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**gLAWcal  
Comment #288**

**TRIPS STILL HASN'T BEEN FULLY  
ADOPTED**

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*Based on*

**Paolo D. Farah and Elena Cima "The Implemen-  
tation of the WTO Agreement on Trade-Related  
Aspects of Intellectual Property Rights (TRIPs)  
in China (April 30, 2010)" Tsinghua China Law  
Review, Vol. 2, pp. 317-351, Spring 2010.**



**A gLAWcal comment on Paolo Davide Farah and Elena Cima**  
**“The Implementation of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) in China (April 30, 2010)”** *Tsinghua China Law Review*, Vol. 2, pp. 317-351.

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TRIPs, or Trade-Related Aspects of Intellectual Property Rights is an attempt at making equatable rules by which states must protect copyright, patents, trademarks, and other products. Many of the criticisms of TRIPs is unequal enforcement of the agreement by party members, notably singled out is China. Nations are obligated to the TRIPs agreement because of their status with the WTO. More specifically, each nation must adopt administrative procedures that ensure that property right holders have recourse to be made whole by alleged violations of their intellectual property protections. However, in China there are differences in ideals as to the very existence of intellectual property as a right that needs to be protected. However, even if there are domestic-level concerns about the idea of intellectual property rights as a concept worthy of protection, there still remains the international obligations to do so. While there is likely an increasingly better protection of intellectual property rights at the international-level, it is still a contentious issue in modern times. One of the more often cited disputes in the

Trans-Pacific Partnership was the perceived lack of protecting intellectual property rights in asian nations, more specifically China. If there is still the real or perceived lack of attention being afforded to the protection of these rights, then too much focus of international agreement negotiation will be made to something that otherwise should be protected by the requirements of membership of the WTO.



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## OUR MISSION

To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

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To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal’s publication results.



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