



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

AMENDMENT OF THE TRIPS AGREEMENT

**PROPOSAL FOR A DECISION ON A SEVENTH EXTENSION OF THE PERIOD FOR THE ACCEPTANCE
BY MEMBERS OF THE PROTOCOL AMENDING THE TRIPS AGREEMENT**

At its meeting of 17-18 October 2019, the Council for TRIPS decided to submit to the General Council the attached proposal for a decision on a seventh extension of the period for the acceptance by Members who are yet to accept the Protocol Amending the TRIPS Agreement.



WORLD TRADE
ORGANIZATION

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Page: ../..

**AMENDMENT OF THE TRIPS AGREEMENT – SEVENTH EXTENSION OF THE PERIOD FOR
THE ACCEPTANCE BY MEMBERS OF THE PROTOCOL AMENDING
THE TRIPS AGREEMENT**

DRAFT DECISION OF [DATE]

The General Council,

Conducting the functions of the Ministerial Conference in the interval between meetings pursuant to paragraph 2 of Article IV of the Marrakesh Agreement establishing the World Trade Organization (the "WTO Agreement");

Having regard to paragraph 2 of the Decision of the General Council of 6 December 2005 on the Amendment of the TRIPS Agreement (the "TRIPS Amendment Decision") and paragraph 3 of the Protocol Amending the TRIPS Agreement (the "Protocol")¹, which provide that the Protocol shall be open for acceptance by Members until 1 December 2007 or such later date as may be decided by the Ministerial Conference;

Recalling that the General Council, by its decision of 30 November 2017 (the "2017 Extension Decision")², extended the period for acceptances of the Protocol by Members for the sixth time until 31 December 2019 or such later date as may be decided by the Ministerial Conference;

Recalling also that, pursuant to paragraph 3 of the TRIPS Amendment Decision and paragraph 4 of the Protocol, the Protocol took effect and entered into force on 23 January 2017 upon acceptance by two thirds of Members who had accepted it on or before that date in accordance with the provisions of paragraph 3 of Article X of the WTO Agreement;

Noting that the Protocol takes effect for each other Member upon acceptance by it pursuant to paragraph 3 of Article X of the WTO Agreement;

Noting also that a number of Members are yet to accept the Protocol and that this is taking them longer than initially foreseen;

Having considered the proposal to further extend the period for acceptances of the Protocol submitted by the Council for TRIPS (IP/C/83);

Decides as follows:

The period for acceptances by Members of the Protocol Amending the TRIPS Agreement referred to in paragraph 2 of the TRIPS Amendment Decision and paragraph 3 of the Protocol, and extended by the 2017 Extension Decision, shall be further extended until 31 December 2021 or such later date as may be decided by the Ministerial Conference.

¹ WT/L/641.

² WT/L/1024.