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1 ARTICLE 63 OF THE AGREEMENT ON TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS

1.1 Text of Article 63

Article 63

Transparency

1. Laws and regulations, and final judicial decisions and administrative rulings of general application, made effective by a Member pertaining to the subject matter of this Agreement (the availability, scope, acquisition, enforcement and prevention of the abuse of intellectual property rights) shall be published, or where such publication is not practicable made publicly available, in a national language, in such a manner as to enable governments and right holders to become acquainted with them. Agreements concerning the subject matter of this Agreement which are in force between the government or a governmental agency of a Member and the government or a governmental agency of another Member shall also be published.

2. Members shall notify the laws and regulations referred to in paragraph 1 to the Council for TRIPS in order to assist that Council in its review of the operation of this Agreement. The Council shall attempt to minimize the burden on Members in carrying out this obligation and may decide to waive the obligation to notify such laws and regulations directly to the Council if consultations with WIPO on the establishment of a common register containing these laws and regulations are successful. The Council shall also consider in this connection any action required regarding notifications pursuant to the obligations under this Agreement stemming from the provisions of Article 6~~ter~~ of the Paris Convention (1967).

3. Each Member shall be prepared to supply, in response to a written request from another Member, information of the sort referred to in paragraph 1. A Member, having reason to believe that a specific judicial decision or administrative ruling or bilateral agreement in the area of intellectual property rights affects its rights under this Agreement, may also request in writing to be given access to or be informed in sufficient detail of such specific judicial decisions or administrative rulings or bilateral agreements.

4. Nothing in paragraphs 1, 2 and 3 shall require Members to disclose confidential information which would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of particular enterprises, public or private.

1.2 Article 63.2

1.2.1 Notification requirements

1. At its meeting of 21 November 1995, the Council for Trade-Related Aspects of Intellectual Property Rights (Council for TRIPS) adopted Decisions on the rules of procedure for notification under Article 63.2 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)¹, including a possible format for listing of "Other Laws and Regulations"² and a Checklist

¹ [IP/C/M/4](#), Section A(2)(i). The procedures can be found in Council Decision [IP/C/2](#). These documents are being circulated in the [IP/N/1*](#) document series.

²² [IP/C/M/4](#), Section A(2)(i). The format can be found in the Decision of the Council for TRIPS, [IP/C/4](#). These documents are being circulated in the [IP/N/6*](#) document series.

of Issues on Enforcement.³ Members may use the e-TRIPS Submission System to submit notifications under Article 63.2 of the TRIPS Agreement, and the e-TRIPS Gateway to access notifications by Members.⁴ Article 2 of the Agreement between the World Intellectual Property Organization and the World Trade Organization contains provisions relevant to notifications and translation of laws and regulations under Article 63.2 of the TRIPS Agreement.⁵

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³ [IP/C/M/4](#), Section A(2)(i). The Checklist can be found in the Decision of the Council for TRIPS, [IP/C/5](#).

⁴ The e-TRIPS Submission System and e-TRIPS Gateway are available at https://www.wto.org/english/tratop_e/trips_e/etrips_e.htm.

⁵ The text of the Agreement can be found in [IP/C/6](#).