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**WIPO LIST OF NEUTRALS**

**BIOGRAPHICAL DATA**

Ana María PACÓN  
Munich  
Germany



Nationality: German/Peruvian

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**EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS**

Ph.D., (*summa cum laude*), University of Augsburg, Germany, 1996;  
“*Marke und Verbraucherschutz in Lateinamerika*”  
Research Scholarship, Max Planck Institute for Foreign and International Patent, Copyright and  
Competition Law, 1991-94;  
LL.M., University of Augsburg, Germany, (with the highest honors), 1991;  
Postgraduate studies Scholarship in Germany, Konrad Adenauer Foundation, Bonn-Germany, 1989-  
91;  
B.A., 1988, School of Law, Pontificia Universidad Católica del Perú, Lima-Peru, (with high honors),  
1988.

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**LANGUAGES**

Spanish, German, English

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**PRESENT POSITION**

Professor of Law since 1995; International Consultant since 2001.

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**PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

President, Tribunal for the Defense of the Free Competition and Protection of the Intellectual Property,  
INDECOPI, Lima-Peru, 1998-01;

President, Chamber of Intellectual Property Tribunal, INDECOPI, 1996–01,

Member, the Research Staff, Max Planck Institute for Foreign and International Patent, Copyright and  
Competition Law, Munich-Germany, 1994–96;

January 22, 2020

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Scholarship Researcher, Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, 1991–94;

Assistant, Trademark Department, Bayer AG, Leverkusen-Germany, 1990–91;

Attorney at law, Barrios, Fuentes, Urquiaga & Dañino Abogados, Lima-Peru, 1989;

Assistant, Barrios, Fuentes, Urquiaga & Dañino Abogados, 1984-88.

### **Teaching Experience:**

Professor of Law, Master of Business Law (MADE), Pompeu Fabra University, Barcelona-Spain, since 2004

Professor of Law, School of Law, Pontificia Universidad Católica del Perú, since 2000;

Professor of Law, School of Law, University Los Andes, Merida-Venezuela, since 1995;

Visiting Professor, University of Alicante, University of Santiago de Chile, University of Montevideo, Uruguay, University of Buenos Aires, Argentina and in other Latin-American Universities, since 1996

Lecturer, moderator and commentator in different international symposiums and seminars on industrial property

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## **AREAS OF SPECIALIZATION**

Intellectual property (patents, utility models, trademarks, industrial designs, geographical indications, domain names, copyright and neighboring rights), Consumer Protection, Unfair Competition, Anti-trust Law, International Negotiations

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## **MEMBERSHIP IN PROFESSIONAL BODIES**

Member of the Group of Experts in Biodiversity, German Ministry of the Environment (Bundesamt für Naturschutz, BfN), Germany, since 2002;

Member of the Academic Counsel, School of Law, Pontificia Universidad Católica del Perú, Lima-Peru, since 2000;

Member of the Consultative Committee, Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, 1994;

Member of the Lima Bar Association, since 1989.

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## **EXPERIENCE IN INTELLECTUAL PROPERTY**

Consultant for the Project “MINDS – Multidisciplinary Inter-Institutional Network on Development and Strategies. Innovation, Intellectual Property and Development”, funded by Ford Foundation, 2008;

Consultant for the Project of Cooperation between the European Union and Peru in the context of Technical Assistant related to trade issues, 2007-2008;

Consultant for the Project of Cooperation between the European Union and the Andean Community in the context of Technical Assistant related to Trade issues, 2006-2007;

Legal Consultant for the Project “The intellectual property impact of the FTA with the United States in the medicine and pesticide markets”, funded by the Andean Development Corporation (CAF) and implemented by Apoyo Consultoría S.A., 2004-2005;

Member of the Consultant Counsel for the project "Process for the development of a benefit-sharing prototype for the benefits obtained from the exploitation of natural resources of the Ecuadorian Amazon" (ProBenefit), sponsored by the German Ministry of Education and Sciences (BMBF), since 2004;

Member of the MOSAICs project for the development of a system for the access and transfer of microbiologic resources, funded by the Economic Commission for Europe within the VI Marco Research Program, 2004-2005;

