



MINISTRY OF INDUSTRY AND TRADE
THE SOCIALIST REPUBLIC OF VIETNAM

February 4, 2016

The Honorable Michael Froman
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Froman,

I have the honor to refer to the following understanding between representatives of the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United States of America (United States) reached during the negotiations of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP Agreement):

Viet Nam confirms that, from the date of entry into force of the TPP Agreement for Viet Nam and for those applications filed after that date, it will apply Article 9.6 of Chapter II of the *Agreement between the United States of America and the Socialist Republic of Viet Nam on Trade Relations* to any new pharmaceutical product that is or contains a biologic.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between Viet Nam and the United States.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vu Huy Hoang', written over a horizontal line.

Vu Huy Hoang
Minister of Industry and Trade
Socialist Republic of Viet Nam

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

February 4, 2016

The Honorable Vu Huy Hoang
Minister of Industry and Trade
Socialist Republic of Viet Nam

Dear Minister Hoang:

I am pleased to acknowledge your letter of February 4, 2016, which reads as follows:

“I have the honor to refer to the following understanding between representatives of the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United States of America (United States) reached during the negotiations of Chapter 18 (Intellectual Property) of the Trans-Pacific Partnership Agreement (TPP Agreement):

Viet Nam confirms that, from the date of entry into force of the TPP Agreement for Viet Nam and for those applications filed after that date, it will apply Article 9.6 of Chapter II of the *Agreement between the United States of America and the Socialist Republic of Viet Nam on Trade Relations* to any new pharmaceutical product that is or contains a biologic.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between Viet Nam and the United States.”

I have the honor to confirm that your letter and this letter in reply shall constitute an agreement between our two Governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between Viet Nam and the United States.

Sincerely,



Ambassador Michael B. G. Froman