

# Copyright

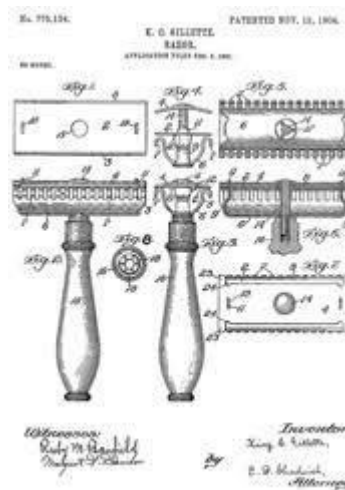
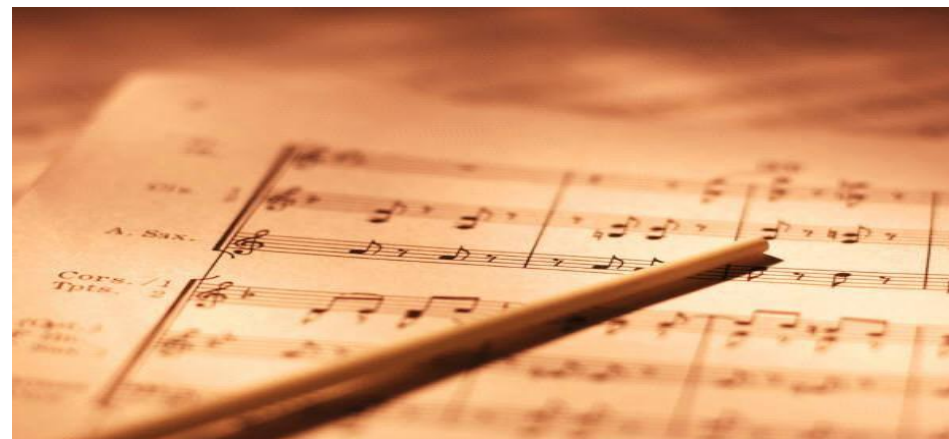
ECORFAN-México, S.C.

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[Copyright](#)

# INTELLECTUAL PROPERTY

- Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.
- IP is protected in law by, for example, patents, copyright and trademarks, which enable people to earn recognition or financial benefit from what they invent or create. By striking the right balance between the interests of innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.



# LA P.I. SE DIVIDE EN DOS GRANDES VERTIENTES

## IP IT IS DIVIDED IN TWO BIG SHORTS??

Intellectual  
property

Industrial property  
Instituto Mexicano de la  
Propiedad Industrial (IMPI)

Copyright  
Instituto Nacional del  
Derecho de Autor  
(INDAUTOR)

# DEFINITION

"Privilege to use exclusive and temporary creations and distinctive signs of products, establishments and services."

**David Rangel Medina.**



# INDUSTRIAL PROPERTY

## NEW CREATIONS

PATENTS

UTILITY MODELS

INDUSTRIAL DESIGNS

## DISTINCTIVE SIGNS

MARKS

COMMERCIAL ADVERTS

TRADENAMES

DENOMINATIONS OF ORIGIN

# Copyright

Copyright is the recognition that the state has in favor of the creator of literary and artistic works in Article 13 of the Federal Copyright Law (FCL), under which it grants its protection so that the author enjoys exclusive privileges of a personal nature and patrimonial. The first integrate the so-called moral right and the second, the patrimonial.

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ART. 11 FCL

# MORAL RIGHTS

## MORAL RIGHTS

AUTHOR IS THE ONLY, FIRST, AND PERPETUAL OWNER OF MORAL RIGHTS ON THE WORKS OF HIS CREATION.

MORAL LAW IS CONSIDERED UNITED TO THE AUTHOR AND IS INALIENABLE, IMPRESCRIPTIBLE, IRRENUNCIABLE AND UNEMPLOYABLE.

ART. 18 Y 19 FCL

## CHARACTERISTICS:

DIVULGATION

INTEGRITY

PATERNITY

WITHDRAWAL OF CIRCULATION

ART. 21 FCL



# PATRIMONIAL RIGHTS

## PATRIMONIAL LAW

THE HOLDER OF PATRIMONIAL LAW IS THE AUTHOR, HEIR OR THE PURCHASER FOR ANY TITLE.

THE AUTHOR IS THE ORIGINAL HOLDER OF THE PATRIMONIAL RIGHT AND HIS HEIRS FOR ANY TITLE WILL BE CONSIDERED AS DERIVED HOLDERS.

