

## Protocol Amending the TRIPS Agreement

Done at Geneva on 6 December 2005

Entry into force: 23 January 2017<sup>259</sup>

Text: WTO Treaty Series No. 34, [WT/Let/508](#), [WT/L/641](#)

UN Registration: 25 April 2018, [A-31874](#), [No. 68488](#)

UNTS: [not yet determined](#)

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### Relevant clauses

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1. The Agreement on Trade-Related Aspects of Intellectual Property Rights (the "TRIPS Agreement") shall, upon the entry into force of the Protocol pursuant to paragraph 4, be amended as set out in the Annex to this Protocol, by inserting Article 31 *bis* after Article 31 and by inserting the Annex to the TRIPS Agreement after Article 73.
2. Reservations may not be entered in respect of any of the provisions of this Protocol without the consent of the other Members.
3. This Protocol shall be open for acceptance by Members until 1 December 2007 or such later date as may be decided by the Ministerial Conference.<sup>260</sup>
4. This Protocol shall enter into force in accordance with paragraph 3 of Article X of the WTO Agreement.
5. This Protocol shall be deposited with the Director-General of the World Trade Organization who shall promptly furnish to each Member a certified copy thereof and a notification of each acceptance thereof pursuant to paragraph 3.

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<sup>259</sup> See [WT/Let/1236](#).

<sup>260</sup> The General Council extended the deadline to 31 December 2009, to 31 December 2011, to 31 December 2013, to 31 December 2015, to 31 December 2017, 31 December 2019, and then to 31 December 2021 (or such later date as may be decided by the Ministerial Conference) by decisions adopted on 18 December 2007 ([WT/L/711](#)), 17 December 2009 ([WT/L/785](#)), 30 November 2011 ([WT/L/829](#)), 26 November 2013 ([WT/L/899](#)), 30 November 2015 ([WT/L/965](#)), 30 November 2017 ([WT/L/1024](#)), and 10 December 2019 ([WT/L/1081](#)).

**Acceptances**<sup>261</sup>

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Albania .....	28 Jan 2009	23 Jan 2017	<a href="#">WT/Let/639</a>
Antigua and Barbuda.....	12 May 2021	12 May 2021	<a href="#">WT/Let/1551</a>
Argentina .....	20 Oct 2011	23 Jan 2017	<a href="#">WT/Let/830</a>
Australia .....	12 Sep 2007	23 Jan 2017	<a href="#">WT/Let/593</a>
Bahrain, Kingdom of .....	4 Aug 2009	23 Jan 2017	<a href="#">WT/Let/652</a>
Bangladesh .....	15 Mar 2011	23 Jan 2017	<a href="#">WT/Let/758</a>
Barbados .....	1 April 2020	1 April 2020	<a href="#">WT/Let/1466</a>
Belize .....	15 Sep 2016	23 Jan 2017	<a href="#">WT/Let/1197</a>
Benin .....	23 Nov 2016	23 Jan 2017	<a href="#">WT/Let/1216</a>
Bolivia, Plurinational State of .....	30 Jan 2018	30 Jan 2018	<a href="#">WT/Let/1334</a>
Botswana .....	18 Jun 2014	23 Jan 2017	<a href="#">WT/Let/953</a>
Brazil .....	13 Nov 2008	23 Jan 2017	<a href="#">WT/Let/636</a>
Brunei Darussalam .....	10 Apr 2015	23 Jan 2017	<a href="#">WT/Let/1037</a>
Burkina Faso .....	17 Jan 2017	23 Jan 2017	<a href="#">WT/Let/1235</a>
Burundi.....	12 Dec 2019	12 Dec 2019	<a href="#">WT/Let/1455</a>
Cambodia .....	1 Nov 2011	23 Jan 2017	<a href="#">WT/Let/833</a>
Canada .....	16 Jun 2009	23 Jan 2017	<a href="#">WT/Let/646</a>
Central African Republic .....	13 Jan 2014	23 Jan 2017	<a href="#">WT/Let/920</a>
Chile .....	26 Jul 2013	23 Jan 2017	<a href="#">WT/Let/888</a>
China .....	28 Nov 2007	23 Jan 2017	<a href="#">WT/Let/607</a>
Colombia .....	7 Aug 2009	23 Jan 2017	<a href="#">WT/Let/650</a>
Congo .....	31 Oct 2017	31 Oct 2017	<a href="#">WT/Let/1285</a>
Costa Rica .....	8 Dec 2011	23 Jan 2017	<a href="#">WT/Let/838</a>
Côte d'Ivoire .....	7 May 2018	7 May 2018	<a href="#">WT/Let/1353</a>
Croatia .....	6 Dec 2010	23 Jan 2017	<a href="#">WT/Let/747</a>

