

CHAPTER 11 INTELLECTUAL PROPERTY RIGHTS

ARTICLE 11.1: INTERNATIONAL AGREEMENTS

The Parties reaffirm their rights and obligations under the *TRIPS Agreement* and other intellectual property agreements to which both Parties are party.

ARTICLE 11.2: GENERAL PROVISIONS

1. Each Party shall accord to the nationals of the other Party, in accordance with its legal system, including laws, regulations and procedures, protection of intellectual property rights. Each Party shall ensure fair and equitable procedures for the enforcement of such rights and that measures intended for the enforcement of those rights do not create obstacles to legitimate trade.

2. Each Party may accord in its legal system a broader protection for intellectual property rights than the protection required in this Chapter, provided that this protection is not inconsistent with this Chapter.

3. The Parties recognize the need to achieve a balance between the rights and legitimate interests of rights holders and users of intellectual property, in a manner consistent with the flexibilities provided for in international intellectual property agreements to which a Party to this Agreement is a party, presently or in the future.

4. No matter arising under this Chapter shall be subject to Chapter 14 (Dispute Settlement) of this Agreement.

ARTICLE 11.3: TRADEMARKS

1. For the purposes of this Agreement, a trademark is any sign, or any combination of signs, capable of distinguishing the goods or services of one undertaking from those of other undertakings.

2. Each Party shall provide protection for trademarks, for purposes of this Agreement, in accordance with the provisions of the *TRIPS Agreement*.

ARTICLE 11.4: ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS

1. The Parties reaffirm their commitments under Part III of the *TRIPS Agreement* and shall provide in their respective legislation for enforcement provisions of at least the same level as provided in the *TRIPS Agreement*.

2. Each Party shall establish in its legal system administrative, civil and criminal procedures, consistent with the requirements for such under the *TRIPS Agreement*, to ensure adequate and effective protection of intellectual property rights.

ARTICLE 11.5: COOPERATION IN THE FIELD OF INTELLECTUAL PROPERTY

1. The Parties, recognizing the growing importance of intellectual property rights as a factor of social, economic and cultural development, will endeavor to enhance their cooperation in the field of intellectual property rights.
2. In accordance with the respective resources of the Parties, the areas of cooperation may include the following activities:
 - (a) exchange of information and experience on:
 - (i) legal frameworks and legislative processes;
 - (ii) enforcement;
 - (b) exchange of experience and facilitation of technical assistance; and
 - (c) exchange of information on, and training of, personnel in offices related to intellectual property rights.

ARTICLE 11.6: OTHER PROVISIONS

The Parties acknowledge the importance Panama ascribes to the issue of traditional knowledge and folklore to its people. Therefore, if Israel will recognize traditional knowledge or folklore as intellectual property rights in its internal legislation, either Party may request consultations on whether to incorporate similar provisions, as appropriate, in this Agreement.