
CREATIVE AND CULTURAL INDUSTRIES IN USMCA

Creative and cultural industries

- According to UNESCO, creative industries have their origin in individual creativity and have the potential to produce wealth and employment through the generation and promotion of intellectual property.
- Creative industries link abstract dimensions, such as culture and art, with others as concrete as the economy or the market. USMCA protects and encourages the strengthening and growth of these industries in the region, primarily through its chapters on digital commerce, intellectual property, and Small and Medium Enterprises (SMEs).

Digital Commerce – Chapter 19

- The Treaty generates and promotes the innovation of high-quality digital content, products, and services, transforming how people and companies interact.
 - The treaty prohibits the establishment of tariffs on digital goods, including software, electronic books, and video games, which results in a reduction in production costs.
 - New protections are put into place to guard against theft of intellectual property and safeguard the coding and algorithms of goods such as software.
 - These regulations intended for companies that depend highly on their intellectual property can easily operate in North America's different markets.

Intellectual Property – Chapter 20

- The treaty promotes an efficient and equitable intellectual property system that contributes to economic development and the social and cultural well-being of societies, achieving a balance between the innovator's interests and the public interest.
 - As the free flow of electronic information becomes increasingly more common, this chapter establishes regulations to avoid barriers to the free flow of commercial information.
 - Transparency and due process are guaranteed to protect and recognize geographical products (tequila, mezcal).

- New regulations allow for whoever reveals, acquires, or uses an industrial secret without authorization to face legal consequences.
- The treaty recognizes the registration of non-traditional trademarks such as soundtracks, those not visually perceived, and even olfactory.

Small and Medium-Sized Companies – Chapter 25

- The agreement provides more significant opportunities for SMEs and entrepreneurs in the region to increase their exports and their participation in global and North American value chains.
 - This chapter promotes cooperation between SMEs' support infrastructure (incubators, accelerators, export assistance centers) by creating international networks to share best practices and promote international trade participation.
 - It seeks to promote the participation of SMEs belonging to underrepresented groups, including women, indigenous people, youth, and minorities, as well as start-ups, agricultural and rural SMEs, in international trade and the exchange of activities and goods related to creative and cultural industries.