

WIP BULLETIN

Intellectual Property

How can it propel gender equality?



SUSTAINABLE DEVELOPMENT
GOALS AND GENDER
EQUALITY

WOMEN AND DENOMINATIONS
OF ORIGIN IN THE ANDEAN
REGION

THE GENDER GAP IN IP

WOMEN'S REPRESENTATION AS
IP RIGHTS HOLDERS

WIP CHAPTER
ACTIVITIES

AND MORE...



EDITORIAL

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INTELLECTUAL PROPERTY AS A DRIVER OF GENDER EQUALITY

An imperative to achieve true diversity in the legal sector

Naomi Rodríguez Manzueta

The term "intellectual property" refers to the protection of products of intellect, whether in the artistic, scientific or industrial fields. Creativity and innovation are drivers of human growth and development.

However, it is important to note that, throughout history, the progress of women in the field of innovation has often run into discrimination or been impeded by gender inequality.

In many cases, famous inventions and creations made by women have been attributed to men, especially their partners. Others have never received the recognition they deserve. For example, scientist Esther Lederberg often collaborated with her husband Joshua Lederberg in their work on microbial genetics, but it was Esther who discovered the lambda phage, a virus that infects *E. coli* bacteria. Despite their collaboration, her husband alone claimed the 1958 Nobel Prize in Physiology or Medicine for his discoveries of genetic transfer in bacteria¹.

Next we have Marie Curie, the inventor of mobile radiology who made important scientific discoveries such as finding that the atom was not indivisible, as previously believed. Marie Curie received two Nobel Prizes and is the first and only one to do so in two different scientific specialties: the first in Physics in 1903,

together with Pierre Curie and Henri Becquerel, and the second in Chemistry in 1911². However, the initial nomination for the 1903 Nobel Prize in Physics only included Henri Becquerel and Marie's husband Pierre Curie; it was Pierre who pointed out in a letter the injustice of excluding Marie from nomination for the prize.

And then there are other inventions like Monopoly, created by American inventor and engineer Elizabeth Magie Phillips, who conceived of the game as a protest against the monopolistic practices of the 19th century, however, it was credited to Charles Darrow; or the example of the painter Margaret Keane, whose husband, Walter Keane, began selling her paintings as his own - without her permission - in the 1950s³.

Even now, a gender gap in innovative activity persists. According to a study conducted by the University of North Carolina in 2021, women are underrepresented among intellectual property applicants. In the United States, women represent about 51% of the population, but file just over 32% of trademark applications. And



1. Baker, Mitzi (2006). Esther Lederberg, pioneer in genetics, dies at 83, U. Stanford, 2006, citado en: Martínez Pulido, Carolina: "Esther Lederberg: científica esencial en genética microbiana". Mujeres Con Ciencia. Publicado el 30 de mayo del 2017. En línea: <https://mujeresconciencia.com/2017/05/30/esther-lederberg-cientifica-esencial-genetica-microbiana/#:~:text=En%20el%20a%C3%B1o%201950%2C%20Esther,coli,>

2. Herrera, Neus: "Mujeres de ciencia: Marie Curie y su legado para la humanidad", Amnistía Internacional, 4 de julio del 2021. En línea: <https://redescuelas.es/amenesty.org/blog/historia/articulo/mujeres-de-ciencia-marie-curie-1/#:~:text=Una%20cuesti%C3%B3n%20de%20derechos%20humanos,larga%20lucha%20de%20estas%20mujeres.>

3. Campbell, Tori: "Stealing Art: When Men Took Credit For Women's Work", Artland Magazine. En línea: <https://www.yourlegalera.com/blog/women-are-less-likely-to-protect-their-intellectual-property>

“Even now, a gender gap in innovative activity persists.”

while the study suggests that more women are filing than ever before, they are still filing far fewer applications than men, despite the fact that applications filed by women are more likely to be successful than those filed by men; the study states that 49.6% of trademarks filed by women were registered, compared to 44.8% of trademarks filed by men⁴.

The report indicates that the gender gap in intellectual property registration is due, among other factors, to the fact that women entrepreneurs receive less support and find it more difficult to raise capital than their male counterparts. It also highlights that women are more likely than men to undervalue their intellectual property because they are socially conditioned to do so.

However, the solution to this gender gap and the way to encourage human development by boosting women's innovation and inventiveness is through intellectual property itself. Many women produce innovations, artistic works, literary works, and other products of intellect, but they are not aware that they can register, protect, and monetize them through registering these rights. The solution will come through raising awareness among women entrepreneurs and offering them tools and support so that they can benefit from intellectual property.

One example comes from Mexico, where the Digital Community of the Network of Women Innovators and Industrial Property was created in 2021. This community offers a variety of resources including mentoring, training, skill-building and other opportunities to help women commercialize and add value to their work and inventions⁵.

China, too, has shown remarkable progress in terms of the proportion of women innovators in the country. According to the World Intellectual Property Organization (WIPO), as of 2021 China ranked third among the 20 countries with the highest proportion of women inventors, with 23.7%

According to China's National Intellectual Property Administration, this achievement is due to various government policies and programs implemented to support women's entrepreneurship and encourage their participation in science, technology, engineering, mathematics (STEM) fields and other disciplines. These policies focus on three principles: protecting women's rights and interests and raising society's awareness of gender equality; ensuring women's right to education and employment; and creating a fair working environment⁶.



4. Marcowitz-Bittton, Miriam; Gerhardt, Deborah & Schuster, William Michael: "An Empirical Study of Gender and Race in Trademark Prosecution" UNC School of Law, 2021. En línea: https://scholarship.law.unc.edu/cgi/viewcontent.cgi?article=1564&context=faculty_publications. Citado en: Your legal era: "Women Are Less Likely to Protect Their Intellectual Property", en línea: <https://www.yourlegalera.com/blog/women-are-less-likely-to-protect-their-intellectual-property>

5. European Commission: "Empowering and Embracing Women in IPR and Innovation - Policies and Measures in Africa, China, India, Latin America or South-East Asia (World IP Day 2023)", 2023. En línea: https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/empowering-and-embracing-women-ipr-and-innovation-policies-and-measures-africa-china-india-latin-2023-04-26_en

6. Ídem.