Consultant for the project "The Assessment of the Impact of the FTAA and FTA Hemispheric negotiations with the United States", funded by the Inter-American Development Bank (IDB) and implemented by the Andean Community General Secretariat, 2004-2005;

Consultant for the CRECER project, funded by the United States Agency for International Development (USAID), Bogotá-Colombia, 2003;

Member, the research project sponsored by the Universities of Valencia, Castellón and Castilla-La Mancha, "The collective industrial design and its effects in the small and medium companies", Spain, 2002-2003;

Member, several International Chamber of Commerce (ICC) Commissions on Intellectual Property (Commission on Intellectual Property, Task force on TRIPS, Task force on Access and Benefit Sharing, Task force on IP Roadmap), with the objective of elaborating documents on intellectual property, Paris – France, since 2002;

Member, the project "WBCSD Project on Innovation, Technology, Society, and Sustainability: Intellectual Property Rights in Biotechnology", Berlin-Germany, 2001-2003;

Consultant, the Peruvian interim government for the Committee for the Intellectual Property and Competition, Peru, 2001;

Spokesperson for the Andean countries to the NGIP (Negotiating Group on Intellectual Property Rights) for the FTAA (Free Trade Area of the Americas), 1996-01;

Peruvian representative to the IPEG (Intellectual Property Rights Experts' Group) for the APEC (Asia Pacific Economic Cooperation), 1996-01;

Peruvian representative to several Standing Committees on Industrial Property for the WIPO (World Intellectual Property Organization), 1996-01;

Member to different inter-ministerial work groups for the preparation of the Peruvian position on different intellectual property matters - subject to discuss in the WTO (World Trade Organization) - (geographical indications, access to genetic resources, traditional knowledge, adjustment of the Peruvian legislation to the TRIPS), 1996-01;

Coordinator to different INDECOPI internal work groups regarding intellectual property subjects (valuation of intellectual property rights, protection of traditional knowledge, access to genetic resources, Peru's adherence to the PCT), 1996-01;

Development of bills within the context of the Andean Decision 344 on industrial property, as well as treaty drafts within the context of the FTAA, 1996-01;

Peruvian representative to the TRIPS Council within the framework of the Review of Implementing Legislation, 2000;

Peruvian negotiator to the Revision of the Andean Decision 344 on Industrial Property for the Andean Community, 1998-00;

Peruvian negotiator to the Negotiating Group on Intellectual Property Rights for the TLC Peru-Mexico (Free Trade Area Peru - Mexico), 1996-98;

Consultant to WIPO, since 1995.

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### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Lecturer on domain names in different symposiums and participant in the Peruvian regulation on domain names.

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### MAJOR PUBLICATIONS

La Dilución de la Marca, B.A. Dissertation, Lima 1988;

Deutsches und peruanisches Markenrecht – Eine rechtsvergleichende Untersuchung, Masters Dissertation, Augsburg 1990;

Grundzüge des peruanischen Markenrechts, GRUR Int. (Aug./Sept. 1991), 610-624;

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Marcas Notorias. Marcas Renombradas, Marcas de Alta Reputación, Revista Derecho (Lima), 1994, No. 47, 303-384;

Aktuelle Tendenzen im gewerblichen Rechtsschutz in Lateinamerika, GRUR Int. (Nov. 1994), 888-900;

Was bringt TRIPS den Entwicklungsländern?, GRUR Int. (Nov. 1995) 875-886;

La relación entre el derecho de marcas y las normas reguladoras de la competencia desleal, Revista 1, Año I, Ediciones epi-ula, Mérida, noviembre 1995, 32-43;

What Will TRIPS Do For Developing Countries?, in: Beier/Schricker (eds.), From GATT to TRIPS, IIC Studies, vol. 18, Munich 1996, 329-356;

La función de la marca y la libre circulación de las mercancías: el agotamiento del derecho de marca, in: Indecopi, Los retos de la propiedad industrial en el siglo XXI, Lima 1996, 189-198;

Der gewerbliche Rechtsschutz und das Urheberrecht in Peru, PROMPERU, Lima 1996, 1-23;

ADPIC y los países en vías de desarrollo. Su posición durante y después de la Ronda Uruguay, in: Iglesias (ed.), El Acuerdo sobre los Aspectos de los Derechos de Propiedad Intelectual relacionados con el Comercio, Madrid 1997, 137-170;

