

IMPLEMENTATION OF THE TRIPS AGREEMENT AND PROSPECTS FOR ITS FURTHER DEVELOPMENT

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SUMMARY: Purpose I. IMPLEMENTATION; 1. Monitoring compliance; 2. Dispute settlement; 3. Cooperation with WIPO; II. PROSPECTS FOR THE FUTURE; 1. Built-in agenda; 2. Electronic commerce; 3. Investment and competition policy; 4. Special sessions of the General Council; III. CONCLUDING REMARKS; IV. ANNEX

The purpose of this article is, first, to describe the work under way in the WTO aimed at ensuring effective implementation of the TRIPS Agreement and, second, to discuss prospects for the further development of the Agreement. Under the first of these points, the following topics are discussed: the work on monitoring compliance by Members with their obligations under the Agreement; the application of the WTO dispute settlement system in the TRIPS area; implementation by developing countries and the provision of technical cooperation; and cooperation with WIPO. Under the second heading, the article discusses the various processes under way which might lead to a development of the WTO rules on intellectual property, namely the work on the so-called «built-in agenda» contained in the TRIPS Agreement itself, the WTO work programmes on electronic

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These records can be obtained through the documents on-line facility on the WTO web site on the Internet, address: <http://www.wto.org>. They use the document series codes listed in the table. «Electronic Commerce and the Role of the WTO», WTO, 1998

The WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty.

commerce, investment and competition policy, and the work in the WTO General Council on the preparation of possible broad-based negotiations to be launched at the end of next year.

I. IMPLEMENTATION

1. Monitoring compliance

The body assigned to overview the operation of the TRIPS Agreement is the Council for TRIPS, composed of representatives of each of the Members of the WTO, which meets in Geneva formally some five times a year as well as informally as necessary. One of the main tasks of this body is to monitor Members' compliance with their obligations under the Agreement. It was a key feature of the GATT and is now one of the WTO that it is not considered enough to negotiate rules; their implementation has to be the subject of continuous surveillance.

This is done in two main ways:

- First, the TRIPS Council is a body in which any Member can raise any issue relating to compliance by other parties. This has happened on a number of occasions, either in relation to the practices of a specific country or the application of a specific provision. For example, considerable attention has been given to the application of the mailbox and exclusive marketing provisions applicable in countries which do not yet give patent protection to pharmaceutical and agricultural chemical products.

- The second approach to monitoring compliance, which is set out here in a little more detail, is a systematic approach, involving the notification and review of the legislation of Members.

The first step is notification of implementing legislation. The TRIPS Council has established procedures for the notification and distribution to Members of national implementing legislation by each

Member once obligations «kick in» at the end of its transition period. Cooperation with WIPO, to avoid unnecessary duplication, is a key component of these procedures. More than 20,000 pages of legislation have been so notified, mainly by the 30 or so developed countries that came under an obligation to comply fully with the TRIPS Agreement as of 1 January 1996, after the expiry of their one-year transition period.

The review of this legislation takes the form of a «peer group» examination. The legislation is studied by the notifying country's trading partners who are entitled to ask questions through the TRIPS Council. Responses to these questions are provided on the floor of the TRIPS Council and in writing. An opportunity is given for follow-up questions. Given the magnitude of the task, the review was divided into four subject areas, each requiring a week-long meeting. The records of each review, the questions put and the responses given, are distributed in a separate document for each country reviewed and for each area. These are being made available publicly on the WTO web site, after derestriction which normally takes about six months.

Details, including some figures on the scale of the operation, are reproduced below.

TRIPS subject	Date of Council meeting	No. of questions asked
Documents containing records of review	Series i.d.	No. of pages
Copyright and related rights	22-26 July 1996	502IP/Q/Country/223
Trademarks, geographical indications and industrial designs	11-15 Nov. 1996	581 IP/Q2/Country/576
Patents, integrated circuits, trade secrets and anti-competitive practices	26-30 May 1997	768 IP/Q3/Country/ 396
Enforcement	17-21 Nov. 1997	2,269 IP/Q4/Country/ approx. 800
TOTAL	4,120	approx. 2,000

What is the purpose of such a detailed exercise, involving such a huge amount of work. The underlying belief is that unless there is detailed monitoring of compliance with international commitments,

those commitments will be worth much less. Moreover, the review mechanism is seen as an important dispute avoidance vehicle for resolving problems that might otherwise become the subject of formal dispute settlement proceedings. The more specific benefits can be put into five categories:

1. The ex ante effect of greater care in drafting legislation from the knowledge that legislation will be reviewed. The knowledge that a country's legislation will be the subject of such a detailed review tends to make legal drafters and policy-makers more careful in examining the changes that are necessary to make the country's legislation conform with the WTO's rules.

