

LEGISLATION

COLOMBIA

ARTICLES 4 AND 5 OF THE LAW No. 1032 of June 22, 2006* AMENDING ARTICLE 306 OF THE CRIMINAL CODE

The Congress of Colombia

Article 5

HEREBY DECREES:

Repeal and Validity

[...]

This Law shall be in force from the time of its promulgation and shall repeal all the provisions that are contrary to it.

Article 4

Article 306 of the Criminal Code shall be worded as follows:

THE PRESIDENT OF THE HONORABLE NATIONAL SENATE

ARTICLE 306: Usurpation of Industrial Property Rights and Plant Breeders' Rights:

Claudia BLUM DE BARBERI

Any person who fraudulently uses a trade name, a trademark, patent, utility model, industrial design, or infringes Plants Breeders' Rights, which are legally protected or similar to the point of confusion to a right legally protected, shall receive the penalty of prison sentence of four (4) to eight (8) years, and a fine of twenty six point sixty six (26.66) to one thousand five hundred (1,500) minimum monthly legal salaries in force.

THE SECRETARY GENERAL OF THE HONORABLE NATIONAL SENATE

Emilio Ramón OTERO DAJUD

The same punishments shall be imposed on any person who finances, supplies, distributes, offers for sale, markets, transports or acquires for commercial meanings or mediation purposes, goods or plant material which are produced, cultivated or distributed under the circumstances stated in the previous subparagraph.

* Translation provided by the Office of the Union, in consultation with the Colombian Authorities.