3. Each Party shall provide for, where permitted by its laws and regulations, stricter or separate penalties to offences listed in subparagraphs 1(a), 1(b) and 1(d) committed in connection with corporate activities or on a commercial scale.

4. Each Party shall ensure that, in cases of infringement committed wilfully and on a commercial scale of rights to patents, utility models where provided in its laws and regulations, industrial designs, trademarks or new varieties of plants, or the acts of unfair competition provided for in subparagraphs 2(c) to 2(f) of Article 120 to the extent provided for in its laws and regulations committed wilfully and on a commercial scale, its competent authorities may institute prosecution *ex officio*, without the need for a formal complaint by the right holder whose right has been infringed.

5. Each Party shall ensure that, in cases where either (a) infringement of rights to patents or trademarks, or copyrights or related rights, or (b) offence of the customs laws in connection with the infringement of intellectual property rights, is committed by an organised criminal group, its judicial authorities have the authority to confiscate crime proceeds and properties derived from such crime proceeds in accordance with its laws and regulations.

6. Each Party shall provide for criminal penalties to be applied in cases of wilful import conducted on a commercial scale of labels on which a trademark has been applied that is identical to a trademark registered in the Party in respect of certain products, or that is similar to or cannot be distinguished in its essential aspects from such trademark, if such labels are intended to be used on the products for which such trademark is registered or on similar products.

Article 126
Internet Service Providers

1. For the purposes of encouraging Internet service providers to cooperate with right holders in protecting their rights against materials infringing intellectual property rights, each Party shall provide measures to prevent undue liabilities of Internet service providers for the removal of materials that they have put on their Internet websites under contracts with information senders where a right holder claims to the Internet service provider that such materials infringe his or her intellectual property rights, provided that the Internet service provider complies with the procedures to be followed by the parties concerned.

2. Each Party shall enable right holders, who have given effective notification to an Internet service provider of materials that they claim with valid reasons to be infringing their intellectual property rights, to expeditiously obtain from that Internet service provider information on the identity of the information sender.

Article 127
Cooperation

1. The Parties, recognising the growing importance of protection of intellectual property in further promoting trade and investment between them, in accordance with their respective laws and regulations and subject to their available resources, shall cooperate in the field of intellectual property, including by exchanging information on relations of the Parties with non-Parties on matters concerning intellectual property.

2. The Parties shall seek for cooperation on activities relating to future international conventions on harmonisation, administration and enforcement of intellectual property rights and on activities in international organisations including the World Trade Organization and the WIPO.

3. Chapter 14 shall not apply to this Article.

Article 128
Sub-Committee on Intellectual Property

1. For the purposes of the effective implementation and operation of this Chapter, the Sub-Committee on Intellectual Property (hereinafter referred to in this Article as "the Sub-Committee) is hereby established.

2. The functions of the Sub-Committee shall be:

(a) reviewing and monitoring the implementation and operation of this Chapter;

(b) discussing any issues related to intellectual property with a view to enhancing protection of intellectual property and enforcement of intellectual property rights and to promoting efficient and transparent administration of intellectual property protection system;

(c) reporting its findings and the outcome of its discussions to the Joint Committee; and