

Intellectual Property Law

Executive Summary / Translation

DECRETO No. 4-99-E

LEY DEL DERECHO DE AUTOR Y DE LOS DERECHOS CONEXOS

- The Law went into effect in 1999 and supersedes the decree of 1993. It provides protection to foreign and national intellectual works published or used in Honduras or outside the country, according to international standards and agreements.
- The law was enacted in recognition of the fact that the promotion of creative activities in all its forms is a national priority in the development of Honduras' culture and industry.
- The Law permits Honduras to meet its international obligations subscribed to with the World Trade Organization (WTO) and the Agreement on Intellectual Property Rights Related to Commerce and is intended to control the market of counterfeit products.
- The Law protects the authors of literary and artistic works and programs, as well as performers, producers and broadcast entities. It provides a list and definitions of the various forms of intellectual expressions and products covered by the Law.
- The Law protects Honduran authors as well as foreign authors who reside in Honduras and foreign works, including audio-visual products and architecture published or erected in Honduras.
- Works published initially abroad by foreigners are protected by the Law according to international agreements.
- The Law specifies the cases which are granted its protection for performers, recordings and transmissions.
- The Law defines terms used in the creative industries and provides categories and definitions of authors and copyright holders and defines the rights of authors, producers and distributors and their moral rights, rights of origin or paternity, and patrimonial rights.
- The patrimonial rights of Honduran authors extend to 75 years after death; in the case of foreign authors the period is defined by the laws that govern their country of origin. The Law specifies periods of copyright protection by specific categories.
- The Law clarifies its limits, defining works that are not protected by the Law and that can be used or reproduced for personal use and other non-commercial ends.

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