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<sup>261</sup> As indicated in document [WT/Let/611](#), on 31 January 2008 the following communication was received from the Netherlands:

"The Minister of Foreign Affairs of the Kingdom of the Netherlands, DECLARES, in conformity with the provisions of paragraph 3 of the Protocol amending the TRIPS Agreement, done at Geneva on 6 December 2005, that the Kingdom of the Netherlands, ACCEPTS the said Protocol for the Netherlands Antilles and Aruba, and that the provisions so accepted shall be observed in their entirety.

Signed and sealed at the Hague, 21 January 2008".

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Cuba .....	6 Jun 2019	6 Jun 2019	<a href="#">WT/Let/1437</a>
Dominica .....	28 Nov 2016	23 Jan 2017	<a href="#">WT/Let/1219</a>
Dominican Republic .....	23 May 2013	23 Jan 2017	<a href="#">WT/Let/884</a>
Egypt .....	18 Apr 2008	23 Jan 2017	<a href="#">WT/Let/617</a>
El Salvador .....	19 Sep 2006	23 Jan 2017	<a href="#">WT/Let/548</a>
European Union <sup>262, 263, 264</sup> .....	30 Nov 2007	23 Jan 2017	<a href="#">WT/Let/608</a>
Fiji .....	1 May 2017	1 May 2017	<a href="#">WT/Let/1254</a>
Gabon .....	23 Nov 2017	23 Nov 2017	<a href="#">WT/Let/1324</a>
The Gambia.....	20 Oct 2020	20 Oct 2020	<a href="#">WT/Let/1475</a>
Georgia .....	21 Nov 2018	21 Nov 2018	<a href="#">WT/Let/1420</a>
Grenada .....	8 Dec 2015	23 Jan 2017	<a href="#">WT/Let/1107</a>
Guinea .....	15 Feb 2018	15 Feb 2018	<a href="#">WT/Let/1340</a>
Honduras .....	16 Dec 2011	23 Jan 2017	<a href="#">WT/Let/843</a>
Hong Kong, China .....	27 Nov 2007	23 Jan 2017	<a href="#">WT/Let/606</a>
Iceland .....	12 Oct 2015	23 Jan 2017	<a href="#">WT/Let/1088</a>
India .....	26 Mar 2007	23 Jan 2017	<a href="#">WT/Let/572</a>

<sup>262</sup> The text of the instrument of acceptance reads as follows:

"THE PRESIDENT OF THE COUNCIL OF THE EUROPEAN UNION,

HAVING regard to the Treaty establishing the European Community, and in particular Article 133(5) in conjunction with the first sentence of the first subparagraph of Article 300(2) and the second subparagraph of Article 300(3) thereof, NOTIFIES by these presents the acceptance, by the European Community, of the Protocol amending the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), done at Geneva on 6 December 2005, CONFIRMS, in accordance with Article 300(7) of the Treaty establishing the European Community, that the Protocol will be binding on the Member States of the European Union.

The Secretary-General/High Representative

The President of the Council of the European Union"

<sup>263</sup> On 1 December 2009, the European Union succeeded the European Community ([WT/Let/679](#)).

