

## DISCLAIMER

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The Handbook on Notification Requirements does not constitute a legal interpretation of the notification obligations under the respective Agreement(s) or relevant legal provision(s). It has been prepared by the Secretariat to assist Members in complying with their notification obligations.

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# TECHNICAL COOPERATION HANDBOOK ON NOTIFICATION REQUIREMENTS

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AGREEMENT ON TRADE-RELATED  
ASPECTS OF INTELLECTUAL  
PROPERTY RIGHTS

This section of the Handbook on Notification Requirements covers the notification obligations under the **AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS**. It consists of the following eight parts:

|  |   |  |   |                              |  |
|--|---|--|---|------------------------------|--|
| <p><b>PART 1</b></p>                         | <p><b>PART 2</b></p>                                  | <p><b>PART 3</b></p>   | <p><b>PART 4</b></p>                    | <p><b>PART 5</b></p>         | <p><b>PART 6</b></p>   |
| <p>OVERVIEW OF NOTIFICATION REQUIREMENTS</p> | <p>LISTING OF THE NOTIFICATION OBLIGATIONS</p>        | <p>RELEVANT DOCUMENT(S) CONCERNING GUIDELINES AND FORMATS</p>  | <p>LIST OF NOTIFICATIONS SINCE 1995</p> | <p>TEXT OF THE AGREEMENT</p> | <p>TEXT OF THE DECISION OF THE GENERAL COUNCIL OF 30 AUGUST 2003</p> |
| <p><b>PART 7</b></p>                         | <p><b>PART 8</b></p>                                  | <p><b>For Members which acceded pursuant to Article XII of the Marrakesh Agreement, their respective Protocols of Accession may contain notification obligations in addition to those set out in the WTO Agreements, and may govern the deadlines for the submission of their initial notifications.</b></p> |   |                              |  |
| <p>TEXT OF THE MINISTERIAL DECISION</p>      | <p>TEXT OF THE AGREEMENT BETWEEN WIPO AND THE WTO</p> |  |   |                              |  |

# PART 1

## OVERVIEW OF NOTIFICATION REQUIREMENTS

### WHAT MUST BE NOTIFIED?

The [TRIPS Agreement](#) is an integral part of the WTO Agreement, and is binding on each Member of the WTO from the date the WTO Agreement becomes effective for that Member. The TRIPS Agreement establishes minimum standards of protection and enforcement for each of the main categories of intellectual property rights.

### WHICH MEMBERS MUST NOTIFY?

All WTO Members are encouraged to submit TRIPS notifications, review materials and reports. Certain types of TRIPS submissions are mandatory, whereas others are optional in the case of Members using alternatives or flexibilities under the TRIPS Agreement. Notification obligations under the TRIPS Agreement do not apply to LDC Members entitled to avail themselves of the transitional period of Article 66.1 and subsequent decisions, except for obligations arising under Articles 3.1, 4(d) and paragraphs 2(a) and 2(c) of the Annex to Article 31*bis* of the TRIPS Agreement.

### WHEN TO NOTIFY?

When to submit a notification depends on the type of notification, review material or report. In general, however, a Member should notify as soon as possible after an obligation under the TRIPS Agreement becomes effective. With respect to updates or amendments to IP law or policy frameworks, a Member should generally submit the relevant notification, review material or report as soon as possible after the update or amendment occurs. Detailed information on the timing requirements of TRIPS notifications, review materials and reports may be found in [Part 2](#) below.

The TRIPS Agreement allowed Members certain transition periods before they were obliged to apply all its provisions. Developed country Members were given one year to ensure that their laws and practices conform to the TRIPS Agreement. Developing country Members and (under certain conditions) transition economies were given five years, until 2000.

Least-developed country Members initially had 11 years: until 2006. The general transition period has since been extended to 1 July 2034 or until such a date on which they cease to be a least developed country Member, whichever date is earlier (document [IP/C/88](#)). There is an additional transition period related to patents and undisclosed information with respect to pharmaceutical products. The period for least-developed country Members to implement and enforce TRIPS provisions regarding patents and undisclosed information with respect to pharmaceutical products is until 1 January 2033 or until such date when they cease to be a least-developed country Member, whichever date is earlier (document [IP/C/73](#)). They are also exempted from the obligations to accept the filing of patent applications and to grant exclusive marketing rights during the transition period (document [WT/L/971](#)). A Member wishing to avail itself of any of the transition periods is not required to submit a notification to invoke the transition period.

The date of application of TRIPS Agreement provisions in acceding countries is governed by their respective protocols of accession.

