

Protocol Amending the TRIPS Agreement

Done at Geneva on 6 December 2005

Entry into force: 23 January 2017²⁶⁹

Text: WTO Treaty Series No. 34, [WT/Let/508](#), [WT/L/641](#)

UN Registration: 25 April 2018, [31874](#), [No. 68488](#)

UNTS: [not yet determined](#)

Relevant clauses

- ...
1. The Agreement on Trade-Related Aspects of Intellectual Property Rights (the "TRIPS Agreement") shall, upon the entry into force of the Protocol pursuant to paragraph 4, be amended as set out in the Annex to this Protocol, by inserting Article 31*bis* after Article 31 and by inserting the Annex to the TRIPS Agreement after Article 73.
 2. Reservations may not be entered in respect of any of the provisions of this Protocol without the consent of the other Members.
 3. This Protocol shall be open for acceptance by Members until 1 December 2007 or such later date as may be decided by the Ministerial Conference.²⁷⁰
 4. This Protocol shall enter into force in accordance with paragraph 3 of Article X of the WTO Agreement.
 5. This Protocol shall be deposited with the Director-General of the World Trade Organization who shall promptly furnish to each Member a certified copy thereof and a notification of each acceptance thereof pursuant to paragraph 3.
- ...

Acceptances²⁷¹

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Albania	28 Jan 2009	23 Jan 2017	WT/Let/639
Antigua and Barbuda.....	12 May 2021	12 May 2021	WT/Let/1551
Argentina	20 Oct 2011	23 Jan 2017	WT/Let/830
Armenia	5 Nov 2024	5 Nov 2024	WT/Let/1720

* Refers to those Members who have acceded to the WTO Agreement following the entry into force of the Protocol Amending the TRIPS Agreement (the Protocol), and who, by virtue of their Protocol of Accession, are bound by the WTO Agreement as rectified, amended or otherwise modified by such legal instruments that have entered into force before their respective Protocol of Accession. Accordingly, those Members are bound by the TRIPS Agreement as amended by the Protocol.

²⁶⁹ See [WT/Let/1236](#).

²⁷⁰ The General Council extended the deadline to 31 December 2009, to 31 December 2011, to 31 December 2013, to 31 December 2015, to 31 December 2017, 31 December 2019, to 31 December 2021, to 31 December 2023, and then to 31 December 2025 (or such later date as may be decided by the Ministerial Conference) by decisions adopted on 18 December 2007 ([WT/L/711](#)), 17 December 2009 ([WT/L/785](#)), 30 November 2011 ([WT/L/829](#)), 26 November 2013 ([WT/L/899](#)), 30 November 2015 ([WT/L/965](#)), 30 November 2017 ([WT/L/1024](#)), 10 December 2019 ([WT/L/1081](#)), 22 November 2021 ([WT/L/1122](#)), and 13 December 2023 ([WT/L/1180](#)), respectively.

²⁷¹ On 31 January 2008 the following communication was received from the Netherlands:

"The Minister of Foreign Affairs of the Kingdom of the Netherlands, DECLARES, in conformity with the provisions of paragraph 3 of the Protocol amending the TRIPS Agreement, done at Geneva on 6 December 2005, that the Kingdom of the Netherlands, ACCEPTS the said Protocol for the Netherlands Antilles and Aruba, and that the provisions so accepted shall be observed in their entirety.

Signed and sealed at the Hague, 21 January 2008" ([WT/Let/611](#)).

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Australia	12 Sep 2007	23 Jan 2017	WT/Let/593
Bahrain, Kingdom of	4 Aug 2009	23 Jan 2017	WT/Let/652
Bangladesh	15 Mar 2011	23 Jan 2017	WT/Let/758
Barbados	1 April 2020	1 April 2020	WT/Let/1466
Belize	15 Sep 2016	23 Jan 2017	WT/Let/1197
Benin	23 Nov 2016	23 Jan 2017	WT/Let/1216
Bolivia, Plurinational State of	30 Jan 2018	30 Jan 2018	WT/Let/1334
Botswana	18 Jun 2014	23 Jan 2017	WT/Let/953
Brazil	13 Nov 2008	23 Jan 2017	WT/Let/636
Brunei Darussalam	10 Apr 2015	23 Jan 2017	WT/Let/1037
Burkina Faso	17 Jan 2017	23 Jan 2017	WT/Let/1235
Burundi.....	12 Dec 2019	12 Dec 2019	WT/Let/1455
Cambodia	1 Nov 2011	23 Jan 2017	WT/Let/833
Canada	16 Jun 2009	23 Jan 2017	WT/Let/646
Central African Republic	13 Jan 2014	23 Jan 2017	WT/Let/920
Chile	26 Jul 2013	23 Jan 2017	WT/Let/888
China	28 Nov 2007	23 Jan 2017	WT/Let/607
Colombia	7 Aug 2009	23 Jan 2017	WT/Let/650
Comoros*.....	21 Aug 2024	21 Aug 2024	WT/Let/1711
Congo	31 Oct 2017	31 Oct 2017	WT/Let/1285
Costa Rica	8 Dec 2011	23 Jan 2017	WT/Let/838
Côte d'Ivoire	7 May 2018	7 May 2018	WT/Let/1353
Croatia	6 Dec 2010	23 Jan 2017	WT/Let/747
Cuba	6 Jun 2019	6 Jun 2019	WT/Let/1437
Dominica	28 Nov 2016	23 Jan 2017	WT/Let/1219
Dominican Republic	23 May 2013	23 Jan 2017	WT/Let/884
Ecuador.....	8 Mar 2022	8 Mar 2022	WT/Let/1562
Egypt	18 Apr 2008	23 Jan 2017	WT/Let/617
El Salvador	19 Sep 2006	23 Jan 2017	WT/Let/548
Eswatini ²⁷²	23 May 2022	23 May 2022	WT/Let/1579

