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Intellectual Property Rights in Preferential Trade Agreements:

The Comparison of KORUS and EU-Korea FTAs

Kamila Trojanová
Ph.D. student

Department of International Trade
Faculty of International Relations
University of Economics in Prague

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Methodology

I. Theoretical background

- Intellectual Property Rights
- WTO: TRIPS Agreement
- Nondiscrimination principle

II. Comparison

- IPRs in U.S., EU and South Korean Trade Policies
- Wording of TRIPS, KORUS and EU-Korea FTAs
- Strategic background materials

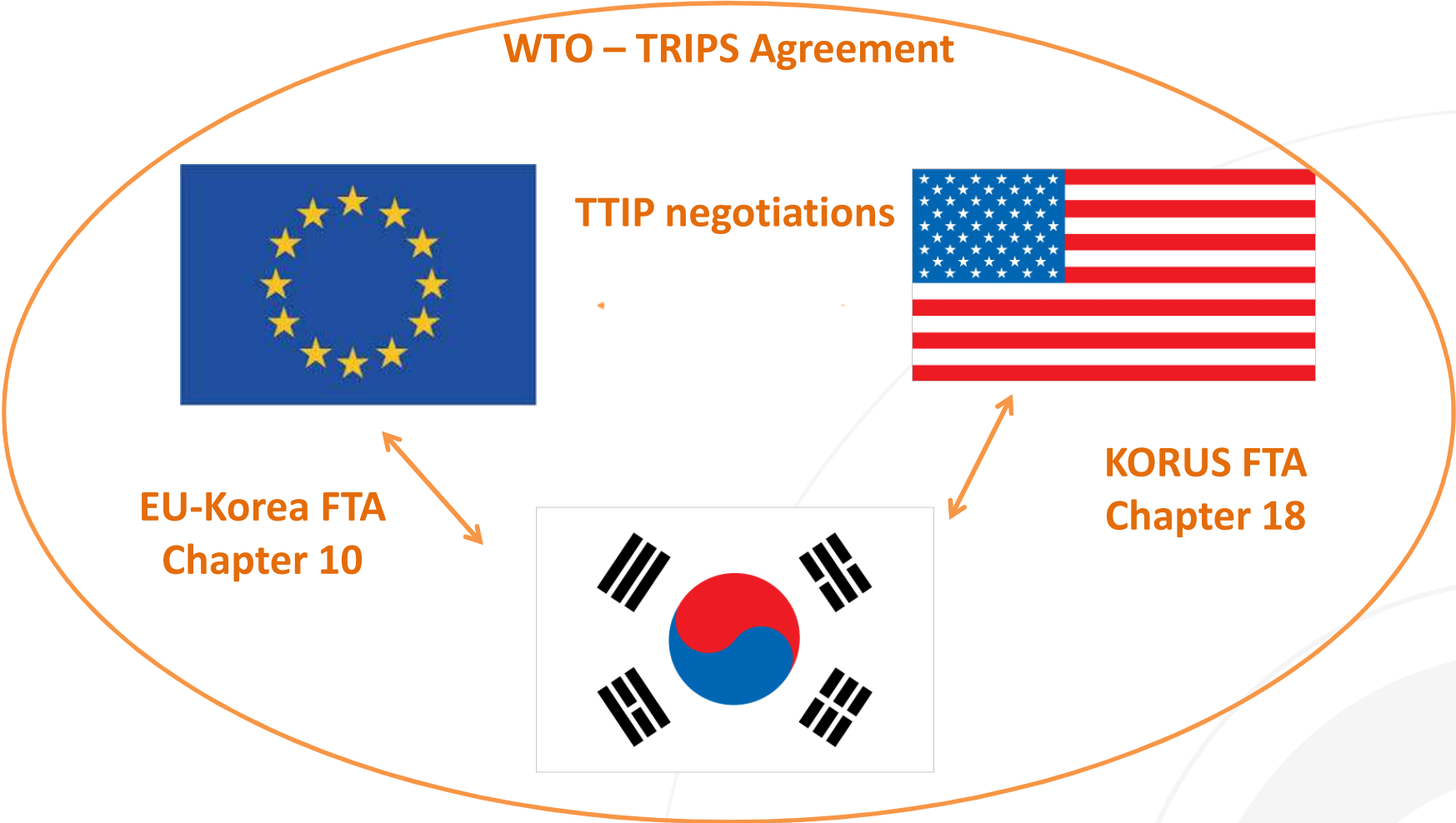
III. Conclusions

Intellectual Property Rights

= means to protect innovative achievements of entrepreneurs

- minimum protection set in TRIPS Agreement (WTO)
- Nondiscrimination principle
 - MFN clause, National treatment
- Preferential Trade Agreements
 - IPRs provisions beyond TRIPS

Intellectual Property Rights Regulation



Illustrations Credit: The World Factbook, cia.gov, 31st May 2014.

Findings

- As in R. Valdes and R. Tavengwa (2012):

Subject-matter analysis

- Trademarks
- Patents
- Pharmaceutical products
 - Patent term restoration
 - Data exclusivity
 - Patent linkage
- Geographical indications (GIs)
 - EU-Korea: explicit list of protected GIs
 - U.S. diary products
- Enforcement

Conclusions

- Similarities
- Differences
- TTIP Negotiations:
 - Common interests
 - Possible disagreements
 - GIs vs. Trademarks
 - Enforcement
- Further PTAs negotiations

THANK YOU FOR YOUR ATTENTION,

I am happy to answer your questions.