

World Trade Organization (TRIPS)

Organization Background:

The **Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)** was negotiated between 1986 and 1994 by member states of the **World Trade Organization (WTO)**. Knowledge and ideas are vital to trade, leading to the growing importance of **intellectual property rights** and protection when these rights are exploited. This agreement introduces **intellectual property rights** into the international trading system and provides a standard for common international rule.



International trade rules were designed to introduce and maintain order and predictability. **TRIPS** protects **patents, copyrights, trademarks, and geographical indicators** to stabilize, balance, and secure the trade and transfer of technology and ideas in all **WTO** member states. Products such as films, books, electronics, and clothing are valued in the international economy because of the information they possess and the creativity they represent.

Trade in counterfeit and pirated goods threatens innovation, business competition, the livelihoods of workers, and, in some cases, national security. Trade in illegitimate goods is associated with smuggling and other criminal activities, and may fund terrorist groups. Products made without any oversight or environmental safety rules can endanger consumers' health and safety.

Before the **TRIPS** agreement, protection and enforcement of **intellectual property rights** varied around the world. These differences increased international tension as countries tried to negotiate and protect new technology and research on their own. Governments supporting **intellectual property** protection saw this as an incentive to produce more ideas that ultimately benefit all of society. However, weak laws or enforcement in one country may undermine strict laws in another. The **WTO's TRIPS** Agreement is an attempt to minimize gaps in the international trading system by establishing a precedent for intellectual property rights protection and enforcement for all **WTO** members.

The **WTO**, in partnership with the International Anti-Counterfeiting Coalition (IACC), is dedicated to legislating and enforcing strong penalties – including criminal penalties – for counterfeiters. The rules to protect intellectual property rights require regular updates as innovations and technologies emerge and international trading priorities shift.

Opening Position:

- You want to help stakeholders find consensus, practical solutions, and lasting stability.
- As an organ of the **WTO**, you act as an impartial arbiter.
- You will advocate for vigorous enforcement of laws against illegal counterfeit trade and protection of intellectual property rights.
- You can provide useful information and data to all parties on the consequences of intellectual property rights violations.

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Questions to Consider:

- What progress has TRIPS made on improving the situation regarding illegal counterfeit trade?
- What measures are in place to prevent intellectual property rights violations? How effective are these measures?
- What do WTO member states believe is the best way to handle the situation?
- How can TRIPS better assist other nations with information sharing and regulation of counterfeit trade?
- Can TRIPS advise stakeholders on alternative means for earning national income to replace illegal counterfeit trade?

