8 March 2018

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

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 reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of the Republic of Chile ("Chile") with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) 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*:

Viet Nam and Chile recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) limits a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that the Party continues to give effect to that Article.

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

Yours sincerely,

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

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,

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 reached between the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of the Republic of Chile ("Chile") with regard to Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) 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*:
>
> > Viet Nam and Chile recognise that nothing in Article 18.53 (Measures Relating to the Marketing of Certain Pharmaceutical Products) of Chapter 18 (Intellectual Property) limits a Party to the Agreement from establishing conditions, limitations or exceptions when implementing the obligations set forth under that Article, provided that the Party continues to give effect to that Article.
>
> I have the further honour to propose that this letter and your letter in reply confirming that your Government shares this understanding will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of this Agreement for both Viet Nam and Chile."

I have the further honour to confirm that the above reflects the understanding reached between the Government of the Republic of Chile and the Government of the Socialist Republic of Viet Nam, 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 Republic of Chile and the Socialist Republic of Viet Nam.

Yours sincerely,

HERALDO MUÑOZ VALENZUELA
Minister of Foreign Affairs
Republic of Chile