ART. 25 Y 26 FCL

## CHARACTERISTICS:

REPRODUCTION

DISTRIBUTION

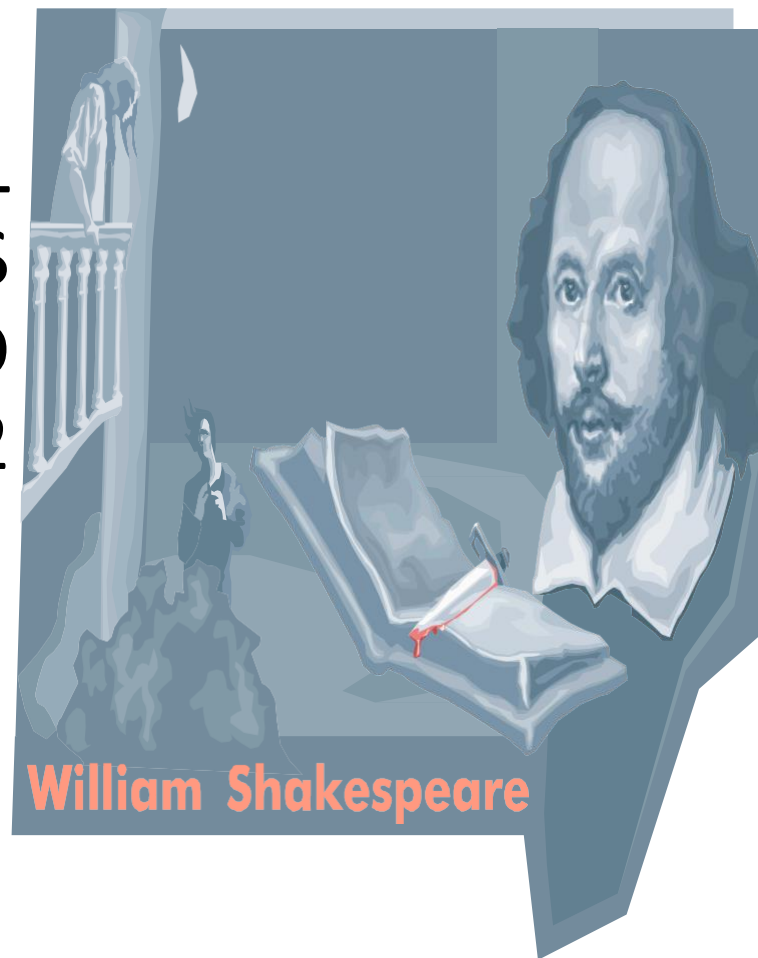
PUBLIC COMMUNICATION

TRANSFORMATION

ART. 27 FCL

# Copyright

**AUTHOR:** IS THE NATURAL PERSON WHO HAS CREATED A LITERARY AND ARTISTIC WORK. (ART. 12 FCL)



# COPYRIGHT

THE WORKS OBJECT OF PROTECTION CAN BE

ACCORDING TO THE AUTHOR:

KNOWN: CONTAIN THE MENTION OF THE NAME, SIGN OR SIGNATURE WITH WHICH THE AUTHOR IS IDENTIFIED;

ANONYMOUS: NO MENTION OF THE NAME, SIGN OR SIGNATURE THAT IDENTIFIES THE AUTHOR, BY WILL OF THE SAME OR FOR NOT BEING POSSIBLE SUCH IDENTIFICATION, AND

PSEUDONYMOUS: DISCLOSED WITH A NAME, SIGN OR SIGNATURE THAT DOES NOT REVEAL THE AUTHOR'S IDENTITY;

# COPYRIGHT

THE WORKS OBJECT OF PROTECTION CAN BE:

ACCORDING TO YOUR COMMUNICATION:

DISCLOSED: THOSE THAT HAVE BEEN MADE OF PUBLIC KNOWLEDGE FOR THE FIRST TIME IN ANY WAY OR AVERAGE, WELL IN ITS ENTIRETY, WELL IN PART, WELL IN THE ESSENTIAL OF ITS CONTENT OR, EVEN, THROUGH A DESCRIPTION OF THE SAME;

UNNECESSED: NON-DISCLOSED, AND

PUBLISHED

# COPYRIGHT

THE WORKS OBJECT OF PROTECTION CAN BE:

ACCORDING TO ITS ORIGIN :

PRIMITICS: THOSE THAT HAVE BEEN CREATED FROM ORIGIN WITHOUT BEING BASED ON ANOTHER PRE-EXISTING, OR THAT ARE BASED ON ANOTHER, THEIR CHARACTERISTICS ALLOW TO AFFIRM THEIR ORIGINALITY, AND

DERIVATIVES: THOSE THAT RESULT FROM THE ADAPTATION, TRANSLATION OR OTHER TRANSFORMATION OF A PRIMITIVE WORK;

# COPYRIGHT

THE WORKS OBJECT OF PROTECTION CAN BE:

ACCORDING TO THE CREATORS THAT INTERVENE:

INDIVIDUALS: THOSE THAT HAVE BEEN CREATED BY A SINGLE PERSON;

OF COLLABORATION: THOSE THAT HAVE BEEN CREATED BY VARIOUS AUTHORS, AND

COLLECTIVES: THOSE CREATED BY THE INITIATIVE OF A PHYSICAL OR MORAL PERSON WHO PUBLISHES AND DISCLOSES THEM UNDER HIS ADDRESS AND HIS NAME AND IN WHICH THE PERSONAL CONTRIBUTION OF THE VARIOUS AUTHORS WHO HAVE PARTICIPATED IN ITS DEVELOPMENT IS FUNCTIONED IN THE SET WITH VIEWS WHICH IT HAS BEEN CONCEIVED, WITHOUT IT BEING POSSIBLE TO ATTRIBUTE TO EACH OF THEM A DIFFERENT AND INDIVIDUAL LAW ON THE COMPLEX PERFORMED.

