

法規名稱：Agreement on the Development and Protection of Intellectual Property Rights Between The Republic of China And The Republic of Nicaragua

簽訂日期：民國 92 年 03 月 13 日

Agreement on the Development and Protection of Intellectual Property Rights Between The Republic of China And The Republic of Nicaragua

In light of the importance of international cooperation on intellectual property in supporting the development of industry, technology and the economy, the Republic of China and the Republic of Nicaragua, hereinafter referred to as the "Parties", agree as follows:

Article 1

Both Parties shall undertake to accord and maintain adequate and effective protection to either party on intellectual property rights in accordance with the Agreement on Trade-related Aspects of Intellectual Property Rights (hereinafter referred to as TRIPS) of the World Trade Organization, particularly the mutual recognition of priority rights on patents and trademarks through their respective laws, The intellectual property rights, or IPR as referred to in this Agreement, shall include any and all those rights in the categories of patents (invention, utility model and industrial design), integrated circuit layout, trademarks, marks (service, certification and collective), geographic indication, copyrights and trade secrets, and other related fields as covered in the TRIPS.

Article 2

Both Parties shall exchange data regarding its information systems. This information will consist mainly of the technical aspects of the data processing and their applied technology.

Article 3

Both Parties shall exchange technical personnel in order to facilitate the implementation of this Agreement, through practical training programs or on-site internships.

Article 4

Both Parties shall exchange information available, in English when possible, as regard any legal issues pertinent to this Agreement, particularly the evolution of the IPR legislations, regulations, executive decisions, operational practices and judicial judgement. If either Party should require information related to IPR, but beyond the authority of the other Party, the requested Party shall do its best to refer such requests to the competent authority for response.

Article 5

Both parties shall exchange IPR publications which include periodicals, gazettes and pamphlets. The publications to be exchanged should be in English when possible.

Article 6

Each Party to this Agreement shall notify the other Party of the completion of legal procedures necessary for the implementation of this Agreement. This Agreement shall come into force on the day when the final notification is received and shall remain in force until terminated by either Party upon six months advance written notice to the other Party. This Agreement may be amended at any time, through the written accord of both Parties.

Article 7

Any disputes that occur between the Parties on either the interpretation or the application of this Agreement shall be resolved through bilateral consultations or friendly negotiations as much as possible, and if not solved within a reasonable period of time after the negotiations, any Party may resolve the disputes in questions in pursuance with provisions as stipulated under the

TRIPS.

In witness whereof, the representatives of both governments, being duly authorized, have signed this Agreement.

Done in Taipei, Republic of China, on 13 March 2003, in duplicate each in the Chinese, Spanish and English languages, the three texts being equally authentic. In case of any divergence in interpretation, the English text shall govern.

For the Republic of China

Yi-Fu Lin

Minister of Economic Affairs

Republic of China

For the Republic of Nicaragua

Mario Jose Arana Sevilla

Minister of Development,
Industry and Commerce

Republic of Nicaragua