

Without Prejudice

3. This Chapter does not give rise to obligations in respect of acts that occurred before the date of entry into force of this Agreement.}

Article QQ.A.11: {Exhaustion of IP Rights}

Nothing in this Agreement prevents a Party from determining whether and under what conditions the exhaustion of intellectual property rights applies under its legal system [13].

Section B: Cooperation

Article QQ.B.1: {Contact Points for Cooperation}

Further to TT.3 {Contact Points for Cooperation and Capacity Building}, each Party may designate one or more contact points for the purpose of cooperation under this section.

Article QQ.B.2 {Cooperation Activities and Initiatives}

The Parties shall endeavor to cooperate on the subject matter covered by this Chapter, such as through appropriate coordination, training and exchange of information between the intellectual property offices of the Parties, or other institutions as determined by each Party. Cooperation may cover such areas as:

- a. developments in domestic and international intellectual property policy;
- b. intellectual property administration and registration systems;
- c. education and awareness relating to intellectual property;
- d. intellectual property issues relevant to:
 - a. small and medium-sized enterprises;
 - b. science, technology & innovation activities; and
 - c. the generation, transfer and dissemination of technology.
- e. policies involving the use of intellectual property for research, innovation and economic growth;

[13] For greater certainty, this Article is without prejudice to any provisions addressing the exhaustion of intellectual property rights in international agreements to which a Party is a party.

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- f. implementation of multilateral intellectual property agreements, such as those concluded or administered under the auspices of WIPO; and
- g. technical assistance for developing countries.

Article QQ.B.3: {Patent Cooperation/Work Sharing}

1. The Parties recognise the importance of improving quality and efficiency in their patent registration systems and simplifying and streamlining their patent office procedure and processes for the benefit of all users of the system and the public as a whole.
2. Further to paragraph 1, the Parties shall endeavour to cooperate among their respective patent offices to facilitate the sharing and use of search and examination work of other Parties. This may include:
 - (a) making search and examination results available to the patent offices of other Parties [14], and
 - (b) exchanges of information on quality assurance systems and quality standards relating to patent examination.
3. In order to reduce the complexity and cost of obtaining the grant of a patent, the Parties shall endeavor to cooperate to reduce differences in the procedures and processes of their respective patent offices.
4. Parties recognize the importance of giving due consideration to ratifying or acceding to the *Patent Law Treaty*; or in the alternative adopting or maintaining procedural standards consistent with the objective of the *Patent Law Treaty*.

Article QQ.B.x: {Public Domain}

1. The Parties recognize the importance of a rich and accessible public domain.
2. The Parties also acknowledge the importance of informational materials, such as publicly accessible databases of registered intellectual property rights that assist in the identification. of subject matter that has fallen into the public domain.

[14] Parties recognize the importance of multilateral efforts to promote the sharing and use of search and examination results, with a view to improving the quality and search and examination processes and to reducing the cost for both applicants and patent offices.

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Article QQ.B.4: {Cooperation on Request}

Cooperation activities and initiatives undertaken under this Chapter shall be subject to the availability of resources, and on request and on terms and conditions mutually agreed upon between the Parties involved.

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