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 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 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical 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*, as follows:

> Chile will refrain from seeking recourse to Chapter 28 (Dispute Settlement) 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) 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 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 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 18.47 (Protection of Undisclosed Test or Other Data for Agricultural Chemical 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*, as follows:
>
> Chile will refrain from seeking recourse to Chapter 28 (Dispute Settlement) 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) 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 for both Viet Nam and Chile."

I have the further honour to confirm that the above reflects the agreement reached between the Government of the Republic of Chile 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 letter and this letter in reply will constitute an

understanding between the Government of the Republic of Chile and the Government of the Socialist Republic of Viet Nam, which will come into effect on the date of entry into force of the Agreement for both Chile and the Socialist Republic of Viet Nam.

Yours sincerely,

HERALDO MUÑOZ VALENZUELA
Minister of Foreign Affairs
Republic of Chile