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As Gervais points out, TRIPS is one of the most significant milestones in the development of intellectual property in 20th century and perhaps more importantly than its broad coverage, the TRIPS Agreement has enshrined detailed rules on one of the most difficult and, for

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the rights holder,  
painful aspects of  
intellectual property  
rights: enforcement.'

## **The TRIPS agreement: Drafting history and analysis**

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Gervais (2012-11-23)  
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Drafting History and Analysis, released in 2012, includes a new grid that shows the differences between the rules each nation originally hoped the agreement would incorporate and the actual provisions of the final agreement.

Gervais also added a comprehensive drafting history of the agreement, based on his observation that some WTO panels were



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using earlier drafts of the agreement to help interpret its provisions.

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Gervais, Sweet & Maxwell/Thomson Reuters, 2012, 0414023137, 9780414023130, . A comprehensive guide to the Agreement on Trade-Related Aspects of Intellectual Property Rights aka the TRIPS Agreement, presented in three

**Download The TRIPS Agreement: Drafting History and ...**

Daniel Gervais

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conceived of his definitive book, *The TRIPS Agreement: Drafting History and Analysis*, the fourth edition of which was released by Sweet & Maxwell on December 31, 2012, while working at the World Trade Organization (WTO) on TRIPS' predecessor, the General Agreement on Tariffs and Trade (GATT), in the early 1990s.

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TRIPS was negotiated during the Uruguay Round of the General Agreement on Tariffs and Trade (GATT) in 1986-1994. Its inclusion was the culmination of a program of intense lobbying by the United States, supported by the European Union,

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Japan and other developed nations.

## **TRIPS Agreement - Wikipedia**

viii The making of the TRIPS Agreement  
Mogens Peter Carl  
Mogens Peter Carl is the former Director-General of Environment and Director-General for External Trade at the European Commission. He was the chief TRIPS negotiator for Europe

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during the Uruguay Round. He has held the role of personal representative of the French Minister for Energy,

### **The making of the TRIPS Agreement: Personal insights from ...**

J.H. Reichman,  
Implications of the Draft TRIPs Agreement for Developing Countries as Competitors in an



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Integrated World  
Market  
UNCTAD/OSG/DP/73,  
Geneva, 1993 South  
Centre, Foreign Direct  
Investment,  
Development and the  
New Global Economic  
Order. A Policy Brief for  
the South South  
Centre, Geneva, 1997

## **Books « The TRIPS Agreement**

The negotiations of the  
TRIPS Agreement  
began with the

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Ministerial Conference of the General Agreement on Tariffs and Trade (GATT) in Punta del Este, Uruguay. Held in September 1986, the conference came at a critical point in time when the negotiations between

## **THE OBJECTIVES AND PRINCIPLES OF THE TRIPS AGREEMENT**

The origins of Articles 7

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and 8 of the TRIPS Agreement can be traced back to the Ministerial Conference of the General Agreement on Tariffs and Trade 8 (GATT) in Punta del Este,

### **The Objectives and Principles of the TRIPS Agreement**

Buy The TRIPS Agreement: Drafting History and Analysis (Intellectual Property) 5th edition by Gervais,

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Daniel (ISBN: 9780414057432) from Amazon's Book Store. Everyday low prices and free delivery on eligible orders.

## **The TRIPS Agreement: Drafting History and Analysis**

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8 through the Doha Declaration on TRIPS and Public Health.<sup>11</sup> 5. Carlos M Correa, Trade Related Aspects of Intellectual Property

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Rights: A Commentary on the TRIPS

Agreement (Oxford, UK: Oxford University Press, 2007) at 93. 6. Vienna Convention on the Law of Treaties, 23 May 1969, 1153 UNTS 331 (entered into force 27 January 1980). 7.

## **The Objectives and Principles of the WTO TRIPS Agreement ...**

for TRIPS"). Article 2 Intellectual Property

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Conventions 1. In respect of Parts II, III and IV of this Agreement, Members shall comply with Articles 1 through 12, and Article 19, of the Paris Convention (1967). 2. Nothing in Parts I to IV of this Agreement shall derogate from existing obligations that Members

## **ANNEX 1C** **AGREEMENT ON**

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## Drafting History **TRADE-RELATED ASPECTS OF ...**

1. Agreement on Trade-Related Aspects of Intellectual Property Rights, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C, Legal Instruments—Results of the Uruguay Round, 1869 U.N.T.S. 299, 33 I.L.M. 1197 (1994) [hereinafter TRIPS Agreement]. 2. See Request for the

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Establishment of a Panel by Ukraine, Australia—

## **Plain Packaging and the Interpretation of the TRIPS Agreement**

The enforcement chapter of the TRIPS Agreement (Part III, Articles 41-61) where new rules concerning domestic enforcement producers and remedies were established for the first



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time in the history of public international law, did not seem to respond sufficiently to the expectations of US officials and industries who wished for clearer rules and a more effective enforcement system.

## **'TRIPS Plus' Provisions in US Free Trade Agreements**

11. See, e.g., DANIEL GERVAIS, *THE TRIPS*

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AGREEMENT:

DRAFTING HISTORY

AND NEGOTIATING

HISTORY 167 (1998);

Martin J. Adelman &  
Sonia Badia, Prospects  
and Limits of the

Patent Provision in the  
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Case of India, 29

VAND. J. TRANSNAT'L L.  
507, 517

## **Patent Rights and Local Working Under the WTO TRIPS ...**

A history of  
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history of  
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Patent law: Article 28  
of the TRIPS  
Agreement (1) Patent  
law: Article 28 of the  
TRIPS Agreement (2) ...  
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