INTELLECTUAL PROPERTY, SUSTAINABLE DEVELOPMENT GOALS AND GENDER EQUALITY



**María Camila
Pérez**

**Margarita
Zambrano**

The World Intellectual Property Organization (WIPO), a specialized agency of the United Nations, aims to develop an international intellectual property system that promotes the protection of works of human intellect, stimulates innovation and contributes to the economic development of different countries. Created in 1967 through the WIPO Convention, and headquartered in Geneva, it works actively to promote equitable access to intellectual property tools throughout the world, especially in developing countries. This is manifested in specific programs aimed at strengthening the capacity of these countries to use intangible assets for economic and social development purposes.

World Intellectual Property Day is celebrated annually on April 26; this

year, WIPO chose an appropriate theme, commemorating the day with the slogan "IP and the SDGs: Building our common future with innovation and creativity." This initiative by WIPO highlights the fundamental importance of intellectual property in fostering the creations of human intellect necessary to achieve these goals. As we know, the UN Sustainable Development Goals (SDGs) are a set of 17 global goals established in 2015, designed to be a "blueprint for action" to achieve a more sustainable future for all. Here, we will focus on a specific goal that is fundamental for economic and cultural development: gender equality.

In addition to being a fundamental human right, gender equality is an important pillar for building a

prosperous and sustainable future. It is important to note that women and girls make up half of the world's population and therefore account for half of the world's development potential. However, women earn 23% less than men and dedicate three times more hours to domestic work and unpaid care. Inequality is so pervasive that, according to the United Nations, it will take an estimated 300 years to end child marriage, 286 years to close legal protection gaps and eliminate discriminatory laws, and almost 140 years for women to achieve equal representation in positions of power and leadership in the workplace. Contributing to the advancement of this SDG is critical to evince a healthy society, through measures from poverty reduction to health promotion, education and protection².

1. United Nations, viewed on May 2, 2024, de: <https://www.un.org/sustainabledevelopment/es/gender-equality/>
2. Idem.

In considering the importance of gender equality and the focus of international organizations on meeting these high goals for a better future, we must highlight the wonderful and hard work of indigenous women in Latin American countries, specifically in the Andean community. Andean cultures have a long history of traditions, customs and knowledge passed down from generation to generation. Promoting gender equality opens up space for women in the Andean Community to continue actively participating in the preservation and promotion of their cultural heritage. This can include equal access to education; participation in community decision-making; support for women artists, artisans, creators, researchers, innovators and more; and valuing their traditional knowledge.

The Andean community is a treasure trove of living culture, where ancestral traditions intertwine with modern life, enriching the identity and heritage of the region in a unique and valuable way. Within this treasure trove of living culture, handicrafts are an integral part of the cultural richness of the countries that make up the Andean community. These crafts reflect the region's ethnic, historical and geographic diversity, and are valued both locally and internationally for their beauty and artistic quality. For example, we can look at Colombia, where handicrafts vary by region, but some of the best known include the Wayuu mochilas, bags that are hand-woven by the

women of the indigenous Wayuu community in La Guajira.

In Ecuador, handicrafts are especially diverse, with a wide variety of products ranging from toquilla straw hats to carved wooden figures and tagua jewelry. The indigenous communities of the Ecuadorian Andes are also renowned for their colorful weavings and elaborate tapestries. In Peru, handicrafts are likewise diverse and represent the cultural heritage of ancient civilizations. Highlights include high-quality textiles, decorative ceramics, wood and stone sculptures, and fine jewelry.⁴

Considering the wide range of handicrafts specific to each country, we can draw a link between the great cultural variety and the important role of women artisans and creators. Women's participation in craft production not only contributes to the preservation of cultural traditions and ancestral techniques, but also has a significant impact on the local economy. Each piece reflects the unique cultural context of the community to which they belong, incorporating traditional symbols, motifs and colors that convey deep meaning and connections to nature. In short, indigenous women play an invaluable role in the development of handicrafts within the cultural richness of Andean countries. Their contribution does not only enrich the region's cultural heritage, but also drives the economic and social development of their communities, promoting inclusion and empowerment⁵.

“Promoting gender equality opens up space for women in the Andean Community to continue actively participating in the preservation and promotion of their cultural heritage.”



3. Sistema de Información para la Artesanía Siart. (2014). La mochila Wayúu, parte de la tradición de Colombia, recuperado el 02 de mayo de 2024 de: https://artesaniasdecolombia.com.co/PortalAC/Noticia/la-mochila-wayu-parte-de-la-tradicion-de-colombia_5070

4. Anónimo. (No especificado). Artesanías de Perú, recuperado el 02 de mayo de 2024 de: <https://www.conartesanos.com/artesanias-de-peru/>

Within the field of intellectual property, there is a very interesting legal figure that applies to this entire process: that of "Traditional Knowledge." The law establishes that this consists of collective knowledge—such as practices, methods, experiences, skills, signs and symbols of peoples, nationalities and communities that make up part of their cultural heritage and have been developed, sustained and passed on from generation to generation within a community. The law also establishes that this knowledge should be protected in accordance with the community's own customs, as well as applicable constitutional and international treaty provisions. Since there is no specific legal protection, this knowledge should be safeguarded by its legitimate holders, who are the members of the Indigenous peoples and nations. However, this protection is neither sufficient nor especially effective in our contemporary and globalized world.

In light of this, and with the goal of granting adequate protection to this cultural and traditional background, there is another tool within intellectual property law that is rarely used in practice: collective trademarks. These marks, which are regulated by Decision 486 of the Andean Community, fulfill the same functions as trademarks, with the difference that they identify the origin or some specific shared characteristic of the products or services offered, which are under the control of a single owner. The collective owner of the trademark is responsible for ensuring that the products or services comply with the standards established in the regulations that govern them, guaranteeing their quality and characteristics.

We believe that the lack of protection for the intellectual property rights of indigenous communities within the Andean Community has significant impact on these communities, as in the case of indigenous women who depend on their traditional knowledge to generate income, especially through handicrafts.

Without adequate protection, they may lose control over the use and commercial exploitation of this cultural wealth, which could prevent the fifth SDG from being met or render it impossible to achieve. Another alarming possibility is that the lack of legal protection may discourage communities from continuing to transmit their practices from generation to generation, which could result in the irretrievable loss of valuable knowledge.

In this context, we would like to highlight that WIPO actively participates and sponsors training workshops for women, including those belonging to indigenous communities. We are very pleased to share that, through the ASIPI Pro Bono Program, six women-led communities in Bolivia, Peru and Ecuador are receiving free legal advice to protect and register their collective trademarks.

