3. No provision of this Chapter will prevent a Party from adopting appropriate measures, provided that they are consistent with the provisions of this Agreement and any other international agreement to which both Parties are parties, to prevent the abuse of the intellectual property rights referred to in this Chapter by right holders or the resort to practices which unreasonably restrain trade or adversely affect the international transfer of technology.

Chapter 12
Competition

Article 189
Anticompetitive Activities

1. Each Party shall, in accordance with its laws and regulations, take measures which it considers appropriate against anticompetitive activities, in order to facilitate trade and investment flows between the Parties through the efficient functioning of its markets.

2. For the purposes of this Chapter, the term "anticompetitive activities" means any conduct or transaction that may be subject to penalties or relief under the competition laws and regulations of the respective Parties.

Article 190
Cooperation on Controlling Anticompetitive Activities

1. The Parties shall, in accordance with their respective laws and regulations, cooperate in the field of controlling anticompetitive activities, subject to their respective available resources.

2. The details and procedures concerning the implementation of cooperation under this Article shall be specified in the Implementing Agreement.

Article 191
Non-Discrimination

Each Party shall apply its competition laws and regulations in a manner which does not discriminate between persons in like circumstances on the basis of their nationality.

Article 192
Procedural Fairness

Each Party shall implement administrative and judicial procedures in a fair manner to control anticompetitive activities, pursuant to its relevant laws and regulations.

Article 193
Transparency

Each Party shall promote transparency of the implementation of its competition laws and regulations and its competition policy.

Article 194
Non-Application of Paragraph 1 of Article 7

Paragraph 1 of Article 7 shall not apply to this Chapter.