraph shall be collected by means of deposits in a tax account, applying the procedures established by the Ministry of Finance.

III. The amount charged for the provision of services shall be defined by a Ministerial Resolution of the Ministry of Economic Development.

IV. The process of adaptation of the present Supreme Decree shall not incur any additional cost for the National Treasury.

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CHAPTER IX ADMINISTRATIVE RULES

ARTICLE 24. (ADMINISTRATION). The administration of SENAPI shall be subject to the Systems of Law No. 1178 SAFCO and the basic rules established for each one.

CHAPTER X HUMAN RESOURCES

ARTICLE 25. (RULES).

I. All officials of SENAPI shall be civil servants and be subject to the rules and procedures established by Law N° 1178 – Government Administration and Supervision Act; Law No. 2027 – Statute on Civil Servants; Law No. 2341 – Administrative Procedure Act, and their statutory provisions.

II. The public administration rules established in the Statute on Civil Servants shall apply to the structure of SENAPI.

III. SENAPI shall select, accredit and hire, where appropriate, specialists or specialized entities in the various technical spheres, so that they may act as external examiners for applications for intellectual property rights, carrying out substantive analyses of patentability and registrability, the cost of which shall be covered by applicants in accordance with the regulations. For this purpose, the Technical Directorates shall hold an accreditation bank of experts authorized by SENAPI.

CHAPTER XI LEGISLATIVE RULES

ARTICLE 26. (LEGAL RULES).

I. The legal rules applicable by SENAPI shall be made up of the rules of the national legal system, international treaties and agreements signed and acceded to by Bolivia on such matters and common regimes adopted in relation thereto within the legal order of the Andean Community (Decisions 486, 391, 351 and 345). This legal framework shall be the source that establishes and supports the administrative jurisdiction and remit of SENAPI.

II. SENAPI may propose, to the competent body, draft laws, supreme decrees and general regulations aimed at strengthening the regulation and development of intellectual property in Bolivia.

CHAPTER XII PROCEDURAL RULES

ARTICLE 27. (PROCEDURES).

I. The formation of administrative acts in SENAPI shall be subject to the principles, rules, requirements, stages and resources included in the Administrative Procedure Act and its statutory provisions.

II. Final or equivalent administrative acts may be challenged at the administrative headquarters by means of appeals for reconsideration or appeals to a higher authority, and at the legal headquarters by means of the administrative litigation procedure.

III. The bringing of charges for infringement of intellectual property rules or for acts of unfair competition arising in this sphere, as well as penalties and measures adopted as a result, shall be subject to the principles, rules, stages and due process established by the Disciplinary Procedure included in the Administrative Procedure Act. Disciplinary resolutions may be challenged by appeals for reconsideration or appeals to a higher authority.

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CHAPTER XIII INTER-AGENCY COORDINATION

ARTICLE 28. (INTER-AGENCY COORDINATION RELATIONS AND OBJECTIVES). SENAPI shall promote its ties and coordination and cooperation actions with public and private entities, for the purposes of disseminating intellectual property concepts, principles and rules, and protecting the rights arising from intellectual property. Special attention shall be paid to coordination relations with:

- (a) the Judiciary, the Public Prosecutor's Office and National Customs, with a view to strengthening the legal certainty of intellectual property rights.
- (b) business and union organizations, with a view to coordinating actions to strengthen productive and technological development from the sphere of intellectual property, as a basic element of competitiveness.
- (c) the competent authorities and business organizations, with a view to tackling problems resulting from the impact of unfair competition and the informal economy on the protection of intellectual property rights and consumer protection.
- (d) science and technology research and promotion entities, with a view to linking the benefits of scientific and technological development to intellectual property.
- (e) universities, with a view to coordinating actions relating to research and the promotion of technological development, as well as to incorporating topics relating to intellectual property in undergraduate and postgraduate programs, particularly on law and technology courses.
- (f) associations of professionals and rights holders active in the sphere of intellectual property.

CHAPTER XIV TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 29. (STATUTORY RULES).

I. Within 180 (one-hundred and eighty) days from the publication of the present Supreme Decree, SENAPI shall produce and approve the Operations Manual and harmonize the Specific Regulations of the different Systems of Administration and Control in the framework of Law No.1178 - SAFCO.

II. Also within the same period, SENAPI shall process the approval of the regulations for the Common Regime on Industrial Property (Decision 486) and update the Regulations under Law No. 1322 – Copyright Act, in accordance with the Common Regime on Copyright and Neighboring Rights (Decision 351). Subsequently, the process and drafting shall begin for regulations for the Common Regime on Access to Genetic Resources (Decision 391) and the Common Regime on the Protection of the Rights of Plant Breeders (Decision 345).

ARTICLE 30.(CLEARING PROGRAM). SENAPI and the Ministry of Finance shall be authorized to promote, among international cooperation agencies, the search and award of technical assistance resources intended for the implementation of a clearing program under the responsibility of SENAPI, which shall deal with and complete any lag or delay in pending proceedings, either in

terms of rights applications or third party oppositions, in accordance with specific regulations.

ARTICLE 31. (VALIDITY OF RULES). The following rules are repealed and abolished:

- Supreme Decree No. 25159 of September 4, 1998 is repealed.

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- the provisions Concerning SENAPI contained in Supreme Decree No. 27131 of August 14, 2003 and Supreme Decree No. 27292 of December 20, 2003 are abolished.
- All the statutory provisions that contradict the present Supreme Decree are repealed and abolished.

The Minister of State in the Office of Economic Development shall be responsible for the implementation and enforcement of the present Supreme Decree.

Done at the Palace of Government in the city of La Paz, on the twentieth day of the month of December, in the year two thousand and four.

SIGNED BY CARLOS D. MESA GISBERT, Juan Ignacio Siles del Valle, José Antonio Galindo Neder, Saúl Lara Torrico, Gonzalo Arredondo Millán, Luis Carlos Jemio Mollinedo, Gustavo Pedraza Mérida, Horst Grebe López, Jorge Urquidi Barrau, Guillermo Torres Orías, María Soledad Quiroga Trigo, Fernando Antezana Aranibar, Luis Fernández Fagalde, Diego Montenegro Ernst, Roberto Barbero Anaya, Ricardo Calla Ortega.