Each Party shall ensure adequate and effective protection of trademarks in accordance with Articles 15 through 21 of the TRIPS Agreement.

Article 89
Copyright and Related Rights

1. Each Party shall ensure effective protection of copyright and related rights in accordance with its laws and regulations and international agreements to which it is a party.

2. Each Party shall ensure that its laws and regulations be implemented with appropriate legal remedies in order to protect copyright and related rights in the digital environment.

3. Each Party shall, in accordance with its laws and regulations, take appropriate measures to promote the development of the collective management organizations for copyright and related rights in that Party.

Article 90
New Varieties of Plants

Each Party recognizes the importance of providing a system of protection of new varieties of plants and shall endeavor to provide for the protection of all plant genera and species as early as practicable in accordance with the 1991 Act of the International Convention for the Protection of New Varieties of Plants.

Article 91
Geographical Indications

Each Party shall ensure adequate and effective protection of geographical indications in accordance with its laws and regulations and with the TRIPS Agreement.

Article 92
Unfair Competition

1. Each Party shall provide for effective protection against acts of unfair competition.

2. Any act of competition contrary to honest practices in industrial or commercial matters constitutes an act of unfair competition.

3. The following acts, in particular, shall be prohibited as acts of unfair competition:

(a) all acts of such a nature as to create confusion by any means whatever with the establishment, the goods, or the industrial or commercial activities, of a competitor;

(b) false allegations in the course of trade of such a nature as to discredit the establishment, the goods, or the industrial or commercial activities, of a competitor;

(c) indications or allegations the use of which in the course of trade is liable to mislead the public as to the nature, the characteristics, the suitability for their purpose, or the quantity, of the goods or the services, or the manufacturing process of the goods;

(d) acts of acquiring or holding the right to use or using a domain name identical with or confusingly similar to a protected trade name and trademark of another person, for the purposes specified in the laws and regulations of each Party, such as with the intention to gain an unfair profit or the intention to cause damage to that other person.

4. Each Party shall ensure in its laws and regulations adequate and effective protection of undisclosed information in accordance with Article 39 of the TRIPS Agreement.

5. Each Party shall establish appropriate remedies to prevent or punish acts of unfair competition. In particular, each Party shall ensure that any person that considers its business interests to be affected by an act of unfair competition may bring legal action and request suspension or prevention of the act, destruction of the goods which constitute the act, removal of materials and implements used for the act, or damages to compensate for the injury which result from the act, unless otherwise provided for in the laws and regulations of the Party.

Article 93
Enforcement - Border Measures

Each Party shall ensure adequate and effective enforcement of border measures in accordance with Articles 51 through 60 of the TRIPS Agreement.

Article 94
Enforcement - Civil Remedies

1. Each Party shall ensure that the right holder of intellectual property has the right to claim against the infringer damages adequate to compensate for the injury the right holder has suffered because of an infringement of that person's intellectual property right by an infringer who knowingly, or with reasonable grounds to know, engaged in infringing activity.