We conclude with a respectful call to ensure we include purposeful activities in our professional agenda, to promote pro bono legal advice, to build connections with organizations that offer pro bono legal services, and for the WIP Program to be a point of reference for women in the legal profession who are working to achieve the goals of equity set forth in the SDGs.

5. Comité Andino de Asuntos Culturales. (2023) Informe final, plan de trabajo 2022-2023, recuperado el 02 de mayo de 2024 de: <https://www.comunidadandina.org/wp-content/uploads/2023/08/INFORME-FINAL-CAAC-PPT-PERU-2023.pdf>.

6. Código Orgánico de la Economía Social de los Conocimientos, Creatividad e Innovación. (2016), artículo 511

Miske's Denomination of Origin: Reclaiming Women's Knowledge

Emily Moreno & Michelle Luna



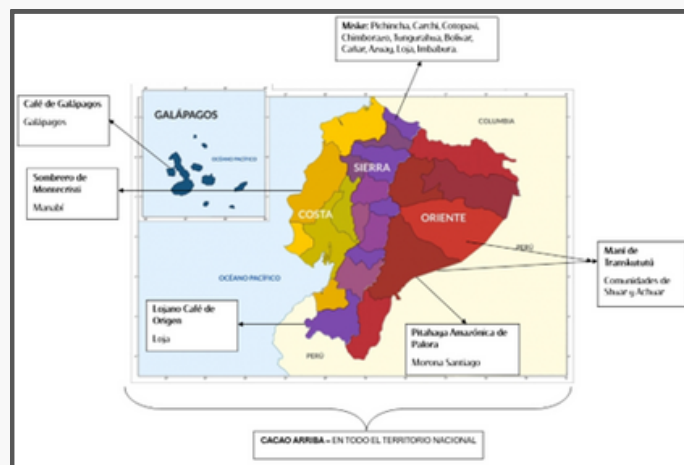
More than 20 years ago, a process began of deconstructing stereotypes and empowering a group of women called "mishkeras," a job that had previously been considered low value and even an insult. However, thanks to the efforts of a group of visionary entrepreneurs, who began working to change this preconception, today these women are seen as heads of the household and build an identity of those who today work in the production of beverages that mark a historical and ancestral landmark recognized worldwide. Join us on a journey to learn more about the influence of women in the production of Miske, an agave-based alcoholic beverage produced in Ecuador's Andean region and the country's seventh protected designation of origin.

Before analyzing the importance of women in the production process of this beverage, it is important to emphasize the richness of Ecuador's flora and fauna, and to understand what we mean by denominations of origin (DOs). This figure protects and values the identity, quality, reputation, tradition and other characteristics of a product, exclusive to the geographical environment in which it is produced, extracted or created, linking these products to the ancestral knowledge of the communities that cultivate them.

Ecuador covers 283,561 KM2 and boasts an incomparable natural richness, due to its privileged location in the middle of the planet. This unique characteristic allows the existence of an amazing variety of ecosystems that make the country a true

laboratory of biodiversity. This has given rise to the creation of diverse products with distinctive and high quality characteristics across the country's four regions.

Before examining this denomination of origin, which is protected by the National Service of Intellectual Rights (SENADI), it is important to note that Ecuador has granted a total of seven designations of origin in its four regions, as seen below::



Miske, an ancestral indigenous beverage, is made from agave obtained by distilling fermented tzawarmishky. The conversion of sugar into alcohol occurs only with the unique microorganisms present in this region, either through spontaneous or cultivated processes. One of the product's unique characteristics is that sunlight directly affects the photosynthesis of the agave, helping the plant produce more sugar, which results in higher-quality alcohol when distilled¹.

1. Naciones Unidas. Días Internacionales de las Naciones Unidas. Disponible en: <https://www.un.org/es/observances> Consultado: 18 de febrero de 2024.

Miske is known as the drink of the Andean corridor, and it has given rise to a great initiative that highlights the important work and labor of women within this social and cultural project.

The National Association of the Productive Chains of Penco and Cabuya of Ecuador (ANAGAVEC), which holds the denomination of origin, seeks to enhance the role and labor of women in the production process, for Miske as well as other derived products that help the communities' economies and incorporate their ancestral knowledge. The projects based on the DO are part of a revolution consisting mostly of women heads of household from different communities, with help from their family members (husbands, children, siblings, etc.).

ANAGAVEC currently has 70 direct partners, of which approximately 40% are women. In addition, there are indirect relationships with this project that encourage and highlight a gender focus, with the goal of involving more women in these spaces, so that the entire production chain works to decrease the gender gap that currently exists in our society.

The formal recognition of Denomination of Origin for Miske has showcased the ancestral work of these entrepreneurs, the culmination of years of efforts aimed at highlighting, valuing, and admiring the work of women that had been undervalued for many years. Today it is clearer than ever that men and women working together can achieve important changes and build an equitable world, where everyone has the same opportunities for success. Today, being a "mishkera" is a badge of pride for those who work to produce one of the finest beverages in the world, which has achieved important international recognition.

There are two places in the Americas where the ancestral culture of agave truly stands out: Ecuador and Mexico. In our country, it is noteworthy that about 90% of producers of agave sap – the raw material for producing Miske – are women, so we can say that every bottle of distilled agave contains more than 50 years of

women's knowledge and labor in this ancestral occupation that was, at one point, one of the most ostracized in Ecuador.

In this context, it is also important to recognize the work of Casa Agave Ecuador, a partner of ANAGAVEC. For more than two decades, this organization has actively participated in efforts to recognize women's contributions and ancestral knowledge in order to reduce the gender gap that is especially visible in this sector. Their projects show that female labor in these communities, for the first time in history, actually reinforces the position of women heads of household through preserving these traditions, demonstrating that the problems of gender and cultural identity can be left in the past.

Finally, we note that this figure of Intellectual Property, which denotes the rights over a product, has helped show that it is possible to promote greater gender equity in various areas, including the development of ancestral and traditional knowledge in conjunction with new technologies and modern development.

