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Article 8

Principles

1. Members may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health and nutrition, and to promote the public interest in sectors of vital importance to their socio-economic and technological development, provided that such measures are consistent with the provisions of this Agreement.

2. Appropriate measures, provided that they are consistent with the provisions of this Agreement, may be needed to prevent the abuse of intellectual property rights by right holders or the resort to practices which unreasonably restrain trade or adversely affect the international transfer of technology.

1.2 Article 8.1

1.2.1 General

1. With respect to the objectives and principles of the TRIPS Agreement, paragraph 5(a) of the Declaration on the TRIPS Agreement and Public Health, adopted on 14 November 2001, reads as follows:

In applying the customary rules of interpretation of public international law, each provision of the TRIPS Agreement shall be read in the light of the object and purpose of the Agreement as expressed, in particular, in its objectives and principles.¹

2. Paragraph 19 of the Doha Ministerial Declaration, adopted on 14 November 2001, provides that, "[i]n undertaking [the work referred to in that paragraph], the TRIPS Council shall be guided by the objectives and principles set out in Articles 7 and 8 of the TRIPS Agreement".²

Current as of: June 2024

¹ The text of the Declaration can be found in document [WT/MIN\(01\)/DEC/2](#).

² The text of the Declaration can be found in document [WT/MIN\(01\)/DEC/1](#).