### HOW TO NOTIFY?<sup>1</sup>

Members can and are encouraged to submit most notifications, reports and review materials using the [e-TRIPS Submission System](#). The e-TRIPS Submission System is an optional online tool for the submission of TRIPS notifications, review materials and reports.

On request to the Secretariat, each Member is given log-in credentials (username and password) for the e-TRIPS Submission System. The log-in credentials are not user-specific, and therefore can be shared among colleagues of the same Member.

<sup>1</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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To use the e-TRIPS Submission System, send an email to [e-TRIPS@wto.org](mailto:e-TRIPS@wto.org) to request log-in details.

Traditional methods of submitting TRIPS notifications, review materials and reports to the TRIPS Council remain available. For any questions regarding the submission of TRIPS notifications, review materials and reports and how to submit, please contact the Secretariat at [e-TRIPS@wto.org](mailto:e-TRIPS@wto.org).

### Provisions of the TRIPS Agreement related to notification requirements

[Article 63.2](#): Notification of laws and regulations.

Articles [1.3](#) and [3.1](#): Notification of certain options in regard to:

- The definition of beneficiary persons (Art. 1.3);
- National treatment (Art. 3.1).

[Article 4\(d\)](#): Notification of international agreements to justify certain MFN exemptions.

[Article 31bis](#) and the [Annex to the Amended TRIPS Agreement](#): Notifications relating to additional flexibilities aimed at enhancing access to medicines.<sup>2</sup>

[Article 69](#): Notification of contact points.

Other notification requirements:

- Pursuant to the obligations under [Article 2](#) of the TRIPS Agreement stemming from the provisions of Article 6ter of the Paris Convention for the Protection of Industrial Property, Stockholm Act (1967) ("*Paris Convention*");
- Pursuant to the obligations under notification provisions of intellectual property conventions incorporated by reference into the TRIPS Agreement but not explicitly referred to in it, notably those stemming from the Berne Convention for the Protection of Literary and Artistic Works ("*Berne Convention*") or the International Convention for

the Protection of Performers, Producers of Phonograms and Broadcasting Organizations ("*Rome Convention*"):

- > Article 14bis:2(c) of the Berne Convention
- > Article 14bis:3 of the Berne Convention
- > Article 15:4 of the Berne Convention
- > Article I of the Appendix to the Berne Convention
- > Article II:3(b) of the Appendix to the Berne Convention
- > Article IV:2 of the Appendix to the Berne Convention
- > Article IV:4(c)(iv) of the Appendix to the Berne Convention
- > Article V of the Appendix to the Berne Convention
- > Article 17 of the Rome Convention
- > Article 18 of the Rome Convention

- As agreed by the TRIPS Council in relation to [Article 67](#) of the Agreement on technical cooperation; namely, the specification by developed country Members of contact points in their administrations for TRIPS-related technical cooperation.

### Provisions in the TRIPS Agreement under which review or reporting mechanisms involving submissions to the TRIPS Council have been established

[Article 24.2](#): In the context of the review of the application of the provisions of the Section on geographical indications under Article 24.2 of the TRIPS Agreement, the Council, at its meetings in May and July 1998, invited those Members already under an obligation to apply the provisions in question to provide their responses to a Checklist of Questions (contained in document [IP/C/13](#) and [Add.1](#)). Other Members could provide their responses on a voluntary basis.

[Article 27.3\(b\)](#): At its meeting in December 1998, the Council agreed to initiate the review of the provisions of Article 27.3(b) through an information-gathering exercise (contained in documents [IP/CW/122](#) and [IP/CW/126](#)). The Council invited Members that were already

<sup>2</sup> Since the entry into force of the TRIPS Amendment in January 2017, Members that have accepted the amendment operate on the basis of the amended TRIPS Agreement. Other Members who have yet to accept the Protocol Amending the TRIPS Agreement continue to operate on the basis of the [waiver decision of 2003](#).

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## OVERVIEW OF NOTIFICATION REQUIREMENTS

under an obligation to apply Article 27.3(b) to provide information on how the matters addressed in these provisions were presently treated in their national law. Other Members were invited to provide such information on a best-endeavors basis.

[Article 66.2](#): The Decision of the Council for TRIPS of 19 February 2003 (document [IP/C/28](#)) established the mechanism for ensuring the monitoring and full implementation of developed country Members' obligations in Article 66.2.