2. The clearing up of misunderstandings about a country's legislation. For example, concern about a country apparently failing to conform with the rules is frequently dispelled by the explanation that the point is tackled by other provisions which the questioning country may have overlooked.

3. The identification of deficiencies in notified laws and regulations. In a significant number of instances, the country whose legislation was under review has been willing to accept that it still has further work to do in order to make its laws conform fully with the WTO's rules. In some of these cases, the country concerned knew this in advance, but quite a number came to accept this as a result of deficiencies being brought to its attention in the review process itself.

4. The identification of differences in interpretation. Some of these differences will be discussed bilaterally. If they are not resolved in that way, they could eventually turn into formal disputes under the WTO dispute settlement proceedings. In some cases, where countries believe the TRIPS Agreement is unclear, the differences may be taken up when the TRIPS is reviewed and/or the opportunity for further negotiations on IP matters arises. In other cases, differences may be considered commercially insignificant and put aside, at least for the time being.

5. The knowledge that countries still in the process of drafting legislation obtain about how their trading partners are implementing the TRIPS Agreement. The reviews give developing countries important insights into how their trading partners are understanding and implementing the provisions of the TRIPS Agreement, and which aspects appear to be more particularly sensitive. A number of developing Members (Brazil; Hong Kong, China; India; Korea; and Singapore) asked questions, particularly in areas where it would be helpful for the preparation of their own implementing legislation.

While the bulk of the review process for developed countries has been completed, the TRIPS Council is completing this year (1998) the review of the legislation of a number of transition economy countries in Central Europe that joined the earlier review process late and will also be reviewing the legislation of those countries that have negotiated their accession to the WTO since it came into force and, in doing so, have been asked to and have agreed to comply fully with the TRIPS Agreement without the benefit of any transition period - namely Ecuador, Mongolia and Panama.

2. Dispute settlement

An important feature of the TRIPS Agreement is that disputes between governments about compliance with obligations can be subject to the integrated dispute settlement system of the WTO. The annexed chart sets out the experience with the application of the system to disputes in the TRIPS area so far. You will see that, to date (July 1998), there have been 14 complaints relating to ten separate matters.

By way of providing a context, this compares with the total WTO-wide number of complaints under the dispute settlement system so far of 139 concerning 103 distinct matters. When assessing this ratio, of about ten per cent, it should be taken into account that, unlike in most other parts of the WTO, the obligations of the TRIPS Agreement are

not yet in force for most Members.

The annexed chart sets out the current state of play in the disputes brought before the WTO concerning TRIPS matters. One point that emerges is the tendency for the strength of the dispute settlement system to encourage the bilateral, «out of court», settlement of disputes, which has also been observed in relation to the operation of the system as a whole. It will be noted that of the ten matters that have been the subject of disputes, only two have been the subject of panels so far, the complaints by the United States and the European Communities against India (which will be the subject of separate panel reports), and the United States complaint against Indonesia concerning its automobile programme, of which the TRIPS element is somewhat peripheral. Of the other issues, three have been the subject of mutually agreed solutions. Five are still at the bilateral consultation stage, and we are hopeful that many of these will be resolved through mutually agreed solutions at that stage. It should also be borne in mind that the vast majority of potential disputes are settled informally bilaterally without any formal invocation of the dispute settlement mechanism, but against the background of the knowledge that recourse to the mechanism is possible.

Another observation that can be drawn from the experience with the dispute settlement system so far in relation to TRIPS matters is that just under half the complaints have concerned the provisions of Article 70 of the TRIPS Agreement on the protection of existing subject matter. This suggests that this is an area to which countries still, to bring themselves into compliance, need to give particular attention. A significant proportion of the disputes have also concerned the enforcement provisions of the TRIPS Agreement. It might also be noted that the sectors which appear to be giving rise to the largest number of disputes are pharmaceuticals and copyright, in particular sound recordings and computer programs.

