

**JAPAN – COUNTERVAILING DUTIES ON
DYNAMIC RANDOM ACCESS MEMORIES FROM KOREA**

Recourse by Korea to Article 21.5 of the DSU

Constitution of the Panel

Note by the Secretariat

1. At its meeting on 23 September 2008, the Dispute Settlement Body (DSB) referred this dispute, if possible, to the original Panel in accordance with Article 21.5 of the Dispute Settlement Understanding (DSU) to examine the matter referred to the DSB by Korea in document WT/DS336/19.
2. The terms of reference are the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by Korea in document WT/DS336/19, the matter referred to the DSB by Korea in that document, and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in those agreements".
3. On 8 October 2008, the Panel was composed as follows:

Chairman: Mr. Daniel Moulis

Members: Dr. Faizullah Khilji
Mr. José Luis Santiago Pérez Gabilondo
4. China, the European Communities, Chinese Taipei and the United States have reserved their rights to participate in the Panel proceedings as third parties.