

The USMCA | CUSMA | T-MEC comes into effect on 1 July 2020

This new Cullen International cheat sheet summarises the main issues on digital trade, intellectual property and telecommunications in the new North American trade agreement that replaces NAFTA ([Flash](#)).

The new free trade agreement, which comes into effect on 1 July 2020, was signed by Canada, the United States and Mexico on 30 November 2018.

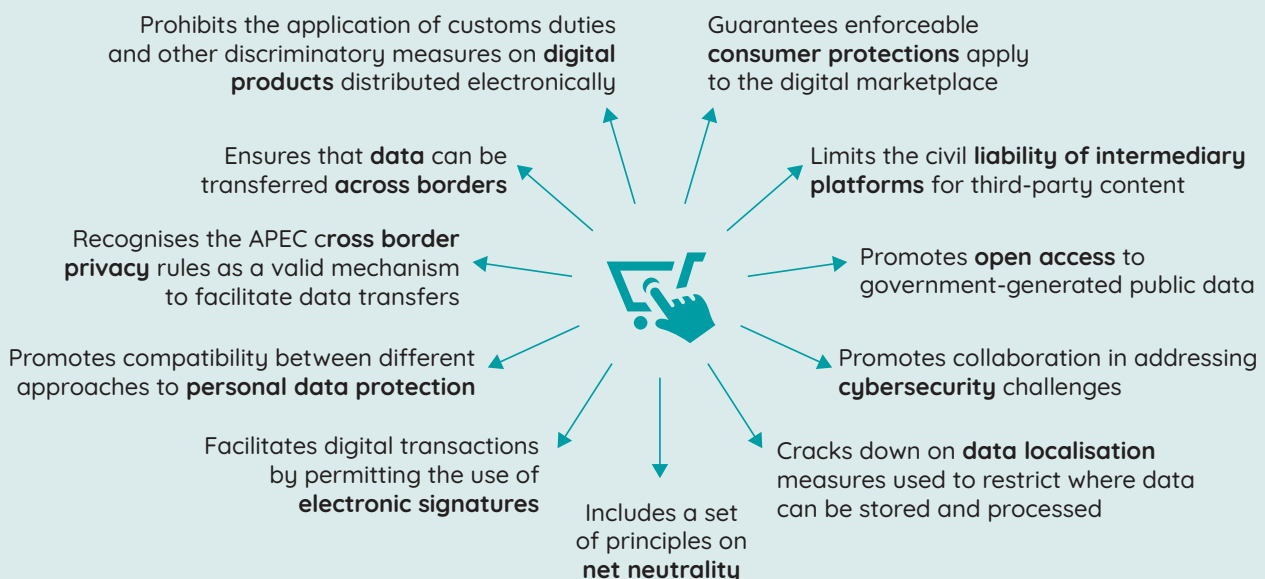
The new agreement maintains tariff-free access to the three North American markets, while broadening and updating provisions to address current trade issues, including in particular on digital trade, intellectual property (IP), and telecoms. The agreement is known by a different acronym in each signatory country: USMCA in the US, CUSMA in Canada, and T-MEC in Mexico.

Duration of the agreement

NAFTA 2.0 is valid for an initial period of 16 years, with periodic reviews every six years. At each review, the signatory countries can agree to extend the agreement for a further 16 years.



The digital trade chapter Coordination to promote and ease digital trade



The IP chapter

More IP protection and its impact on the audiovisual sector



- Full national treatment for **copyright** and related rights
- Copyright term of life of author +70 years or publication +75 years



Requires strong standards against the circumvention of **technological protection measures** (TPMS)



Establishes copyright safe harbours (such as notice and take-down systems) to deter **online piracy**



- Requires application of enforcement measures to the digital realm
- Stronger criminal penalties for unauthorised camcording of movies
- Civil and criminal penalties for satellite and cable signal theft

The telecoms chapter

Maintaining NAFTA but with new provisions



Ensures access to and use of any **public telecoms network** or service, including leased circuits



Cooperation on promoting transparent and reasonable rates for **international mobile roaming** services



Regulators must seek inputs of relevant **stakeholders** before a regulatory intervention



Each country can define the kind of **universal service** obligation it wishes to maintain



Ensures that a major supplier provides access to **poles, ducts and rights-of-way**



Ensures that any major suppliers of a **submarine cable** provide access to it



Telecoms regulatory bodies must be separate from operators to ensure **independence** and impartiality