

IRELAND - MEASURES AFFECTING THE GRANT OF
COPYRIGHT AND NEIGHBOURING RIGHTS

Request for Consultations by the United States

The following communication, dated 14 May 1997, from the Permanent Mission of the United States to the Permanent Mission of Ireland and to the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

My authorities have instructed me to request consultations with the Government of Ireland pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) and Article 64 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (to the extent it incorporates by reference Article XXII of the General Agreement on Tariffs and Trade 1994) regarding the grant of copyright and neighbouring rights under Irish law.

All members of the World Trade Organization are obligated to provide copyright and neighbouring rights in accordance with section 1 of Part II, and the related provisions in Article 70, of the TRIPS Agreement. In light of Ireland's status as a developed country, the TRIPS Agreement applied to it on 1 January 1996.

Ireland appears not to grant copyright and neighbouring rights in accordance with section 1 of Part II, and Article 70 of the TRIPS Agreement, which appears to be inconsistent with Ireland's obligations under the TRIPS Agreement, including but not necessarily limited to Articles 9-14, 63 and 65 of that Agreement.

We look forward to receiving your reply to the present request and to fixing a mutually convenient date for consultations.