

1.1 Text of Article 50..... 1
1.2 Article 50.3..... 2
1.2.1 "the applicant's right is being infringed or that such infringement is imminent"..... 2

in particular for
goods, includ

(b) to preser

2. The judicial aut
where
harm to the right h

3. The judicial aut
reasonably availab
certainty that the a
or that such infring
equivalent assuranc

4. Where provisio
affected shall be g
latest. A review,
defendant with a v
measures, whether

5. The applicant
identification of th
measures.

6. Without prejud
paragraphs 1 and 2
have effect, if proc
within a reasonable
where a Member's
20 working days or

7. Where the prov
omission by the a
infringement or th
authorities shall ha
provide the defend

8. To the extent that any provisional measure can be ordered as a result of administrative procedures, such procedures shall conform to principles equivalent in substance to those set forth in this Section.

1. In _____, the Panel referred to Article 50 of the TRIPS Agreement as contextual support for its interpretation of Article XX(j) of the GATT 1994. The Panel concluded that if the terms "products in general or local short supply" in Article XX(j) can be read to include products at risk of being in short supply, this could only extend to an "imminent" shortage. The Panel then observed that "where the covered agreements require that harm be 'imminent', they typically explain further that the harm be 'clearly foreseen' and not a matter of 'conjecture or remote possibility'."¹ The Panel offered the following examples:

"Article 3.7 of the Anti-