

**INDIA – PATENT PROTECTION FOR PHARMACEUTICAL AND
AGRICULTURAL CHEMICAL PRODUCTS**

Communication from the Chairman of the Panel

The following communication, dated 18 June 1998, addressed to the Dispute Settlement Body, is circulated in accordance with Article 12.9 of the DSU.

Article 12.8 of the DSU stipulates that the period in which a panel shall conduct its examination, from the date that the composition and terms of reference of the panel have been agreed upon until the date the final report is issued to the parties shall, as a general rule, not exceed six months.

Article 12.9 of the DSU states that when a panel considers that it cannot issue its report within six months, it shall inform the Dispute Settlement Body (DSB) in writing of the reasons for the delay together with an estimate of the period within which it will issue its report.

The Panel on "India – Patent Protection for Pharmaceutical and Agricultural Chemical Products" (WT/DS79) was established by the DSB on 16 October 1997 with standard terms of reference. Its composition was determined by the Director-General on 27 November 1997. However, at the request of the parties, the Panel did not commence its substantive work before the panel and Appellate Body reports on "India – Patent Protection for Pharmaceutical and Agricultural Chemical Products" (WT/DS50/R and WT/DS50/AB/R) were adopted by the DSB on 16 January 1998. As a result, it was not until 28 May 1998 that the Panel was able to issue the descriptive part of its report to the parties. This has consequently led to some delay in further steps in the proceedings.

The Panel expects to issue its final report to the parties by the end of July 1998.
