



2 October 2013

(13-5293)

Page: 1/1

Original: English

**AUSTRALIA – CERTAIN MEASURES CONCERNING TRADEMARKS,
GEOGRAPHICAL INDICATIONS AND OTHER PLAIN PACKAGING REQUIREMENTS
APPLICABLE TO TOBACCO PRODUCTS AND PACKAGING**

REQUEST TO JOIN CONSULTATIONS

Communication from Nicaragua

The following communication, dated 27 September 2013, from the delegation of Nicaragua to the delegation of Australia, the delegation of Indonesia and to the Chairperson of the Dispute Settlement Body, is circulated in accordance with Article 4.11 of the DSU.

Pursuant to Article 4.11 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), the Government of Nicaragua hereby notifies to Australia, Indonesia and Dispute Settlement Body its interest to join the consultations requested by the Government of Indonesia under Articles 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, Articles 2.1, 3.1, 15, 20, 22.2(b), 24.3, and 16 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (the "TRIPS Agreement"), Article 2.1 and 2.2 of the Agreement on Technical Barriers to Trade (the "TBT Agreement"), and Article III:4 of the General Agreement on Tariffs and Trade 1994 (the "GATT 1994") concerning certain Australian laws and regulations that impose trademark restrictions and other plain packaging requirements on tobacco products and packaging (the "measures").

Our country has a substantial trade interest in these consultations as manufacturer of cigars which represent one of the most important exports to Nicaragua and the Australian measures will undermine the competitive opportunities having also a negative impact in the production and employment in this sector. Nicaragua respectfully asks that its substantial trade interests in these consultations be recognized.