[Article 67](#): The TRIPS Council agreed in 1996 that developed country Members would annually update information on their technical cooperation activities relevant to the implementation of the TRIPS Agreement (documents [IP/C/M/6](#) and [IP/C/M/7](#)).

#### Provision of the Ministerial Decision on the TRIPS Agreement under which a communication to the Council is required

Paragraph 5 of Ministerial Decision on the TRIPS Agreement: The Ministerial Conference agreed in 2022 that for purposes of transparency, an eligible Member shall communicate to the Council for TRIPS any measure related to the implementation of the Decision, including the granting of an authorization, as soon as possible after its adoption.

#### Resource for Further Details

Further details on TRIPS notifications review materials and reports and other transparency mechanisms are available in the Appendices of the [Guide to the TRIPS Agreement](#).

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

|    | WHAT MUST BE NOTIFIED?                          |  | WHICH MEMBERS MUST NOTIFY? | WHEN TO NOTIFY?  |  | HOW TO NOTIFY?   |                      |                     |
|----|---|--|----------------------------|--|--|--|----------------------|---------------------|
|    | Notification requirements                       | Type of measure  | Members notifying          | Periodicity  | Comments on Periodicity  | Format   | To whom <sup>3</sup> | Notification Symbol |
| 1. | TRIPS Agreement, <a href="#">Article 63.2</a> . | Laws / regulations made effective by the notifying Member (pertaining to the availability, scope, acquisition, enforcement and prevention of the abuse of intellectual property rights), including new laws and regulations. | All WTO Members            | One-time initial notification, and updates as appropriate. | As soon as possible after an obligation under the TRIPS Agreement becomes effective for a Member, normally within 30 days, except where otherwise provided by the TRIPS Council. In case of subsequent modifications of laws and regulations or the introduction of new ones, normally within 30 days where no translation into an official WTO language is required and within 60 days where such translation is necessary. | Yes<br>(Members may use the <a href="#">e-TRIPS Submission System</a> <a href="#">IP/C/2</a> , <a href="#">IP/C/4</a> , <a href="#">IP/C/5</a> ) | TRIPS Council        | IP/N/1/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|    | Notification requirements  | Type of measure  | Members notifying          | Periodicity  | Comments on Periodicity  | Format  | To whom <sup>3</sup> | Notification Symbol |
| 2. | Procedures in <a href="#">IP/C/2</a> for notifications under TRIPS Agreement <a href="#">Article 63.2</a> , and the Decision of the Council for TRIPS of 21 November 1995 on the Checklist of Issues on Enforcement. | Information on domestic intellectual property enforcement law and practices. | All WTO Members            | One-time initial notification, and updates as appropriate. | First, a <i>one-time</i> notification (as soon as possible after a Member is obliged to start applying the provisions of the TRIPS Agreement on enforcement), and then an <i>ad hoc</i> notification upon introduction of changes. | Yes (Members may use the <a href="#">e-TRIPS Submission System</a> <a href="#">IP/C/2</a> , <a href="#">IP/C/4</a> , <a href="#">IP/C/5</a> ) | TRIPS Council        | IP/N/6/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|----|---|--|----------------------------|-----------------|-------------------------|--|----------------------|---------------------|
|    | Notification requirements   | Type of measure  | Members notifying          | Periodicity     | Comments on Periodicity | Format                                     | To whom <sup>3</sup> | Notification Symbol |
| 3. | TRIPS Agreement, <a href="#">Article 1.3</a> - producers of phonograms. | Stipulation in the notifying Member's law of limited eligibility criteria for the protection of producers of phonograms (by excluding either the criterion of fixation or the criterion of publication) [in accordance with the provisions of Article 5(3) of the Rome Convention] | All WTO Members            | <i>Ad hoc</i>   |                         | Yes ( <a href="#">IP/C/W/5</a> Guidelines) | TRIPS Council        | IP/N/2/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|----|--|---|----------------------------|-----------------|-------------------------|---------------------------|----------------------|---------------------|
|    | Notification requirements  | Type of measure   | Members notifying          | Periodicity     | Comments on Periodicity | Format                    | To whom <sup>3</sup> | Notification Symbol |
| 4. | TRIPS Agreement, <a href="#">Article 1.3</a> - broadcasting organizations. | Stipulation in the notifying Member's law of limited eligibility criteria for the protection of broadcasting organizations (to those having their headquarters in a WTO Member and transmitting a broadcast from the same Member) [in accordance with the provisions under Article 6(2) of the Rome Convention] | All WTO Members            | <i>Ad hoc</i>   |                         | Yes (IP/C/W/5 Guidelines) | TRIPS Council        | IP/N/2/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|----|--|---|----------------------------|-----------------|-------------------------|--|---|---------------------|
|    | Notification requirements  | Type of measure   | Members notifying          | Periodicity     | Comments on Periodicity | Format   | To whom <sup>3</sup>  | Notification Symbol |
| 5. | TRIPS Agreement, <a href="#">Article 2.1</a> [Article 6ter(3) of the Paris Convention (1967)]. | Protection against registration or use as a trademark (of State emblems, and official signs and hallmarks indicating control and warranty, or armorial bearings, flags, other emblems, abbreviations, and names of intergovernmental organizations) | All WTO Members            | <i>Ad hoc</i>   |                         | In accordance with the procedures applicable in WIPO under Article 6ter of the Paris Convention (1967) | WIPO (see Article 3 of the Agreement Between WIPO and the WTO and document <a href="#">IP/C/7</a> ) |                     |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|    | WHAT MUST BE NOTIFIED?   |  | WHICH MEMBERS MUST NOTIFY? | WHEN TO NOTIFY? |                         | HOW TO NOTIFY?            |                      |                     |
|----|--|--|----------------------------|-----------------|-------------------------|---------------------------|----------------------|---------------------|
|    | Notification requirements  | Type of measure  | Members notifying          | Periodicity     | Comments on Periodicity | Format                    | To whom <sup>3</sup> | Notification Symbol |
| 6. | TRIPS Agreement, <a href="#">Article 3.1</a> - literary or artistic works. | Specification by the notifying Member of countries which are not WTO Members, whose nationals will be subject to restrictions concerning the eligibility for national treatment in respect of literary or artistic works first published in a WTO Member, unless they are habitually resident in a WTO Member [in accordance with the provisions of Article 6(3) of the Berne Convention (1971)] | All WTO Members            | <i>Ad hoc</i>   |                         | Yes (IP/C/W/5 Guidelines) | TRIPS Council        | IP/N/2/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|----|---|---|----------------------------|-----------------|-------------------------|---------------------------|----------------------|---------------------|
|    | Notification requirements   | Type of measure   | Members notifying          | Periodicity     | Comments on Periodicity | Format                    | To whom <sup>3</sup> | Notification Symbol |
| 7. | TRIPS Agreement, <a href="#">Article 3.1</a> - broadcasting rights. | Stipulation in the notifying Member's law limiting the rights to be provided to broadcasting organizations under Article 14.3 of the TRIPS Agreement as regards the right stipulated in Article 13(d) [in accordance with the provisions of Article 16(1) (b) of the Rome Convention]. As a result, other WTO Members will be allowed to limit the eligibility for national treatment in respect of this right correspondingly. | All WTO Members            | <i>Ad hoc</i>   |                         | Yes (IP/C/W/5 Guidelines) | TRIPS Council        | IP/N/2/*            |

