MAKE ANY REAL EFFORT TO ADVANCE THE LEGISLATION.

JJS WORKING ON THE UPDATE OF THE 1987 COPYRIGHT LAW AND RELATED REGULATIONS WHICH WILL BE INCLUDED IN THE COMMERCIAL CODE. JJS INFORMED ECONOFF THAT THERE IS OPPOSITION FROM OTHER COMMISSION MEMBERS TO INCLUDING PROVISIONS SUCH AS A PROHIBITION AGAINST PARALLEL IMPORTS WHICH HE DESCRIBED AS A PARTICULAR INTEREST OF THE WPO. ECONOFF NOTED THAT THE CODE WILL BE "CONTROVERSIAL IN EVERY PART." UPON COMPLETION THE DRAFT WILL BE SENT TO THE JOE FOR COMMENT AND THEN OPENED TO THE PUBLIC. EMBASSY WILL SEEK TO OBTAIN A COPY.

PHARMACEUTICALS


REF: STATE 35130

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1. U. ON MARCH 9 ECON/COUNSULAR ATTACHE BY ECONOFF CALLED ON TO DELIVER REFTEL TALKING POINTS AS WELL AS COPIES OF THE TWO PETITIONS RELATING TO THE OR RECEIVED BY USTR.

2. STATUS OF IPR LEGISLATION

DEP'T FOR ARAB/CAR, ARA/EPIC MUSKOVITZ, EB/IPC SCHMIDT
DEPT PL'S PASS TO USTR BURKLY
E.O. 12958 DECL.
TAGS: KEPR OR
SUBJECT: 1986 SPECIAL 301 PROCESS: STATUS OF DOMINICAN LAW AND OTHER IPR NOTES


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8. SEPTEL REPORTS ON THE STATUS OF ENFORCEMENT EFFORTS AGAINST CABLE AND VIDEO PIRACY. NOTWITHSTANDING THE FORMATION OF A SPECIAL IPR UNIT IN THE OFFICE OF THE DISTRICT ATTORNEY, ENFORCEMENT ACTIONS HAVE BEEN FEW AND FAR BETWEEN. LOCAL SOURCES PRAISE EFFORTS ON THE PART OF THE CURRENT DIRECTOR OF THE COPYRIGHT OFFICE (OFTICINA DEL DERECHO DE AUTOR) BUT HE HAS LITTLE REAL ENFORCEMENT AUTHORITY AND NEXT TO NO RESOURCES. ATTORNEYS WORKING IN THIS AREA ALSO REPORT THAT A REQUIREMENT THAT FOREIGNERS MUST POST A BOND IN ORDER TO INITIATE LEGAL ACTION IS ALSO A SIGNIFICANT DETERRENT TO REAL ENFORCEMENT.

COMMENT

9. (C) NOTWITHSTANDING EFFORTS ON THE PART OF THE SECRETARIAT OF INDUSTRY AND COMMERCE TO CONVINCE US THAT THE GOVERNMENT HAS MADE A COMMITTED EFFORT TO ENACT AN INDUSTRIAL PROPERTY BILL, WE REMAIN SKEPTICAL ABOUT ANY REAL INTENT TO MOVE FORWARD ON IPR ISSUES IN THE ABSENCE OF SIGNIFICANT PRESSURE FROM THE U.S. AND/OR OTHER GOVERNMENTS. WATT