

May 26, 1964

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

# BIRPI

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

## 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)

DRAFT

CONVENTION OF THE WORLD INTELLECTUAL PROPERTY  
ORGANIZATION (W. I. P. O.)

AND

DRAFT RESOLUTION

(Draft adopted by the Working Party on May 26, 1964)

- Article 1 : Definitions
- Article 2 : Establishment, Objective and Functions
- Article 3 : Membership
- Article 4 : Headquarters
- Article 5 : Organs of the Organization
- Article 6 : General Conference
- Article 7 : General Assemblies of the Unions
- Article 8 : Executive Board
- Article 9 : Executive Committees of the Paris Union and  
of the Berne Union
- Article 10 : Executive Committees of the other Unions
- Article 11 : Coordination Committee
- Article 12 : Secretariat
- Article 13 : Finances
- Article 14 : Legal Status, Privileges and Immunities
- Article 15 : Independence of the Intellectual Property  
Conventions, Agreements and Treaties
- Article 16 : Revision of the Intellectual Property Conventions,  
Agreements and Treaties
- Article 17 : Relations with other International Organizations
- Article 18 : Settlement of Disputes
- Article 19 : Voting

Article 20 : Amendments  
Article 21 : Entry into Force  
Article 22 : Denunciation  
Article 23 : Notification  
Article 24 : Final Provision  
Article 25 : Transitory Provision  
Annex to Article 15

ARTICLE 1

DEFINITIONS

For the purposes of this Convention:

"Paris Convention" shall mean the Convention on the protection of industrial property signed on March 20, 1883, and any of its past or future revisions;

"Berne Convention" shall mean the Convention on the protection of literary and artistic works signed on September 9, 1886, and any of its past or future revisions;

"Madrid Agreement" shall mean the Agreement on the International Registration of Trademarks signed on April 14, 1891, and any of its past or future revisions;

"Paris Union" shall mean the International Union established by the Paris Convention;

"Berne Union" shall mean the International Union established by the Berne Convention;

"Unions" shall mean the Paris Union, the Special Agreements established in relation with that Union, the Berne Union, and any other convention, agreement or treaty whose administration is assumed by the Organization according to Article 2(2)(iii).

ARTICLE 2

---

ESTABLISHMENT, OBJECTIVE AND FUNCTIONS

(1) The World Intellectual Property Organization (hereinafter called the Organization) is hereby established with the objective of promoting international cooperation in the field of protection for:

- (i) authors of literary and artistic works,
- (ii) inventors, particularly in the field of science, industry and agriculture,
- (iii) performing artists,
- (iv) industries and services which utilize or disseminate literary and artistic works, inventions, designs, trademarks and other commercial designations,

and thus enhancing the dissemination of intellectual creations among the various Nations without discrimination as to their economic or social structures and the degree of their industrialization, and fostering the production and distribution of goods throughout the world.

(2) To this end, the Organization:

- (i) shall, in the field of intellectual property, encourage the maintenance, implementation and development of the existing international conventions, agreements and treaties, and the conclusion of new conventions, agreements or treaties where appropriate, and perform such duties as may be assigned thereby to the Organization and are consistent with its objectives;
- (ii) is entrusted with the administrative tasks of the Paris Union, the Special Agreements established in relation with that Union, and the Berne Union;

- (iii) may assume the administration of other intellectual property conventions, agreements and treaties, in agreement with the competent organs of such conventions, agreements or treaties;
- (iv) shall assemble information concerning intellectual property, promote and carry out studies in this field, and disseminate the information assembled and the results of the studies;
- (v) shall maintain services facilitating the international protection of intellectual property and, where appropriate, provide for registration in the field of intellectual property and the publication of the data concerning the registrations;
- (vi) shall promote the adoption of measures calculated to simplify the protection of intellectual property throughout the world and to harmonize national legislations;
- (vii) shall advise countries requesting technical assistance in the field of intellectual property;
- (viii) generally, shall take all necessary action to attain the objective of the Organization.

