

CHAPTER 11
INTELLECTUAL PROPERTY

Article 11.1: Objectives

The objectives of this Chapter are to:

- (a) maintain a balance between the rights of intellectual property right holders and the legitimate interests of intellectual property users with regard to intellectual property;
- (b) facilitate international trade and economic, social and cultural development through the dissemination of ideas, technology and creative works; and
- (c) facilitate the enforcement of intellectual property rights with a view, among other things, to eliminating trade in goods infringing intellectual property rights.

Article 11.2: Affirmation of International Agreements

1. The Parties affirm their rights and obligations under the *WTO Agreement on Trade-Related Aspects of Intellectual Property Rights* (TRIPS Agreement) and other intellectual property agreements to which both Parties are party.

2. The Parties confirm that the TRIPS Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all. In this regard, the Parties affirm the right to fully avail themselves of the flexibilities established in the TRIPS Agreement, including those related to the protection of public health and in particular the promotion of access to medicines for all. The Parties take note of the WTO's General Council Decision on the *Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health* of 30 August 2003 and the *Protocol amending the TRIPS Agreement* adopted 6 December 2005.

Article 11.3: Protection of Geographical Indications

1. This Article concerns the protection in each of the Parties of geographical indications of wines and spirits originating in the territory of the other Party.

2. Part A of Annex I contains geographical indications originating and protected in Canada. The terms listed in Part A of Annex I are eligible for registration as protected geographical indications in Ukraine.