

SECTION 306 MONITORING

Paraguay

The United States continues to monitor Paraguay under Section 306, focusing on Paraguay's implementation of the Memorandum of Understanding on Intellectual Property Rights with the United States. That Memorandum will expire on December 31, 2011, and the United States will work with Paraguay on its renewal. Paraguay made notable progress in 2010, including by making its Specialized Technical Unit (UTE), which addresses IPR matters, a permanent unit, and by funding that unit. Paraguay enacted a law in July 2010 that clarifies and streamlines procedures for administrative IPR litigation. The National Customs Administration issued a series of resolutions on combating IPR violations, including one that creates a task force to monitor the prevention, detection, and reporting of IPR crimes. These efforts, as well as training that Paraguay has provided, have led to improvements in IPR enforcement. In addition, Paraguay appointed its first IPR judge. There have also been more prosecutions of IPR violators and more criminal investigations. However, concerns remain, in part because of the persistence of various forms of piracy and counterfeiting, both in-country and at the border. The United States encourages Paraguay to improve enforcement actions in the Tri-Border region, including by increasing its cooperation with Argentina and Brazil, and by intensifying its Customs actions to address cross-border trade in counterfeit and pirated products effectively. The United States continues to encourage Paraguay to provide an effective system for protecting against unfair commercial use, as well as unauthorized disclosure, of undisclosed test and other data generated to obtain marketing approval for pharmaceutical products. The United States also continues to encourage Paraguay to improve patent protection, and to continue its efforts to increase public awareness regarding IPR protection and enforcement. The United States looks forward to working with Paraguay on these and other issues bilaterally and through the Joint Committee on Trade and Investment.