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كمنتريان حال احوال لوار نكري دان قردا كغن
MINISTRY OF FOREIGN AFFAIRS AND TRADE
BRUNEI DARUSSALAM

Your Reference:

Our Reference:

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:

> *"I have the honour to confirm the following understanding reached by the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Brunei Darussalam ("Brunei Darussalam") with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement") signed on this day:*
>
> *Brunei Darussalam shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) with regard to the obligation of Viet Nam under Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement for a period of five years after the fifth anniversary of the date of entry into force of the Agreement for Viet Nam.*
>
> *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 the Agreement as between Viet Nam and Brunei Darussalam."*

I have the further honour to confirm that the above reflects the understanding reached between the Government of Brunei Darussalam and the Government of the Socialist Republic of Viet Nam during the course of negotiations on the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement"), and that your letter and this letter in reply will constitute an understanding between our two Governments, which will come into effect on the date of entry into force of the Agreement as between Brunei Darussalam and the Socialist Republic of Viet Nam.

Yours sincerely,

DATO ERYWAN PEHIN YUSOF
Second Minister of Foreign Affairs and Trade

8 March 2018

The Honourable
Dato Erywan Pehin Yusof
Second Minister of Foreign Affairs and Trade
Brunei Darussalam

Dear Minister,

I have the honour to confirm the following understanding reached by the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Brunei Darussalam ("Brunei Darussalam") with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the "Agreement") signed on this day:

Brunei Darussalam shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) with regard to the obligation of Viet Nam under Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement for a period of five years after the fifth anniversary of the date of entry into force of the Agreement for Viet Nam.

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 the Agreement as between Viet Nam and Brunei Darussalam.

Yours sincerely,



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