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|----|---|---|----------------------------|--|---|--|----------------------|---------------------|
|    | Notification requirements                       | Type of measure   | Members notifying          | Periodicity  | Comments on Periodicity   | Format   | To whom <sup>3</sup> | Notification Symbol |
| 8. | TRIPS Agreement, <a href="#">Article 4(d)</a> . | Limitation of MFN treatment based on an international agreement related to intellectual property which entered into force prior to the date of entry into force of the WTO Agreement.   | All WTO Members            | <i>Ad hoc</i>  |   | No   | TRIPS Council        | IP/N/4/*            |
| 9. | TRIPS Agreement, <a href="#">Article 69</a> .   | Specification of contact points in Members' administrations for, among other things, exchanging information on trade in goods infringing intellectual property rights, including changes to previously notified contact points. | All WTO Members            | One-time initial notification, and updates as appropriate. | First, a <i>one-time</i> notification (1 January 1996 or, for new Members, promptly upon accession), and then an <i>ad hoc</i> notification upon introduction of changes. | Yes (Members may use the <a href="#">e-TRIPS Submission System</a> <a href="#">WTO/AIR/168</a> ) | TRIPS Council        | IP/N/3/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|     | WHAT MUST BE NOTIFIED?  |  | WHICH MEMBERS MUST NOTIFY? | WHEN TO NOTIFY? |                         | HOW TO NOTIFY?                              |                      |                     |
|-----|---|--|----------------------------|-----------------|-------------------------|---|----------------------|---------------------|
|     | Notification requirements   | Type of measure  | Members notifying          | Periodicity     | Comments on Periodicity | Format                                      | To whom <sup>3</sup> | Notification Symbol |
| 10. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article 14 <b><i>bis</i></b> (2)(c) of the Berne Convention (1971)] | Stipulation in the notifying Member's law that the rule that certain authors are to be presumed to have consented to certain ways in which their film is exploited must have been in writing.                            | All WTO Members            |                 |                         | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        | IP/N/5/*            |
| 11. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article 14 <b><i>bis</i></b> :3 of the Berne Convention (1971)].    | Stipulation in the notifying Member's law that the rule that certain authors are to be presumed to have consented to certain ways in which their film is exploited is not binding on the principal director of the film. | All WTO Members            | <i>Ad hoc</i>   |                         | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        | IP/N/5/*            |