<sup>264</sup> On 27 January 2020, the European Union submitted a Note Verbale indicating that the United Kingdom would cease to be a Member State of the European Union and of Euratom on 1 February 2020, and that the Withdrawal Agreement setting out the arrangements for the withdrawal of the United Kingdom from the European Union and Euratom provides for a time-limited transition period during which, save certain very limited exceptions, Union law shall be applicable to and in the United Kingdom. The European Union also indicated that during the same transition period the United Kingdom is treated as a Member State of the European Union and of Euratom for the purposes of relevant international agreements ([WT/Let/1462](#)). See also the confirmation of the latter specifically in regard to the Protocol Amending the TRIPS Agreement in the communication from the United Kingdom dated 1 February 2020 ([WT/GC/206](#)).

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Indonesia .....	20 Oct 2011	23 Jan 2017	<a href="#">WT/Let/831</a>
Israel .....	10 Aug 2007	23 Jan 2017	<a href="#">WT/Let/582</a>
Japan .....	31 Aug 2007	23 Jan 2017	<a href="#">WT/Let/592</a>
Jordan .....	6 Aug 2008	23 Jan 2017	<a href="#">WT/Let/630</a>
Kenya .....	21 Jul 2015	23 Jan 2017	<a href="#">WT/Let/1052</a>
Korea, Republic of .....	24 Jan 2007	23 Jan 2017	<a href="#">WT/Let/558</a>
Kyrgyz Republic .....	6 Feb 2018	6 Feb 2018	<a href="#">WT/Let/1338</a>
Lao People's Democratic Republic .....	29 Sep 2015	23 Jan 2017	<a href="#">WT/Let/1084</a>
Lesotho .....	4 Jan 2016	23 Jan 2017	<a href="#">WT/Let/1122</a>
Liechtenstein .....	23 Jan 2017	23 Jan 2017	<a href="#">WT/Let/1235</a>
Macao, China .....	16 Jun 2009	23 Jan 2017	<a href="#">WT/Let/645</a>
Madagascar .....	9 Nov 2017	9 Nov 2017	<a href="#">WT/Let/1321</a>
Malawi .....	24 Jul 2017	24 Jul 2017	<a href="#">WT/Let/1272</a>
Malaysia .....	10 Dec 2015	23 Jan 2017	<a href="#">WT/Let/1108</a>
Mali .....	20 Jan 2016	23 Jan 2017	<a href="#">WT/Let/1129</a>
Mauritius .....	16 Apr 2008	23 Jan 2017	<a href="#">WT/Let/619</a>
Mexico .....	23 May 2008	23 Jan 2017	<a href="#">WT/Let/620</a>
Moldova, Republic of .....	7 Jul 2015	23 Jan 2017	<a href="#">WT/Let/1048</a>
Mongolia .....	17 Sep 2010	23 Jan 2017	<a href="#">WT/Let/684</a>
Montenegro .....	9 Sep 2013	23 Jan 2017	<a href="#">WT/Let/893</a>
Morocco .....	2 Dec 2008	23 Jan 2017	<a href="#">WT/Let/638</a>
Myanmar .....	16 Dec 2015	23 Jan 2017	<a href="#">WT/Let/1114</a>
Nepal .....	11 Mar 2016	23 Jan 2017	<a href="#">WT/Let/1138</a>
New Zealand .....	21 Oct 2011	23 Jan 2017	<a href="#">WT/Let/832</a>
Nicaragua .....	25 Jan 2010	23 Jan 2017	<a href="#">WT/Let/663</a>
Niger.....	13 Mar 2020	13 Mar 2020	<a href="#">WT/Let/1465</a>
Nigeria .....	16 Jan 2017	23 Jan 2017	<a href="#">WT/Let/1235</a>
North Macedonia <sup>265</sup> .....	16 Mar 2010	23 Jan 2017	<a href="#">WT/Let/671</a>
Norway .....	5 Feb 2007	23 Jan 2017	<a href="#">WT/Let/563</a>

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<sup>265</sup> Formerly "the former Yugoslav Republic of Macedonia".

