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## **1 ARTICLE 66**

### **1.1 Text of Article 66**

#### **Article 66**

##### *Least-Developed Country Members*

1. In view of the special needs and requirements of least-developed country Members, their economic, financial and administrative constraints, and their need for flexibility to create a viable technological base, such Members shall not be required to apply the provisions of this Agreement, other than Articles 3, 4 and 5, for a period of 10 years from the date of application as defined under paragraph 1 of Article 65. The Council for TRIPS shall, upon duly motivated request by a least-developed country Member, accord extensions of this period.

2. Developed country Members shall provide incentives to enterprises and institutions in their territories for the purpose of promoting and encouraging technology transfer to least-developed country Members in order to enable them to create a sound and viable technological base.

### **1.2 Article 66.1**

#### **1.2.1 Relationship with other provisions of the TRIPS Agreement**

1. Certain provisions of the TRIPS Agreement contain obligations contingent upon the applicability of Article 65 (and Article 66). The Panel in *India – Patents (US)* held with respect to Article 70.9:

"As is the case with Article 70.8(a), the granting of exclusive marketing rights is a special obligation linked with the enjoyment by Members of the transitional arrangements under Articles 65 and 66 of the Agreement."<sup>1</sup>

Current as of: December 2024

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<sup>1</sup> Panel Report, *India – Patents (US)*, para. 7.59.