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|-----|--|---|--------------------------------|-----------------|-------------------------|---|----------------------|---------------------|
|     | Notification requirements  | Type of measure   | Members notifying              | Periodicity     | Comments on Periodicity | Format                                      | To whom <sup>3</sup> | Notification Symbol |
| 12. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article 15:4 of the Berne Convention (1971)].              | Designation of the competent authority to represent unknown authors of folklore.  | All WTO Members                | <i>Ad hoc</i>   |                         | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        |                     |
| 13. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article I of the Appendix to the Berne Convention (1971)]. | Declaration by the notifying developing country Member that it avails itself of the faculty of compulsory licensing for translations / reproductions. | Developing country WTO Members | <i>Ad hoc</i>   | Every 10 years.         | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        |                     |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|-----|--|--|--------------------------------|-----------------|-------------------------|--|----------------------|---------------------|
|     | Notification requirements  | Type of measure  | Members notifying              | Periodicity     | Comments on Periodicity | Format   | To whom <sup>3</sup> | Notification Symbol |
| 14. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article II:3(b) of the Appendix to the Berne Convention (1971)]. | Agreement secured by the notifying developing country Member with all developed country Members, in which the same language is in general use as in that developing country Member, to provide for a shorter period than the usual three years after publication for the application of compulsory licensing to substitute for the exclusive right of translation. | Developing country WTO Members | <i>Ad hoc</i>   |                         | Yes<br>( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        | IP/N/5/*            |
| 15. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article IV:2 of the Appendix to the Berne Convention (1971)].    | Designation of an information center for the purposes of compulsory licensing.   | Developing country WTO Members | <i>Ad hoc</i>   |                         | Yes<br>( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        |                     |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|-----|--|---|--------------------------------|-----------------|---|---|----------------------|---------------------|
|     | Notification requirements  | Type of measure   | Members notifying              | Periodicity     | Comments on Periodicity                               | Format                                      | To whom <sup>3</sup> | Notification Symbol |
| 16. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article IV:4(c)(iv) of the Appendix to the Berne Convention (1971)]. | Agreement between the notifying developing country Member granting a compulsory license for the export of copies of translations made under the compulsory license and another WTO Member to which the copies are sent and allowing for such exports. | Developing country WTO Members | <i>Ad hoc</i>   |   | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        |                     |
| 17. | TRIPS Agreement, <a href="#">Article 9.1</a> [Article V(1)(ii) of the Appendix to the Berne Convention (1971)].    | Application of the 10-year régime instead of compulsory licensing.  | Developing country WTO Members | <i>Ad hoc</i>   | At the time of ratification, acceptance or accession. | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        |                     |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

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|     | WHAT MUST BE NOTIFIED?   |   | WHICH MEMBERS MUST NOTIFY? | WHEN TO NOTIFY? |   | HOW TO NOTIFY?                              |                      |                     |
|-----|--|---|----------------------------|-----------------|---|---|----------------------|---------------------|
|     | Notification requirements  | Type of measure   | Members notifying          | Periodicity     | Comments on Periodicity                               | Format                                      | To whom <sup>3</sup> | Notification Symbol |
| 18. | TRIPS Agreement, <a href="#">Article 14.6</a> [Article 17 of the Rome Convention]. | Protection of producers of phonograms solely on the basis of the criterion of fixation.   | All WTO Members            | <i>Ad hoc</i>   | At the time of ratification, acceptance or accession. | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        | IP/N/1/*            |
| 19. | TRIPS Agreement, <a href="#">Article 14.6</a> [Article 18 of the Rome Convention]. | Reduction of scope or withdrawal of earlier notification of an exception under Article 5(3), 6(2), 16(1) or 17 of the Rome Convention as incorporated into the TRIPS Agreement. | All WTO Members            | <i>Ad hoc</i>   |   | Yes ( <a href="#">IP/C/W/15</a> Guidelines) | TRIPS Council        |                     |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

