

Ownership and transfer.—Registration gives the right of exclusive use to the registrant. (Art. 8.)

Duration.—Thirty years, except that in case the mark is applied to articles made outside of the Republic, and guaranteed by the laws of a foreign country for a shorter period, the protection granted shall cease with that accorded by the foreign country. (Art. 7.) Renewals may be demanded by the same formalities as originally within six months prior to expiration of registration. (Art. 9.)

Formalities necessary to obtain ownership of trade-mark.—A petition to the Minister of *Fomento* on stamped paper of the 7th class, containing the name of the applicant, his residence and place of business, the class of articles or merchandise and the particular objects in the class to which the mark is applied; a description of the mark, with fac-similes representing its application. (Art. 2.)

The petition shall be signed by the applicant or his attorney duly authorized in writing, and accompanied by a written declaration that the applicant has the right to its use, and that the mark has no such resemblance to any other analogous mark already registered as to be confounded with it and deceive the public. Besides, the applicant shall prove that the description or fac-simile which is to be registered is an exact copy of the trade mark which he seeks to protect. (Art. 3.)

Office regulations.—The date of application shall be registered at the Ministry of *Fomento*. (Art. 5.) The National Executive through the Ministry of *Fomento* shall send the applicant if there be no opposition, a certificate (see form of certificate). (Art. 6.) Whatever pertains to registration under the present law shall be in charge of the Direction applicable to patents in the Ministry of *Fomento*. (Art. 13.) The Direction shall provide a book of entry for commercial marks and one for manufacturing marks. (Art. 14.)

Form of certificate.—A certificate upon stamped paper of the third class which shall be countersigned by the applicant declaring that the latter is the proprietor of the registered trade mark with all its specifications; this certificate, which shall serve as a title to the registration, shall bear the signature of the Minister of *Fomento*, and be sealed with the seal of the said Minister. (Art. 6.)

Names of individuals and firms.—The Minister of *Fomento* shall not register that which consists of the name of a person, firm, or corporation only, without a distinguishing characteristic sufficient to distinguish it from the same name employed by others. (Art. 4.)

Punishment for infringement.—Whoever shall reproduce, falsify, copy, or imitate any registered trade mark or apply to any merchandise marks having substantially the same description, properties, and qualities as those referred to in the registration shall be subject to respond in court for the damage caused by the unlawful use of the mark, without prejudice in the case of fraud to the penalties established by the penal code. (Art. 12.)

Proceedings against infringers.—No action to registrant on a trade mark employed or which may be employed for an illegitimate object or upon some object dangerous in itself or upon a mark, obtained fraudulently or which has been formed with the intention of deceiving the public in the same or use of any merchandise. (Art. 10.)

Fraudulently procuring registration.—False or fraudulent statements made in application for registration punished under penal code, without prejudice to civil action by injured party.