²⁷² Formerly "Swaziland".

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
European Union ^{273, 274, 275}	30 Nov 2007	23 Jan 2017	WT/Let/608
Fiji	1 May 2017	1 May 2017	WT/Let/1254
Gabon	23 Nov 2017	23 Nov 2017	WT/Let/1324
The Gambia.....	20 Oct 2020	20 Oct 2020	WT/Let/1475
Georgia	21 Nov 2018	21 Nov 2018	WT/Let/1420
Grenada	8 Dec 2015	23 Jan 2017	WT/Let/1107
Guinea	15 Feb 2018	15 Feb 2018	WT/Let/1340
Honduras	16 Dec 2011	23 Jan 2017	WT/Let/843
Hong Kong, China	27 Nov 2007	23 Jan 2017	WT/Let/606
Iceland	12 Oct 2015	23 Jan 2017	WT/Let/1088
India	26 Mar 2007	23 Jan 2017	WT/Let/572
Indonesia	20 Oct 2011	23 Jan 2017	WT/Let/831
Israel	10 Aug 2007	23 Jan 2017	WT/Let/582
Japan	31 Aug 2007	23 Jan 2017	WT/Let/592
Jordan	6 Aug 2008	23 Jan 2017	WT/Let/630
Kenya	21 Jul 2015	23 Jan 2017	WT/Let/1052
Korea, Republic of	24 Jan 2007	23 Jan 2017	WT/Let/558
Kyrgyz Republic	6 Feb 2018	6 Feb 2018	WT/Let/1338
Lao People's Democratic Republic	29 Sep 2015	23 Jan 2017	WT/Let/1084
Lesotho	4 Jan 2016	23 Jan 2017	WT/Let/1122
Liechtenstein	23 Jan 2017	23 Jan 2017	WT/Let/1235
Macao, China	16 Jun 2009	23 Jan 2017	WT/Let/645
Madagascar	9 Nov 2017	9 Nov 2017	WT/Let/1321
Malawi	24 Jul 2017	24 Jul 2017	WT/Let/1272

²⁷³ The text of the instrument of acceptance reads as follows:
"Council of the European Union

Brussels, 1 October 2015
SGS7/16652

INSTRUMENT OF ACCEPTANCE

THE PRESIDENT OF THE COUNCIL OF THE EUROPEAN UNION,
HAVING regard to the Treaty establishing the European Community, and in particular Article 133(5) in conjunction with the first sentence of the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3) thereof,
NOTIFIES by these presents the acceptance, by the European Community, of the Protocol amending the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), done at Geneva on 6 December 2005,
CONFIRMS, in accordance with Article 300(7) of the Treaty establishing the European Community, that the Protocol will be binding on the Member States of the European Union.
The Secretary-General/High Representative The President of the Council of the European Union" ([WT/Let/608](#)).

²⁷⁴ On 1 December 2009, the European Union succeeded the European Community ([WT/Let/679](#)).

²⁷⁵ On 27 January 2020, the European Union submitted a Note Verbale indicating that the United Kingdom would cease to be a Member State of the European Union and of Euratom on 1 February 2020, and that the Withdrawal Agreement setting out the arrangements for the withdrawal of the United Kingdom from the European Union and Euratom provides for a time-limited transition period during which, save certain very limited exceptions, Union law shall be applicable to and in the United Kingdom. The European Union also indicated that during the same transition period the United Kingdom is treated as a Member State of the European Union and of Euratom for the purposes of relevant international agreements ([WT/Let/1462](#)). See also the confirmation of the latter specifically in regard to the Protocol Amending the TRIPS Agreement in the communication from the United Kingdom dated 1 February 2020 ([WT/GC/206](#)).

