

1 ARTICLE 4 **1**
1.1 Text of Article 4..... 1
1.2 Article 4 – National Treatment 1

regard to the protection of intellectual property, any advantage, favour, privilege or immunity granted by a Member to the nationals of any other country shall be accorded equally and unconditionally to the nationals of all other Members. Exempted from this are any advantage, favour, privilege or immunity accorded by a Member:

- a) deriving from international agreements on judicial assistance or law enforcement of a general nature and not particularly confined to the protection of intellectual property;
- b) granted in accordance with the provisions of the Berne Convention (1971) or the Rome Convention authorizing that the treatment accorded be a function not of national treatment but of the treatment accorded in another country;
- c) in respect of the rights of performers, producers of phonograms and broadcasting organizations not provided under this Agreement;
- d) deriving from international agreements related to the protection of intellectual property which entered into force prior to the entry into force of the WTO Agreement, provided that such agreements are notified to the Council for TRIPS and do not constitute an arbitrary or unjustifiable discrimination against nationals of other Members.

on requirements

On 27 February 1997, the Council for TRIPS referred to three options for meeting national laws and regulations that correspond to the obligations of Articles 3, 4 and 5 of the Agreement. It circulated a format as a practical aid in respect of one of those options.

¹ See document [IP/C/9](#).