Questionnaire Q199

Remedies to protect the right of clients against forcible disclosure of their IP professional advice

National Group: Miembro Independiente de AIPPI - Américas

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As a general response to the questionnaire we would like to point out that in our country, in the different situations you mention, we apply the general norms which regulate the professional secrecy (which include not only the Lawyers but also other technical experts). The information protected by Professional Secrecy can only be disclosed as an exception by an order of the Criminal Court.

It is also worth mentioning that apart from the before mentioned general regulations there can be confidentiality agreements among the parts, in a case by case basis, about the information protected as well as its disclosure.