ARTICLE 3

MEMBERSHIP

Membership in the Organization shall be open to any State which is:

- (i) a party to the Paris Convention or the Berne Convention,\*  
or
- (ii) a party to any other convention, agreement or treaty the administration of which is entrusted to the Organization,\* or
- (iii) a member of the United Nations or any of its Specialized Agencies, or
- (iv) a State invited by the General Conference to become a member of the Organization.

---

\* The Experts of some of the Governments asked that items (i) and (ii) be omitted as superfluous.

ARTICLE 4

HEADQUARTERS

The headquarters of the Organization shall be at Geneva.  
It may be transferred to another location pursuant to a decision  
of the General Conference.

ARTICLE 5

ORGANS OF THE ORGANIZATION

The organs of the Organization are the General Conference, the Executive Board, and the Secretariat headed by the Director General.



ARTICLE 6GENERAL CONFERENCE

(1) The General Conference shall consist of the States Members of the Organization. The Government of each Member State shall be represented by one delegate who may be assisted by alternate delegates and by advisors.

(2) Subject to the powers reserved to the General Assemblies and Executive Committees of the various Unions, the General Conference shall:

- (i) determine the program of the Organization as such;
- (ii) adopt the triennial budget of the Organization as such;
- (iii) approve the final accounts;
- (iv) review and approve reports and activities of of the Executive Board and the Director General and instruct them in regard to matters concerning which action, study, investigation or report is desired;
- (v) approve any agreement concluded with the United Nations under Articles 57 and 63 of the Charter of the United Nations;
- (vi) elect the members of the Executive Board;
- (vii) appoint the Director General;
- (viii) establish such committees as may be considered necessary for the work of the Organization;
- (ix) determine the languages which, in addition to English and French, shall be the working languages of the various organs of the Organization;
- (x) confirm the arrangements made by the Director General for the administration of the conventions, agreements and treaties referred to in Article 2(2)(iii).

- (xi) exercise such other functions as are provided for in this Convention;
- (xii) take any other appropriate action designed to further the objective of the Organization.

(3) Each Member State shall have one vote in the General Conference.

(4) Upon convocation by the Director General, the General Conference shall meet once in every third calendar year in ordinary session. It shall meet in extraordinary session upon convocation of the Director General at the request of the Executive Board or of one-fourth of the Member States. Meetings shall be held at the headquarters of the Organization.

(5) The General Conference shall adopt its rules of procedure.

(6) The General Conference shall, at each ordinary session, elect a chairman and other officers as provided for by its rules of procedure. It shall, at each session, appoint the necessary working committees.

(7) The General Conference may admit, as observers, representatives of States not members of the Organization, and representatives of international organizations, to such of its meetings or meetings of its working committees as it sees fit.

ARTICLE 7

GENERAL ASSEMBLIES OF THE UNIONS

(1) Each Union shall have a General Assembly consisting of the States Members of the Union. The Government of each Member State shall be represented by one delegate who may be assisted by alternate delegates and by advisors.

(2) The General Assembly of each Union shall have the following powers as far as its Union is concerned:

- (i) it shall determine the program and triennial budget of the Union in all matters exclusively concerning the operations and the administration of the Union;
- (ii) it shall elect the members of the Executive Committee of the Union where the Union has such a Committee;
- (iii) it shall review and approve reports and activities of its Executive Committee, if any, and shall give instructions to such Committee;
- (iv) it shall review and approve reports and activities of the Director General concerning the Union and shall give instructions to him in such matters;
- (v) it shall establish such commissions as may be considered necessary for the work of the Union;
- (vi) it shall take any other appropriate action designed to further the objectives of the Union.

(3) Each Member State of the Union shall have one vote in the General Assembly of the Union.

(4) Upon convocation by the Director General, the General Assemblies of the Unions shall meet in ordinary session

during the same period and at the same place as the General Conference of the Organization. The General Assembly of each Union shall meet in extraordinary session upon convocation of the Director General, at the request of its Executive Committee, or of one fourth of the Member States of the Union.

(5) Each General Assembly shall adopt its rules of procedure.