To learn more about the projects of the Asociación Nacional de las Cadenas Productivas del Penco y la Cabuya del Ecuador (ANAGAVEC) and Casa Agave Ecuador, follow them on social media:



**ANAGAVEC
CASA AGAVE EC.**



**anagavec
casa_agave.ec.**

A Gender Perspective on Artificial Intelligence

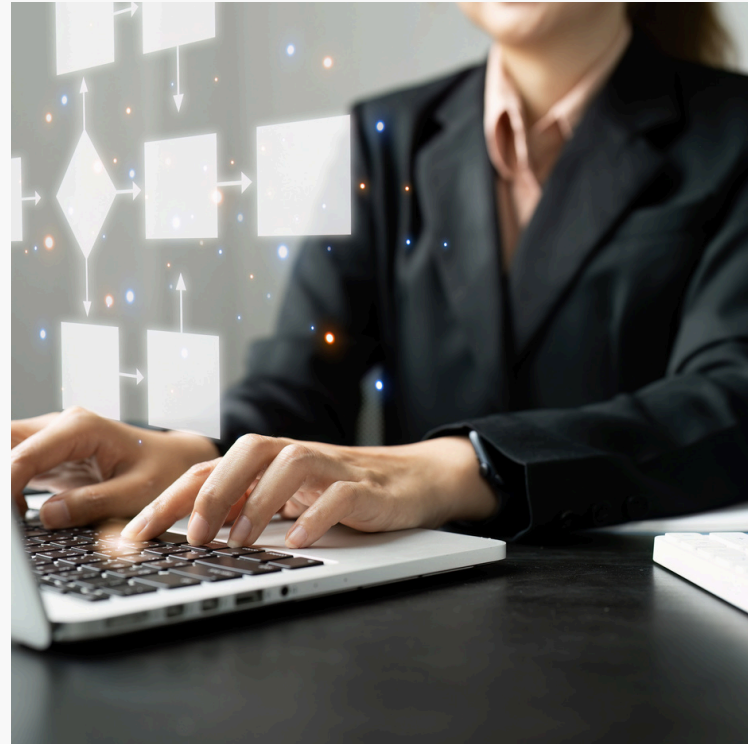
Mariana Castro Hernández

For many in our profession, this is a new topic: a boom and simultaneously a relatively indecipherable subject in terms of how it really works. We have seen how artificial intelligence has been utilized, underutilized and overutilized to perform academic work, file court briefs¹, prepare opinions, and so on. As in all other areas, our professionalism, commitment, and sense of professional ethics are what will guide us in determining whether this use has been fair, efficient, aligned with the client's interests, and ethical.

But in order to understand why we should examine this tool from a gender perspective, it is first necessary to understand what artificial intelligence is.

All the capabilities of our intelligence that we can formalize and allow a machine to perform can be part of AI. These skills can be performed by various methods, including reasoning tasks, induction, deduction, search, pattern recognition, learning, creativity, comprehension, and resolution. The best-known of these capabilities is *machine learning*, which is simply the ability of a machine to process a large amount of data at a high speed, from which it "learns" by recognizing patterns and then recognizing or classifying new data that it has not seen before (known as generalization).²

This is why when we ask ChatGPT a question, the chatbot throws out an answer based on pre-existing data—data that contains biases, data that is digested by many people as absolute reality and truth. For example, the chatbot associates terms such as "expert" and



"integrity" with men, while women are associated with "beauty" or "delight."³ In sum, the data replicate the biased behaviors of a society where the gender gap represents a historical debt.

According to data provided by Eleonora Lamm, PhD in Bioethics and Law and head of the Social and Human Sciences Sector for Latin America and the Caribbean (AI) at UNESCO, a study of 133 AI systems deployed in different economic sectors between 1988 and 2021 found that 44% demonstrated gender bias, and 26 percent had both gender and racial bias. Likewise, the European Union's AI law enforcement agency predicts that up to 90% of Internet content could be created or edited by AI by 2026, meaning the impact of AI bias will only grow.⁴

1. Por ejemplo, el sonado caso contra Avianca, en el que el abogado demandante presentó un escrito judicial citando jurisprudencia inexistente, cuya fuente fue chatGPT. <https://www.nytimes.com/2023/05/27/nyregion/avianca-airline-lawsuit-chatgpt.html>.

2. Módulo 5.14. Qué es la IA y su uso en Ciberseguridad. (2024, Abril, 11). Echeverría, Alejandro. Máster Online en Ciberseguridad y Prevención Digital. Founderz. <https://learn.founderz.com/program/master-ciberseguridad-prevencion-digital/que-herramientas-podemos-utilizar/que-es-la-ia-y-su-uso-en-ciberseguridad>.

3. Stokel-Walker, Cris. (2023, Noviembre 22). ChatGPT replicates gender bias in recommendation letters. Scientific American. <https://www.scientificamerican.com/article/chatgpt-replicates-gender-bias-in-recommendation-letters/>

The ongoing underrepresentation of women in the technology industry may also exacerbate the problem. If women were better represented among technology developers, these algorithms might offer more diverse and egalitarian results.

The law has an obligation to address this reality from a gender perspective. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted more than 40 years ago, establishes in Article 3 that "States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men." In this way, CEDAW establishes in a programmatic and timeless manner the obligation of States to take measures in accordance with the social context to eliminate the gender gap.

The Artificial Intelligence Act, adopted by the European Parliament on March 13, 2024, is a very important step that calls attention to this problem and the need to address it. The text recognizes that the underlying data may have inherent biases, which could lead to discrimination prohibited by EU law, and acknowledges the need to mitigate this situation. Furthermore, Article 26 establishes the need for human supervision of "high-risk AI systems," which will involve assessing the system's alignment with the principle of non-discrimination.

However, the exponential growth of AI alongside the exacerbation of the already troubling underrepresentation of women mean it will be necessary to take further action, either through complementary regulation or specific public policies. It is necessary to include gender issues in discussions on regulating artificial intelligence, and we should not lose sight of this within the complex web of relationships and situations that will be regulated under the new umbrella of artificial intelligence.

"If women were better represented among technology developers, these algorithms might offer more diverse and egalitarian results."

The Power of Branding

and the Role of Women Intellectual Property Attorneys

Tania Chen Guillén

The discipline known as "Fashion Law" has become popular in the world that exists at the intersection of fashion and the legal profession. This specialty covers the convergence of different issues including image contracts, advertising, social networks, labor contracts, marketing of products and services, and even environmental issues, to name just a few.

When looking at designs for clothing, shoes, jewelry, handbags, and everything that surrounds the fashion industry, the work of establishing and building a brand is becoming more and more visible. Such work, which requires significant talent and communication to give a brand its own personality, is recognized as "Branding."

