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**FTAA - COMMITTEE OF GOVERNMENT REPRESENTATIVES ON THE PARTICIPATION OF
 CIVIL SOCIETY**

COVER SHEET

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Country	Argentina

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ISSUES ADDRESSED (Check all that apply)

Agriculture		Subsidies, Antidumping and Countervailing Duties	
Competition Policy		Civil Society	
Dispute Settlement		Electronic Commerce	
Government Procurement		Smaller Economies	
Intellectual Property Rights	X	The FTAA Process	
Investment		Other:	
Market Access			
Services			

EXECUTIVE SUMMARY – 2 pages maximum – (see Open Invitation): YES
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Executive Summary

The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) provides the standard established by consensus of the entire international community, independent of the degree of development of the signatory countries, taking into account that the letter and spirit of such a standard can help balance the interests involved, while ensuring the objectives of promoting technological innovation and the appropriate transfer and dissemination of technology, for the mutual benefit of producers and users of technological knowledge in a way that promotes social and economic interests and a balancing of rights and obligations.

The promotion of inventions does not create absolute rights to prevent local production or lead to prices rendering products in the market inaccessible. No one, not even the more developed countries, can maintain excessively high prices solely to support innovation, when this could be achieved at a lower cost.

An appropriate balance between the rights of innovative enterprises and users of technological knowledge makes it possible to attain the objectives described, within the context of the governing principles of the Agreement.

We therefore recommend:

1. Endorsing the concept that the TRIPS Agreement provides the appropriate standard, having achieved the consensus of the entire international community, regardless of the degree of development of the signatory countries, ensuring the objectives of promoting technological innovation and the appropriate transfer and dissemination of technology, for the mutual benefit of producers and users of technological knowledge.
2. Taking special account of the vast differences in the technological and productive capacities of the different countries in the Americas.
3. That developing countries in the Hemisphere emphasize, in developing their intellectual property systems, pursuant to Articles 7 and 8 of the TRIPS Agreement, aspects connected to the transfer of technology, regulation of unfair practices, and the protection of minor inventions (for example, through "utility models"). It is a fact of reality that developing countries have, from an objective point of view, interests and aims different from those of developed countries in the Hemisphere, as they structure a system to protect intellectual property.
4. Endorsing the concept that the harmonization that will be achieved through the TRIPS Agreement represents what seems to be the reasonable achievable limit, in terms of an alignment of intellectual property in the relations between FTAA member countries. The differences highlighted above indicate that an attempt at greater harmonization will encounter serious obstacles, primarily as a result of differing legal concepts, differences in economic development, and the difficult task that remains in attempting to implement this Agreement.
5. Defining and implementing rapid and efficient communication mechanisms between the national intellectual property systems of the FTAA member countries, in order to take optimal advantage of existing resources, providing for: (a) the execution of programs to train and strengthen the agencies; (b) the implementation of measures to facilitate appropriate businesses; and (c) promoting creativity and the development of agreements between entrepreneurs.