|     | WHAT MUST BE NOTIFIED?  |  | WHICH MEMBERS MUST NOTIFY?                          | WHEN TO NOTIFY?   |   | HOW TO NOTIFY?   |                      |                     |
|-----|---|--|---|---|---|--|----------------------|---------------------|
|     | Notification requirements   | Type of measure  | Members notifying                                   | Periodicity   | Comments on Periodicity   | Format   | To whom <sup>3</sup> | Notification Symbol |
| 20. | As agreed by the TRIPS Council in the context of <a href="#">Article 67</a> of the TRIPS Agreement ( <a href="#">IP/C/M/8</a> , paragraphs 37 and 38).  | Specification by the notifying developed country Member of contact points for technical cooperation on TRIPS.  | Developed country WTO Members                       | One time initial notification, and updates as necessary | First, a <i>one-time</i> notification (1 September 1996 or, for new Members, promptly upon accession), and then an ad hoc notification upon introduction of changes.      | Yes (Members may use the <a href="#">e-TRIPS Submission System</a> <a href="#">WTO/AIR/168</a> ) | TRIPS Council        | IP/N/7/*            |
| 21. | Article 31 <i>bis</i> and paragraph 1(b) of the <a href="#">Annex</a> to the amended TRIPS Agreement.<br><br>(Members who have yet to accept the Protocol Amending the TRIPS Agreement continue to operate on the basis of the <a href="#">waiver decision of 2003</a> ). | Notification requirements for Members making use of the additional flexibilities relating to the TRIPS Agreement and public health: Importing Member's one-off general notification of intention to use the special compulsory license system. | Developing country WTO Members (except LDC Members) | <i>Ad hoc</i>   | Any time prior to a Member's first use of the special compulsory license system as an importer, or at the same time as it first notifies specific needs under the system. | Yes (Members may use the <a href="#">e-TRIPS Submission System</a> )                             | TRIPS Council        | IP/N/8/*            |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

|     | WHAT MUST BE NOTIFIED?   |  | WHICH MEMBERS MUST NOTIFY?            | WHEN TO NOTIFY?      |  | HOW TO NOTIFY?   |                      |                     |
|-----|--|--|---------------------------------------|----------------------|--|--|----------------------|---------------------|
|     | Notification requirements  | Type of measure  | Members notifying                     | Periodicity          | Comments on Periodicity  | Format   | To whom <sup>3</sup> | Notification Symbol |
| 22. | <p>Article 31<i>bis</i> and paragraph 2(a) of the <a href="#">Annex</a> to the amended TRIPS Agreement.</p> <p>(Members who have yet to accept the Protocol Amending the TRIPS Agreement continue to operate on the basis of the <a href="#">waiver decision of 2003</a>).</p> | <p>Notification requirements for Members making use of the additional flexibilities relating to the TRIPS Agreement and public health: Importing Member's specific notification.</p> | <p>Developing country WTO Members</p> | <p><i>Ad hoc</i></p> | <p>A notification must be made by or on behalf of an importing Member each time it uses the special compulsory license system to import pharmaceutical products. No notification is needed when pharmaceutical products are imported from another Member party to a regional trade agreement under the regional mechanism.</p> | <p>Yes (Members may use the <a href="#">e-TRIPS Submission System</a>)</p> | <p>TRIPS Council</p> | <p>IP/N/9/*</p>     |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

|    | WHAT MUST BE NOTIFIED?  |  | WHICH MEMBERS MUST NOTIFY? | WHEN TO NOTIFY? |   | HOW TO NOTIFY?  |                      |                     |
|----|---|--|----------------------------|-----------------|---|---|----------------------|---------------------|
|    | Notification requirements   | Type of measure  | Members notifying          | Periodicity     | Comments on Periodicity   | Format  | To whom <sup>3</sup> | Notification Symbol |
| 23 | Article 31 <i>bis</i> and paragraph 2(c) of the <a href="#">Annex</a> to the amended TRIPS Agreement.<br><br>(Members who have yet to accept the Protocol Amending the TRIPS Agreement continue to operate on the basis of the <a href="#">waiver decision of 2003</a> ). | Notification requirements for Members making use of the additional flexibilities relating to the TRIPS Agreement and public health: Exporting Member's notification. | All WTO Members            | <i>Ad hoc</i>   | Any Member that exports under the special compulsory license system must make this notification for every compulsory license that it issues under the system prior to export. | Yes<br>(Members may use the <a href="#">e-TRIPS Submission System</a> ) | TRIPS Council        | IP/N/10/*           |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

