

CHAPTER 7 INTELLECTUAL PROPERTY

ARTICLE 7.1

Protection of Intellectual Property

1. The Parties shall grant and ensure adequate, effective and non-discriminatory protection of intellectual property rights, and provide for measures for the enforcement of those rights against infringement, including counterfeiting and piracy, in accordance with this Article as well as Annex XIII and the international agreements referred to therein.

2. The Parties shall accord to each other's nationals treatment no less favourable than the treatment they accord to their own nationals. Exemptions from this obligation must be in accordance with the substantive provisions of Articles 3 and 5 of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (hereinafter referred to as "the TRIPS Agreement").

3. With regard to the protection of intellectual property, the Parties shall, in accordance with the TRIPS Agreement, in particular Articles 4 and 5 thereof, grant to each other's nationals treatment no less favourable than that accorded to nationals of any third State.

4. The Parties agree, upon request of any Party made to the Joint Committee, and subject to consensus of the Parties, to review the provisions on intellectual property of this Agreement as appropriate, with a view to avoiding or remedying trade distortions caused by actual levels of protection of intellectual property rights, and to promoting intellectual property that facilitates trade and investment relations between the Parties.

ARTICLE 7.2

Scope of Intellectual Property

"Intellectual property" refers in particular to copyright, including computer programmes and compilations of data, as well as related rights, trademarks for goods and services, geographical indications, including appellations of origin, industrial designs, patents, plant varieties, layout-designs/topographies of integrated circuits, as well as undisclosed information.

ARTICLE 7.3

Co-operation in the Field of Intellectual Property

1. The Parties, recognising the growing importance of intellectual property rights as a factor of social, economic and cultural development, shall enhance their co-operation in this field.

2. The Parties agree, if circumstances permit, to co-operate on activities relating to the identified or to future international conventions on harmonisation, administration and enforcement of intellectual property rights and on activities in international organisations, such as the WTO and the World Intellectual Property Organization (WIPO), as well as to share experiences and exchange information on relations of the Parties with third countries on matters concerning intellectual property.

3. The Parties, pursuant to paragraph 1, may co-operate in:

- (a) programmes for personnel interchange, including for examiners, between the Parties;
- (b) the field of information systems on intellectual property;
- (c) the promotion of mutual understanding of each Party's policy, activities and experiences in the field of intellectual property; and
- (d) the promotion of education on intellectual property and invention awareness.