

Supreme Court of Justice pronounces on the General Law of Libraries [Read more...](#)

On October 7, 2022, four Jurisprudence Theses were published in the Judicial Weekly of the Federation regarding the concept of Legal Deposit contained in the General Law of Libraries in light of the Federal Copyright Law.

Theses [57/2022](#), [58/2022](#), [59/2022](#) and [60/2022](#) have their origin in a controversy in which a legal entity argued that the obligation imposed on publishers and producers to deliver copies of all published works, within a maximum term of sixty calendar days following the edition of the same -under penalty of receiving a fine- violates the provisions of the Federal Copyright Law, since:

- They disregard the author's right to place his work.
- No protection measures are established for the works.
- The imposition of the fine lacks legal reason.

In this regard, the Second Chamber of the Supreme Court of Justice ruled and considered that the provisions of the General Law of Libraries do not violate the author's rights, due to the fact that:

- The General Law of Libraries operates on the basis of due compliance with the Federal Copyright Law, so it cannot violate its provisions.
- The adoption of measures for the protection of works is the responsibility of the depositary institution, which must ensure the respect and safeguarding of the works.
- The fine requires an act of application to be attacked.

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It is in the interest of the Mexican Institute of Industrial Property (IMPI) to promote economic development while safeguarding innovation and creativity. In order to achieve this goal, said authority has implemented several policies, among which is the recent execution of a collaboration agreement with the Entidad de Gestión de Derechos de los Productores Audiovisuales México (EGEDA MÉXICO). With this agreement, IMPI and EGEDA MEXICO will launch a campaign to recognize infringers of intellectual property rights of persons producing audiovisual works and recordings, and to initiate before IMPI the necessary administrative procedures to apply the resulting measures in accordance with the Federal Law for the Protection of Industrial Property and the Federal Copyright Law.

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The new edition of the International Classification of Goods and Services for the Purposes of the Registration of Marks ("Nice Classification") will enter into force on January 1, 2023. It is available on the website of the World Intellectual Property Organization (WIPO), at the following e-mail address:

<https://www.wipo.int/classifications/nice/es>

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