

# **Intellectual property: agreement on trade-related aspects of rights TRIPS, done at Geneva on 6 December 2005, amending protocol by the WTO**

2006/0060(AVC) - 19/11/2007 - Final act

**PURPOSE:** the acceptance, on behalf of the European Community, of the Protocol amending the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, done at Geneva on 6 December 2005.

**LEGISLATIVE ACT:** Council Decision on the acceptance, on behalf of the European Community, of the Protocol amending the TRIPS Agreement, done at Geneva on 6 December 2005.

**CONTENT:** the Council adopted a Council Decision on the acceptance, on behalf of the European Community, of the Protocol amending the World Trade Organisation's (WTO) agreement on the Trade-Related Aspects of Intellectual Property Rights (TRIPS), in order to improve access to pharmaceutical products for least developed countries.

This Protocol, adopted in Geneva in December 2005, aims to help developing countries in the fight against HIV/AIDS, Tuberculosis and Malaria by providing access to vital medicines at the lowest possible prices. This Protocol, which will enter into force as soon as it has been approved by two-thirds of the WTO members, will allow WTO members to export patent medicines to third countries which do not have the production capacity in the pharmaceutical sector, by making the waiver decision permanent for the compulsory licences initially adopted in 2003.

The amendment will bring to a close a process initiated by the Declaration on the TRIPS Agreement and Public Health presented by the Ministers during the Ministerial Conference of the WTO held in Doha in November 2001.