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Oman .....	1 Mar 2017	1 Mar 2017	<a href="#">WT/Let/1245</a>
Pakistan .....	8 Feb 2010	23 Jan 2017	<a href="#">WT/Let/664</a>
Panama .....	24 Nov 2011	23 Jan 2017	<a href="#">WT/Let/837</a>
Papua New Guinea .....	22 Jun 2016	23 Jan 2017	<a href="#">WT/Let/1173</a>
Paraguay .....	4 Jul 2018	4 Jul 2018	<a href="#">WT/Let/1380</a>
Peru .....	13 Sep 2016	23 Jan 2017	<a href="#">WT/Let/1196</a>
Philippines .....	30 Mar 2007	23 Jan 2017	<a href="#">WT/Let/573</a>
Qatar .....	6 Apr 2016	23 Jan 2017	<a href="#">WT/Let/1147</a>
Russian Federation .....	22 Sep 2017	22 Sep 2017	<a href="#">WT/Let/1278</a>
Rwanda .....	12 Dec 2011	23 Jan 2017	<a href="#">WT/Let/839</a>
Saint Kitts and Nevis .....	27 Jul 2015	23 Jan 2017	<a href="#">WT/Let/1055</a>
Saint Lucia .....	2 May 2016	23 Jan 2017	<a href="#">WT/Let/1156</a>
Saint Vincent and the Grenadines .....	9 May 2017	9 May 2017	<a href="#">WT/Let/1258</a>
Samoa .....	21 Apr 2016	23 Jan 2017	<a href="#">WT/Let/1153</a>
Saudi Arabia, Kingdom of .....	29 May 2012	23 Jan 2017	<a href="#">WT/Let/855</a>
Senegal .....	18 Jan 2011	23 Jan 2017	<a href="#">WT/Let/753</a>
Seychelles .....	8 Jun 2016	23 Jan 2017	<a href="#">WT/Let/1168</a>
Sierra Leone .....	21 Mar 2017	21 Mar 2017	<a href="#">WT/Let/1248</a>
Singapore .....	28 Sep 2007	23 Jan 2017	<a href="#">WT/Let/594</a>
South Africa .....	23 Feb 2016	23 Jan 2017	<a href="#">WT/Let/1134</a>
Sri Lanka .....	9 Sep 2015	23 Jan 2017	<a href="#">WT/Let/1080</a>
Switzerland .....	13 Sep 2006	23 Jan 2017	<a href="#">WT/Let/547</a>
Chinese Taipei .....	31 Jul 2012	23 Jan 2017	<a href="#">WT/Let/870</a>
Tajikistan .....	23 May 2016	23 Jan 2017	<a href="#">WT/Let/1164</a>
Tanzania .....	14 Mar 2016	23 Jan 2017	<a href="#">WT/Let/1139</a>
Thailand .....	28 Jan 2016	23 Jan 2017	<a href="#">WT/Let/1132</a>
Togo .....	13 Mar 2012	23 Jan 2017	<a href="#">WT/Let/848</a>
Trinidad and Tobago .....	19 Sep 2013	23 Jan 2017	<a href="#">WT/Let/894</a>
Turkey .....	14 May 2014	23 Jan 2017	<a href="#">WT/Let/949</a>
Uganda .....	12 Jul 2010	23 Jan 2017	<a href="#">WT/Let/678</a>

	<i>Acceptance</i>	<i>Entry into force</i>	<i>Notification</i>
Ukraine .....	16 Mar 2016	23 Jan 2017	<a href="#">WT/Let/1142</a>
United Arab Emirates .....	23 Jan 2017	23 Jan 2017	<a href="#">WT/Let/1235</a>
United Kingdom (for the United Kingdom of Great Britain and Northern Ireland, the Bailiwicks of Guernsey and Jersey and the Isle of Man) (continued acceptance) <sup>266</sup> .....	1 Jan 2021	1 Jan 2021	<a href="#">WT/Let/1500</a>
United States of America .....	17 Dec 2005	23 Jan 2017	<a href="#">WT/Let/506</a>
Uruguay .....	31 Jul 2014	23 Jan 2017	<a href="#">WT/Let/984</a>
Viet Nam .....	23 Jan 2017	23 Jan 2017	<a href="#">WT/Let/1235</a>
Zambia .....	10 Aug 2009	23 Jan 2017	<a href="#">WT/Let/651</a>

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<sup>266</sup> See [WT/GC/226](#), paras. 2.8 and 2.10.