You may wonder how the law relates to "Branding", if there is already a team of publicists, companies, and different mechanisms that specialize in and dedicate themselves to this subject. Intellectual property lawyers are an integral part of constructing a trademark and play a fundamental role in the entire process.



As soon as a creator starts building a brand with the DNA of their idea or business—that is, their vision—the race to position it begins. It is important for the creators of the trademark to be especially attentive at this time.

Before bringing the brand to market, we recommend conducting a trademark background search with the different Trademark Offices that fall within the trademark's geographic scope, to more accurately assess whether the proposed trademark is available for registration and if it has enough distinctive elements to be registered. The company's marketing and development plan must include registering the trademark, its products and/or services in order to obtain exclusive rights over it. The trademark of a product or service is a company asset and as such must be legally protected to ensure its registration rights against third parties.

During this registration stage, we work with our client to create their project. It is exciting for us to help them protect their brand, to watch it grow over the years, to stand out from the competition and even to protect it from counterfeiters who might try to capitalize on its commercial growth and copy it.

By registering a trademark, the trademark holder has the right to prevent third parties from performing unauthorized actions including manufacturing, printing, reproducing, applying, or using an identical or similar sign to identify the same products or services for which the trademark is registered or for related products.

When a trademark is duly registered, the owner has a legally protected right to the scope of his or her project and work. They may come to realize that the value of this is not only in the monetary amount or investment that went into it, but also in finding their passion and seeing it come to life, and have that effort rewarded by consumers who identify with the brand's history, quality, products and/or services.

“Intellectual property lawyers are an integral part of constructing a trademark and play a fundamental role in the entire process.”

Female Intellectual Property attorneys can handle major legal disputes about trademark misuse and other legal conflicts; we are professional women with great negotiation skills; we are women who sit down with the inventors and creators of a trademark to give them the best and most comprehensive legal advice; we are women with excellent analytical skills, attention to detail and cutting-edge knowledge in our field, which goes hand in hand with our great ally, technology, and constant professional development and training.

We are professionals, and we are proud of how many of us have risen to positions as judges and magistrates specialized in Intellectual Property law.

We are women Intellectual Property lawyers. We actively participate in educating and sharing our legal knowledge with others, encouraging the participation of many other colleagues in this area of law. In doing so, we accomplish the most beautiful thing: raising awareness about our profession.



Mentorship by Women in Intellectual Property: A Focus on Nigeria



Chinasa Uwanna

In November 2017, Chidiogo Akunyili gave a well delivered talk on The Power of Women Helping Women at a TEDx talk. The talk explored how “Women can be powerful allies for each other in life—and are uniquely qualified to do so because we experience many of the same challenges.”

How apt!

The phrase “Women Supporting Women” trended massively a couple of years back. At that time, there were arguments for and against, with a lot of women maintaining the view that we, women were our own downfall! I recall listening to or reading about senior female lawyers who frustrated the junior lawyers that worked with them, thereby discouraging them from furthering otherwise attractive legal careers because of their insecurities, competitive spirit or outright bad behavior.

Fortunately, this has not really been my experience. Without minimizing the challenges that women have faced in the workplace, for the Intellectual Property (IP) teams or associations I have worked with, it has generally been about women mentoring others, building them up, indeed, women supporting women to go further. In Nigeria, we have a group of special women—women who through the years have become reliable colleagues and strong friends even while remaining so called “competitors” in the marketplace.

For instance, by virtue of the nature of IP Law, we get to travel for so many conferences and meetings. It is not farfetched how we typically coordinate our travel, accommodation, sightseeing etc. plans particularly in far and unfamiliar locations. Sometimes, it takes just running into a familiar face in the hotel lobby or conference grounds and having her smile or nod at you: a silent affirmation that “you have got this!” Some of the biggest platforms I have had in my over 16 years career in the field of IP were given to me by women—some of whom I did not even work directly for or with! Knowingly or not, we have been empowering our fellow women. This brings to mind the latter part of the 5th UN Sustainable Development Goal: “Achieve gender equality and empower all women and girls.”

I pride myself that I have not lacked for female mentors in the field of IP in Nigeria. No wonder many of them are shining forth in international fora.

It is also a motivation for me to pay it forward. Really, it is always a privilege to speak to, and mentor students in various IP clubs in Nigerian universities, practitioners under the auspices of the Nigerian Bar Association Institute of Continuing Legal Education (NBA ICLE) as well as participants in IP mentorship programs like the JIIPCC Mentorship and Internship Program.

I recall that circa 2017 a couple of us met together and decided to draw up a list of all the women IP practitioners in Nigeria with the view to create a formal community of women in IP in Nigeria. We initially thought that we would be a small group of women. It was amazing how many names we were able to come up with just between Lagos and Abuja (in a country with 36 states plus the Federal Capital Territory), as we started to go through women practitioners we knew who were breaking grounds in the field of IP, across private practice, in-house, academia, regulatory agencies, and more. There was one theme though—each name mentioned was a close friend, travel buddy, teacher, mentor, mentee or ally. We were all interconnected and willing to be there for each other.

This might not be a popular position, but I am of the view that we need to do away with the negative beliefs that hinder professional women from developing good relationships with other professional women who face the same issues as them in the workplace.

Because women can be powerful allies and women do support women!



Intellectual Property and the Gender Gap



Intellectual property is directly related to human beings and their creations.

These creations can be expressed in artistic and literary works, symbols, names, images, and inventions, among other tangible forms of this creativity.

Gender should in no way influence intellectual property and its origin, since we are talking about creations of the minds of human beings in general, spurring the innovations that move the world.

However, this has not historically not been the case in practice. There is a persistent global disparity between men and women, which permeates almost all aspects of human relations, including the recognition of the intellectual property rights of women creators. According to the Economic Commission for Latin America and the Caribbean (ECLAC), one out of every four women does not have her own source of income,

despite the fact that, on average, women complete more years of education compared to their male counterparts. As a result, women's participation in the economic, scientific, and political realms, among other fields, remains limited. This gap widens even more among Indigenous populations, Afro-descendant communities and inhabitants of rural areas.

