

November 30, 2018

The Honorable Ildefonso Guajardo Villarreal
Secretary of Economy
Mexico City
United Mexican States

Dear Secretary Guajardo:

I have the honor to acknowledge your letter of this date, which in English reads as follows:

In connection with the signing on this date of the Protocol Replacing the North American Free Trade Agreement with the Agreement Between the United States of America, the United Mexican States, and Canada (the “Protocol”), I have the honor to confirm the following understanding of the United Mexican States (“Mexico”) regarding the term “prior users”, when referred to in the Sub-Section of Geographical Indications of the Intellectual Property Rights Chapter of the Modernized Trade Pillar of the Mexico-European Union Global Agreement:

Mexico confirms that it understands the term “prior users” to include any natural or legal person, including their successors and assignees, who have used the corresponding term in good faith, in the territory of Mexico, in any of the following activities: production, distribution, marketing, importation, and exportation to Mexico of cheeses. Mexico also confirms that with respect to some terms, “prior users” only refers to persons having used the term in a continuous manner, prior to the agreement in principle between Mexico and the European Union.

I have the honor to propose that this letter and your letter of confirmation in reply shall constitute an agreement between Mexico and the United States and be treated as an integral part of the Agreement Between the United States of America, the United Mexican States, and Canada, to enter into force on the date of entry into force of the Protocol.

I have the further honor of confirm that the United States shares this understanding, and that your letter and this letter in reply constitutes an agreement between the United States and Mexico and is treated as an integral part of the Agreement Between the United States of

America, the United Mexican States, and Canada, to enter into force on the date of entry into force of the Protocol.

Sincerely,

Ambassador Robert E. Lighthizer
United States Trade Representative