

# **HIGHLIGHTS IN RECENT LEGISLATIVE ACTIVITIES AND EXECUTIVE DECREES**

**FEBRUARY – APRIL 2008**

The purpose of this document is to inform our clients briefly on those projects and draft bills discussed recently within the Mexican Congress as well as Executive decrees promulgated, that we consider might be of their interest. The monitoring of the Congress activities by our firm covers the ordinary and extraordinary periods of both chambers as well as the sessions of the Permanent Commission, during the recess of the others. In our reports we indicate the status of the draft bill in the legislative procedure and a summary of its most important contents. The information contained in this document is obtained by monitoring online the parliamentary gazettes of the House of the Representatives and the Senate. Thus, complete and official information should be consulted directly in the following links:

<http://gaceta.diputados.gob.mx/>

<http://www.senado.gob.mx/gaceta.php?principio=inicio>

<http://www.dof.gob.mx>

## PROPOSALS ORIGINATED WITHIN THE LOWER HOUSE

February 14, 2008

### **PROJECT OF DECREE THAT AMENDS CERTAIN PROVISIONS OF THE GENERAL HEALTH LAW, THE INTELLECTUAL PROPERTY LAW AND THE ECONOMY COMPETENCE FEDERAL LAW**

Originated by: Deputy Efrain Morales Sanchez, representative from the parliamentary group of the PRD

Synopsis: The aim of this proposal is to create a balance between the medicines as public healthy basic elements and rights arising out such medicines concerning industrial property law. In this sense, decree's main purpose is to grant medicines patents in view of public opinion and the Public Health General Council. The draft bill recommends that patent shall not be granted to basics medicines by which population health depends. The proposal also includes to hierarchize a national registry of essential medicines, and to legislate on generic medicines. Lastly, in case that no therapeutic innovations exist, IMPI should deny the purported patent.

### **PROJECT OF DECREE THAT AMENDS AND ADDS CERTAIN PROVISIONS ON THE CUSTOMS LAW**

Originated by: Deputy David Figueroa Ortega representative of the parliamentary group of the PAN

Synopsis: The aim of this proposal is to diminish national contraband. In this sense, the amendment of article 151 of the Customhouse Law proposes seize of merchandises whenever it is declare a false producer, when the documents that certifies its origin are amended or false. It is likewise proposed an article 176 (XI) amendment which ascertains a penalty when the name of a false producer is provided at the time of the products' presentation in order to certify the supplies origin without taking care of its final destination.

## PROPOSALS ORIGINATED WITHIN THE SENATE OF THE REPUBLIC

March 26, 2008

### **PROJECT OF DECREE THAT AMENDS THE INDUSTRIAL PROPERTY LAW**

Originated by: Senators María de los Ángeles Moreno Uriegas, Carlos Lozano de la Torre y Ramiro Hernández García representatives from the parliamentary group of the PRI

Synopsis: In accordance with the proposal, third individuals would be allow to present documents and arguments in order to contribute with appropriate evidence for patent's grant or denial. In this sense, third parties would present such evidence through the so-called no contentious procedure of opposition. Finally, due the proposal IMPI would have the obligation to specify the patent granted as well as the date until which such patent is binding.

## HIGHLIGHTS IN DECREES PUBLISHED WITHIN THE OFFICIAL FEDERAL GAZETTE

March 26, 2008

All decrees are enacted by Felipe Calderón Hinojosa, President of the United Mexican States

### **PROJECT OF DECREE THAT ESTABLISHES CERTAIN ADMINISTRATIVE FACILITIES REGARDING CUSTOMS FIELDS AND FOREIGN TRADE**

The decree's aim is to grant certain benefits about customs law, and foreign trade, specifically, such benefits are directed to the elimination, simplification, automation and reinforce of the customary process. The draft bill aim is to contribute to enterprises competitiveness, without prejudice of the customary process control and fulfillment.