The annexed chart shows that most complaints so far have been lodged by the United States, with the remainder from the European Communities. Most of the respondents have been developed countries,

which is not surprising given that only they have so far full obligations under the TRIPS Agreement. While it is not unlikely that we will continue to see in the future a pattern whereby the largest number of complaints in the TRIPS area are lodged by the United States and the European Communities and that, after the end of their transition periods, an increasing proportion of the respondents will be developing country WTO Members, this should be seen in the wider context of the WTO as a whole and the purpose of its dispute settlement system. The central purpose of this system can be described as ensuring a rule of law in international trade relations through the impartial and effective resolution of disputes between Members. It is thus of particular importance to smaller and weaker WTO Members, in particular developing countries. Indeed, about 30 per cent of the complaints so far have been made by developing country Members. An examination of the 13 cases that so far have gone right through the system in the sense of being the subject of Panel and, where appealed, Appellate Body reports that have been adopted indicates that:

- five of these cases were successful complaints by developing countries (Venezuela, Brazil, India, Ecuador, Guatemala, Honduras and Mexico) against developed countries;

- two were successful complaints by developed countries against developing countries (the US TRIPS complaint against India, and the US, EC and Japan complaints on the Indonesian auto regime);

- one was an unsuccessful complaint by a developing country against another developing country; and

- the rest were complaints between developed countries.

Implementation by developing countries and the provision of technical cooperation

As a general rule, developing countries have until the year 2000 to meet their obligations and the countries on the United Nations list of

least-developed countries until 2006. There has been a huge amount of activity in most developing countries over the last few years towards TRIPS implementation and this is still going on. In the major countries of Latin America and East and South Asia, it would appear that the work is well in hand, if not already completed, at least as far as the major IPRs are concerned - copyright, trademarks and patents. In some of these countries there still remains work to be done in respect of the standards of protection in some other areas, such as the protection of geographical indications, the layout-designs of integrated circuits and the protection of undisclosed information. The same goes for the introduction of effective border enforcement mechanisms as well as for the fine-tuning of domestic judicial systems to ensure their TRIPS conformity. Of course, there is also the ongoing task of ensuring that enforcement procedures and remedies are effective as well as formally consistent with the specific requirements of the TRIPS Agreement.

The adequate availability of technical cooperation is evidently of great importance to assist developing and least-developed countries meet their obligations, and has been a particular concern of the TRIPS Council. Developed countries have an obligation under the TRIPS Agreement in this respect. The WTO Secretariat attempts, within its limited resources, to contribute to this effort, but what is of critical importance is the role of the World Intellectual Property Organization. The WIPO has been extremely active in this field and has recently decided to step up further its efforts in this direction, using its very considerable resources. The WTO and WIPO Secretariats launched in July 1998 a joint initiative in the field of technical cooperation aimed at maximizing the assistance that can be granted to developing countries who have accepted to bring themselves into conformity by the year 2000. Also of importance is the role of intellectual property practitioners in putting their experience and knowledge at the disposition of their own governments or indeed of other governments; many national governments, both of developed and of developing countries, draw upon this resource.

3. Cooperation with WIPO

This article has already alluded more than once to the importance of the contribution of the WIPO and of cooperation between the WTO and that Organization. The WIPO and the WTO concluded at the end of 1995 a Cooperation Agreement, which has worked well. This Agreement provides for cooperation in three areas:

- first, the notification of, access to and translation of national legislation;
- second, the communication of national emblems pursuant to Article 6ter of the Paris Convention; and
- third, technical cooperation.

In addition to these agreed areas of cooperation, the importance of the synergies that arise between the two Organizations as a result of the autonomous activities of WIPO in the full range of its work, whether it is norm-setting or studying, its registration unions or technical cooperation, should be stressed.

II. PROSPECTS FOR THE FUTURE

The WTO is about to go through an intensive «agenda-setting» phase, aimed at identifying areas where further negotiations or other work on the development of the WTO system are called for and agreeing on mandates for such work. This process is likely to come to a head at the third WTO Ministerial Conference scheduled to take place in the United States at the end of 1999. A number of activities will feed into this:

- the work on the built-in agenda already provided for in the texts of various WTO agreements, including the TRIPS Agreement;

- the development of a work programme on electronic commerce in response to a decision taken at the second WTO Ministerial Conference, in May 1998;

- the recommendations which might result from the work programme initiated at the first WTO Ministerial Conference, in Singapore in December 1996. Of potential importance for intellectual property rights is the work in the areas of investment and competition policy;

- the work in the special sessions of the WTO General Council to be held from September 1998 to prepare for the Ministerial decisions at the end of 1999 on further negotiations or other work.

