

CHAPTER 13

INTELLECTUAL PROPERTY

ARTICLE 1301

Objective

1. The objective of this Chapter is to increase the benefits from trade and investment through the protection and enforcement of intellectual property rights.
2. “Intellectual property rights” refers to copyright and related rights, rights in trade marks, geographical indications, industrial designs, patents, and lay-out designs (topographies) of integrated circuits, rights in plant varieties, and rights in undisclosed information, as defined and described in the *WTO Agreement on Trade-Related Aspects of Intellectual Property Rights*.

ARTICLE 1302

Observance of International Obligations

The Parties shall fully respect the provisions of the *WTO Agreement on Trade-Related Aspects of Intellectual Property Rights* and any other multilateral agreement relating to intellectual property to which both are parties.

ARTICLE 1303

Measures to Prevent the Export of Goods that Infringe Copyright or Trade Marks

Each Party, on receipt of information or complaints, shall take measures to prevent the export of goods that infringe copyright or trade marks, in accordance with its laws, regulations, or policies.

ARTICLE 1304

Cooperation on Enforcement

The Parties shall cooperate with a view to eliminating trade in goods infringing intellectual property rights, subject to their respective laws, regulations, or policies. Such cooperation may include:

- (a) the notification of contact points for the enforcement of intellectual property rights;
- (b) the exchange, between respective agencies responsible for the enforcement of intellectual property rights, of information concerning the infringement of intellectual property rights;
- (c) policy dialogue on initiatives for the enforcement of intellectual property rights in multilateral and regional fora; and
- (d) such other activities and initiatives for the enforcement of intellectual property rights as may be mutually determined by the Parties.

ARTICLE 1305

Other Cooperation

The Parties, through their competent agencies, shall:

- (a) exchange information and material on programs pertaining to education in and awareness of intellectual property rights, and to commercialisation of intellectual property, to the extent permissible under their respective laws, regulations and policies; and
- (b) encourage and facilitate the development of contacts and cooperation between their respective government agencies, educational institutions, organisations and other entities concerning the protection and development of intellectual property rights with a view to:
 - (i) improving and strengthening the intellectual property administrative systems in areas such as patents examination and trademarks registration;
 - (ii) stimulating the creation and development of intellectual property by persons of each Party, particularly individual inventors and creators as well as small to medium-sized enterprises (SMEs); and
 - (iii) enhancing the capacity of and opportunity for the owners of intellectual property rights to obtain the maximum utilisation and commercial benefits from those rights.