

Article VIICOOPERATION AND COORDINATION WITH RESPECT TO  
ENFORCEMENT OF DECEPTIVE MARKETING PRACTICES LAWS

1. For the purposes of this Agreement, "deceptive marketing practices law(s)" means:

- (a) for Canada, sections 52 through 60 of the *Competition Act*;
- (b) for the United States of America, the *Federal Trade Commission Act* (15 U.S.C. §§ 41-58), to the extent that it applies to unfair or deceptive acts or practices;

as well as any amendments thereto, and such other laws or regulations as the Parties may from time to time agree in writing to be a "deceptive marketing practices law" for purposes of this Agreement. Each Party shall promptly notify the other of any amendments to its deceptive marketing practices laws.

2. The Parties note that conduct occurring in the territory of one Party may contribute to violations of the deceptive marketing practices laws of the other Party and that it is in their common interest for the Director of Investigation and Research and the Federal Trade Commission to cooperate in the enforcement of those laws. The Parties further note that the Director of Investigation and Research and the Federal Trade Commission have in the past cooperated with each other and coordinated their activities with respect to deceptive marketing practices matters on an informal basis. The Parties wish to establish a more formal framework for continuing and broadening such cooperation and coordination.

3. The Director of Investigation and Research and the Federal Trade Commission shall, to the extent compatible with their laws, enforcement policies and other important interests:

- (a) use their best efforts to cooperate in the detection of deceptive marketing practices;
- (b) inform each other as soon as practicable of investigations and proceedings involving deceptive marketing practices occurring or originating in the territory of the other Party, or that affect consumers or markets in the territory of the other Party;
- (c) share information relating to the enforcement of their deceptive marketing practices laws; and
- (d) in appropriate cases, coordinate their enforcement against deceptive marketing practices with a transborder dimension.