

5 December 2005

Mr Peter Mandelson
Member of the
European Commission
200 rue de la Loi
1049 Bruxelles

Dear Commissioner,

UNICE has been following closely discussions regarding disclosure requirements for patent applications in various international bodies (WTO, WIPO) and their potential implications for the TRIPs agreement.

The TRIPs agreement is one of the most fundamental and important results of the Uruguay Round, defining minimum standards for intellectual property protection and aiming to guarantee a worldwide level playing-field for protection of intellectual property necessary to reduce distortions and impediments to international trade.

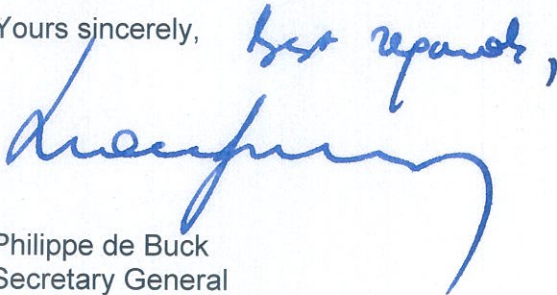
Even though the TRIPs Council has received a mandate to discuss the issue of disclosure requirements, there is no consensus among WTO members on this issue. UNICE is of the strong view that it is inappropriate to consider amending the TRIPs agreement generally and more specifically to provide for special disclosure requirements. In this respect, UNICE endorses similar views already expressed by ICC and EFPIA.

UNICE would like to urge the European Commission not to agree to any solutions in the context of the WTO discussions that will re-open the TRIPs agreement and put into question its value and viability for European business.

We would very much appreciate it if, in the context of the preparatory discussions for Hong Kong, you could keep us informed about any proposal of the European Commission in this area.

We are sending a copy of this letter to Commissioners McCreevy and Verheugen.

Yours sincerely,

Best regards,


Philippe de Buck
Secretary General