

OFFICIAL REGISTER
BODY OF THE GOVERNMENT OF ECUADOR
Administration of Dr. Jamil Mahuad Witt
President of the Republic

(English version*)

*Ecuador was, is and will be
an Amazonian country*

CONSTITUTIONAL COURT
Year II -- Quito, Friday December 10, 1999 -- No. 336
EDMUNDO ARIZALA ANDRADE
DIRECTOR-IN-CHARGE

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* Courtesy translation provided by WIPO.

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Article 6.- The resolutions of the Deputy Ombudsman of Consumers and Users shall be subject to appeal before the Ombudsman

Done at Quito, November 25, 1999.

Signed: Dr. Milton Alava Ornaza, Ombudsman.

Article 7.- In fulfilling his/her duties, the Deputy Ombudsman of Consumers and Users shall be administratively, civilly and criminally liable.

This copy is the same as the original, which is kept in the archive of the Office of the Ombudsman and which I will submit if necessary.

Article 8.- The present Resolution, which shall take precedence over those that contradict it, shall enter into force from this date, without prejudice to its publication in the Official Register.

I certify.

Signed: Lda. Genny Vélez Ponce, National Administrative Director of the Office of the Ombudsman

No. CD-IEPI 99-008

BOARD OF DIRECTORS OF THE ECUADORIAN INSTITUTE OF INTELLECTUAL PROPERTY (IEPI)

Considering:

That Article 346 of the Law on Intellectual Property created the Ecuadorian Institute of Intellectual Property (IEPI) as a legal entity of public law, with its own assets and administrative, economic, financial and operational autonomy, an administrative agency authorized to promote, develop, provide for, protect and defend on behalf of the State of Ecuador the intellectual property rights recognized in the law of international agreements;

That Article 368 of the above-mentioned legal instrument and other provisions establish the acts and services for which fees may be charged;

That Article 369 of the Law on Intellectual Property provides that fees shall be fixed in general vital minimum wages (SMVG), taking into account the criteria of proportionality of fees to the cost of the service and its efficiency;

That IEPI requires sufficient financial resources for its functioning; and,

Using the authority conferred by Article 352(a) of the Law on Intellectual Property,

Resolves:

That Article 352(a) of the Law on Intellectual Property authorizes the Board of Directors of IEPI to fix and approve the fees to be charged by the Institute;

Article 1.- To fix and approve, in general vital minimum wages (SMVG), the following fees that should be charged by IEPI for the acts and services listed below (one SMVG=100,000 sucres; 25,000 sucres = USD **10**, as of January 2000):

1. INDUSTRIAL PROPERTY: DISTINCTIVE SIGNS

SMVG

ORD.	Heading	Marks	Trade names	Trade slogans	Distinctive appearances	Geographical indications
1.1	Filing, applications, registration, recording or granting of rights	13.5	13.5	13.5	13.5	26
1.2	Filing renewal applications	13.5	13.5	13.5	13.5	26
1.3	Filing applications to amend registrations	7	7	7	7	7
1.4	Recording of contracts	7	7	7	7	7
1.5	Certificate of grant or registration of	7	7	7	7	7

	rights (issue of titles)					
1.6	Certificate of official registry search	1	1	1	1	1
1.7	Certificate of official search of pending applications	1	1	1	1	1
1.8	Examinations prior to granting or registration	-	-	-	-	-
1.9	Actions/applications to cancel registration	20	20	20	20	20
1.10	Maintenance of registrations	-	-	-	-	-

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1. INDUSTRIAL PROPERTY: PATENTS AND OTHERS

SMVG

ORD.	Heading	Patents	Utility models	Industrial designs	Layout-designs, circuits
1.1	Filing, applications, registration, recording or grant of rights	27	27	27	27
1.2	Filing renewal applications	-	-	-	-
1.3	Filing applications to amend registrations				
1.4	Recording of contracts	7	7	7	7
1.5	Certificate of grant or registration of rights (issue of titles)	13.5	13.5	13.5	13.5
1.6	Certificate of official registry search	4	3	3	3
1.7	Certificate of official search of pending applications	4	3	3	3
1.8	Examinations prior to grant or registration	13.5 to 66.5	13.5 to 66.5	-	-
1.9	Actions/applications to cancel registrations	-	-	-	-
1.10	Maintenance of registrations	7	-	-	-

The final value of the fee for examinations prior to granting or registration shall be set by the National Director of Industrial property, on a case-by-case basis, within the limits permitted.