In the field of intellectual property, the World Intellectual Property Organization (WIPO) has recognized that, despite progress toward gender inclusion at all levels over the last decade, more work is needed to achieve full compliance. Similarly, despite the progress made to date, a gender gap persists both in the use of the global intellectual property system by women and girls, as well as in the

representation of women in international organizations. Women, including those from underrepresented groups, continue to be marginalized in formal innovation and creativity processes, and in governance and management structures related to innovation and creativity.

To address this gender gap, in the most recent edition of its WIPO Policy on Gender Equality 2024-2027, WIPO established primary objectives aimed at strengthening institutional gender equity, enabling the incorporation of a gender perspective in all areas, and fostering an inclusive and diverse organizational culture that advances equal representation at all levels. WIPO is also contributing to closing the gender gap in IP through the adoption of the IP and Gender Action Plan, which provides strategic direction for the development of an IP ecosystem that promotes

and encourages women's participation in IP and innovation.

Although the definitive elimination of the harmful gender gap in intellectual property will not be achieved overnight, we can see that some of the most influential organizations in this area are making the necessary efforts to promote this development. Of course, any request, policy or proposal in this area should not just start from a statistical or comparative point of view between men and women, but should also address the specific challenges and contexts that give rise to this disparity. Only by focusing on the root of the problem will we be able to take effective measures to reduce this gender gap.

Overcoming gender disparity is a challenge that concerns us all, and its resolution is fundamental to promoting diversity and innovation within the field of intellectual property.



In the Dominican Republic, Intellectual Property Has a Woman's Face:

Mary Fernández Rodríguez

The case of removal from the USTR Special 301 Report

As of this year, the United States has excluded the Dominican Republic from the list called Special 301¹, which is prepared every year to identify the state of intellectual property in partner countries.

This exclusion is a milestone in the history of the Dominican Republic and marks an improvement in its foreign investment environment, as it is the first time since 1996 that the United States has excluded us from this list. It is worth noting that Latin American countries such as Argentina, Chile, Colombia and Venezuela, not to mention developed countries like Canada, remain on this list.

The U.S. uses this report to highlight the laws, policies and practices of countries that do not adequately protect intellectual property, serving as a warning to U.S. nationals—whether inventors, creators, manufacturers or service providers—of the dangers they may face when investing in those countries. This often translates into a factor—if not a determining one, then certainly a very important one—for individuals deciding whether to invest in a given country.

The exclusion of the Dominican Republic from this list, which many call the intellectual property "blacklist," came about thanks to the hard work of many people and institutions, but it is important to highlight the work of women in key positions in public administration who played a role in advancing the policies that led to this improvement in protecting intellectual property rights.

In particular, we can point to Vilma Arbaje de Contreras, Vice Minister of Foreign Trade in the Ministry of Industry, Commerce and MSMEs (MICM), as well as Constitutional Court Justice Army Ferreira and Attorney General Miriam Germán Brito, who led the efforts to ensure the Dominican Republic's exclusion from this list.

We should likewise mention that the Dominican Republic is one of the countries with the highest proportion of women in management positions and partners of law firms in intellectual property matters, among others, in Latin America. The intellectual property work carried out by women, as lawyers for either individuals or private entities, as well as those working in the administration of President Luis Abinader and his diligent vice president, Raquel Peña, has been essential to many areas that impact the rule of law and the enforcement of laws in the Dominican Republic.

Although the Dominican Republic has made significant advances in women's rights and their equal protection under the law, issues still remain, such as protecting their sexual and reproductive rights.

Throughout history, women, especially women lawyers, have played a major role in securing rights and equality. One example of the achievements of women lawyers in the Dominican Republic has been the exclusion of our country from the U.S. Special 301 list, which is sure to encourage the growth of foreign investment in our country.

1. Office of the United States Trade Representative. (2024). 2024 Special 301 Report.



The Participation of Women as Intellectual Property Rights Holders in Ecuador

Verónica Chiriboga



Intellectual Property connects innovation with the recognition of rights, and women deserve opportunities that enable us to create knowledge that merits protection.

Unfortunately, studies conducted by UNESCO demonstrate that even artificial intelligence reproduces gender stereotypes¹, that women's access to and participation in technological advances is less than men's, and that a gender disparity persists in STEM careers².

Focusing on Ecuador, according to information issued by the National Institute of Statistics and Censuses, our country's population grew by 2.5 million people between 2010 and 2022. Women represent 51.3% of the population, and 48.7% are men³.

With such a significant percentage of women,

corresponding to more than half of the population, we might expect that their participation in Intellectual Property, as both applicants and holders of the different modalities before the National Service of Intellectual Rights, would also be approximately 50%.

Although the Authority has not made public data on the participation of women, a review of the public information available in the Intellectual Property Gazettes issued between January and March 2024 finds that, out of a total of 1690 applications for trademark registration filed by individuals, 878 were filed by men and 812 by women. Among the patents

for inventions, industrial design and utility models filed in Ecuador, although most of them correspond to foreign persons, it is worth noting that 125 were from male inventors versus only 33 female inventors.

This reality is a direct consequence of the gender gap. Unfortunately, only a small percentage of girls can envision themselves in managerial positions, and the vast majority believe that their skills in science and technology are less than those of boys. There is no doubt about the important role of women in boosting the Ecuadorian economy and their contributions to knowledge creation.

However, we must address

this gap, beginning with the simplest actions, such as choosing toys that allow greater participation of girls in activities that were erroneously previously considered exclusively for boys; through dividing daily tasks regardless of whether it is a man or a woman completing them; and subsequently, the choice of professions without considering gender, eliminating the belief that certain professions and activities are reserved for women and others for men.

Each of us must help drive women's participation by influencing girls from an early age, democratizing the fields of science and technology, breaking gender stereotypes and showcasing role models—actions in which we can actively participate as both individuals and as advocates.

1. Koi, U. (2024, marzo 7). La inteligencia artificial ya reproduce estereotipos de género. Noticias ONU. <https://news.un.org/es/story/2024/03/1528182>

2. Educación de niñas y mujeres en ciencia, tecnología, ingeniería y matemáticas (STEM). (2023, octubre 19). Unesco.org. <https://www.unesco.org/es/gender-equality/education/stem>

3. ECUADOR CRECIÓ EN 2.5 MILLONES DE PERSONAS ENTRE 2010 Y 2022 – Instituto Nacional de Estadística y Censos. (s/f). Gob.ec. Recuperado el 7 de mayo de 2024, de <https://www.ecuadorencifras.gob.ec/institucional/ecuador-crecio-en-2-5-millones-de-personas-entre-2010-y-2022/>



The Solano Sister Scientists and the Failure to Protect Their Invention in Colombia

María Claudia Martínez Beltrán

According to data from the United Nations Educational, Scientific and Cultural Organization (UNESCO), only 33.3% of the total number of researchers in the world as of 2024 are women. In general, STEM fields (science, technology, engineering and mathematics) have very low representation of women. Even at the early stages of academic courses of study, there are few women pursuing careers in STEM.

