



International Delegates Meeting – Manila 2009
Friday, 5 June – Sunday, 7 June

LESI Society Report

Summary of activity (September 2008 to May 2009)

Deadline: 8 May 2009

Name of Society: LES ARGENTINA

Society Meetings/Seminars/Conferences held between Amsterdam (September 2008) and Manila (June 2009)*

*Regular meetings do not need to be listed separately – “six evening meetings” may be listed instead

<u>Date:</u>	<u>Topic:</u>	<u>Location:</u>	<u>Attendance</u>
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1. Identify special meetings and state why they were notable (special speaker, # of attendees, etc.).
2. Has the number of meetings changed (increased/decreased) significantly? Explain why.

During the last part of 2008 and the first half of 2009 there have been members that have retired and new ones joining the chapter, so basically the number of members has remained the same.

Membership

1. Has the number of members changed (increased/decreased) significantly? Explain why.

Our membership has remained the same in terms of number of members. We have had members that have retired, and new ones joining the Chapter, and that has kept the numbers more or less unchanged.

2. What steps are being taken to increase membership?

We keep distributing information on LES to potential members, as soon as we detect one, either by the name of the company or of the potential member.

Delegates

1. If your society does not send delegates to the International Delegates meeting, explain why.

Our Society has sent delegates to at least one of the meetings. The last Delegates Meeting which we attended with two delegates was Chicago in 2008 and will be in Manila next June.

LESI Committees

1. Are any of your society members interested in joining an LESI committee? List their names.

Next August, that is prior to the San Francisco Meeting we will be holding a general meeting where we will discuss not only the activities for the second part of the year, but also committee membership. We distribute regularly e-mails to our membership reminding them that they can join an LESI Committee.

Our member Miguel O'Farrell is a member of the Editorial Board of LES Nouvelles and as such he has been contributing in the review of articles sent for publication.

Assistance

1. List any ways that LESI can assist in your societies' activities.

Legislation/Information

Briefly summarize any changes to your legislation, regulations or business practices effecting licensing or technology transfer.

Effectiveness of the Customs Alert System

To facilitate the cooperation of the trademark owners with Customs, on February 20, 2007, an information system known as "Sistema de Asientos de Alerta" (Alert System) was put into place by AFIP/Aduanas General Resolution 2216. Our Delegate Gustavo Giay explained in one of the Delegates Meeting how the system worked. Miguel O'Farrell has prepared an update which we would like to share with all the delegates and their chapters.

Over 300 trademarks have been recorded up to date with the Alert System, which became effective and operational in April of 2007. The Alert System provides trademark owners the possibility of receiving information of imported goods bearing their trademarks before the goods are released by Customs. This information, which is sent by email, allows the trademark owners to prevent the incoming of counterfeit goods and to obtain valuable information regarding the parallel importation of genuine goods.

While the parallel importation of genuine goods is not considered a trademark infringement in Argentina, in certain cases they may constitute a contractual breach in the country of origin of the goods or a violation of other local laws, on the basis of which their importation may be prevented.

Once a trademark has been registered with the Alert System, the goods identified with such trademark are automatically blocked by Customs for three days, to allow the trademark owner to inspect the goods. The trademark owner and the importers authorized by the trademark owners are exempted from such automatic blocking.

Registrations of trademarks with the Alert System are made for two years and may be renewed.

Practical experience with the Alert System up to now shows that when the goods are counterfeit, once detected, the importers simply abandon them to be destroyed, and when they are genuine they provide the trademark owners with information which allows the trademark owners to inform Customs within 48 hours that they have nothing to object and the goods are promptly released without interfering with the flow of international commerce.

At the request of trademark owners, Customs have also blocked the exportation of suspect goods, thereby facilitating agreements between the right holders and the exporters to promptly put an end to the infringements. It is expected that trademark owners will continue to record their trademarks with the Alert System to prevent not only the importation but also exportation of counterfeit goods, and obtain valuable information regarding parallel importations of genuine goods, particularly while Customs continues to maintain the registrations free of charge.

Customs has created a special Division called "Fraude Marcario" (Trademark Fraud) that is in charge of receiving the applications for registration of trademarks in the Alert System and is also responsible for sending the alert notices by email to the registered trademark owners representatives each time there is an attempt to import or export (if the case may be) goods with marks registered in the Alert System.

Lastly, in addition to hosting seminars and training sessions with representatives from different industries, Silvina Tirabassi, General Director of Customs, continues to hold regular meetings of the so called "Foro Marcario" where users of the Alert System are able to discuss their difficulties with customs officials, seek solutions to problems which may arise and suggest improvements to the system.

Report completed by Fernando Noetinger

Date May 7, 2009

Position in Society: President