TRIPS y el derecho de marcas, Thémis (1997), No. 36, 175-189;

Las patentes en el Convenio de París y el Acuerdo de los ADPIC. Principales Disposiciones, Gaceta Jurídica 48 (Nov. 1997), 21-29;

El estado de la propiedad industrial y los derechos de autor en el Perú, ADI, vol. XVIII, 1997, 1055-1072;

Markenrecht und Verbraucherschutz in Lateinamerika – Eine Untersuchung am Beispiel von Argentinien, Brasilien, Mexiko und Peru, Nomos Verlagsgesellschaft, Baden-Baden 1999;

Implicancias de TRIPs en el derecho de marcas, Temas de Derecho Industrial y de la Competencia, Vol. 3, Derecho de Marcas (1999), 177-212;

TRIPS und die Durchsetzung von Schutzrechten: südamerikanische Erfahrungen, GRUR Int. (Dec. 1999), 1004-1006;

Indigenous Knowledge and Genetic Resources, in: Wolfrum/Stoll (eds.), European Workshop on Genetic Resources Issues and Related Aspects - Access and Benefit Sharing, Intellectual Property Rights, Ex Situ Collections, Proceedings and Material, Heidelberg 2000, 139-148;

Compilación de Jurisprudencia - Sala de Propiedad Intelectual (1996-1999), 5 vol., Lima 2000;

The Peruvian Proposal on the Protection of Traditional Knowledge, UNCTAD publication, 2000;

La Decisión 486 de la Comunidad Andina. Principales reformas, ADI, vol. XXI, 2000, 1269-1287;

Los derechos sobre los signos distintivos y su importancia en una economía globalizada, in: Palacios L./Antequera H. (eds.), Propiedad intelectual. Temas relevantes en el escenario internacional, Proyecto Propiedad Intelectual SIECA-USAID, Centroamerica 2000, 169-230;

The Peruvian Regime on the Protection of Traditional Knowledge, ATRIP, 2002;

Das Verhältnis zwischen gewerblichem Rechtsschutz und der Debatte um Zugang zu genetischen Ressourcen und Schutz traditionellen Wissens, in: Korn/Feit (eds.), Treffpunkt Biologische Vielfalt III, Aktuelle Forschung im Rahmen des Übereinkommens über die biologische Vielfalt vorgestellt auf einer wissenschaftlichen Expertentagung an der Internationalen Naturschutzakademie Insel Vilm vom 19.-23. August 2002, Bundesamt für Naturschutz, Bonn-Bad Godesberg 2003, 41-46;

Intellectual Property Rights and Developing Countries. General Context and Opportunities for the Developing Countries on the Actual Negotiations, in: Gotzen (ed.), The Future of Intellectual Property in the Global Market of the Information Society - Who is Going to Shape the IPR System in the New Millennium?, Centre for Intellectual Property Rights, Brussels 2003, 189-219;

La protección del derecho de autor en la Comunidad Andina, 2003;

La protección del dibujo y modelo comunitario registrado y del no registrado: Palao Moreno/Clemente Meoro (Coords.), El diseño comunitario, Valencia 2003, 217-242;

Wirtschaftliche Entwicklung und internationaler Kontext: Gewerblicher Rechtsschutz und Wettbewerbsrecht in Peru, 2004;

Patentrecht und Entwicklungsländer, in: Kur/Luginbühl/Waage, „... und sie bewegt sich doch!“ – Patent Law on the Move, Carl Heymanns Verlag, 2005, 77-94

Desarrollos recientes en propiedad intelectual. Los Tratados de Libre Comercio con los países en desarrollo, Actas de Derecho Industrial, 2004-2005, 257-287

Nuevas tendencias en el sistema de propiedad intelectual. Desarrollos recientes en derecho de patentes, Anuario Andino de Derechos Intelectuales, Palestra, vol. 2, 2006, 117-155.

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**EXPERIENCE IN COURT LITIGATION**

Acted as judge in over 4000 cases in the Tribunal for the Defense of the Competition and the Protection of Intellectual Property (Indecopi) in Peru in all intellectual property fields, over 1996 to 2001.

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**EXPERIENCE IN ARBITRATION**

Arbitrator, the Chamber of Commerce of Lima, since 2001

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