

BUREAUX INTERNATIONAUX
RÉUNIS POUR LA PROTECTION
DE LA PROPRIÉTÉ INTELLECTUELLE
GENÈVE, SUISSE

BIRPI

UNITED INTERNATIONAL
BUREAUX FOR THE PROTECTION
OF INTELLECTUAL PROPERTY
GENEVA, SWITZERLAND

AA/I/ 13
ORIGINAL:
May 25, 1964

CONFÉRENCE DIPLOMATIQUE DE STOCKHOLM, 1967 DIPLOMATIC CONFERENCE OF STOCKHOLM, 1967

GRUPE DE TRAVAIL: ARRANGEMENT ADMINISTRATIF (Genève, 20-26 mai 1964)
WORKING PARTY ON AN ADMINISTRATIVE AGREEMENT (Geneva, May 20 to 26, 1964)

REVISED DRAFT OF AN ADMINISTRATIVE AGREEMENT *

(SECOND PART)

- Article 18 : Votes
 - Article 19 : Amendments
 - Article 20 : Effect on Existing Treaties
 - Article 21 : Entry into Force
 - Article 22 : Denunciation
 - Article 23 : Notifications
 - Article 24 : Final Provision
- Annex to Article 20

* The title of the instrument will be : "Convention"
and the name of the Organization : "World Intellectual
Property Organization" (WIPO).

ARTICLE 18VOTING *

(1) Subject to the provisions of paragraphs (3) to (5), the General Conference and the General Assemblies shall make their decisions by a simple majority of the votes cast.

(2) Abstentions shall not be considered as votes.

(3) The following shall require at least two-thirds of the votes cast :

(i) invitations addressed to a State to become a member of the Organization (Article 3 (iv));

(ii) decisions concerning the transfer of the headquarters of the Organization (Article 4);

(iii) changes in the ceilings of the contributions of Member States (Article 12 (3) (i));

(iv) changes in the amount of the working capital fund (Article 12 (5));

(4) The confirmation of arrangements concerning the administration of conventions, agreements and treaties referred to in Article 2 (2) (iii) requires at least three-fourths of the votes cast (Article 6 (2)(ix)).

(5) Any decision concerning the conclusion of an agreement with the United Nations under Articles 57 and 63 of the Charter of the United Nations requires at least nine-tenths of the votes cast. (Article 6 (2) (?)).

* NB. This text replaces Article 15 bis as reproduced in document AA/I/12

ARTICLE 19

AMENDMENTS

(Former Article 16)

(1) Proposals for the amendment of this Agreement shall be communicated by the Director General to Member States at least six months in advance of their consideration by the General Conference.

(2) (a) Subject to subparagraph (b) and paragraph (3), amendments shall come into force for all Member States when adopted by a three-quarters vote of the General Conference and when three-quarters of the Member States have taken action, as to the amendment, as provided in Article 21, paragraph (1) (a).

(b) Amendments of provisions of the present Agreement dealing with matters affecting exclusively any particular Union, including provisions concerning that Union's own budget, shall also require the unanimity of all the votes expressed by the Member States of that Union.

(3) Amendments increasing the obligations of Member States shall come into force one month after taking the action as provided in Article 21 for any State which takes such action after the two-thirds have already taken such action.

ARTICLE 20

EFFECT ON EXISTING TREATIES

(Former Article 15)

Among the States parties to the present Agreement the provisions of the present Agreement shall replace or modify the provisions set forth in the Annex.

ARTICLE 21

ENTRY INTO FORCE

(Former article 17)

(1) (a) States may become party in accordance with paragraph (2), below, to this Agreement by :

- (i) signature without reservation as to ratification, or
- (ii) signature subject to ratification followed by ratification, or
- (iii) accession.

(b) Instruments of ratification or accession shall be deposited with the Director General.

(2) (a) The present Agreement shall enter into force one month after the date on which twenty States, parties to the Paris or Berne Conventions, have taken action as provided in paragraph 1 (a) above.

(b) It shall enter into force with respect to a State which takes action subsequently, one month after the date on which it takes such action.

