SUB-SECTION 9

Unfair competition

ARTICLE 14.39

Unfair competition

1. Each Party shall provide for effective protection against acts of unfair competition in accordance with the Paris Convention[1].

[1] For greater certainty, it is understood by the Parties that Article 10*bis* of the Paris Convention covers acts of unfair competition in relation to the supply of services in accordance with their respective laws and regulations.

2. In connection with the respective systems of the European Union and Japan for the management of their country-code top-level domain (ccTLD) domain names[1] appropriate remedies[2] shall be available, in accordance with their respective laws and regulations, at least in cases in which a person registers or holds, with a bad faith intent to profit, a domain name that is identical or confusingly similar to a trademark.

3. Each Party shall provide for effective protection against unauthorised use of trademarks through the implementation of paragraph 2 of Article 6*septies* of the Paris Convention.

[1] For greater certainty, for the European Union, this paragraph applies only to ".eu" domain names.

[2] The Parties understand that such remedies may include, among other things, revocation, cancellation and transfer of the registered domain name, injunctive relief against the person that registered or holds the registered domain name and against the domain name registry, or damages against the person that registered or holds the domain name.