Chapter 11
Intellectual Property

Article 107
General Provisions

1. The Parties shall grant and ensure adequate, effective and non-discriminatory protection of intellectual property, promote efficiency and transparency in the administration of their respective intellectual property protection systems and provide for measures for adequate and effective enforcement of intellectual property rights against infringement, counterfeiting and piracy, in accordance with the provisions of this Chapter and the international agreements to which both Parties are parties.

2. "Intellectual property" referred to in this Chapter means all categories of intellectual property:

(a) that are subject of Articles 114 to 121; and/or

(b) that are covered by the TRIPS Agreement and/or the relevant international agreements referred to in the TRIPS Agreement.

3. The Parties reaffirm their commitment to comply with the obligations set out in the international agreements relating to intellectual property to which both Parties are parties at the date of entry into force of this Agreement and any amendment thereto which becomes effective for both Parties, including the following:

(a) the TRIPS Agreement;

(b) the Paris Convention for the Protection of Industrial Property done at Paris on 20 March 1883, as revised at Brussels on 14 December 1900, at Washington on 2 June 1911, at The Hague on 6 November 1925, at London on 2 June 1934, at Lisbon on 31 October 1958, and at Stockholm on 14 July 1967 and as amended on 28 September 1979 (hereinafter referred to as "the Paris Convention");

(c) the Patent Cooperation Treaty done at Washington on 19 June 1970, amended on 28 September 1979, modified on 3 February 1984, and on 3 October 2001;

(d) the Strasbourg Agreement Concerning the International Patent Classification done at Strasbourg on 24 March 1971, as amended on 28 September 1979;

(e) 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, and amended on 26 September 1980;

(f) the 1991 Act of the International Convention for the Protection of New Varieties of Plants of 2 December 1961 as revised at Geneva on 10 November 1972, on 23 October 1978, and on 19 March 1991 (hereinafter referred to as "the 1991 UPOV Convention");

(g) the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks adopted at Madrid on 27 June 1989 and amended on 3 October 2006;

(h) the Trademark Law Treaty adopted at Geneva on 27 October 1994;

(i) 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 Stockholm on 14 July 1967, and at Geneva on 13 May 1977, and amended on 28 September 1979;

(j) the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods done at Madrid on 14 April 1891;

(k) the Berne Convention for the Protection of Literary and Artistic Works done at Berne on 9 September 1886, completed at Paris on 4 May 1896, revised at Berlin on 13 November 1908, completed at Berne on 20 March 1914, revised at Rome on 2 June 1928, at Brussels on 26 June 1948, at Stockholm on 14 July 1967 and at Paris on 24 July 1971 and amended on 28 September 1979 (hereinafter referred to as "the Berne Convention");

(l) the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations done at Rome on 26 October 1961 (hereinafter referred to as "the Rome Convention");

(m) the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms done at Geneva on 29 October 1971;