

Intellectual Property Management in the Digitization of Intangible Cultural Heritage in Argentina

*A Survey on Intellectual Property Policies and Management
in Argentine Museums*

Prepared for the
World Intellectual Property Organization (WIPO)
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The views expressed in this survey are those of the authors, and not necessarily those of the WIPO Secretariat or its Member States. This survey is currently at the initial draft stage (December 2009).

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Heritage in Argentina: A Survey on Intellectual Property Rights Policies and Management
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SUMMARY

As regards the criteria used to select those museums included in the present document, both the value of the collections that the museums curate as well as their historic background and the consequent community interest in discovering and accessing these collections have been taken into account, either through on-site visits to such institutions or information accessed via the Internet.

This interest serves many purposes: accessing the heritage in their care and custody as regards knowledge, recreation and general culture and using this heritage for teaching and research.

It is noteworthy that in the context of Argentine legislation on access to public information¹, any natural person or legal entity, public or private, is entitled to request, access and receive information, without having to prove a subjective right or legitimate interest or supply written sponsorship. Neither museums nor archives establish limitations or conditions for accessing collections or information, except for reasons of conservation or when these consist of industrial, commercial, financial, scientific or technical secrets, or any other type of information protected by professional secrecy.

The above legislation stipulates that information shall be provided free of charge, except when a reproduction is requested, in which case the applicant shall purchase copies.

Institutions in charge of handling information have an obligation to ensure that it is appropriately organized, systemized and available, and to guarantee broad and easy access. Similarly, institutions have a duty to create, update and disseminate basic information, in enough detail so as to be identifiable, in order to guide the public in the exercise of their rights.

Carrying out such missions is considered a fundamental task undertaken by museums and archives as regards creators of IP assets and includes the production of bibliographic and photographic material, the design and development of web pages, the organization of data and tangible collections, and the creation of databases and multimedia works.

¹ Decree Law 1172/2003