

WORLD TRADE ORGANIZATION

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

Original: French

NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLE 63.2 OF THE AGREEMENT

PORTUGAL

Revision

The following notification under Article 63.2 of the Agreement has been received from the Permanent Mission of the European Commission at Geneva by means of a communication dated 27 October 1999. This notification replaces notification IP/N/1/PRT/1 dated 12 July 1996.

Main Dedicated Intellectual Property Laws and Regulations

Title, date of adoption and entry into force	Brief description
Decree-Laws Nos. 15/95 and 16/95 of 24 January 1995 (entered into force 1 June 1995) ¹	Industrial Property Code ¹
Copyright and Neighbouring Rights Code (Law No. 45/85 of 17 September 1985) as amended by Law No. 114/91 of 3 September 1991.	The Code contains detailed provisions concerning copyright and ensures compliance with the 1971 Revision of the Berne Convention for the Protection of Literary and Artistic Works. ²
Decree Law No. 213/90 of 28 June 1990, entered into force on 3 July 1990.	This Decree-Law establishes the legal system governing plant breeders' rights. ³

¹ The text of the Industrial Property Code has been distributed as document IP/N/1/PRT/I/1.

² The text of the Copyright and Neighbouring Rights Code has been distributed as document IP/N/1/PRT/C/1.

³ The text of the Decree-Law concerning plant breeders' right will be distributed as document IP/N/1/PRT/P/1.

Other Laws and Regulations

Title, date of adoption and entry into force	Brief description
Copyright and Related Rights	
Decree No. 4114 of 17 April 1918	The Decree contains provisions on the requirements for the registration of literary and artistic works.
Decree Law No. 433/78 of 27 December	The Law contains provisions on the registration of legal entities acting as agents.
Decree Law No. 150/82 of 29 April	The Law contains provisions relating to the protection of works which have entered the public domain.
Decree Law No. 39/88 of 6 February	The Law contains provisions on the rules of videogram classification.
Decree Law No. 227/89 of 8 July	The Law contains provisions on the requirements for the exercise of phonogram import, production, distribution and export activities.
Decree Law No. 252/94 of 20 October	The Law contains provisions relating to the transposition of Directive 91/250/EEC on the legal protection of computer programs.
Decree Law No. 74/82 of 3 March	Concerning the provisions on the statutory deposit of publications.
Decree Law No. 317/88 of 8 September	Regulations on receiving stations for satellite-transmitted television signals for private use.
Decree Law No. 122/89 of 14 April	Regulations on the installation of individual and collective antennas for the reception of broadcast signals.
Law No. 16/89 of 30 June	Provisions concerning the legal protection of semi-conductor design layouts (topographies).
Decree Law No. 292/91 of 13 August	Regulations on the use of cable distribution networks.
Law No. 109/91 of 17 August	Law on computer-related crime.
Decree Law No. 315/95 of 28 November	Legal regime for artistic entertainment.
Decree Law No. 332/97 of 27 November	Provisions governing rental right and lending right-transpositions of Community Directive 92/100/EEC.
Decree Law No. 333/97 of 27 November	Regulations on satellite broadcasting and cable retransmission – transposition of Community Directive 93/83/EEC.

Title, date of adoption and entry into force	Brief description
Decree Law No. 80/97 of 8 April	Regulations on the powers, functions and operation of the General Inspectorate for Cultural Activities.
Decree Law No. 334/97 of 27 November	Regulations on the set period of copyright protection – transposition of Community Directive 93/98/EEC.
Law No. 62/98 of 1 September	Regulations on Article 82 of the Copyright and Neighbouring Rights Code concerning the Law on Private Copy.
Law No. 67/98 of 26 October	Law on the Protection of Personal Data – Transposition of Community Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data.
Protection of plant varieties	
Ministerial Order No. 940/90 of 4 October, entered into force on 5 November 1990	The Ministerial Order sets out the legal system governing breeders' rights established in Decree Law No. 213/90 of 28 June. It contains the provisions governing the conditions that must be met for the granting of breeders' rights. It sets out the provisions on the organization of the Office for Breeders' Rights.
Ministerial Order No. 351/91 of 20 April, entered into force on 20 April 1991	This Order amends the provisions of Ministerial Order No. 940/90 of 4 October 1990, on protected species (Article 7).
Ministerial Order No. 15/92 of 13 January, entered into force on 13 January 1992	This Order amends the provisions of Ministerial Order No. 940/90 of 4 October 1990, on protected species (Article 7).
Ministerial Order No. 379/93 of 3 April, entered into force on 3 April 1993	This Order amends the provisions of Ministerial Order No. 940/90 of 4 October, on protected species (Article 7).
Ministerial Order No. 527/96 of 1 October, entered into force on 1 October 1996	This Order amends the provisions of Ministerial Order No. 940/90 of 4 October, on protected species (Article 7).
Judicial and criminal procedures and remedies	
Decree Law No. 47344 of 25 November 1996, entered into force on 1 June 1967 (Articles 303, 48, 75, 79, 742, 747, 1303 and 1678)	Civil Code (with successive amendments)
Decree Law No. 239-A/95 of 12 December as amended by Decree Law No. 180/96 of 25 September	Civil Procedure Code – this Law, with its successive amendments, lays down the basic procedures for civil judicial proceedings and sets out the provisions concerning the calculation of damages.
Decree Law No. 400/82 of 23 September	Criminal Code

Title, date of adoption and entry into force	Brief description
Decree Law No.78/87 of 17 February and Decree Law No. 217/95 of 28 November	Criminal Procedure Code
Decree Law No. 28/84 of 20 January	Economic and Public Health Offences
Law No. 3/99 of 13 January	Internal Organization of Judicial Courts
Law No. 47/86 of 15 October	Internal Organization of the Public Prosecutor's Office
Decree Law No. 269-A/95	Internal Organization of the General Inspectorate of Economic Activities
Decree Law No. 433/82 of 27 October and Decree Law No. 244/95 of 14 September	General Regime for Violations
