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**Council for Trade-Related Aspects of  
Intellectual Property Rights**

Original: English

## **REQUEST FOR INFORMATION PURSUANT TO ARTICLE 63.3 OF THE TRIPS AGREEMENT**

### COMMUNICATION FROM THE EUROPEAN UNION TO CHINA

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1. The European Union welcomes and appreciates China's ongoing efforts to strengthen its intellectual property rights system. The European Union attaches great importance to these developments within China and therefore follows them closely.
  2. Therefore, the European Union would hereby like to make a request pursuant to Article 63.3 second sentence of the Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS Agreement").
  3. The European Union has noted that the People's Republic of China Chongqing City No. 1 Intermediate People's Court on 28 November 2023 made a first-instance judgment in a case brought by a number of OPPO companies setting the worldwide rates for standard essential patents of Nokia relating to 2G, 3G, 4G and 5G mobile telecommunications technology standards [Case No.: (2021) Yu Minchu No. 1232, (2021)渝01民初1232号]].
  4. Given that this judicial decision sets worldwide rates, including for patents issued within the jurisdiction of the European Union, the European Union believes this specific judicial decision affects its rights under the TRIPS Agreement. Therefore, the European Union hereby requests China to provide the text of the judgement. The European Union would like to request China to provide the text within thirty days after receipt of this Communication.
  5. The European Union avails itself of this opportunity to renew to the Government of China the assurances of its highest consideration.
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