



WIPO-BCC 27th Advanced Training Seminar on Copyright and Related Rights

Country Report

MEXICO

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WRITTEN COUNTRY REPORT

1. Name of country: Mexico

2. Copyright and related rights legislation:

Federal Copyright Law: The copyright legal system in Mexico derives from article 28 of the Federal Constitution is the Federal Copyright Law, which was enacted on 24 December 1996 and took effect as of 24 March 1997, is the main statutory law governing copyright and related rights.

[https://www.indautor.gob.mx/documentos/marco-juridico/L_Fed_Derecho_de_Autor_\(English\).pdf](https://www.indautor.gob.mx/documentos/marco-juridico/L_Fed_Derecho_de_Autor_(English).pdf)

Regulations under The Federal Copyright Law: This instrument was created to regulate the provisions of the Federal Copyright Law and its implementation for administrative effects, the responsibility of the Ministry of Culture through the National Copyright Institute and in some cases, of the Mexican Industrial Property Institute, also states that the provisions of international treaties concluded and ratified by Mexico would be respected.

[https://indautor.gob.mx/documentos/marco-juridico/R_L_Fed_%20Derecho_de_Autor_\(English\).pdf](https://indautor.gob.mx/documentos/marco-juridico/R_L_Fed_%20Derecho_de_Autor_(English).pdf)

The Federal Criminal Code: Specifies copyright crimes, helps to increase the protection and enforcement (articles 424 to 429).

http://www.diputados.gob.mx/LeyesBiblio/pdf/9_210618.pdf. (Document in Spanish)

Industrial Property Law: Other relevant legislation is the Industrial Property Law, this statutory law is focused on protecting industrial property rights and is also applicable to the copyright field since it governs the proceedings to enforce copyright infringements.

<https://www.wipo.int/edocs/lexdocs/laws/en/mx/mx113en.pdf>

3. Membership of Conventions, Treaties and Agreements:

- **Berne Convention for the Protection of Literary and Artistic Works (Paris text).**
Signed: July 24th, 1971.
Mexico: July 24th, 1971.
- **Universal Copyright Convention.**
Signed: September 6th, 1952.
Mexico: September 6th, 1952
- **Rome Convention for the Protection of Performers, Phonogram Producers and Broadcasters.**
Signed: October 26th, 1961.
Mexico: October 26th, 1961.
- **TRIPS: Trade-Related Aspects of Intellectual Property Rights.**
Signed: April 15th, 1994.
Mexico: April 15th, 1994.
- **WIPO Copyright Treaty.**
Signed: December 20th, 1996.
Mexico: December 18th, 1997.
- **WIPO Performances and Phonograms Treaty.**
Signed: December 20th, 1996.
Mexico: December 18th, 1997.
- **Visually Impaired Persons Treaty 2013- Marrakesh Treaty**
Signed: June 27th, 2013.
Mexico: June 25th, 2014.

- **The Audiovisual Performances Treaty 2012- Beijing Treaty**
Signed: June 24th, 2012.
Mexico: June 26th, 2012.

4. Name of the Government Department(s)

National Copyright Institute (Ministry of Culture) and the Mexican Institute of Industrial Property (Ministry of Economy).

The National Copyright Institute is the competent authority to enforce copyright for cases in which the conduct is not intended to obtain a profit with the use of a work and in those infringement related to omissions in observing certain obligations foreseen in the Federal Copyright Law. For cases in which the infringement constitutes conduct focused on obtaining direct or indirect profits, the competent authority to take action against the alleged infringer is the Mexican Institute of Industrial Property.

5. Names of collective management organizations representing or administering the rights of owners of copyright or related rights in your country, the rights which they manage or license and the types of right holders they represent. If possible provide links to their websites.

Collective management organizations in Mexico manage copyrights and related rights on behalf of their members, protecting national or foreign authors and collecting and delivering the royalties derived from the use of their works or performances.

It is important to note that pursuant to the Federal Copyright Law, authors and performers have the non-waivable remuneration right to collect royalties for the public use and communication of their works or performances. Collective management organizations may grant licenses for the use of works or performances to third parties.

