

Original: English

EUROPEAN COMMUNITIES - MEASURES AFFECTING THE  
GRANT OF COPYRIGHT AND NEIGHBOURING RIGHTS

Request for Consultations by the United States

The following communication, dated 6 January 1998, from the Permanent Mission of the United States to the Permanent Delegation of the European Commission and to the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

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My authorities have instructed me to request consultations with the European Communities pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) and Article 64 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) (to the extent it incorporates by reference Article XXIII of the General Agreement on Tariffs and Trade 1994) regarding the grant of copyright and neighbouring rights under Irish law.

All members of the World Trade Organization are obligated to provide copyright and neighbouring rights in accordance with section 1 of Part II, and the related provisions in Article 70, of the TRIPs Agreement. In light of Ireland's status as a developed country, the TRIPs Agreement applied to it on January 1, 1996.

Ireland appears not to grant copyright and neighbouring rights in accordance with section 1 of Part II, and Article 70, of the TRIPs Agreement, which appears to be inconsistent with Ireland's obligations under Articles 9-14, 63, 65 and 70 of that Agreement.

We look forward to receiving your reply to the present request and to fixing a mutually convenient date for consultations.

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