The payment of the registration maintenance fee shall be annual and shall be completed during the first three months of each year.

2. NEW VARIETIES OF PLANTS

SMVG

ORD.	Heading	Group A:*	Group B:**
2.1	Filing, applications, registration, recording or grant of rights	27	7
2.2	Filing applications to amend registrations	7	3
2.3	Recording of contracts	7	3
2.4	Certificate of grant or registration of rights (issue of titles)	20	7
2.5	Certificate of official registry search	3	1.5
2.6	Certificate of official search of pending applications	3	1.5
2.7	Examinations prior to grant or registration	13.5 to 66.5	13.5 to 66.5
2.8	Actions/applications to cancel breeder certificates	20	20
2.9	Maintenance of registrations	7	7
2.10	Maintenance of live samples	13.5 to 66.5	13.5 to 66.5

* Ornamentals, vegetables, fruits, deciduous, grasses, oil palms, maize and sorghum (hybrids), sunflower.

** Grain legumes, root crops, Andean species and others not considered in Group A.

The payment of fees for the maintenance of registrations and live samples shall be annual and shall be completed during the first three months of each year.

The final value of the fee for examinations prior to granting or registration and maintenance of live samples shall be set by the National Director of Industrial Property, on a case-by-case basis, within the limits permitted.

3. COPYRIGHT AND RELATED RIGHTS:

ORD.	Heading	SMVG
3.1	Filing, applications, registration, base, data, audiovisual works and computer programs	1.5
3.2	Filing applications: registration of more works protected by Art. 8 of Intellectual Property Law	1
3.3	Filing applications for authorization of the operation of collective management societies	66.5
3.4	Recording of applications for collective management in the National Copyright Registry	13.5
3.5	Filing applications for the reform of statutes of societies for collective management	27

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4. GENERAL:

ORD.	Heading	SMVG
4.1	Awarding certified copies of documents (per sheet)	0.05
4.2	Awarding certified copies of each administrative act	0.5
4.3	Expert reports produced by IEPI	13.5 to 66.5
4.4	Filing of actions for the exercise of administrative supervision	20
4.5	Inspections carried out by IEPI for the exercise of administrative supervision	13.5 to 133
4.6	Filing of oppositions	20
4.7	Original administrative application for restoration	7
4.8	Original administrative application for appeal, review and exceptional review	11
4.9	Deposit of undisclosed information	4
4.10	Filing of applications for protection certificates	13.5

Article 2.- The fees shall be collected and administered by IEPI, constitute part of its assets and shall be used for its operation; it shall be expressly forbidden for any authority to divert its funds for other purposes, in accordance with the instructions in Articles 366, 367 and 369 of the Law on Intellectual Property.

Article 3.- The fees fixed for the filing of applications for registration, recording or granting of rights shall apply and be charged only in the case of applications filed after this Resolution has entered into force.

The other fees fixed in Article 1 above shall apply and be charged from the entry into force, in accordance with the provisions of Article 4.

Article 4.- The fees fixed and approved by this Resolution shall enter into force on the day following its publication in the Official Register.

Article 5.- The fees that used to be charged by IEPI for any reason prior to the entry into force of this Resolution shall be invalid.

Article 6.- For publication in the Official Register.

Done at Quito, December 2, 1999.

Signed by Nelson Velasco, Chair of the Board of Directors of the Ecuadorian Institute of Intellectual Property (IEPI)

CORRIGENDA

Notification No. 99-482 P-IEPI

Quito, December 17, 1999

Mr.
Edmundo Arizala Andrade
DIRECTOR, OFFICIAL REGISTRY
Submits

Resolution CD-IEPI 99-008, issued by the IEPI Board of Directors and published in Official Registry No. 336, December 10, 1999, contains the following errors:

1. In Ords. 1.1, referring to "**DISTINCTIVE SIGNS**" and "**PATENTS AND OTHERS**", 2.1 and 3.1, all in Article 1, the punctuation signs (commas) should be deleted;
2. In the last line of number "2. **NEW VARIETIES OF PLANTS**" "Industrial property" should be replaced by "New Varieties of Plants";
2. In Ord. 3.4 of the same Article 1, "applications" should be replaced by "companies".

Taking into account the above, I request publication in the Official Registry of the aforementioned corrections, as "Corrigenda"

Sincerely,

Signed Nelson Velasco, President