COLLECTIVE MANAGEMENT ORGANIZATIONS	MANAGEMENT / LICENSE	LINKS
1. Sociedad de Autores y Compositores de México S.G.C. de I.P. (SACM) <i>(Society of Authors and Composers of Mexico)</i>	Responsible for collecting and distributing the payment of royalties by public communication to composers and authors of musical works. Committed to legal lobbying, as well as the protection and defense of moral and economic rights. Creates social programs and publicizes Mexican musical works.	http://www.sacm.org.mx/
2. Unión Iberoamericana de Humoristas Gráficos S.G.C. <i>(Iberoamerican Union of Graphic Humorists)</i>	Collective management organization that watches over the creations of graphic humorists (cartoons).	http://cartonistasmexico.blogspot.com/
3. Centro Mexicano de Protección y Fomento de los Derechos de Autor, S.G.C. de I.P. (CEMPRO) <i>(Mexican Center for Protection and</i>	Associates rights holders of literary and printed works in Mexico, managing their repertoires. Its main purpose is to generate compensatory remuneration for photocopies of its literary works and take legal action against piracy.	https://cempro.com.mx/

<i>Promotion of Copyright)</i>		
4. Sociedad Mexicana de Ejecutantes de Música, S.G.C. de I.P. (SOMEM) <i>(Mexican Society of Music Performers)</i>	Group representing Mexican and foreign musicians domiciled in Mexico, in order to protect and defend their performer rights, as well as collect and distribute royalties generated in their favor for the use and exploitation of their performances.	http://sodem.org/
5. Sociedad de Autores de Obras Visuales Imagen del Tercer Milenio S.G.C. de I.P. <i>(Society of Visual Works Authors Image of the Third Millennium)</i>	Responsible for protecting national and foreign authors within the territory, as well as to collect and deliver to them, the amounts that for copyright concepts generate in their favor for photographers, filmmakers, designers, agencies and visual artists	http://saov-mexico.blogspot.com/
6. Asociación Nacional de Intérpretes S.G.C. de I.P. (ANDI) <i>(National Association of Interpreters)</i>	Dedicated to collecting, managing and distributing royalties for intellectual property of performers (actors, narrators, declaimers, dancers, singers, or a person who interprets an expression of folklore) in Mexico and abroad.	http://www.andi.org.mx/index.html
7. Sociedad Mexicana de Productores de Fonogramas, Videogramas y Multimedia, S.G.C. de I.P. (SOMEXFON) <i>(Mexican Society of Producers of Phonograms, Videograms and Multimedia)</i>	Entrusted to collect royalties for public communication of recorded music and its distribution to related rights holders.	http://somexfon.com/
8. Sociedad General de Escritores de México S.G.C. de I.P. (SOGEM) <i>(General Society of Writers of Mexico)</i>	Grouping of authors from all literary disciplines, including those intended for the production of spectacles and audiovisuals, for their legal representation and the collection of royalties generated by the use of their literary works.	https://sogem.org.mx/
9. Sociedad Mexicana de Autores de las Artes Plásticas, S.G.C. de I.P. (SOMAAP) <i>(Mexican Society of Authors of the Plastic Arts)</i>	Dedicated to the collection of royalties generated when a visual or plastic work is reproduced in books, magazines, catalogs, posters, postcards, invitations, commercial items or in any other possible way.	https://www.somaap.org/
10. Sociedad Mexicana de Directores, Realizadores de Obras Audiovisuales	Formed by the directors of cinematographic and/or audiovisual works, national and foreign, in order to collect and deliver the amounts generated by the public communication of their works.	http://www.directoresmexico.org/

<p>S.G.C. de I.P. (DIRECTORES) <i>(Mexican Society of Audiovisual Works Directors)</i></p>		
<p>11. Sociedad Mexicana de Coreógrafos, S.G.C. de I.P. (SOMECE) <i>(Mexican Society of Choreographers)</i></p>	<p>Dedicated to claiming moral rights and protecting choreographers, as well as collecting and delivering royalties from choreographic works generated in their favor.</p>	<p>http://www.oocities.org/vienna/1854/acercadesomec.html?201816</p>
<p>12. EJE Ejecutantes S.G.C. de I.P. (EJE) <i>(EJE Performers)</i></p>	<p>Legal entity that represents the performers and singers of musical groups, in respect of which it collects royalties that are generated in their favor by the exploitation of their public performances.</p>	<p>http://ejecutantes.com/?page_id=1244</p>
<p>13. Sociedad Mexicana de Autores de Obras Fotográficas, S.G.C. de I.P.P. <i>(Mexican Society of Photographic Work Authors)</i></p>	<p>It favors the general interests of protection on the rights of photographers and holders of economic rights, generated on the exploitation of photographic works.</p>	
<p>14. Sociedad de Argumentistas y Guionistas de Cine, Radio y Televisión, S.G.C. de I.P. (Society of Argumentists and Screenwriters of Cinema, Radio and Television)</p>	<p>This collective management society protects argumentists and scriptwriters of film, radio and television, both nationals and foreigners residing in Mexico.</p>	
<p>15. Entidad de Gestión de Derechos de los Productores Audiovisuales México, S.G.C. (EGEDA) <i>(Rights Management Entity of Audiovisual Producers Mexico)</i></p>	<p>Recently created company that represents and defends the rights of audiovisual producers, manages and collects property rights for the public communication of audiovisual works.</p>	