

**AMENDMENT OF THE TRIPS AGREEMENT – SECOND EXTENSION OF THE PERIOD
FOR THE ACCEPTANCE BY MEMBERS OF THE PROTOCOL AMENDING
THE TRIPS AGREEMENT**

Decision of 17 December 2009

The General Council,

Conducting the functions of the Ministerial Conference in the interval between meetings pursuant to paragraph 2 of Article IV of the Marrakesh Agreement establishing the World Trade Organization (the "WTO Agreement");

Having regard to paragraph 2 of the Decision of the General Council of 6 December 2005 on the Amendment of the TRIPS Agreement (the "TRIPS Amendment Decision") and paragraph 3 of the Protocol Amending the TRIPS Agreement (the "Protocol")¹, which provide that the Protocol shall be open for acceptance by Members until 1 December 2007 or such later date as may be decided by the Ministerial Conference;

Recalling that the General Council, by its decision of 18 December 2007 (the "2007 Extension Decision")², initially extended the period for acceptances of the Protocol by Members until 31 December 2009 or such later date as may be decided by the Ministerial Conference;

Recalling also that, pursuant to paragraph 3 of the TRIPS Amendment Decision and paragraph 4 of the Protocol, the Protocol shall take effect and enter into force in accordance with the provisions of paragraph 3 of Article X of the WTO Agreement;

Noting that acceptance of the Protocol by two thirds of the Members in accordance with paragraph 3 of Article X of the WTO Agreement is taking longer than initially foreseen;

Having considered the proposal to further extend the period for acceptances of the Protocol submitted by the Council for TRIPS (IP/C/54);

Decides as follows:

The period for acceptances by Members of the Protocol Amending the TRIPS Agreement referred to in paragraph 2 of the TRIPS Amendment Decision and paragraph 3 of the Protocol, and extended by the 2007 Extension Decision, shall be further extended until 31 December 2011 or such later date as may be decided by the Ministerial Conference.

¹ WT/L/641.

² WT/L/711.