

THE INTELLECTUAL PROPERTY SYSTEM IN THE DOMINICAN REPUBLIC

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■ 1. BACKGROUND

Intellectual Property (IP) is an essential tool for increasing the competitiveness of organisations by promoting innovation, while protecting and endorsing the IP assets of persons and legal entities conducting R&D&I work, with benefits for the national economy.

The Dominican Republic joined the World Trade Organisation (WTO) on 9 March 1995. As a member state, it acknowledges that protection can be granted to intangible assets recognised under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which serves as a basis for bringing national legislation into line with the IP system and related institutions for the governance and implementation of the protection of Intellectual Property Rights (IPR).

Building case studies:

These are required to develop improved legal and policy frameworks in the area of trade marks, designs and GIs, facilitating participation in global protection systems in accordance with EEA provisions and promoting regional harmonisation.

Three business case studies based on (2) plant varieties and (1) geographical indication registered in the Dominican Republic.

■ 2. DOMINICAN REPUBLIC INTELLECTUAL PROPERTY SYSTEM

Intellectual property (IP) is directly related to creations or ideas generated by the human mind. These range from patents to literary and artistic works or distinctive signs, names and images, plant varieties, architectural works, industrial designs, musical compositions and so on.

To be placed on the market both locally and internationally, these inventions must be protected through the intellectual property system. Once protection has been granted, intellectual property rights (IPR) are acquired in order to prevent use and abuse of such creations by third parties.

The Dominican Republic is signatory to a range of trade agreements and treaties and therefore has a solid IP system supported by an up-to-date legal and institutional framework.

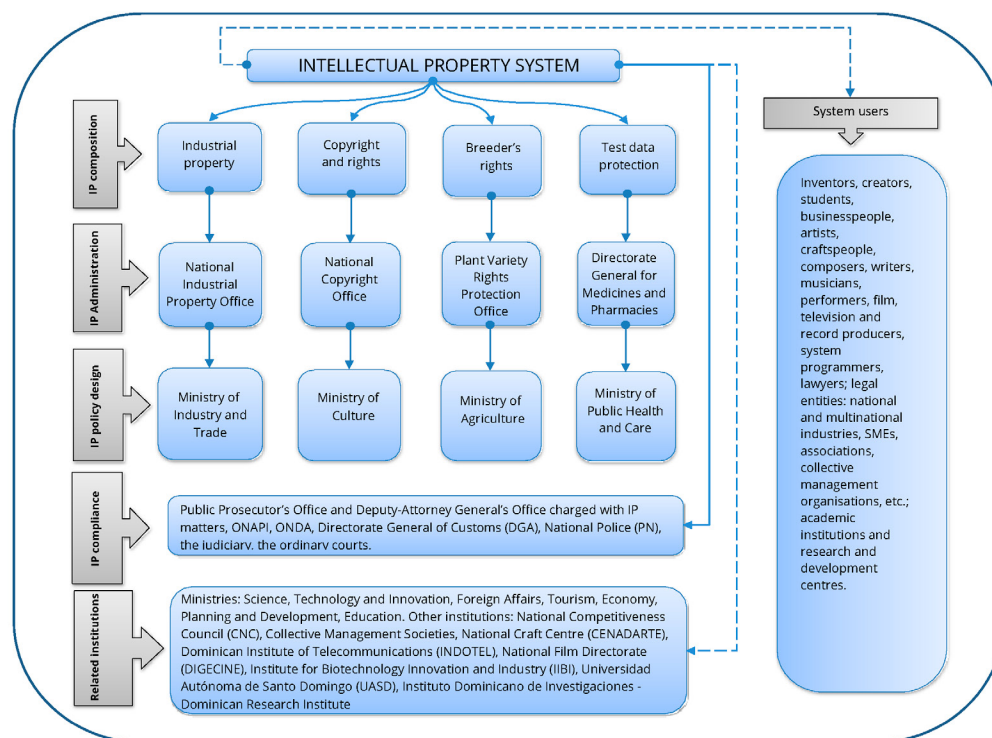


Figure 1. Dominican Republic intellectual property system. Source: [Dominican Republic national IP strategy paper](#)

2.1. INTELLECTUAL PROPERTY STRATEGY

This strategy allows political and institutional coordination of the intellectual property system, the **general objective of which is to encourage and promote the strategic use of intellectual property in all areas of national industry**, by all interested users and sectors. Using and protecting intellectual property helps to foster creativity and innovation, while its commercial exploitation contributes to the economic, social and cultural development of the Dominican Republic.

Both **Law 20-00 on industrial property** and **Law 450-06 on the protection of plant variety breeder's rights** include definitions, descriptions of processes and deadlines for obtaining final registrations in accordance with the international treaties to which the Dominican Republic is a signatory. Intellectual property in all areas of national industry, by all interested users and sectors. Using and protecting intellectual property helps to foster creativity and innovation, while its commercial exploitation contributes to the economic, social and cultural development of the Dominican Republic.

Office	Registration	Rate		
		RD\$	US\$	€
National Industrial Property Office (ONAPI)	Geographical Indication	12,276.00	223.00	205.00
Varieties and Protection of Breeder's Rights Registry (OREVADO)	Breeder's rights	8,000.00	146.00	133.00

Both registries apply the same registration fees to foreign companies as to domestic entities.

As can be seen, the system is very comprehensive. For the purposes of the case studies, we will focus on only two aspects: the **Dominican Cocoa Geographical Indication** (Industrial Property) and plant breeder's rights registrations for the plant varieties **Oriza sativa L. - LCR JUMA 69-20 Rice** and **Solanum Lycopersicum L. -KIVU Tomato**.

■ 3. LESSONS LEARNED

DOMINICAN REPUBLIC LEGAL FRAMEWORK

- The Dominican Republic has a robust industrial property system, with a legislative and technological framework in line regional standards.

The OREVADO has shown itself capable of performing its duties effectively and efficiently, and both plant breeders and foreign companies use its procedures to obtain plant breeder's rights.

ABBREVIATIONS

EEA	European Economic Area
BIO SUISSIE	Crop certifier
US	United States of America
FFL	Fair For Life (standard for fairtrade certification and responsible supply chains)
FLO	Fairtrade Labelling Organization
GI	Geographical Indication
YQP	Yield Quality Purity
NOP	National Organic Program
ONAPI	Oficina Nacional De La Propiedad Industrial – National Industrial Property Office
OREVADO	Oficina De Registro De Variedades Y Protección De Derechos Del Obtentor – Varieties and Protection of Breeder's Rights Registry
IP	Intellectual Property
RASFF	Rapid Alert System for Food And Feed
RFA	Rain Forest Alliance
EU	European Union
IML	Instituto Desarrollo Investigaciones Agroforestales - Mata Larga – Mata Larga Institute for the Development of Agroforestry Research
HR	High resistance
IR	Intermediate resistance

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