

ARTICLE XIII

Intellectual Property

1. This Article addresses the protection and allocation of intellectual property rights and takes into consideration the interests of the Parties.
2. The term "intellectual property" shall have the meaning found in Article 2 of the *Convention Establishing the World Intellectual Property Organization* done at Stockholm on 14 July 1967.
3. The term "background intellectual property" shall mean intellectual property resulting from work carried out independently, whether created inside or outside this Agreement, belonging to the Parties or to rightsholders involved in activities undertaken pursuant to this Agreement, the use of which is necessary for the implementation of activities under this Agreement.
4. This Article is applicable to all cooperative activities undertaken pursuant to this Agreement, except as otherwise agreed by the Parties.
5. Nothing under this Article in any way alters or prejudices the allocation of intellectual property rights between a Party and its rightsholders.
6. The carrying out of joint work shall not otherwise affect the rights of the Parties or rightsholders involved in activities undertaken pursuant this Agreement to background intellectual property.
7. Disputes concerning intellectual property that may arise in relation to the implementation of this Agreement shall be resolved through discussions. If the dispute cannot be resolved within one year of the dispute arising, it may be referred to arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL).
8. All rights and interests in intellectual property created jointly under this Agreement shall be decided by the Parties upon mutual consent on a case by case basis.