

# CONTENTS

<i>Preface and Acknowledgements</i>	page xi
<i>List of WTO dispute rulings</i>	xiii
<i>List of international instruments</i>	xvii

## PART I GLOBALISATION, LAW AND THE WTO 1

<b>1 Trade law as a global mediator</b>	3
<b>2 A global context</b>	22
Research	24
Outlooks	25
Convergence and divergence	28
Legal pluralism	35
International law making	42
Interfaces	55
Conclusions	58
<b>3 The World Trade Organization</b>	65
The ethos of the WTO	67
Agreement making	71
The dispute settlement system	85
The content of the norms	105
Bilateral free trade agreements	129
Scope for national regulation	131
International regulation	135
Competition regulation	143
Conclusions	151

## PART II SERVICES 163

<b>4 The General Agreement on Trade in Services</b>	165
Emergence of the GATS	167
Status and format of the agreement	171
Uruguay Round listings	180
The MFN norm	185



The national treatment norm	188
The market access norm	193
The modes of supply	198
Domestic regulation	206
Financial services negotiations	212
GATS and FTAs	216
New Round negotiations 2000–2007	219
Conclusions	226
<b>5 The case of legal services</b>	<b>232</b>
Styles of services supply	234
Locations for legal work	242
National regulation	247
Impact of the GATS	251
Country practices	254
New negotiations	264
Professional standards	268
Conclusions	276
<b>PART III INTELLECTUAL PROPERTY</b>	<b>283</b>
<b>6 The Agreement on Trade-Related Intellectual Property Rights</b>	<b>285</b>
The Uruguay Round	286
General provisions and basic principles	292
Copyright and related rights	299
Patents	304
Other categories	307
Enforcement provisions	315
Special and differential treatment	317
Dispute settlement	319
National access regulation	323
TRIPs and FTAs	336
Conclusions	342
<b>7 The case of genetic codes</b>	<b>348</b>
Coding food and medicines	350
Intellectual property regulation	356
The concept of invention	363
Exceptions to patentability	371
Exceptions to infringement	376
Plant variety rights	378
Protection for traditional knowledge	383



Access to medicines	395
Conclusions	409
 PART IV CONVERGENCE	 421
<b>8 The case of communications media</b>	<b>423</b>
Media freedom and control	426
Industry-specific regulation	432
Impact of the GATS	434
Intellectual property regulation	438
Impact of TRIPs	451
The WIPO internet treaties	453
Competition regulation	459
WTO competition re-regulation	475
WTO competition and investment agenda	484
Conclusions	499
 <i>Index</i>	 511