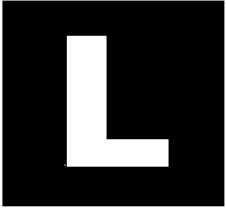
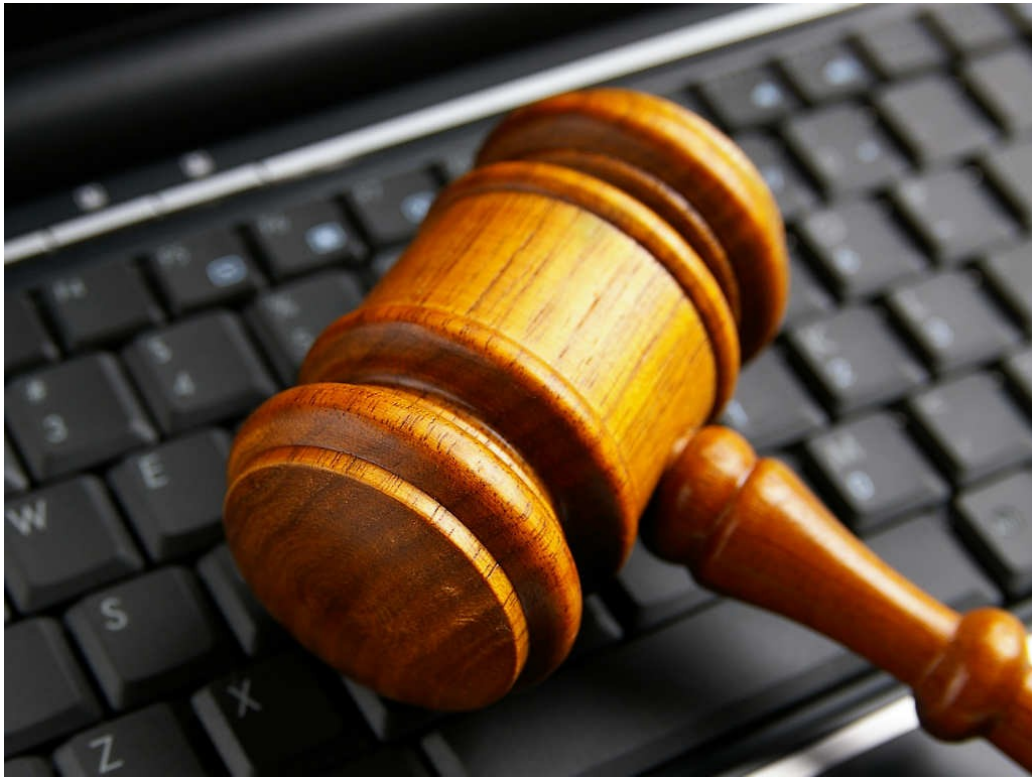


INTELLECTUAL PROPERTY AS A HUMAN RIGHT.

- ❖ Our Constitution acknowledges the human right to have “property” in general.
- ❖ Article 28 of Constitution provides the right to Intellectual Property as an exception to the prohibition of monopoly.
- ❖ Intellectual Property does not protect the ideas in the work, but the way the same are expressed. The theme is inspiration for the author, the way the theme is developed (expressed) in the work is what is protected.



OF TRADE-RELATED INFRINGEMENTS— ESTIMATED IN THE FEDERAL COPYRIGHT LAW.



Article 231.- The following practices constitute trade-related infringements when they are engaged in for direct or indirect profit-making purposes;

- I. Communication to the public or public use of a protected work by any means and in any form without the express prior authorization of the author, his lawful heirs or the owner of the author's economic rights;

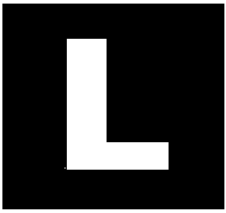
- IX. Use of literary or artistic works protected by Chapter III of Title VII of this Law in a manner contrary to the provisions of Article 158 there of;

LITIGATION

Hearing:



- ❖ Litigation as a trial.
- ❖ Administrative Office with Judicial attributions.
- ❖ Imposes a fine that goes to the Mexican State.
- ❖ Separate proceeding for losses and damages.



Article 232.

