8 March 2018

His Excellency
Mr. Toshimitsu Motegi
Minister in charge
of Economic Revitalization
of Japan

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 Japan with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement:

Japan will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with regard to the obligations 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 Excellency's letter in reply confirm the shared understanding between our two Governments, which will be implemented from the date of entry into force of the Agreement for both Viet Nam and Japan.

Yours sincerely,

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

Santiago, March 8, 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 Japan with regard to Article 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical Products) of Chapter 18 (Intellectual Property) of the Agreement:

Japan will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with regard to the obligations 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 Excellency's letter in reply confirm the shared understanding between our two Governments, which will be implemented from the date of entry into force of the Agreement for both Viet Nam and Japan."

I have the further honour to confirm that the above reflects the mutual understanding reached between the Government of Japan 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, and that your Excellency's letter and this letter in reply confirm the shared understanding between the Government of Japan and the Government of the Socialist Republic of Viet Nam.

Yours sincerely,



Toshimitsu Motegi
Minister in charge of
Economic Revitalization of Japan