

CHAPTER 8

GOVERNMENT PROCUREMENT

ARTICLE 8

General provisions

The Parties shall consult on the mutual opening of their respective government procurement markets, using in particular the GPA as a framework for future dialogue.

CHAPTER 9

INTELLECTUAL PROPERTY RIGHTS

ARTICLE 9

General provisions

1. The Parties confirm the importance of ensuring adequate and effective protection and enforcement of intellectual, industrial and commercial property rights.
2. The Parties shall provide suitable and effective protection of intellectual, industrial and commercial property rights in line with the TRIPS Agreement.
3. The Parties shall ensure an adequate and effective implementation of the obligations arising from the following multilateral conventions on intellectual, industrial and commercial property rights:
 - (a) the Berne Convention for the Protection of Literary and Artistic Works, done at Berne on 9 September 1886, as revised at Paris on 24 July 1971, and as amended on 28 September 1979;
 - (b) the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, done at Rome on 26 October 1961;
 - (c) the Paris Convention for the Protection of Industrial Property, done at Paris on 20 March 1883, as revised at Stockholm on 14 July 1967, and as amended on 28 September 1979;

- (d) the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, done at Nice on 15 June 1957, as revised at Geneva on 13 May 1977, and as amended on 28 September 1979;
 - (e) the Patent Cooperation Treaty (PCT), done at Washington on 19 June 1970, as amended on 28 September 1979 and modified on 3 February 1984;
 - (f) the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on 27 June 1989;
 - (g) the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, done at Budapest on 28 April 1977, as amended on 26 September 1980; and
 - (h) the International Convention for the Protection of New Varieties of Plants, done at Paris on 2 December 1961, as revised on 19 March 1991.
4. The Joint Committee may decide that paragraph 3 also applies to other multilateral conventions or international agreements relating to intellectual, industrial and commercial property rights to which both Parties are party.
 5. The Joint Committee shall monitor the implementation and application of the intellectual, industrial and commercial property rights provisions of this Agreement. The Joint Committee shall make recommendations which may include the establishment of a subcommittee on intellectual, industrial and commercial property rights.
 6. For the purpose of this Agreement, intellectual, industrial and commercial property rights include in particular copyright, including the copyright in computer programmes, and related rights, patents, industrial designs, topographies of integrated circuits and geographical indications including trademarks as well as protection against unfair competition as referred to in Article 10 (bis) of the Paris Convention for the Protection of Industrial Property, and protection of undisclosed information on know-how.
 7. Each Party shall be free to establish its own regime for the exhaustion of intellectual, industrial and commercial property rights subject to the relevant provisions of the TRIPS Agreement.