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Malaysia	10 Dec 2015	23 Jan 2017	WT/Let/1108
Maldives	20 Apr 2022	20 Apr 2022	WT/Let/1576
Mali	20 Jan 2016	23 Jan 2017	WT/Let/1129
Mauritius	16 Apr 2008	23 Jan 2017	WT/Let/619
Mexico	23 May 2008	23 Jan 2017	WT/Let/620
Moldova, Republic of	7 Jul 2015	23 Jan 2017	WT/Let/1048
Mongolia	17 Sep 2010	23 Jan 2017	WT/Let/684
Montenegro	9 Sep 2013	23 Jan 2017	WT/Let/893
Morocco	2 Dec 2008	23 Jan 2017	WT/Let/638
Myanmar	16 Dec 2015	23 Jan 2017	WT/Let/1114
Namibia	4 Apr 2023	4 Apr 2023	WT/Let/1604
Nepal	11 Mar 2016	23 Jan 2017	WT/Let/1138
New Zealand	21 Oct 2011	23 Jan 2017	WT/Let/832
Nicaragua	25 Jan 2010	23 Jan 2017	WT/Let/663
Niger.....	13 Mar 2020	13 Mar 2020	WT/Let/1465
Nigeria	16 Jan 2017	23 Jan 2017	WT/Let/1235
North Macedonia ²⁷⁶	16 Mar 2010	23 Jan 2017	WT/Let/671
Norway	5 Feb 2007	23 Jan 2017	WT/Let/563
Oman	1 Mar 2017	1 Mar 2017	WT/Let/1245
Pakistan	8 Feb 2010	23 Jan 2017	WT/Let/664
Panama	24 Nov 2011	23 Jan 2017	WT/Let/837
Papua New Guinea	22 Jun 2016	23 Jan 2017	WT/Let/1173
Paraguay	4 Jul 2018	4 Jul 2018	WT/Let/1380
Peru	13 Sep 2016	23 Jan 2017	WT/Let/1196
Philippines	30 Mar 2007	23 Jan 2017	WT/Let/573
Qatar	6 Apr 2016	23 Jan 2017	WT/Let/1147
Russian Federation	22 Sep 2017	22 Sep 2017	WT/Let/1278
Rwanda	12 Dec 2011	23 Jan 2017	WT/Let/839
Saint Kitts and Nevis	27 Jul 2015	23 Jan 2017	WT/Let/1055
Saint Lucia	2 May 2016	23 Jan 2017	WT/Let/1156
Saint Vincent and the Grenadines	9 May 2017	9 May 2017	WT/Let/1258
Samoa	21 Apr 2016	23 Jan 2017	WT/Let/1153
Saudi Arabia, Kingdom of	29 May 2012	23 Jan 2017	WT/Let/855
Senegal	18 Jan 2011	23 Jan 2017	WT/Let/753
Seychelles	8 Jun 2016	23 Jan 2017	WT/Let/1168

²⁷⁶ Formerly "the former Yugoslav Republic of Macedonia".

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Sierra Leone	21 Mar 2017	21 Mar 2017	WT/Let/1248
Singapore	28 Sep 2007	23 Jan 2017	WT/Let/594
South Africa	23 Feb 2016	23 Jan 2017	WT/Let/1134
Sri Lanka	9 Sep 2015	23 Jan 2017	WT/Let/1080
Switzerland	13 Sep 2006	23 Jan 2017	WT/Let/547
Chinese Taipei	31 Jul 2012	23 Jan 2017	WT/Let/870
Tajikistan	23 May 2016	23 Jan 2017	WT/Let/1164
Tanzania	14 Mar 2016	23 Jan 2017	WT/Let/1139
Thailand	28 Jan 2016	23 Jan 2017	WT/Let/1132
Timor-Leste*	30 Aug 2020 ²⁷⁴	30 Aug 2024	WT/Let/1712
Togo	13 Mar 2012	23 Jan 2017	WT/Let/848
Trinidad and Tobago	19 Sep 2013	23 Jan 2017	WT/Let/894
Tunisia	2 Oct 2024	2 Oct 2024	WT/Let/1715
Türkiye ²⁷⁷	14 May 2014	23 Jan 2017	WT/Let/949
Uganda	12 Jul 2010	23 Jan 2017	WT/Let/678
Ukraine	16 Mar 2016	23 Jan 2017	WT/Let/1142
United Arab Emirates	23 Jan 2017	23 Jan 2017	WT/Let/1235
United Kingdom (for the United Kingdom of Great Britain and Northern Ireland, the Bailiwicks of Guernsey and Jersey and the Isle of Man) (continued acceptance) ²⁷⁸	1 Jan 2021	1 Jan 2021	WT/Let/1500
United States of America	17 Dec 2005	23 Jan 2017	WT/Let/506
Uruguay	31 Jul 2014	23 Jan 2017	WT/Let/984
Viet Nam	23 Jan 2017	23 Jan 2017	WT/Let/1235
Zambia	10 Aug 2009	23 Jan 2017	WT/Let/651

²⁷⁷ Formerly "Turkey".

²⁷⁸ See [WT/GC/226](#), paras. 2.8 and 2.10.