

Decree N° 34/999, Regulating Law N° 17.011, regarding Trademarks.

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Ministry of Industry, Energy and Mining

Montevideo, February 3, 1999

IN VIEW OF:

The provisions of Law N° 17.011, dated September 25, 1998;

WHEREAS:

- I. that the formulation of said Law was motivated by the Executive Power purpose to update and modernize trademarks legislation;

- II. that taking into account what was above mentioned, those modifications introduced allow the adaptation of said subject to the new conditions of trade development and market internationalization as well as to the existence of new hiring techniques and the thrust of the service sector, circumstances that the previous Law could not possible contemplate or foreseen;
- III. that said modifications have adapted our national system to the different international agreements signed by our country;
- IV. that, likewise, the mentioned modifications have contemplated some issues not regulated by the previous laws since said issues were later in time.

WHEREAS:

- I. that Decree regulating Law 17.011 fits within the frame of the national provisions in force and of international agreements of outstanding importance such as the Paris Convention in the Stockholm Act version, dated July 14, 1967 and ratified by Decree Law N° 14.910, dated July 10, 1979 through which our country entered to the World Intellectual Property Organization (WIPO), and the Agreement on Trade Related Aspects of Industrial Property Rights (TRIPS) attached to the Agreement establishing the World Trade Organization (WTO) ratified by Uruguay through Law 16.671, dated December 13, 1994;
- II. that Decree regulating Law 17.011 not only contemplates the development and regulation of the new issues but also organizes those registers created by said Law;
- III. that once the corresponding studies were duly carried out with those sectors involved, Industrial Property Attorneys and INAVI (National Institute of Wine Growing), and once the corresponding conclusions were obtained, there are no further impediments to the issuing of the Decree regulating Law 17.011, dated December 25, 1998.

IN VIEW OF:

the above and the provisions of Law 17.011, dated September 25, 1998.

THE PRESIDENT OF THE REPUBLIC DECREES:

CHAPTER I. REGISTRATION OF TRADEMARKS ➡

SECTION I. Formalities to obtain the registration of a trademark ➡

ARTICLE 1 - Those wanting to obtain the registration of a trademark shall complete the corresponding application form.

ARTICLE 2 - Once the application for the registration of a trademark is duly filed together with the vouchers attesting for the payment of the corresponding fee, date and time shall be assigned thereto to the effects of the right of priority provided for in article 30 of Law 17.011.

ARTICLE 3 - Upon failure to comply with the formalities prescribed in the Law or in these regulations a strict time limit of thirty days running shall be granted to comply with said

formalities with the admonition that the non-fulfillment of the corresponding requirements within said term shall be deemed as the applicant's abandonment of the proceedings. Said term shall not be extended. If the voucher certifying the right of priority is not filed the same shall be added within the strict time limit of ninety days running with the admonition that if this requirement is not fulfilled within said term the claim for the right of priority shall be deemed as not filed.

ARTICLE 4 - In the event of filing the limitation of the object to be protected, said filing shall be made together with a new set of descriptions. This right shall only be exercised until the corresponding resolution is issued.

ARTICLE 5 - In the event of applications for the registration of complex marks, packages or volumes the only elements to be mentioned are those claimed as trademarks.

ARTICLE 6 - Once an application is duly filed with the corresponding vouchers the Industrial Property Office shall make one publication of an excerpt of the same in the Industrial Property Gazette.

ARTICLE 7 - Those oppositions from third interested parties provided for in Law 17.011 shall be filed within the strict time limit of thirty days running as from the day following the publication in the Industrial Property Gazette. Said term shall not be extended.

ARTICLE 8 - Once the publication is duly made, the Industrial Property Office shall carry out the formal examination of the application. If the formal examination result in any remarks, the applicant shall be granted a strict time limit of ten working days to make up for said remarks with the admonition that the non-fulfillment of the corresponding requirements within said term shall be deemed as the applicant's abandonment of the proceedings. Said term shall not be extended.

ARTICLE 9 - The Industrial Property Office shall likewise carry out a thorough examination of the application studying if the sign violates the provisions of Law 17.011. In this event, there may be an opposition ex-officio by the Industrial Property Office until final resolution is duly issued.