# WORK

## CONCEPT OF ARTISTIC WORK :

ARTISTIC WORK (OR ARTWORK) IS A CREATION WHOSE PURPOSE IS TO APPEAL TO THE AESTHETIC SENSE OF THE PERSON WHO CONTEMPLATES IT. IN THE CATEGORY OF ARTISTIC WORKS ENTER \* PAINTINGS, \* DRAWINGS, SCULPTURES, \* ENGRAVINGS AND, FOR VARIOUS COPYRIGHT LAWS, ALSO THE WORKS OF \* ARCHITECTURE AND \* PHOTOGRAPHIC WORKS. ALTHOUGH IN SOME COUNTRIES THE MUSICAL WORKS ARE CONSIDERED TO BE ALSO INCLUDED IN THE NOTION OF ARTISTIC WORKS. ANALOGICALLY, MOST LEGISLATIONS INCLUDE IN THIS CATEGORY THE WORKS OF "APPLIED ART".

(Glosario de Derecho de Autor y Derechos Conexos,  
editado por la OMPI en Ginebra, Suiza en el año 1980)

# PROTECTION OF WORKS

THE WORKS PROTECTED BY THE LFDA ARE THOSE OF ORIGINAL CREATION SUSCEPTIBLE TO BE DISSEMINATED OR REPRODUCED IN ANY WAY OR ANOTHER.

PROTECTION OF LITERARY OR ARTISTIC WORKS.

CHARACTERISTICS:

Originality: Enough intellectual effort to distinguish it from any other of the same genre.

Fixed: on a material support.

It does not require registration, nor any formality. (Art. 3 and 5 LFDA)



# CONCEPT

**ORIGINALITY IN RELATION TO ONE \* WORK, ORIGINALITY MEANS THAT THIS IS ONE \* CREATION OF THE AUTHOR, AND NOT COPYING OF ANOTHER WORK IN ITS ENTIRETY OR IN AN ESSENTIAL PART. IN THE \* LAW OF COPYRIGHT, ORIGINALITY IS REQUIRED IN THE COMPOSITION OF THE CONTENT AND IN THE \* FORM OF ITS \* EXPRESSION, BUT NOT AS TO THE IDEAS MERAS, INFORMATION OR METHODS INCORPORATED TO THE WORK. ORIGINALITY SHOULD NOT BE CONFUSED WITH NOVELTY; THE PRE-EXISTENCE OF A SIMILAR WORK, UNKNOWN TO THE AUTHOR, DOES NOT AFFECT THE ORIGINALITY OF AN INDEPENDENT CREATION ... THIS SENSE OF THE «ORIGINAL» ADJECTIVE SHOULD NOT BE CONFUSED WITH THE SIGNIFICANCE OF THE SAME TERM WHEN IT IS USED TO COUNTER \* ORIGINAL WORKS , AS MUCH AS PRE-EXISTING WORKS, WITH THE \* DERIVED WORKS.**

(Glossary of Copyright and Related Rights,  
edited by WIPO in Geneva, Switzerland in 1980)

# CONCEPT

**FIXATION :** ES LA INCORPORACIÓN DE LETRAS, NÚMEROS, SIGNOS, SONIDOS, IMÁGENES Y DEMÁS ELEMENTOS EN QUE SE HAYA EXPRESADO LA WORK, O DE LAS REPRESENTACIONES DIGITALES DE AQUELLOS, QUE EN CUALQUIER FORMA O SOPORTE MATERIAL, INCLUYENDO LOS ELECTRÓNICOS, PERMITA SU PERCEPCIÓN, REPRODUCCIÓN U OTRA FORMA DE COMUNICACIÓN.

ART. 6 LFDA

# Thank You Very Much.

ECORFAN MEXICO, S.C.  
1638 - 1000 Insurgentes Sur  
P.O. Box 1638 - Plaza Insurg  
Mexico 06400, 06700 / Mexico  
Phone: +52 (55) 6137-2276  
Skype: ecorfan-mexico.s.c.  
E-mail: contacto@ecorfan.org  
Facebook: ECORFAN-Mexico S. C.  
Twitter: @EcorfanC