

TRIPS AND TRIMS

TRIPs and TRIMs constitute two major areas of the negotiations where comprehensive solutions based on key GATT principles with the fullest participation are important.

With respect to TRIPs , APEC participants:

- remain committed to the development of adequate standards of intellectual property rights, having regard to existing international conventions
- recognize that the development of effective enforcement procedures needs to take account of different national legal systems
- recognize that some transitional periods should be considered to meet the needs of developing countries
- negotiations must be accelerated on all major outstanding areas of differences including on matters related to "public interest" considerations on patent protection

With respect to TRIMs, APEC participants reviewed the concerns of developing APEC countries as well as the extent to which prohibitions of trade distorting TRIMs should be part of the solutions. Not all TRIMs are to be prohibited. Also, there are existing GATT national treatment obligations which already effectively apply to various forms of import replacement requirements.