ARTICLE 10 - To the effects of the application of the provisions of articles 4 and 5 of Law 17.011, the following issues shall be taken into account:

- 1) The Industrial Property Office shall consult the National Institute of Seeds to the effects of the provisions of paragraph 6 of article 4. Failure to answer within the term of thirty days running shall entail that the sign can be registered.
- 2) The Industrial Property Office shall make a technical consultation to the National Institute of Wine Growing prior to the granting of those trademarks including the claiming of wine products. Failure to answer within the term of thirty days running shall entail that the sign can be registered.
- 3) The filing of a sign including some of the elements mentioned in paragraph 1 of article 5, provided said sign is already registered in the corresponding foreign state, shall be deemed as enough authorization, notwithstanding the exception provided in subparagraph c) of paragraph 1 of article 6ter of the Paris Convention ratified by Decree-Law 14.910, dated June 19, 1979.
- 4) Consent required by paragraphs 2 and 3 of article 5 shall be filed in public document or private document with certified signature, duly legalized and translated, if applicable.

ARTICLE 11 - To the effects of the provisions of paragraph 1 of article 8 of Law 17.011, by distinctive character it is meant that the sign has lost its literal meaning on the public mind and it is immediately associated with the product or service owned by the applicant on account of its public use during a long period or because said sign has been used intensively and exclusively enough so as to confirm said hypothesis. In both cases said facts shall be properly proved.

ARTICLE 12 - Once the registration granted under the provisions of paragraph first of article 8 of Law 17.011 expires, a third interested party shall be entitled to apply for the registration of the same sign provided said third interested party files irrefutable proof of the existence of the facts mentioned in said paragraph.

SECTION II. Oppositions against the registration of a trademark ➡

ARTICLE 13 - In the event of an opposition ex-officio or opposition from a third interested party being filed against the registration of a trademark, pursuant to the legal provisions in force, the applicant to said registration shall be duly notified and shall be granted a strict time limit of thirty days running to answer the opposition. The Industrial Property Office may grant an extension upon well-founded application from the interested party. Said extension shall not exceed the time equivalent to half of the term provided for herein.

ARTICLE 14 - If any element arises that requires to be duly proved, or at the request of any of the interested parties, a term shall be granted for said proofs to be added, if deemed proper. Said term shall consist on the strict time limit of sixty days running and shall not be extended. Interested parties shall collaborate when proper.

ARTICLE 15 - In the event of the opposition being filed on the grounds provided for in paragraphs 6 and 7 of article 5 of Law 17.011, the Industrial Property Office shall be entitled to grant priority to the corresponding proceedings.

ARTICLE 16 - Once the proof is duly filed all interested parties shall be duly notified during a strict time limit of ten working days before the corresponding resolution is taken. Said term shall not be extended.

SECTION III. Resolution ➡

ARTICLE 17 - If no opposition is filed and once the formal and the thorough examinations are duly carried out the registration shall be granted according to the provisions in force.

If an opposition is filed, the Industrial Property Office shall issue the corresponding final resolution granting the registration of the trademark totally or partially or dismissing it.

ARTICLE 18 - In the event provided for in article 13 of Law 17.011, the Industrial Property Office shall issue both, the resolution concerning the waiving and the resolution concerning the new application, simultaneously.

SECTION IV. Issuing of the Second Certificate of Trademark Registration ➡

ARTICLE 19 - Applications for the issuing of a second certificate of trademark registration shall be filed in writing, together with the summary evidence proving requirement thereof to the effects of the resolution.

SECTION V. Petitions to cancel registered trademarks and prosecution of claims. ➡

ARTICLE 20 - Those proprietors of trademarks in use that have not been registered shall not be entitled to apply for the cancellation of already registered trademarks equal or similar to the ones they own.

ARTICLE 21 - According to the provisions of article 26 of Law 17.011, the filing of an opposition to the registration of a trademark excludes the possibility of a further petition to cancel said registration on the same grounds.

ARTICLE 22 - The petitions to cancel registered trademarks shall be prosecuted following the same proceedings established for the opposition.

ARTICLE 23 - If the cancellation is filed on the grounds provided for in paragraphs 6 and 7 of article 5 of Law 17.011, the Industrial Property Office shall be entitled to grant priority to the corresponding proceedings.

ARTICLE 24 - Prosecution of claims provided for in article 28 of Law 17.011 shall be prosecuted following the same proceedings established for the opposition.

Once the administrative act granting the rights claimed is duly ratified and confirmed, title to the registration shall change and rights thereon held by the previous owner shall be vested on claimant.

SECTION VI. Change of name and domicile ➡

ARTICLE 25 - Application for change of name or domicile or modification of the social type or any other circumstance affecting the title to the registration shall include the following:

- 1) 1) The number of the registration.
- 2) 2) The name and domicile of the proprietor thereof.
- 3) 3) The new name and domicile.

