REPUBLICA DE CHILE
MINISTERIO DE RELACIONES EXTERIORES

8 March 2018

His Excellency
Mr. Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister,

In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement"), I have the honour to confirm the following understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Trans-Pacific Partnership Agreement, done at Auckland, New Zealand, on 4 February 2016, incorporated, by reference, into and made part of the Agreement *mutatis mutandis,* as follows:

> The Government of the Republic of Chile ("Chile") and the Government of the Socialist Republic of Viet Nam ("Viet Nam") recognise that nothing in Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) limits a Party from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that such conditions, limitations or exceptions are consistent with the provisions of Chapter 18 (Intellectual Property).

I have the further honour to propose that this letter and your letter in reply will constitute an understanding between our two Governments, which will come into effect on the date on which the Agreement enters into force for both Chile and Viet Nam.

Yours sincerely,

HERALDO MUÑOZ VALENZUELA
Minister of Foreign Affairs
Republic of Chile

8 March 2018

His Excellency
Mr. HERALDO MUÑOZ VALENZUELA
Minister of Foreign Affairs
Chile

Dear Minister,

I have the honour to acknowledge receipt of your letter of this date, which reads as follows:

> "In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement"), I have the honour to confirm the following understanding with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of the Trans-Pacific Partnership Agreement, done at Auckland, New Zealand, on 4 February 2016, incorporated, by reference, into and made part of the Agreement *mutatis mutandis,* as follows:
>
> > The Government of the Republic of Chile ("Chile") and the Government of the Socialist Republic of Viet Nam ("Viet Nam") recognise that nothing in Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) limits a Party from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that such conditions, limitations or exceptions are consistent with the provisions of Chapter 18 (Intellectual Property).
>
> I have the further honour to propose that this letter and your letter in reply will constitute an understanding between our two Governments, which will come into effect on the date on which the Agreement enters into force for both Chile and Viet Nam."

I have the further honour to confirm that the above reflects the understanding between the Government of the Socialist Republic of Viet Nam and the Government of the Republic of Chile, and that your letter and this letter in reply will constitute an understanding between our Governments, which will come into effect on the date on which the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* enters into force as between the Socialist Republic of Viet Nam and the Republic of Chile.

Sincerely,

Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam