

CHILE



**Alessandri & Compañía
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Rodrigo Velasco S

New Industrial Property Institute

Last January, the Chilean Congress approved a bill establishing the National Institute of Industrial Property (INAPI). The draft law was sent to the Congress in 2000 on the initiative of the President, and aims to create a new autonomous agency in charge of the records and administration of industrial property in Chile, with a legal personality and its own assets. It is linked to the president of the Republic through the Ministry of the Economy. The chief of this entity will be a National Director, appointed directly by the president.

INAPI will be the legal successor of the Industrial Property Department and the beginning of its duties is expected to take place during 2008.

Among other matters, the law states that the staff of INAPI will be numerically superior to the staff of the Chilean Industrial Property Department. In addition, the INAPI will have greater responsibilities than the Department, including advising the President in connection with matters relating to industrial property and proposing the signature or accession of Chile to international industrial property treaties and conventions.

Though the approval of this new law was long overdue, it shows the importance that Chile attaches to IP matters nowadays, in the context of the global economy and considering the numerous free trade agreements that Chile has subscribed to in recent years, including those with the US, Canada, China, Japan and the European Community.

It is estimated that the creation of this new institution will bring benefits to applicants and holders of IP rights, and that the Institute will be able to offer new services, have better specialized officers and reduce the processing time for applications.