

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

NINTH SPECIAL SESSION OF THE COUNCIL FOR TRIPS

Report by the Chairman, Ambassador Manzoor Ahmad,
to the Trade Negotiations Committee

1. This report is submitted on the Chairman's own responsibility. It complements that presented in July 2003 on the work of the Special Session up to that time (TN/IP/8).

I. STATUS OF WORK

2. Since the Special Session resumed its work this year, it has held two meetings: the eighth Session on 7 April 2004 (see the Chairman's report to the TNC contained in TN/IP/9) and the ninth Session on 18 June 2004.

3. At these meetings, the Special Session took up the following items: negotiation of the establishment of a multilateral system of notification and registration of geographical indications for wines and spirits; and other business.

4. One new communication was tabled at the April 2004 meeting by Argentina, Australia, Canada, Chile, Costa Rica, Ecuador, El Salvador, New Zealand, Nicaragua, Chinese Taipei and the United States (TN/IP/W/9 and TN/IP/W/9/Add.1, entitled "Joint Proposal for a Multilateral System of Notification and Registration of Geographical Indications for Wines and Spirits – Questions and Answers"). The proposals submitted earlier remain on the table (see paragraph 8 of TN/IP/8 and its Annex).

5. This new paper gave rise to a substantive exchange of views on various issues regarding the establishment of the system, including on the legal effects of registrations, participation in the system, the administrative and other burdens of such a system, especially on developing and least-developed countries, and whether the proposals on the table would modify the balance of rights and obligations in the TRIPS Agreement and respect the principle of territoriality.

6. At the ninth meeting, participants also addressed issues relating to the report to be made by the Chairman to the meeting of the TNC scheduled for 30 June.

II. OUTSTANDING ISSUES

7. A range of issues require further work, including, but not limited to, resolving the key issues of the legal effects of registrations and participation in the system.

III. FUTURE WORK

8. Participants have reaffirmed their commitment to pursue the negotiations actively in order to find an agreed outcome within the framework of the Doha Development Agenda, in accordance with the mandate in the first sentence of paragraph 18 of the Doha Declaration and Article 23.4 of the TRIPS Agreement.

9. With regard to the organization of work, the Chairman will hold informal consultations prior to the next meeting of the Special Session on how the further work can be most constructively and purposefully carried forward.