SECTION VII. Change of the title to the registration ➡

ARTICLE 26 - Change of the title to the registration on death of the previous owner shall be certified by the filing of the certification of the Court's decision on the corresponding successio [sic.] proceedings or the filing of notarial attestation by exhibition thereof

ARTICLE 27 - Change of title to the registration by specific performance shall be registered by Court's decision.

ARTICLE 28 - For the registration of the contract establishing the total or partial assignment of the title to the registration of a trademark, the applicant shall complete the corresponding application form.

ARTICLE 29 - The transfer application form shall be filed together with the original version of the contract or the corresponding notarial attestation. If the contract is executed by a representative, whether said representative is an industrial property attorney or not, said

representative shall act by virtue of express authorization.

ARTICLE 30 - If the application for the registration of the assignment contract is the object of any remark the interested party shall be duly notified and shall be granted a strict time limit of thirty days running to make up for said remarks before the issuing of the corresponding resolution. Said term shall not be extended.

ARTICLE 31 - If the registration of a trademark is assigned under the provisions of article 70 of Law 17.011, the provisions of the previous articles regulating the matter shall be complied with.

SECTION VIII. Renewal of the registration of a trademark ➡

ARTICLE 32 - The renewal of the registration of a trademark shall be applied for by the owner thereof in the corresponding form.

In the event of said renewal being applied for within the grace period of six months as from the date following the expiration date, the proprietor of the trademark registration shall also file the voucher certifying the payment of the corresponding publication charge. Within the mentioned term the registration shall remain valid and in force.

ARTICLE 33 - Applications for renewal of a trademark registration shall not introduce any change in the trademark nor extend the list of products or services covered by said registration.

ARTICLE 34 - Once an application for the renewal of a trademark registration is duly filed, the Industrial Property Office shall grant the same which shall be valid and in force as from the expiration date of the previous registration or renewal.

SECTION IX. Expiration of a trademark registration ➡

ARTICLE 35 - The proprietor of a registered trademark shall be entitled to waive totally or partially said registration, at any time, pursuant to the provisions of paragraph 2 of article 66 of Law 17.011.

ARTICLE 36 - In the event of the expiration of a trademark registration granted under the provisions of paragraph 1 of article 4 of Law 17.011, the state entity involved shall properly communicate said expiration to the Industrial Property Office.

CHAPTER II. REGISTRATION OF ADVERTISING PHRASES ➡

ARTICLE 37 - The registration of advertising phrases shall be prosecuted pursuant to the provisions of the previous articles expressly stating that the element sought to be registered is an advertising phrase.

CHAPTER III. REGISTRATION OF COLLECTIVE MARKS AND REGISTRATION OF CERTIFICATION OR GUARANTEE MARKS ➡

ARTICLE 38 - The applicant for the registration of a collective mark or a certification or guarantee mark shall complete the corresponding application form.

ARTICLE 39 - Those data mentioned in articles 39 or 46 of Law 17.011, as deemed proper, shall be filed together with two copies of the usage regulations. In the event of collective marks the following data shall be stated:

- 1) 1) Common characteristics or qualities of the products or services to be distinguished by the mark
- 2) 2) Provisions taken to guarantee and control that the mark is used according to the corresponding usage regulations.
- 3) 3) Reasons why the use of the mark may be prohibited to one member of the Association as well as sanctions to be applied upon non-fulfillment of said prohibition.

ARTICLE 40 - If from the usage regulations or later modifications thereto arise any remark from the Industrial Property Office the applicant for or the proprietor of the mark registration shall be duly notified and shall be granted a strict time limit of thirty days running to file those discharges he/she may deem proper.

ARTICLE 41 - The applicant for the registration of a collective mark shall file the corresponding application together with a copy of the association bylaws with the corresponding notarial attestation. Incorporation of said association shall be duly certified, according to its nature, if deemed proper.

ARTICLE 42 - Collective marks shall not be the object of licenses to the benefit of any person different from the ones authorized by the proprietor of the mark registration unless otherwise provided in the usage regulations.

ARTICLE 43 - Those actions derived from the registration of a collective mark or a certification or guarantee mark shall be exercised only by the proprietor thereof unless otherwise provided in the usage regulations.

ARTICLE 44 - Those registrations of collective marks and certification or guarantee marks shall be substantiated pursuant to the proceedings established for marks, when deemed proper.

