

**Council for Trade-Related Aspects  
of Intellectual Property Rights**

**EXTENSION OF THE TRANSITION PERIOD UNDER ARTICLE 66.1  
FOR LEAST-DEVELOPED COUNTRY MEMBERS**

Decision of the Council for TRIPS of 29 November 2005

The Council for Trade-Related Aspects of Intellectual Property Rights (the "Council for TRIPS"),

*Having regard* to paragraph 1 of Article 66 of the TRIPS Agreement (the "Agreement");

*Recalling that*, unless extended, the transition period granted to least-developed country Members under Article 66.1 of the Agreement will expire on 1 January 2006;

*Having regard* to the request from least-developed country Members of the World Trade Organization (the "WTO"), dated 13 October 2005, for an extension of their transition period under Article 66.1 of the Agreement contained in document IP/C/W/457;

*Recognizing* the special needs and requirements of least-developed country Members, the economic, financial and administrative constraints that they continue to face, and their need for flexibility to create a viable technological base;

*Recognizing* the continuing needs of least-developed country Members for technical and financial cooperation so as to enable them to realize the cultural, social, technological and other developmental objectives of intellectual property protection;

*Decides* as follows:

I

*Extension of the transition period under Article 66.1 of the Agreement  
for least-developed country Members*

1. Least-developed country Members shall not be required to apply the provisions of the Agreement, other than Articles 3, 4 and 5, until 1 July 2013, or until such a date on which they cease to be a least-developed country Member, whichever date is earlier.

## II

### *Enhanced technical cooperation for least-developed country Members*

2. With a view to facilitating targeted technical and financial cooperation programmes, all the least-developed country Members will provide to the Council for TRIPS, preferably by 1 January 2008, as much information as possible on their individual priority needs for technical and financial cooperation in order to assist them taking steps necessary to implement the TRIPS Agreement.

3. Developed country Members shall provide technical and financial cooperation in favour of least-developed country Members in accordance with Article 67 of the Agreement in order to effectively address the needs identified in accordance with paragraph 2.

4. In order to assist least-developed country Members to draw up the information to be presented in accordance with paragraph 2, and with a view to making technical assistance and capacity building as effective and operational as possible, the WTO shall seek to enhance its cooperation with the World Intellectual Property Organization and with other relevant international organizations.

## III

### *General provisions*

5. Least-developed country Members will ensure that any changes in their laws, regulations and practice made during the additional transitional period do not result in a lesser degree of consistency with the provisions of the TRIPS Agreement.

6. This Decision is without prejudice to the Decision of the Council for TRIPS of 27 June 2002 on "Extension of the Transition Period under Article 66.1 of the TRIPS Agreement for Least-Developed Country Members for Certain Obligations with respect to Pharmaceutical Products" (IP/C/25), and to the right of least-developed country Members to seek further extensions of the period provided for in paragraph 1 of Article 66 of the Agreement.

---