## REVIEW MATERIALS

|    | WHAT MUST BE COMMUNICATED?                         |  | WHICH MEMBERS MUST COMMUNICATE? | WHEN TO COMMUNICATE? |                         | HOW TO COMMUNICATE?   |                      |  |
|----|--|--|---------------------------------|----------------------|-------------------------|---|----------------------|--|
|    | Review requirements                                | Type of measure  | Members communicating           | Periodicity          | Comments on Periodicity | Format  | To whom <sup>3</sup> | Notification Symbol  |
| 1. | TRIPS Agreement, <a href="#">Article 24.2</a> .    | Responses provided in the context of the review of the provisions of the Section on geographical indications under Article 24.2. | All WTO Members                 | <i>Ad hoc</i>        |                         | Yes<br>(Members may use the <a href="#">e-TRIPS Submission System</a> ) | TRIPS Council        | IP/C/W/117*;<br>IP/C/R/GI/<br><br>(Note: IP/C/R/GI/ symbol used from 2020) |
| 2. | TRIPS Agreement, <a href="#">Article 27.3(b)</a> . | Responses provided in the context of the review of the provisions of Article 27.3(b).  | All WTO Members                 | <i>Ad hoc</i>        |                         | Yes<br>(Members may use the <a href="#">e-TRIPS Submission System</a> ) | TRIPS Council        | IP/C/W/125*;<br>IP/C/R/BT/<br><br>(Note: IP/C/R/BT/ symbol used from 2020) |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

## REPORT MATERIALS

|    | WHAT MUST BE COMMUNICATED?  |  | WHICH MEMBERS MUST COMMUNICATE? | WHEN TO COMMUNICATE? |   | HOW TO COMMUNICATE?   |                      |   |
|----|---|--|---------------------------------|----------------------|---|---|----------------------|---|
|    | Report requirements   | Type of measure  | Members communicating           | Periodicity          | Comments on Periodicity   | Format  | To whom <sup>3</sup> | Symbol  |
| 1. | TRIPS Agreement <a href="#">Article 66.2</a> .  | Report on the implementation of Article 66.2 of the TRIPS Agreement. | Developed country WTO Members   | Regular – Annual     | New detailed reports every third year and updates to the most recent report in the intervening years. | Yes<br>(Members may use the <a href="#">e-TRIPS Submission System</a> ) | TRIPS Council        | IP/C/W/; IP/C/R/TTI/<br><br>(Note: IP/C/R/TTI/ symbol used from 2020) |
| 2. | As agreed by the TRIPS Council in the context of <a href="#">Article 67</a> of the TRIPS Agreement. | Report on technical and financial cooperation programmes.            | Developed country WTO Members   | Regular – Annual     |   | Yes<br>(Members may use the <a href="#">e-TRIPS Submission System</a> ) | TRIPS Council        | IP/C/W/; IP/C/R/TC/<br><br>(Note: IP/C/R/TC/ symbol used from 2020)   |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 2

## LISTING OF THE NOTIFICATION OBLIGATIONS

## OTHER TRANSPARENCY MATERIAL

|    | WHAT MUST BE COMMUNICATED?  |  | WHICH MEMBERS MUST COMMUNICATE?         | WHEN TO COMMUNICATE? |                                     | HOW TO COMMUNICATE? |                      |          |
|----|---|--|---|----------------------|-------------------------------------|---------------------|----------------------|----------|
|    | Communication requirements  | Type of measure  | Members communicating                   | Periodicity          | Comments on Periodicity             | Format              | To whom <sup>3</sup> | Symbol   |
| 1. | Transparency requirement under paragraph 5 and footnote 5 of the Ministerial Decision on the TRIPS Agreement ( <a href="#">WT/L/1141</a> ). | Transparency requirement for any measure related to the implementation of the Ministerial Decision on the TRIPS Agreement, including the granting of an authorization. | Eligible developing Country WTO Members | <i>Ad hoc</i>        | As soon as possible after adoption. | No                  | TRIPS Council        | IP/C/W/* |

<sup>3</sup> All notifications, regardless of their subject content or the requirement under which they are being submitted, must be directed to the administrator of the Central Registry of Notifications (CRN), as indicated in document [WT/INF/25/Rev.2](#). Notifications may be submitted to CRN through online submission systems, such as the [e-TRIPS Submission System](#), as electronic attachments to emails, or on paper. As it may be practice, a copy of the notification may be sent to the Secretariat unit substantively handling the notification.