CHAPTER IV. REGISTRATION OF LICENSES ➡

ARTICLE 45 - The applicant for the registration of a trademark license shall complete the corresponding application form.

ARTICLE 46 - The application form shall be filed together with the original contract or a copy of the same with the corresponding notarial attestation.

If from the application for the license registration arises any remark from the Industrial Property Office the interested party shall be duly notified and shall be granted a strict time limit of thirty days running to make up for said remarks with the admonition that the non-fulfillment of the corresponding requirements within said term shall be deemed as the applicant's abandonment of the proceedings. Said term shall not be extended.

ARTICLE 47 - Once the application for the registration of a trademark is duly filed the Industrial Property Office shall make one publication of the same in the Industrial Property Gazette.

ARTICLE 48 - Once the formal requirements of the application for the registration are duly complied with the license agreement shall be registered.

ARTICLE 49 - Any person with title to a license agreement shall communicate to the Industrial Property Register any modification related to the attached document pursuant to the provisions of the previous articles.

ARTICLE 50 - The registration of the license agreement may be cancelled at the request of any of the parties thereto certifying the early termination of the same.

ARTICLE 51 - The cancellation referred to above shall be published once in the Industrial Property Gazette.

CHAPTER V. REGISTRATION OF TRADEMARK PLEDGES ➔

ARTICLE 52 - The registration of trademark pledges shall include the following:

- 1) 1) Constitution of the trademark registration pledge.
- 2) 2) Endorsements, extensions and novations and new registrations made within the pledge term of validity.
- 3) 3) Cancellations.

ARTICLE 53 - The applicant for the registration of documents related to trademark pledges shall complete the corresponding application form.

Said application form shall be filed together with the original document certifying the trademark registration pledge and two copies. The original document and the copies shall be signed by the parties thereto or their representatives with handwritten signatures duly certified by a Notary Public. Said certification must mention, at least, those elements required in the application statement as well as the specification of the proprietor of the affected right.

ARTICLE 54 - Those applicants for the registration of modifications, endorsements, novations and partial releases of guarantee shall file the following: an application signed by the pledgee; the original document certifying the registered pledge and one signed copy of the document to be registered.

In the event of an application for a new registration, the original agreement registered and a note signed by the pledgee shall be filed with the Industrial Property Office.

ARTICLE 55 - Once the pledge is totally cancelled the original agreement shall be filed with the Industrial Property Office together with a writ stating the registration or registrations to be cancelled. Said writ shall be signed by the pledgee.

ARTICLE 56 - An excerpt of the resolution authorizing the registration, modification or new registration and cancellation or trademark pledges shall be published in the Industrial Property Gazette.

ARTICLE 57 - In the event that the original pledge agreement already registered is lost or

missed the pledge shall be entitled to apply for a certificate of registration

ARTICLE 58 - Registrations of pledge agreements referred to in article 64 of Law 17.011 shall forfeit in five years.

CHAPTER VI. REGISTER OF SEIZURES AND PROHIBITIONS TO INNOVATE ➡

ARTICLE 59 - The following shall be registered in the Register of Seizures and Prohibitions to Innovate:

- 1) 1) Specific seizures and prohibitions to innovate decreed by the acting judges provided they are related to trademarks already registered or whose registration is being prosecuted
- 2) 2) Cancellations of the registration of the measures decreed.

ARTICLE 60 - The Industrial Property Office shall dismiss those applications for the registration of the measures provided for in the previous article whenever they do not include the following data regarding the trademarks already registered or whose registration is being prosecuted:

- 1) 1) Denomination of the trademark already registered or whose registration is being prosecuted.
- 2) 2) Number of the application or registration.
- 3) 3) Proprietor of the trademark

ARTICLE 61 - The Industrial Property Office shall not admit those documents not including all data referred to in paragraph 3 of article 36 of Law 16.871, unless there is an express resolution issued by the acting Judge. Said resolution shall be certified in the corresponding official letter.

ARTICLE 62 - Those cancellations of registrations of seizures and prohibitions to innovate in force are only valid when the competent judge notifies them by official letter. Said official letter must mention the number of the official letter which decreed the registration of the measure sought to be cancelled.

ARTICLE 63 - Those registration of specific seizures and prohibitions to innovate shall forfeit in five years, with the exception of those having their own term decreed by the acting judge pursuant to the provisions of articles 313 and 316 of the General Code of Court Proceedings.