The trade-related infringements provided for in this Law shall be punished by the Mexican Institute of Industrial Property with a fine of:

- I. 5,000 to 40,000 times the minimum daily wage in the cases provided for in subparagraphs I, III, IV, V, VII, VIII and IX of the foregoing Article;

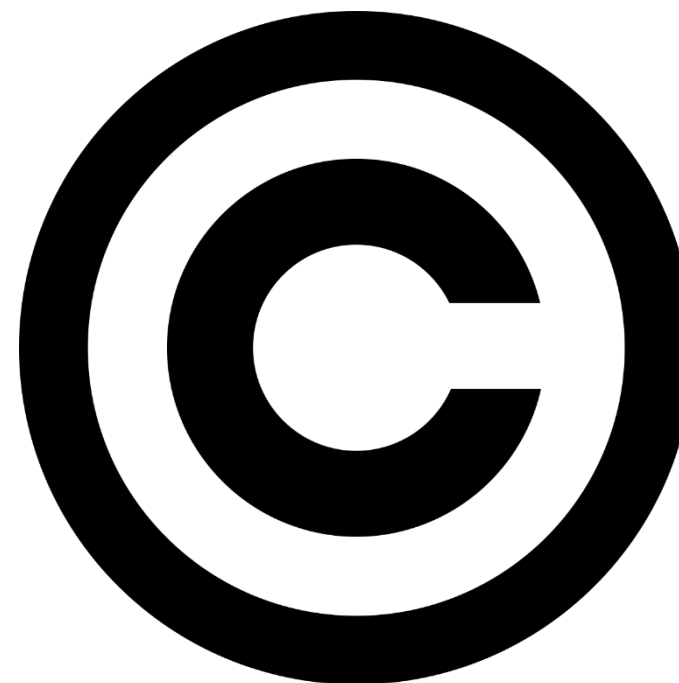


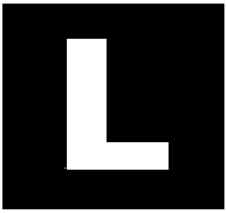
OF COPYRIGHT CRIMES - ESTIMATED IN THE FEDERAL CRIMINAL CODE

Article 424.

It shall impose imprisonment from six months to six years and three hundred to three thousand days fine:

- I. To which speculate any way with free textbooks distributed by the public education Secretariat;
- II. The Publisher, producer or recorder that knowingly produces more numbers of copies of an protected work by the Federal law of copyright law, than those authorized by the holder of the rights;
- III. A who use malicious form, for purpose of profit and without proper authorization works protected by the Federal Copyright Act.





Article 427.

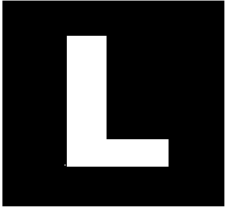
Prison shall be imposed from six months to six years and from three hundred to three thousand days fine, to whom he knowingly publishes a work replacing the author's name with another name.

Article 428.

The monetary penalties provided for in this title shall apply without prejudice to remedying of the damage, the amount of which may not be less than forty per cent of the price for sale to the public of each product or services that imply violation of one or several of the rights protected by the copyright Federal Law.



https://es.wikipedia.org/wiki/Infracci%C3%B3n_de_derechos_de_autor

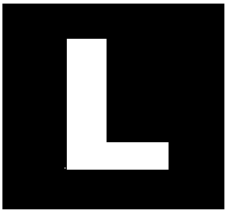


INTERNET:

The Court provided that any injunction for the infringement of Intellectual Property online must refer to a concrete content and not be excessive. It is a breach to our Constitution a generic prohibition to a website.



<https://mundocontact.com/europa-aprueba-reformar-normativa-de-derechos-de-autor-en-internet/>



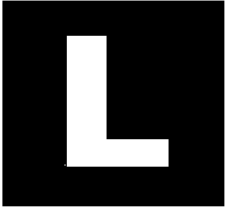
EXCEPTION

(HUMAN RIGHTS OF A HIGHER HIERARCHY)

Literary and artistic works that have been divulged already can be used, as long as its common exploitation is not affected, without authorization of the rights holder as long as there is no profit goal and for people with special needs (disabilities).



<https://www.icesi.edu.co/unicesi/todas-las-noticias/3905-icesi-lanza-campana-contra-el-plagio-una-cuestion-de-academicos>



OTHER ALTERNATIVES:

Cease and desist:

The autonomy of academic institutions.