Tatiana and Natalia Solano are sisters from Neiva, in the Colombian department of Huila. Tatiana is an industrial engineer; Natalia is a biologist and chemist. These sisters decided to defy fate, statistics and the odds against them and dedicate themselves to research.

After tests, formula reviews, trials and errors, in 2016 they created a product called GodOil. The product is a liquid or substance that can help fix problems caused by pollution in water ecosystems and soils contaminated by oil, and does so in record time. This invention could be a real gift for humanity, presenting a possibility of restoring parts of our planet that have suffered from oil spills or from the dynamics of oil extraction itself, which causes leaks that, though small, still impact the environment.

It was clear that this product was an invention that addresses a critical problem, and contributes to the wellbeing of the environment and humanity. So, naturally, these sisters began the legal process with the Superintendency of Industry and Commerce to grant them their patent, to protect their invention from exploitation.

Patents are the great prize that inventors seek; the reason they dedicate years of their lives to research. Research generates expenses, expenses and more expenses, until they achieve their goal and a chance to see the return of years of investment, of economic resources as well as time. A patent is an acknowledgment of creativity and a way for states to reward their inventors, granting them the exclusive rights or monopoly over the use of their invention.

And so began the path of these inventors to Colombia's Superintendency of Industry and Commerce to protect their invention. The rumor of the existence of GodOil began to filter through the hydrocarbon market, among scientists, universities, and government entities that support research.

And what happened? Each and every one of the third parties that came to "support" them, "congratulate" them, gave them awards or hosted events recognizing them, had only one motive: to get the sisters to grant them the rights to the patent that was being registered or to hand over the invention completely.

The Colombian universities with which they spoke, seeking support for the substance's use and commercialization, wanted their slice of the rights. Where was the philanthropic, non-profit purpose of education and the incentive for innovation, the goal of educational institutions to promote scientific development? This is a substance that contributes to the existence of the world, yet there was no other way to seek recognition from academia without being exposed to these institutions' efforts to take ownership of an invention in which they did not participate.

A well-known government program that recognizes entrepreneurship awarded the Solano sisters with the prize for best entrepreneurship in Colombia. Tatiana and Natalia, with their "Oil of God," were recognized as the best in Colombia, out of more than 2,000 participants.

Now, what nobody had told them was that, in order to be eligible for the award, they had to reveal absolutely all the secrets of their invention, to make it public. Why did they have to give their invention to the public? Why didn't the award support entrepreneurs?

And so it went. Many third parties approached them, supposedly to support them. In every instance, they were really interested in the exploitation rights. The

wanted to erase the sisters from history; they were not interested in recognizing them, nor the fact that the sisters had their patent in hand. While these conversations were going on, the Solano sisters continued with the process to register their patent before the Superintendency of Industry and Commerce, but when they understood that all the third parties were really looking for a piece of their rights, they realized that their patent would not be protected in Colombia, and the best thing to do was to leave the country.

If they truly wanted to protect their invention, to have real guarantees safeguarding this substance that could potentially help save the environment, they could not stay in Colombia. If they really wanted to see their years of investment rewarded, they would not start distributing their assets among all the interested parties that wanted to take advantage of it. They made the decision they had to make was to leave Colombia, to look for a context in which there was no individual interest of people to get rich at the expense of their efforts.

This is the story of two great women who will be remembered as women, researchers, contributors to humanity – but who had to overcome great obstacles in order to do so. Soon we will have great news for them, which will finally allow them to make use of their invention.

But the question that remains is: how many women researchers have had to give away their inventions? To whom have they given them? Who has ended up with the accolades and recognition?

“The question that remains is: how many women researchers have had to give away their inventions? To whom have they given them?”





SOS Rio Grande do Sul

Ravenna Vieira
WLM Brasil



Empowerment is when an individual or a group becomes aware of what they represent within society and directs their actions and attitudes towards contributing to the collective.

Right now, Women in Law Mentoring - WLM Brazil, an association of women lawyers that was founded 10 years ago in Porto Alegre, the capital of Rio Grande do Sul, Brazil, with the aim of promoting female leadership in the legal market, is using its reach to give a voice to the people of Rio Grande do Sul.

In April, the state of Rio Grande do Sul experienced an extreme weather event: heavy rains caused the rivers in the watershed to flood the surrounding towns. Of the state's 497 cities, 450 were affected, including the capital of Porto Alegre, whose main airport was flooded and closed indefinitely. There are even more dramatic cases such as the town of Eldorado do Sul, which had 98% of its territory flooded.

The climate catastrophe has severely affected the entire state, as the speed and high volume of the waters destroyed homes, schools, roads, bridges, the entire electricity and sanitation infrastructure, fields, pastures and crops. Cities are under water and teams of citizen volunteers have joined forces with non-governmental organizations, associations and public authorities to rescue and organize shelters and supplies for the victims

According to the state's Civil Defense, a total of 2,124,203 people have been impacted by the floods. Among them, 538,245 people are homeless; 77,405 are in temporary shelters; 76,470 people have been rescued and 127 people are still missing in the floods; 806 people are injured and authorities have confirmed 147 deaths so far. In addition, 10,814 animals have been rescued and are being cared for by volunteers in temporary shelters.

During this period, Brazil has joined in a chain of solidarity to raise funds through donations to guarantee the basics for a dignified existence, such as clothes, food, drinking water and medicines.

Rio Grande do Sul, its infrastructure, housing, schools and hospitals will have to be rebuilt. Families that have been affected will need their basic human rights, such as social assistance, guaranteed, and farmers and entrepreneurs will need to start their businesses over again.

WLM Brazil stands in solidarity with the people of Rio Grande do Sul and has organized a donation campaign with the aim of raising funds to help especially vulnerable women and re-establish small businesses run by women entrepreneurs. The Association is accepting donations for this fundraiser.