CHAPTER VII. REGISTER OF APPELLATIONS OF ORIGIN ➡

ARTICLE 64 - Applications for the registration of appellations of origin, created by article 76 or Law 17.011, may be filed by one or several of the producers, manufacturers, craftsmen, or service providers established in the region or place where the use of the appellation of origin corresponds. Applications for the registration of appellations of origin may also be filed at the request of any competent public authority with a legitimate interest thereon and

established in the corresponding territory.

ARTICLE 65 - Foreign producers, manufacturers, craftsmen or service providers as well as competent public authorities from foreign countries shall be entitled to register foreign appellations of origin corresponding to them according to those International Agreements signed by the Republic.

ARTICLE 66 - Those appellations of origin sought to be registered shall comply with the provisions of articles 75, 76, 77 and 78 of Law 17.011. The corresponding applications form shall be duly completed.

ARTICLE 67 - Those applications for the registration of Uruguayan appellations of origin shall be filed in the application form together with a voucher certifying that said appellations were duly granted by the competent authority. If the appellation refers to national wine growing matters the voucher shall be issued by the National Institute of Wine Growing.

In the event of foreign appellations of origin already acknowledged in the original country, said acknowledgement shall be certified with the application form, notwithstanding the provisions of Decree 283/93 regulating the wine growing matter.

ARTICLE 68 - Once an application is duly filed, the Industrial Property Office shall make one publication thereof in the Industrial Property Gazette.

ARTICLE 69 - In the event of opposition from third interested parties with a direct, personal and legitimate interest thereon, or opposition ex-officio from the Industrial Property Office, based on the fact that the corresponding appellations of origin are not in agreement with the legal provisions in force, the applicant shall be duly notified and shall be granted a strict time limit of thirty days to answer the opposition. Said term shall not be extended. The provisions of Section II of Chapter I hereof shall be complied with regarding the matter.

ARTICLE 70 - If no opposition is filed the registration shall be granted pursuant to the provisions in force.

If an opposition is filed the Industrial Property Office shall issue the final resolution granting the registration or dismissing the application.

ARTICLE 71 - Registration of denominations of origin shall be granted without term.

ARTICLE 72 - The Industrial Property Office shall publish the resolution granting the appellation of origin in the Industrial Property Gazette.

CHAPTER VIII. INDUSTRIAL PROPERTY ATTORNEYS ➔

ARTICLE 73 - Applications for the registration in the Industrial Property Attorneys Register shall be filed in writing together with the corresponding vouchers certifying the fulfillment of the requirements provided for in paragraphs 1 to 4 of article 93 of Law 17.011 as well as the payment of the corresponding fee.

ARTICLE 74 - Once the application is duly filed with all the corresponding vouchers and once the capability test is duly approved, when the case may be, the Industrial Property Office shall carry out the registration and shall issue the corresponding certificate at the request of the interested party.

ARTICLE 75 - Industrial Property Attorneys shall be governed by a special statute in the practice of their profession and they shall adjust their behavior to the principles of respect, good faith and loyalty.

ARTICLE 76 - Industrial Property Attorneys shall act in the name of third parties appearing personally in the prosecution of all steps concerning industrial property through the filing of a private document signed by the grantor.

In the event of abandonment of applications, waiver to registrations or assignment of applications for registrations, express authorization shall be required for these acts to be deemed valid.

As from the entry into force of this Decree those authorizations and powers of attorney granted to the industrial property attorneys shall be valid and in force for ten years. Upon expiration of said term said authorizations and powers of attorney shall forfeit by operation of law.

ARTICLE 77 - The Industrial Property Office shall determine those sanctions to be applied if the industrial property attorneys incur in any of the infringements established in Law 17.011 or in this Decree, notwithstanding the civil or penal actions that may be deemed proper.

ARTICLE 78 - The Industrial Property Attorney condition shall forfeit:

- 1) 1) By death.
- 2) 2) By waiver.
- 3) 3) By ratified and confirmed administrative act concerning the removal from the Industrial Property Attorneys register.
- 4) 4) By Court Decree

ARTICLE 79 - The Industrial Property Attorney's profession is incompatible with any contractual or budgetary position in the Ministry of Industry , Energy and Mining

CHAPTER IX. GENERAL PROVISIONS ➔

Section I ➔

ARTICLE 80 - Those written forms to be filed with the Industrial Property Office shall be signed by the applicant(s) or the corresponding representatives and shall be completed clearly with all emendations and corrections duly certified.

ARTICLE 81 - All forms and writs filed with the Industrial Property Office shall be presented together with all documents required for the corresponding prosecution.

