



PERU-AUSTRALIA

FREE TRADE AGREEMENT

OUTCOMES: INTELLECTUAL PROPERTY

The Peru-Australia Free Trade Agreement (PAFTA) establishes a common set of rules on intellectual property protection and enforcement. These rules complement commitments that Australia and Peru have through multilateral intellectual property treaties that aim to streamline IP transactions, increase transparency, lower the costs of doing business, and support creative and innovative industries.

Intellectual property provisions affirm and build on the WTO Agreement on Trade-Related Aspects of Intellectual Property (TRIPS Agreement) and World Intellectual Property Organization (WIPO) treaties, covering: copyright, trade marks, geographical indications, patents, plant variety protection, and enforcement. The chapter does not include specific commitments in relation to pharmaceutical patents or products.

KEY OUTCOMES

The intellectual property provisions of PAFTA:

- establish a common set of rules on intellectual property protection and enforcement consistent with Australia's existing intellectual property regime and requiring no changes to Australian intellectual property laws or policies;
- promote effective, adequate and balanced protection and enforcement of IP rights;
- require national treatment, subject to appropriate exceptions, ensuring that Australian rights owners receive the same treatment in Peru as Peru's nationals;
- reinforce the centrality of TRIPS and WIPO intellectual property treaties;
- establish mechanisms to facilitate cooperation between Australia and Peru in relation to the protection and enforcement of intellectual property;
- promote transparency of intellectual property systems, making it easier for traders to obtain information about existing rights;
- include provisions on trade marks, geographical indications, patents, copyright and enforcement complementing Australia's existing international commitments.