(c) As regards a State which is not a party to either the Paris Convention or the Berne Convention and which takes action as provided in paragraph 1 (a) above before the date referred to in subparagraph (a) of the present paragraph, the Agreement shall enter into force on the date referred to in subparagraph (a) of the present paragraph.

(3) States which, on the day when this Agreement enters into force according to paragraph (2), subparagraph (a), above, are party to any of the conventions, agreements or treaties the administrative tasks or the administration of which is entrusted to the Organization but which at the same date not yet have become party to this Agreement shall, for five years from such date have the same rights as if they had become party to this Agreement, except that they shall not be elected as members of the Executive Board. Upon expiration of this five-year period, States still not having become party to the present Agreement shall have no right to vote in the General Conference. Upon becoming party to the present Agreement such States shall regain their votes in the General Conference and may be elected as members of the Executive Board.

(4) After the date of entry into force of the present Agreement, no State shall, without being a party to the present Agreement, become party to a convention, agreement or treaty the administrative tasks or the administration of which is entrusted to the Organization.

ARTICLE 22

DENUNCIATION

(Former Article 18)

(1) Any State may denounce the present Agreement, but in order for such denunciation to be effective the State shall also denounce all conventions, agreements and treaties the administrative tasks or the administration of which is entrusted to the Organization.

(2) Any State may denounce any or all conventions, agreements or treaties the administrative tasks or the administration of which is entrusted to the Organization without denouncing the present Agreement.

(3) Denunciations shall be effected by notification addressed to the Director General and, subject to paragraph (1) above, shall take effect one year after receipt by him of the notification.

ARTICLE 23

NOTIFICATIONS

(Former Article 19)

(1) The Director General shall transmit to the Governments of all States which sign or accede to the present Agreement :

- (i) notification of the date the Agreement enters into force,
- (ii) notification of each signature, ratification or accession, and the effective date thereof,
- (iii) two certified copies of each amendment to the present Agreement, and a statement of the date on which the amendment enters into force,
- (iv) notification of denunciations of the present Agreement and the effective dates thereof.

(2) Until the first Director General assumes office, references to the Director General in paragraph (1) of the present Article, in Article 21, paragraph (1), subparagraph (b), and in Article 24, shall be deemed to be references to the Director of the United International Bureaux for the Protection of Industrial, Literary and Artistic Property.

ARTICLE 24

FINAL PROVISION

(Former Article 2C)

(1) The present Agreement of which the English and French texts are equally authentic, shall be deposited with the Director General.

(2) Official translations of the present Agreement shall be established with German, Italian and Spanish languages.

(3) The Director General shall transmit duly certified copies of this Agreement to the Governments of the signatory States, of the States acceding to this Agreement, and, on request, to the Government of any other State.

(4) The Director General shall register the present Agreement with the Secretary-General of the United Nations.

PROVISIONS SUBSTITUTED
BY THE PROVISIONS OF
THE ADMINISTRATIVE AGREEMENT

Paris Convention

Lisbon Text : Article 13
Article 14, paragraphs (3), (4) and (5).
Earlier texts of the Paris Convention : Provisions corresponding
to those listed above.

Berne Convention

Brussels Text : Articles 21, 22 and 23.
Articles 24, 2nd and 3rd sentences of para-
graph (2).
Earlier texts of the Berne Convention : Provisions corresponding
to those listed above.

Madrid Convention

Nice Text : Article 7 (1) as far as it concerns the renewal fee.
Article 8, paragraphs (2) to (9) inclusive.
Article 10, paragraphs (2) and (3).
Regulations : in their entirety.
Earlier versions : provisions corresponding to those listed above.

The Hague Agreement on the International Deposit of Industrial
Designs

London Text : Articles 15, 16 and 20.
Monaco Text : in its entirety.
Regulations : in their entirety.

Nice Agreement on Classification of Goods and Services to
which Trademarks Apply

Article 5 and Article 8, paragraphs (3) and (4).

Lisbon Agreement on the Protection of Appellations of Origin
and their International Registration

Article 7 (2) and Article 10 (2).