

WORLD TRADE ORGANIZATION

RESTRICTED

IP/C/W/239/Add.4

7 February 2002

(02-0609)

**Council for Trade-Related Aspects
of Intellectual Property Rights**

Original: English

REVIEW OF LEGISLATION

Follow-up question posed by Switzerland

Addendum

By means of a communication from the Permanent Delegation of Switzerland, dated 5 February 2002, the Secretariat has received a copy of the following follow-up question that Switzerland has communicated to Brazil. This question supplements those posed by Switzerland in documents IP/C/W/239 and Add.2, and follows up a response provided by Brazil in document IP/C/W/303.

A. PROTECTION OF UNDISCLOSED INFORMATION

Ad response to question 7:

Referring to the issue of unfair commercial use of data submitted by an applicant to the responsible State Agency in the procedure for market authorisation of a pharmaceutical or of an agricultural chemical product, please specify whether the responsible State Agency will require the same amount of data from a second applicant requesting market authorisation for a similar or identical product as from the first applicant.

If yes, does your law provide for a time period after the expiration of which a second applicant can refer to the data of the first applicant and will therefore not have to submit these data in his own application for market authorisation?
