

WORLD TRADE ORGANIZATION

RESTRICTED

IP/C/W/7

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(95-2201)

Council for Trade-Related Aspects of Intellectual Property Rights

DRAFT SCHEDULE FOR CONSIDERATION OF NATIONAL IMPLEMENTING LEGISLATION IN 1996

Note by the Secretariat

1. At the meeting of the TRIPS Council of 24 May 1995, the Chairman, reporting on informal consultations that he had held, said that he had detected a fairly general view that it would be sensible, from the point of view both of helping delegations cope with translation burdens and of helping the Council to organize its work most effectively, to draw up a schedule for the examination of the national implementing legislation of developed countries in 1996, and that this might most sensibly be structured on a subject-by-subject basis following essentially the main headings of Parts II and III of the TRIPS Agreement (IP/C/M/2, paragraph 14). The Council agreed that the Secretariat be asked to prepare such a draft schedule for the consideration of national legislation on a subject-by-subject basis (IP/C/M/2, paragraph 23).
2. Accordingly, a draft schedule can be found in the Annex to this note. This draft would concern the legislation of Members obliged to apply the corresponding provisions of the TRIPS Agreement from 1 January 1996.
3. It will be seen that it is suggested that, as a general rule, laws and regulations should be notified by the end of March 1996, with two exceptions. The first of these is that, with respect to the first subject area to be taken up, copyright and related rights, Members might submit their laws and regulations by the end of January 1996, so as to avoid too much delay in the initiation of this aspect of the work of the Council. The second concerns laws and regulations which would need to be translated into a WTO language. These could be submitted later than March 1996 where translation required extra time, provided this was still at least three full months in advance of the scheduled discussion in the TRIPS Council. The period of at least three full months has been chosen so far to give one month for the circulation of the text to Members by the Secretariat, one month for giving advance notice of questions and a third month for the preparation of replies and of the discussion generally.
4. The laws and regulations that would be notified by the date indicated in the second column, and the way in which each notification should be made, would depend on the outcome of the consideration being given to the Working Hypothesis (IP/C/W/6).
5. The date in the fourth column is that for the first full discussion of legislation in the relevant subject area. It is to be expected, on the basis of experience with GATT/WTO processes of this kind, that there would be outstanding points that would have to be pursued at subsequent meetings, alongside any new subject areas that would be taken at those meetings.

ANNEX

DRAFT SCHEDULE FOR CONSIDERATION OF
NATIONAL IMPLEMENTING LEGISLATION IN 1996

SUBJECT AREA	DATE FOR SUBMISSION OF THE LAWS AND REGULATIONS (REQUIRING TRANSLATION)	DATE BY WHICH ADVANCE NOTICE OF QUESTIONS TO BE GIVEN	DATE FOR DISCUSSION IN COUNCIL
Copyright and Related Rights	End January 1996	End March 1996	May 1996
Trademarks	End March 1996	End May 1996	July 1996
Geographical Indications			
Industrial Designs			
Patents	End March 1996 (End May 1996)	End July 1996	September 1996
Layout-Designs of Integrated Circuits			
Undisclosed Information			
Control of Anti-competitive Practices in Contractual Licenses			
Enforcement	End March 1996 (End July 1996)	End September 1996	November 1996