ARTICLE 82 - Those documents certifying direct authority, with the exception of the ones provided for in article 76 hereof, as well as those documents filed as evidences, shall be filed in its original version, in notarial attestation by exhibition of the same or in simple photocopy with exhibition of the original so that the employee receiving said documents can

certify them in the corresponding proceedings.

Those public documents and those powers of attorney coming from abroad shall be duly legalized, notwithstanding the provisions of paragraph A. – (1) of article 6 quinquies of the Paris Convention, ratified by Decree Law N° 14.910, dated July 19, 1979.

If the public documents are written in a foreign language they shall be filed together with the corresponding translation made by a Public Translator.

ARTICLE 83 - The Industrial Property Office shall regulate by the issuing of resolutions, those formalities that may be deemed proper for the documents to be filed and that are not provided herein.

Section II ➔

ARTICLE 84 - The following shall be personally notified to the interested parties: those notifications of formal or substantial faults in the applications for registrations granting a strict time limit to make up for them; oppositions ex-officio and oppositions filed by third interested parties; notification of remedies, petitions to cancel registrations and prosecution of claims; openings of the terms for probation and results of the same, when deemed proper; resolutions granting, dismissing, maintaining, revoking, canceling, claiming or renewing registrations.

ARTICLE 85 - Personal notification shall be made at the Office and the interested parties are responsible to appear thereat, personally or by proxy.

ARTICLE 86 - If the applicant is not represented by an industrial property attorney and is not notified at the Office, certification of the communication of the corresponding resolution at the legal domicile of said applicant shall be deemed as enough personal notification.

ARTICLE 87 - Those notifications that must be done personally but cannot be complied with by cause imputable to the applicant shall be made in the Industrial Property Gazette and the non-appearance of the interested party once the term of three working days as from said publication is due shall be deemed as enough notification.

ARTICLE 88 - Proprietors of distinctive signs may announce in the Official Gazette those resolutions granting the corresponding registers.

Section III ➔

ARTICLE 89 - The Industrial Property Office shall issue the resolution establishing the valid manner and conditions to send telefacsimile communications to the Office.

Section IV ➔

ARTICLE 90 - The applicant shall be entitled to withdraw his/her application at any moment during the prosecution of the same. The withdrawal of the application shall not entail the right to the reimbursement of those fees already paid

ARTICLE 91 - The Industrial Property Office shall not entry any application if the vouchers certifying the payment of the corresponding fee and publication charge are not duly filed when deemed proper.

ARTICLE 92 - Those applications not filed in pursuance of the provisions of Law 17.011 or of this Decree shall be dismissed, without further requirements.

Likewise, the fact of the proceedings remaining paralyzed during thirty days running by any cause imputable to the applicant, shall be deemed as the applicant's abandonment of the proceedings, without further requirements.

CHAPTER X. Provisional Clauses ➔

ARTICLE 93 - Let Decree 649/67, dated September 28, 1967, Decree 685/68, dated November 14, 1968, Decree 149/80, dated March 12, 1980, Decree 352/80, dated June 18, 1989, Decree 224/86, dated April 23, 1986, Decree 51/93, dated January 27, 1993 as well as all other provisions opposed to these presents be hereby derogated.

ARTICLE 94 - The fact that the interested party in those proceedings initiated previously to the entry into force of Law 17.011, dated September 25, 1998, has not fulfilled the requirements of Law 9.956 within the granted period, in spite of being duly notified thereof, shall be deemed as said applicant's abandonment of the proceedings, without further requirements.

ARTICLE 95 - As from the entry into force of this Decree a strict time limit of thirty days running shall be granted to the interested parties that have initiated the prosecution of their applications after the entry into force of Law 17.011, dated September 25, 1998, for them to adapt said prosecution to the provisions hereof with the admonition that, upon non-fulfillment of this requirement, the provisions of article 94 hereof shall be applied. Said term shall not be extended.

ARTICLE 96 - As from the entry into force of this Decree a strict time limit of fifteen working days shall be granted to the interested parties that have initiated the prosecution of their applications after the entry into force of Law 17.011, dated September 25, 1998, for them to file the voucher certifying the publication charge, with the admonition that the non-fulfillment of said requirement shall be deemed as said interested party's abandonment of the proceedings, without further requirements. Said term shall not be extended.

ARTICLE 97 - Let these presents be duly communicated, published, etc.

FERNANDEZ FAINGOLD - JULIO HERRERA