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Negotiating Group on Trade-Related
Aspects of Intellectual Property Rights,
including Trade in Counterfeit Goods

MEETING OF NEGOTIATING GROUP OF 8 AND 18 OCTOBER 1990

Chairman: Ambassador Lars E.R. Anell (Sweden)

Note by the Secretariat

1. The Negotiating Group adopted the agenda proposed in GATT/AIR/3105.

2. The Chairman presented to the Group the revised informal document he had prepared with the purpose of reflecting the status of work in the Group.

3. A participant welcomed the new document, but was concerned that in some respects it did not bring out sufficiently differences of view on the structure that the results of the work should have and furthermore that some proposals that had support from only one delegation had been retained.

4. When the Group reconvened on 18 October, the Chairman reported to the Group on the informal consultations he had held between 8 and 18 October. He said that once more a constructive series of consultations had been held which, in his view, had enabled some advance in the negotiations. These consultations had so far focused on Part III of the informal document concerning Standards, Part II concerning Basic Principles, Part IV concerning Enforcement together with Section 3 of Part IX concerning Trade in Counterfeit and Pirated Goods, and Part V concerning the Acquisition of Intellectual Property Rights. Parts VI concerning Dispute Settlement,
Part VII concerning Transitional Arrangements and Part VIII concerning Institutional Arrangements as well as Sections 1 and 2 of Part IX would be the subject of consultations later in the week. These consultations had enabled a better understanding of each other's positions and proposals and therefore the removal of a number of difficulties arising from misunderstandings. They had also indicated possibilities for finding language that could be acceptable in accommodating differing positions in some areas. However, the point was now being reached where it was necessary to face head on the difficult issues, solutions to which could not be found merely through drafting, but would require participants to be ready and willing to negotiate with each other, to exchange concessions and to change positions where necessary. He was encouraged to see some signs of such negotiations taking place, but it had to be borne in mind that little time remained with much to be done.

6. The Chairman indicated his intention to prepare a revised version of the texts on the status of work in the Negotiating Group which would be available on 25 October. He would call a further meeting of the Negotiating Group for 1 November, but would resume his consultations as from 29 October.

7. A participant said that the fourteen countries that had sponsored document NG11/W/71 continued to

hold the position reflected in that paper on the issue of the institutional arrangements for the implementation of the results of the TRIPS negotiations. They were ready to negotiate on all aspects, except trade secrets which they continued to have difficulty with treating is as an intellectual property right.