Each of these activities is examined below.

However, before doing so, it is important to recall that the majority of the 132 WTO Members, not to mention the 32 governments in the process of negotiating accession to the WTO, have yet to implement the TRIPS Agreement and that the focus of work in the WTO on TRIPS matters for the foreseeable future is likely to be on implementation more than on further development of the Agreement. For example, after 1 January 2000, the TRIPS Council will need to review the legislation of developing countries whose transition period generally expires on that date. Moreover, a continued high level of dispute settlement activity can be expected, especially when a larger number of countries have full obligations under the Agreement. Technical cooperation will remain a priority concern, so as to assist developing and least-developed countries meet the requirements of the TRIPS Agreement.

1. Built-in agenda

The TRIPS Agreement contains a number of provisions requiring work on its possible further development. Some of the proposals for possible development of the TRIPS Agreement are likely

to emerge from this work.

Geographical indications

Two of the areas of work under the built-in agenda concern the protection of geographical indications:

- A multilateral system for the notification and registration of geographical indications for wines. Article 23.4 of the TRIPS Agreement states that negotiations shall be undertaken in the Council for TRIPS on this matter. At the Singapore Ministerial Conference, agreement was reached on a process of preparatory work, and that, in this context, spirits would be looked at in addition to wines. Under this preparatory process, the Council has collected background information on existing national and international registration systems. The Council received, in July 1998, a concrete proposal for an international registration system from the European Communities, which will advance the work to a new phase. Article 23.4 does not contain any time-frame for the negotiations. Whether it will be technically possible and politically feasible to conclude these negotiations prior to the possible launching of more broad-based negotiations at the end of 1999 remains to be seen.

- Review of the application of the provisions of the Section on Geographical Indications. Article 24.2 provides for a special review of this matter. In the context of work on this issue, a number of WTO Members have advocated that attention should be given to extending the product areas that benefit under the TRIPS Agreement from the higher level of protection presently required only for wines and spirits. These suggestions have been made by countries interested in products such as beer and certain tropical products, for example Basmati rice and Darjeeling tea. Quite a number of other Members, especially in the Southern hemisphere and North America, have shown no enthusiasm for these suggestions and have taken the view that the review provided for in Article 24.2 is not a suitable context in which to pursue them. The Council has, however, agreed to pursue the Article 24.2 review by asking Members to respond to a detailed

checklist of questions concerning their national regimes for the protection of geographical indications. While it may continue to be difficult for the proponents to make headway in the context of the Article 24.2 review, towards extending the product areas that would benefit from a higher protection of geographical indications, there are clear signals that the enhanced protection of geographical indications is likely to be one of the candidates for inclusion in possible broader negotiations in the WTO. A number of countries, in particular some developing countries, see important benefits for the marketing of traditional products, both agricultural and craft, from a better use of the system of geographical indications and, furthermore, that securing international protection through the TRIPS Agreement would help generate a perception in their countries that the Agreement is balanced, providing for rights as well as obligations.

Biotechnological inventions

By way of an exception to its general requirement that patents be available without discrimination as to the area of technology in question, the TRIPS Agreement allows Members to exclude from patentability certain plant and animal inventions. Article 27.3(b) provides for a review of these provisions in 1999. No work has yet been undertaken on this matter in the TRIPS Council. However, it is clear from work that has taken place in the WTO Committee on Trade and Environment that a number of Members see issues of biodiversity as relevant. Therefore, it is not unlikely that, in the review to be undertaken in the TRIPS Council, there will be suggestions not only for obtaining a better understanding of how biotechnological inventions are presently protected and whether the TRIPS provisions are adequate in this connection, but also for examining issues of benefit-sharing with communities or countries that have been the source of genetic material used in biotechnological inventions and the protection of indigenous knowledge in this area. Given the importance and difficulty of these issues, it may well be difficult for the TRIPS Council to make much progress towards consensus in the context of the 1999 review. However, these issues are clearly candidates for inclusion in

possible further negotiations to be launched at the end of 1999.

