



17 February 2023

(23-1172)

Page: 1/2

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

Original: Spanish

**NOTIFICATION OF LAWS AND REGULATIONS UNDER
ARTICLE 63.2 OF THE TRIPS AGREEMENT**

COSTA RICA: EXECUTIVE DECREE NO. 33697-MINAE - REGULATIONS ON ACCESS
TO BIODIVERSITY'S GENETIC AND BIOCHEMICAL MATERIALS
AND RESOURCES IN *EX SITU* CONDITIONS

Notifying Member	COSTA RICA
-------------------------	------------

Details of the notified legal text

Title	Executive Decree No. 33697-MINAE - Regulations on Access to Biodiversity's Genetic and Biochemical Materials and Resources in <i>ex situ</i> conditions
Subject matter	Patents (including plant variety protection)
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2023/IP/CRI/23_1144_00_s.pdf
Notification status	<input checked="" type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	Not applicable
Brief description of the notified legal text	
<p>The notified text regulates the procedure for access to biodiversity's genetic and biochemical materials and resources maintained in <i>ex situ</i> conditions in accordance with Article 69 of the Law on Biodiversity. It provides that any research or bioprospecting programme on biodiversity's genetic or biochemical material intended to be carried out in Costa Rican territory requires an access permit.</p> <p>The Regulations apply to genetic and biochemical materials and resources of components of biodiversity, whether wild or domesticated, terrestrial, marine, freshwater or aerial, in <i>ex situ</i> conditions, located in any part of the national territory. The Regulations also apply to the protection of associated traditional knowledge and the fair and equitable sharing of benefits derived from the use of such materials and resources and/or traditional knowledge.</p>	
Language(s) of notified legal text	Spanish

Entry into force	18 April 2007
Other date	Publication: 18 April 2007

Notification details

Submission date of notification	26 January 2023
Other information	See also: <i>Decreto Ejecutivo No. 31514-MINAE Normas Generales para el Acceso a los Elementos y Recursos Genéticos y Bioquímicos de la Biodiversidad</i> (IP/N/1/CRI/26) y <i>Ley No. 7788 - Ley de Biodiversidad</i> (IP/N/1/CRI/17)
Agency or authority responsible	<i>Comisión Nacional para la Gestión de la Biodiversidad</i> (National Commission for Biodiversity Management) (+506) 2224-8664/(+506) 2253-8416 info@conagebio.go.cr <i>Oficina Nacional de Semillas</i> (National Seed Office) (+506) 2223-5922/(+506) 2234-6467 info@ofinase.go.cr

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.