

CHAPTER VII INTELLECTUAL PROPERTY

Article 7.1 Objectives and Principles

1. The Parties recognize the importance of protection and enforcement of intellectual property rights in order to incentivize research, development and creative activity which will promote economic and social development, as well as dissemination of knowledge and technology, particularly in the new digital economy, technological innovation and trade.
2. The Parties also recognize the necessity of balance between the legitimate interest of right owners and the public at large.
3. The Parties reiterate and reaffirm the effectiveness of the Chapter 7 of Agreement on Economic and Trade Cooperation between the People's Republic of China, of the one part, and the Eurasian Economic Union and its Member States, of the other Part (hereinafter refers to China-EAEU Agreement) signed on May 18th, 2018 in Astana, Kazakhstan.

Article 7.2 Definitions

For the purposes of this Chapter:

“intellectual property” refers to copyright and related rights, trade marks, geographical indications, industrial designs, patents (inventions, utility models), layout designs (topographies) of integrated circuits, and plant varieties as defined in the China-EAEU Agreement.

Article 7.3 General Provisions

1. Each Party shall establish and maintain transparent intellectual property rights regimes and systems that:
 - (a) provide certainty over the protection and enforcement of intellectual property rights;
 - (b) minimise compliance costs for business; and

(c) facilitate international trade through the dissemination of ideas, technology and creative works.

2. Each Party reaffirms its commitment to the China-EAEU Agreement and any other multilateral agreement relating to intellectual property to which both parties are party.

3. For the purposes of this Chapter, the Chapter 7 of the China-EAEU Agreement is incorporated into and made part of this Agreement, *mutatis mutandis*.

Article 7.4 Contact Points

Each Party shall designate a contact point or points to facilitate communications between the Parties on any matter covered by this Chapter, and provide details of such contact points to the other Party. The Parties shall notify each other promptly of any amendments to the details of their contact points.

Article 7.5 Notification and Exchange of Information

1. At the request of a Party the Parties shall inform each other of:
 - (a) legislation status and developments in relation to intellectual property;
 - (b) developments in intellectual property policy in their respective administrations including on appropriate initiatives to promote awareness of intellectual property rights and systems;
 - (c) changes to, and developments in, the implementation of intellectual property systems, aimed at promoting effective and efficient registration or grant of intellectual property rights; and
 - (d) enhancement of intellectual property rights enforcement and related initiatives in multilateral and regional fora.

2. Any information or notification provided under this Article shall be conveyed through the contact points referred to in Article 7.4 (Contact Points).

Article 7.6 Cooperation and Capacity Building

1. The Parties agree to cooperate with a view to increasing capacity in the development of intellectual property policy and eliminating trade in goods infringing intellectual property rights, subject to their respective laws, rules, regulations, directives and policies.

2. Each Party shall:

(a) encourage and facilitate the development of contacts and cooperation between their respective government agencies, educational institutions and other organizations with an interest in the field of intellectual property rights; and

(b) on mutually acceptable terms and subject to available funds, cooperate on:

(i) appropriate initiatives to promote awareness of intellectual property rights and systems;

(ii) educational and information dissemination projects on the use of intellectual property as a research and innovation tool; and

(iii) training and specialization courses for public institutions on intellectual property rights.

Article 7.7 Consultation

1. A Party may at any time request consultations with the other Party, with a view to seeking a timely and mutually satisfactory resolution of any intellectual property issue within the scope of this Chapter.

2. Such consultation shall be conducted through the Parties' designated contact points, and shall commence within 60 days of the receipt of the request for consultation, unless the Parties mutually

determine otherwise. Each Party shall ensure its contact point is able to coordinate and facilitate a response on the issue under consideration.