## PART 3

## RELEVANT DOCUMENT(S) CONCERNING GUIDELINES AND FORMATS

**Instructions on how to use the [e-TRIPS Submission System](#) are available [here](#). The instructions include guidance on how to use the system in addition to the types of information to provide for each type of submission.**

Procedures for notification of, and possible establishment of a common register of, national laws and regulations under Article 63.2 [IP/C/2](#).

Format for listing of "other laws and regulations" to be notified under Article 63.2 [IP/C/4](#).

Draft format for listing of "other laws and regulations" to be notified under Article 63.2 [IP/C/W/8](#).

Schedule for consideration of national implementing legislation in 1996/1997 [IP/C/3](#).

Distribution of notifications of laws and regulations under Article 63.2 (IP/N/1/- series of documents) [IP/C/W/20](#).

Checklist of issues on enforcement [IP/C/5](#).

Implementation of the obligations under the TRIPS Agreement stemming from the incorporation of the provisions of Article 6<sup>ter</sup> of the Paris Convention (1967) [IP/C/7](#).

Notifications already made under the provisions of the Berne Convention and the Rome Convention referred to in Articles 1.3 and 3.1 of the TRIPS Agreement [IP/C/W/3](#).

Notification possibilities provided in Articles 1.3 and 3.1 of the TRIPS Agreement [IP/C/W/5](#).

Notifications under Articles 1.3 and 3.1 of the TRIPS Agreement [WTO/AIR/70](#).

Notification provisions of intellectual property conventions incorporated by reference into the TRIPS Agreement but not explicitly referred to in it [IP/C/W/15](#).

Notification of contact points under Article 69 of the TRIPS Agreement [WTO/AIR/168](#).

Notification of contact points for technical co-operation on TRIPS [WTO/AIR/388](#).

Submission of reply to a checklist of questions as part of the Review under Article 24.2 of the Application of the Provisions of the Section of the TRIPS Agreement on Geographical Indications [IP/C/13](#) and [Add.1](#).

Submission of reply to a checklist of questions as part of the Review of the Provisions of Article 27.3(b) [IP/C/W/122](#) and [IP/C/W/126](#).

Submission of Report under Article 66.2 of the TRIPS Agreement: Incentives to Transfer Technology to LDCs [IP/C/28](#).

Submission of communication under paragraph 5 of the Ministerial Decision on the TRIPS Agreement [WT/L/1141](#).

## PART 4

## LIST OF NOTIFICATIONS, REVIEWS AND REPORTS RECEIVED FROM MEMBERS SINCE 1995

## TRIPS TRANSPARENCY

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The following notifications may be retrieved from the [e-TRIPS Gateway](#):

- [Notifications of laws and regulations under Article 63.2](#)
- [Responses to the Checklist of Issues on enforcement under Article 63.2](#)
- [Notifications of contact points under Article 69](#)
- [Notifications of contact points for technical and financial cooperation](#)
- [Notifications on beneficiaries and national treatment \(non-discrimination between foreign and local nationals\) under Articles 1.3 and 3.1](#)
- [Notifications on Most-favoured-nation treatment \(non-discrimination between trading partners\) under Article 4\(d\)](#)
- [Notifications under provisions of the Berne and Rome conventions that are incorporated by reference into the TRIPS Agreement](#)

[Replies to the Checklist of Questions as part of the Review under Article 24.2 of the Application of the Provisions of the Section of the TRIPS Agreement on Geographical Indications.](#)

[Replies to the Checklist of Questions as part of the Review of the Provisions of Article 27.3\(b\).](#)

[Notifications of Members making use of the special compulsory licensing system.](#)

[Reports under Article 66.2.](#)

[Reports under Article 67.](#)

## PART 5

### TEXT OF THE AGREEMENT

[Agreement on Trade-Related Aspects of Intellectual Property Rights \(as amended on 23 January 2017\).](#)

[Agreement on Trade-Related Aspects of Intellectual Property Rights \(unamended version\).](#)

# PART 6

## TEXT OF THE DECISION OF THE GENERAL COUNCIL OF 30 AUGUST 2003

[Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health, General Council Decision of 30 August 2003.](#)

# PART 7

## TEXT OF THE MINISTERIAL DECISION

[Ministerial Decision on the TRIPS Agreement.](#)

# PART 8

## TEXT OF THE AGREEMENT BETWEEN WIPO AND THE WTO

[Agreement between WIPO and the WTO.](#)