Non-violation complaints

An unusual feature of the WTO dispute settlement mechanism is that causes of action under it can not only be an alleged violation of a WTO obligation but also an allegation that a benefit that should accrue is being nullified or impaired as a result of a measure taken by another Member which does not itself conflict with that Member's obligations or, indeed, as a result of «the existence of any other situation». As a result of last-minute negotiations at the end of 1993, a moratorium on the application of such non-violation complaints in the TRIPS area was agreed upon for the first five years of the WTO (Article 64.2). It was also agreed that during this period the TRIPS Council would examine the scope and modalities for complaints of the type. Unless a decision is taken by consensus to extend the five-year moratorium (or on another recommendation regarding scope and modalities), the moratorium will come to an end on 1 January 2000. So far, the TRIPS Council has not examined the matter, but will have to do so during the course of 1999.

Review of the TRIPS Agreement as a whole

Article 71.1 calls on the Council for TRIPS to review the Agreement after the year 2000 in the context of seeing whether any modification or amendment is warranted.

2. Electronic commerce

Global electronic commerce is growing rapidly and creating new opportunities for trade. It is also imposing new questions and challenges for international trade relations, not least in the area of protection of intellectual property rights. Earlier this year, the WTO Secretariat published a study on electronic commerce. This highlighted, amongst other points, the following as far as intellectual property rights are concerned:

- the continued validity of the basic principles of intellectual pro-

perty protection, notably the reproduction right in the area of copyright, and the importance of the TRIPS Agreement and its effective implementation in this connection;

- that providing secure conditions for the distribution of copyright material was a precondition for full exploitation of the possibilities of electronic commerce and the importance of the new WIPO treaties in this connection;

- the challenges posed by the use of trademarks on the Internet and their relationship to Internet domain names;

- the impact that information technology and the Internet will have on the way intellectual property rights are administered, for example in relation to the procedures of industrial property offices and the collective administration of rights;

- problems with determining the applicable law and implications for territorially-based distribution and licensing arrangements that result from the «borderless» nature of the Internet.

At the May 1998 Ministerial Conference of the WTO, Ministers agreed to establish a comprehensive work programme to examine all trade-related issues relating to global electronic commerce. This work programme will involve the relevant WTO bodies, including the Council for TRIPS, and recognize the work undertaken in other international fora, for example WIPO. The General Council is required to report to the third WTO Ministerial Conference, to be held at the end of 1999 with any recommendations for action.

Thus, there will be consideration, over the period until the end of 1999, as to whether the TRIPS Agreement needs adaptation in the light of the growing importance of electronic commerce, and, if so, whether this should form part of a broader negotiating exercise to be launched at that time. One suggestion that has already been made is that consideration should be given to the incorporation into the

TRIPS Agreement of the 1996 WIPO copyright treaties, in the same way as the substantive obligations of various other WIPO treaties are incorporated.

3. Investment and competition policy

The recommendations that the General Council is required to make to the third WTO Ministerial Conference, at the end of 1999, include recommendations arising from the work programme initiated at the second WTO Ministerial Conference, held in Singapore in December 1996. Two elements of this work are of particular interest from the perspective of the treatment of intellectual property rights in the WTO framework; these concern investment and competition policy. The Singapore Ministerial Conference established Working Groups to examine the relationship between trade, on the one hand, and, respectively, investment and competition policy on the other. Each of these are areas which some WTO Members would like to see the subject of negotiations to be launched at the end of 1999, but the Working Groups have a mandate to study their respective areas without prejudice to any eventual negotiations.

In regard to investment, a basic question that will no doubt be before the WTO Members in 1999 is whether to launch negotiations on a multilateral agreement on the protection and treatment of foreign investment. One of the issues that will have to be addressed, either in working on the mandate for any such negotiations or in the negotiations themselves, is how intellectual property rights would be treated in such an exercise. Most modern investment treaties treat intellectual property rights as a form of asset that falls within the definition of investment for the purposes of the agreement in question. They are thus, in general, subject to its rules. If negotiations on a WTO investment agreement are to take place and if they are to cover intellectual property assets, it will be necessary to work out the relationship between any provisions in such an agreement on the protection of investment and the provisions of the TRIPS Agreement.

As regards competition policy, one of the topics under debate in the Working Group is the relationship between the trade-related aspects of intellectual property rights and competition policy. This relationship is, in general terms, addressed in the TRIPS Agreement. The TRIPS Agreement recognizes the right of Members to take measures to prevent the anti-competitive abuse of intellectual property rights, provided that such measures are consistent with its provisions. It relaxes some of the conditions that have to be met in the event of the grant of a compulsory licence in the patents area in such circumstances. It also provides for consultation and cooperation between «home» and «host» governments with regard to anti-competitive practices in contractual licences, including the exchange of information between them. It is too early to assess whether the work on competition policy will lead to the launching of a negotiation at the end of 1999 and, if so, how intellectual property rights might be treated in that context.

