



**The WTO US -China Panel Report:
Findings and Implications
for the Future of IPRs Enforcement**

**Monday 23rd February 2009
14:45-17:30**

**World Meteorological Organization (WMO)
Room C 1
(Avenue de la Paix 7 bis, 1202 Geneva)**

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The United Nations Conference on Trade and Development (UNCTAD) and the International Centre for Trade and Sustainable Development (ICTSD) are pleased to invite you to a roundtable on: *The WTO US-China Panel Report: Findings and Implications for the Future of IPRs Enforcement*, Monday 23rd February 2009, 14:45-17h30, World Meteorological Organisation (WMO), Room C 1.

The objective of the roundtable is to examine the findings of the panel report in the WTO US-China dispute (*Measures Affecting the Protection and Enforcement of Intellectual Property Rights*) and discuss its implications for the future of IPRs enforcement.

Background

The enforcement of intellectual property rights (IPRs) has gained prominence in recent years on the global trade and intellectual property agenda. A number of initiatives and developments in this area at the global, regional and bilateral level carry wide reaching implications for the regulation of the knowledge economy.

In this context, the United States initiated, in April 2007, a WTO case against China, claiming that a number of Chinese measures and laws were inadequate for the effective enforcement of IPRs and were inconsistent with China's obligations under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

The panel's findings in this dispute were highly anticipated as it involved the interpretation by a WTO panel, for the first time, of a number of key TRIPS provisions on enforcement, such as Article 61, which requires countries to provide criminal penalties for trademark counterfeiting or copyright piracy "on a commercial scale" – without a clear definition of what this constitutes.

After a year of review of the claims and complaints involved, the WTO panel released its report on 26 January, 2009.

The main objective of the roundtable is to examine the findings of the panel in the US-China dispute and the reasoning behind them.

The roundtable will also examine the implications of the panel report for the future of IPRs enforcement and for efforts to achieve a balanced and development oriented implementation of the TRIPS Agreement.

UNCTAD and ICTSD have invited for this occasion a number of distinguished scholars and experts to provide analysis and opinions on the issues involved.

The interventions by key experts will be followed by a discussion with participants. Coffee and tea will be available.

We hope you will be able to participate in a lively exchange of ideas and contribute with your experience and expertise to the roundtable discussion.

PROGRAMME

Welcome and introduction.

Speakers

Key legal findings and implications of the US-China Panel Report

Peter Yu

Professor of Law and Director of the Intellectual Property Research Centre, Drake University

Systemic implications for international trade and WTO law

Joost Pauwelyn

Professor, International Economic Law and WTO Law,

The Graduate Institute of International and Development Studies

A perspective from developing countries and consumers

Atul Kaushik
Director, CUTS Geneva Resource Centre

Implications for the protection and enforcement of IPRs in China

Xuan Li
Coordinator, Innovation and Access to Knowledge Programme, South Centre

Exchange of views with participants

This event will take place at the World Meteorological Organization, on Monday 23rd of February 2009, 14h45-17h30, Room C1.

Pre-registration by February 20th is required due to limited space and security requirements.

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