[To donate, contact us here](#)

There is also another way to contribute, for individuals with accounts located abroad. The Inter-American Development Bank (IDB) is running a campaign to match each individual donation.

[More information here](#)

WIP Worldwide

CHILE

WIP Chile's first meeting of 2024: Inspiration on paper, for inspiring women

On April 11, WIP Chile held the chapter's first meeting of 2024 at Albagli Zaliasnik. The event exceeded expectations by becoming a space for inspiration and showcasing the creativity of women in the legal profession.

Bringing together more than 40 prominent female lawyers, the event aimed to explore and promote female talent, as well as emphasize the importance of creating new spaces for inclusive leadership.

The participation of visual artist and illustrator María Paz Silva, who shared her deep knowledge of the art of collage, added a unique dimension to the event. This form of expression not only highlighted participants' individual creativity, but also underscored the need for every voice to be heard and valued.

Throughout the day, participants engaged in in-depth conversations about the role of women in the legal field, sharing their experiences, challenges and visions for the future. This interaction strengthened professional ties and reinforced attendees' shared commitment to building a more equitable and just environment for all.



COLOMBIA

We are pleased to share these exciting updates from WIP Colombia:

In April of this year, Paola Aldana Mahecha took on the role of WIP Colombia's Executive Director.

WIP Colombia is now formally registered as a non-profit entity: under Colombian law, we are now a legal entity with a social interest purpose. This designation allows us to serve as a platform to develop activities and impact initiatives to close gender gaps in the legal profession in the country, and creates more space to connect with partners and to solidify our legal and operational functions.

On May 28 we hosted a conference, "Effective Communication for Women Leaders," with Diana Sigüenza, an expert with more than 30 years of experience in strategic communication and crisis management. More than 60 women participated in this event, which was also an opportunity for us to resume chapter activities and invite more women to join WIP Colombia.

Looking ahead to the second half of 2024, we have planned a lineup of activities ranging from dual purpose spaces for training and networking to developing more ambitious impact initiatives that we hope to open to affiliates in 2025.



ADVANCING GENDER EQUALITY: REFLECTING ON FEMINISM AT "I AM NOT A FEMINIST!" IN URUGUAY



A central theme of the event was the exploration of whether the participants identified as feminists and the reasons behind their position. This reflection included an examination of the various waves of feminism and an assessment of how societal norms have evolved over time. The dialogue aimed to uncover situations that were previously normalized but are now subject to scrutiny, and to consider what current norms might need reevaluation and change.

The event underscored the commitment of these firms to foster spaces for such critical discussions, supporting the continuous growth and development of women professionals. By encouraging reflection about personal beliefs and societal norms, initiatives like "I am not a Feminist!" play a crucial role in advancing gender equality and shaping the professional landscape of tomorrow.

The participants left the event with a renewed sense of purpose and a clearer understanding of the importance of challenging normalized behaviors and stereotypes. This enriching initiative not only empowered the women lawyers in attendance but also contributed to the broader goal of building a more just and ethical legal profession.

Under the framework of the Women in the Profession Program (WIP), the Uruguayan firms Dentons Jiménez de Aréchaga, Ferrere, Guyer & Regules, Hughes & Hughes, and Posadas recently organized a thought-provoking event titled "I am not a Feminist!". This event brought together more than 80 women lawyers to engage in a meaningful discussion on gender roles and the spaces women occupy in the legal industry.

The gathering served as an invaluable opportunity to exchange ideas, challenge existing stereotypes, and critically examine the labels we use. Participants reflected on the reality of today's professional environment and envisioned the changes needed to create a more inclusive and equitable future.

Fernanda Ariceta, a distinguished sociologist with expertise in gender equality, diversity, sustainability, and leadership, was the keynote speaker. Ariceta's insights provided a rich foundation for discussion, encouraging participants to delve deep into their understanding of feminism.



Strengthening our Community, Inspiring Change



Welcome to an exciting look at WIP Ecuador's recent activities! Through a series of events and strategic collaborations, WIP Ecuador has been making a positive impact on the community, strengthening women's empowerment and promoting gender equality in various spheres of Ecuadorian society.



Mary Mar Samaniego A.
Coordinadora Comunicación,
WIP Ecuador

Strategic Alliances for Change: We have partnered with key organizations such as Inspiring Girls Ecuador, Plan International, Universidad de los Hemisferios, and Datalat, strengthening our support network and amplifying our impact in promoting women's empowerment. These strategic alliances allow us to work together toward a common goal: gender equality in the legal profession.

“Women Breaking Ground”: This flagship event brought together leading women lawyers and renowned motivational speakers, including Priscilla Solano. We inspired each other, shared experiences and charted the path to a brighter future for women in the legal field.

“This Little Girl is Me” Project: Through this touching campaign, each of our members shared a phrase dedicated to her inner child, reminding us of the importance of nurturing our dreams from an early age and keeping the spark of hope and determination alive.





Compliance and Anti-Corruption Workshop: In collaboration with international organizations such as International Senior Lawyers Project, USAID and Counterpart International, we organized a workshop on compliance and anti-corruption. This workshop promoted ethical and transparent legal practices, reaffirming our commitment to integrity and fairness in all our actions.

Participation in the EKOS Sustainability Summit 2024: We joined this important summit to contribute to the conversation on sustainability and gender equity, highlighting the crucial role of women in building a more sustainable and equitable future. Our founder, Margarita Zambrano, participated as a panelist, emphasizing the importance of diversity and inclusion in the workplace and throughout society at large.

“Women Telling Stories” at the University of the Hemispheres: We shared our experiences and perspectives at this event, highlighting the power of personal narratives to inspire and promote change.

“Senior Employability Lab” Project: We work for the inclusion of professionals over 45 years old in the labor market. Through this project, we provide proposals for legal reforms, training and development of an employment exchange focused on this age group, thus demonstrating our commitment to generational diversity and the use of senior talent in the legal field. We are also an active member of the ISO TC 314 Aging Societies Committee, contributing to the development of international standards to address the legal challenges associated with aging populations.



From inspiring events to strategic collaborations, each of these initiatives has contributed significantly to strengthening our community and inspiring change in the country. Together, we can build a country where all women can reach their full potential and shine brightly!

Law Firms of the authors and contributors featured in this edition

AGUILAR CASTILLO LOVE



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& DE LA ROSA



WIP BULLETIN

JUNE 2024



VANCE CENTER
WOMEN IN THE PROFESSION