4. Special sessions of the General Council

By a decision taken at the May 1998 WTO Ministerial Conference, the WTO General Council is to meet in special session to prepare recommendations regarding the WTO future work programme so as to enable decisions to be taken at the third WTO Ministerial Conference, to be held in the United States at the end of 1999. These recommendations are to be made in the context of the role of the WTO as a forum for multilateral trade negotiations and are to include «further liberalization, sufficiently broad-based to respond to the range of interests and concerns of all Members».

As mentioned earlier, funnelling into this work will be the recommendations arising from work on the built-in agenda and on electronic commerce and from that launched at Singapore, including on investment and competition policy. In addition, recommendations can be made arising from the consideration of other matters proposed in the special session of the General Council framework itself.

Member governments are still in the process of reflecting both on the overall position they will take in this work in the General Council and the position they will take in specific areas such as intellectual property. An unknown variable is what will be the shape and scope of the negotiations to be launched at the end of 1999. Some negotiations are already mandated by the built-in agenda, notably in agriculture and services. However, whether the WTO will launch a new comprehensive round or have a more sectorally-oriented approach or some combination remains unclear and matters on which different views are expressed by Members.

In the area of intellectual property, a number of broad areas have already been flagged by certain Members. Some of these relate to overall concerns about the balance of the TRIPS Agreement, particularly from a developmental perspective. More specific points relate to some of the issues already discussed in this article, namely the protection of biotechnological inventions and plant varieties and benefit-sharing with developers of indigenous biotechnology and know-how. Issues relating to electronic commerce have also been referred to, such as the incorporation of the substantive obligations of the 1996 WIPO copyright treaties. As mentioned earlier, there are also the issues connected with geographical indications. However, it is early days as yet and this should not be viewed as an exhaustive list of possible areas of intellectual property that might be suggested for negotiation.

III. CONCLUDING REMARKS

WTO Members can look back on the first three and a half years of the TRIPS Agreement with some satisfaction. Implementation by developed countries has been broadly satisfactory, although not without its gaps and delays. The TRIPS Council has developed and run important mechanisms for monitoring compliance. The dispute settlement mechanism has, in general, worked well and has already yielded positive results in the TRIPS area. A huge amount has been done by developing countries in anticipation of the end of their transition

periods. Cooperation with WIPO has been established and is going well. Some useful work has been done on the built-in agenda.

However, the principal challenges probably remain for the future. Much still has to be done by developing countries to bring themselves into compliance. The mechanisms of the WTO, in particular the TRIPS Council and the dispute settlement system, have to show that they have the capacity to deal with compliance issues arising from implementation by more than 130 Members as opposed to the 30 plus countries so far. As for the further development of the Agreement, the coming period leading to the possible launching of broad-based negotiations in the WTO at the end of 1999 will be a critical period for reflection and consensus-building on the way in which the TRIPS Agreement should evolve in the future.

IV. ANNEX

STATE OF PLAY IN WTO TRIPS DISPUTES, MAY 1998

Respondents	Complainants	Issue	Status
Japan	USA		

EC	Protection of existing sound recordings	Mutually agreed solutions
Pakistan	USA Mailbox and exclusive marketing rights for pharmaceutical and agricultural chemical products	Mutually agreed solution
Portugal	USA 20-year term for existing patents	Mutually agreed solution
India	USA Mailbox and exclusive marketing rights for pharmaceutical and agricultural chemical products	Adopted Panel and Appellate Body reports.
		India has undertaken to bring itself into compliance by April 1999.

EC

	Panel Report to be issued end August 1998	Indonesia	USA
	Trademark provisions of national automobile industry programme		
	Panel report adopted by Dispute Settlement Body	Ireland	

EC USA Compliance by Ireland with TRIPS provisions on copy-
right and neighbouring rights Bilateral consultations Denmark USA
Availability of provisional measures in the context of civil procee-
dings Bilateral consultations Sweden USA Availability of provisional
measures in the context of civil proceedings Bilateral consultations
Canada EC Certain unauthorized uses of patented pharmaceutical
inventions prior to the expiry of the patent Bilateral consultations
Greece

EC USA Availability of effective remedies against copyright
infringement in Greece with respect to unauthorized broadcasts
Bilateral consultations.