

## **Agreed Press Release**

### **Anti-Counterfeiting Trade Agreement Report on the 8<sup>th</sup> Round of Negotiations Wellington, April 2010**

The 8th round of negotiations on the proposed Anti-Counterfeiting Trade Agreement (ACTA) was held in Wellington, New Zealand from 12-16 April 2010, hosted by New Zealand. Participants were welcomed by New Zealand's Minister of Trade Hon Tim Groser at a function attended by a wide range of stakeholders with an interest in the ACTA negotiations.

Participants in the negotiations included Australia, Canada, the European Union, represented by the European Commission, the EU Presidency (Spain) and EU Member States, Japan, Korea, Mexico, Morocco, New Zealand, Singapore, Switzerland and the United States of America.

Participants had constructive and intensive discussions. They provided a much improved understanding of respective national regimes and how they worked in practice. Based on this understanding, good progress was made toward narrowing existing differences, in the areas of Civil Enforcement, Border Measures, Criminal Enforcement and Special Measures for the Digital Environment. In addition the participants held constructive discussions regarding the scope of intellectual property rights covered in ACTA.

Overall, therefore, there was a general sense from this session that negotiations have now advanced to a point where making a draft text available to the public will help the process of reaching a final agreement. For that reason, and based on the specific momentum coming out of this meeting, participants have reached unanimous agreement that the time is right for making available to the public the consolidated text coming out of these discussions, which will reflect the substantial progress made at this round.

It is intended to release this on Wednesday 21 April.

In agreeing to release publicly this draft text in the particular circumstances of this negotiation, participants reaffirmed the importance of maintaining the confidentiality of their respective positions in trade negotiations.

ACTA will not interfere with a signatory's ability to respect its citizens' fundamental rights and liberties, and will be consistent with the WTO Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS Agreement) and will respect the Declaration on TRIPS and Public Health.

There is no proposal to oblige ACTA participants to require border authorities to search travellers' baggage or their personal electronic devices for infringing

materials. In addition, ACTA will not address the cross-border transit of legitimate generic medicines.

While the participants recognise the importance of responding effectively to the challenge of Internet piracy, they confirmed that no participant is proposing to require governments to mandate a 'graduated response' or 'three strikes' approach to copyright infringement on the Internet.

Participants in the meeting agreed that the next meeting would be hosted by Switzerland in June 2010. Participants also reaffirmed their commitment to continue their work with the aim of concluding ACTA as soon as possible in 2010.