(6) Each General Assembly shall, at each ordinary session, elect such officers as are provided for in its rules of procedure. It shall, at each session, appoint the necessary working groups.

(7) Each General Assembly may admit, as observers, representatives of States not members of the Union, and representatives of international organizations, to such of its meetings or meetings of its working groups as it sees fit.

ARTICLE 8EXECUTIVE BOARD

(1) The Executive Board shall consist of members elected by the General Conference from among the Member States.

(2) (a) In order to secure participation by all the different categories of States Members of the Organization, members of the Executive Board shall be elected from rosters.

(b) Before each election, a separate roster shall be established for each of the following categories of States;

(i) States parties to the Paris Convention, the Berne Convention, and the Madrid Agreement,

(ii) States parties to the Paris Convention and the Berne Convention without being parties to the Madrid Agreement,

(iii) States parties only to the Paris Convention,

(iv) States parties only to the Berne Convention.

(c) Furthermore, a new separate roster shall be established for each convention, agreement or treaty whose administration is entrusted to the Organization and adherence to which is not limited to States Members of the Paris Union or of the Berne Union or of any other Union.

(d) Finally, there will be a roster for States not parties to any of the conventions, agreements or treaties referred to in subparagraphs (b) and (c) above.

(e) For the purposes of determining the number of seats allotted to each roster, each State shall be inscribed only in the roster for which it qualifies first in the rosters as listed above.

(f) For each roster, there shall be a number of seats corresponding to one fourth of the number of States inscribed in such roster. Remainders after division by four shall be disregarded; however, if the total number of States

inscribed in a roster is less than four, there shall be one seat allotted for such roster. In filling the seats allotted to each roster, any State inscribed in that roster or any preceding roster (provided that such State is a party to at least one of the Conventions referred to in the roster under consideration) may be elected. No State may fill more than one seat.

(g) In electing the members of the Executive Board, the General Conference shall have regard to a balanced geographical distribution.

(h) Each member of the Executive Board shall serve from the close of the session of the General Conference which elected it to the close of the next ordinary session. However, members may be re-elected, except that not more than two thirds of them may be re-elected. At each election, and until the limit of two thirds is attained, the names of the States members of the Executive Board shall be called in alphabetical order, and the General Conference shall vote on each separately whether to re-elect it or not. It shall be decided by lot drawn before each election whether the names of the States shall be called on the basis of the English or the French alphabetical list of their names; furthermore, the letter of the alphabet with which the calling for possible re-election will start shall be drawn by lot.

(3) The Executive Board shall:

- (i) prepare the agenda of the General Conference;
- (ii) submit proposals to the General Conference in respect to the draft of the program and triennial budget referred to in Article 6 prepared by the Director General;
- (iii) approve, within the limits of the program and triennial budget, the yearly budgets and programs prepared by the Director General;

- (iv) submit, with appropriate comments, to the General Conference the periodical reports of the Director General and the yearly audit report on the accounts;
  - (v) when the term of office of the Director General is about to expire, nominate either him for reappointment, or a candidate for appointment, by the General Conference as Director General, or, when there is a vacancy in the post of the Director General, nominate a candidate for such appointment;
  - (vi) appoint an Acting Director General if the post of the Director General becomes vacant between two sessions of the General Conference; the term of office of the former shall last until the new Director General assumes office;
  - (vii) in accordance with the decisions of the General Conference and having regard to circumstances arising between two ordinary sessions of that Conference, it shall take all necessary measures to ensure the execution of the program by the Director General;
  - (viii) exercise such other functions which other provisions of this Convention refer to it.
- (4) Upon convocation by the Director General, the Executive Board shall meet at least once every year.
- (5) Each member of the Executive Board shall have one vote. Decisions shall be made by simple majority. More than half of the votes cast by the members present and voting shall constitute a simple majority. Abstentions shall not be considered as votes.
- (6) The Executive Board shall establish its own rules of procedure subject to the provisions of this Convention and the decisions of the General Conference.

(7) The Executive Board shall elect a chairman and other officers, and appoint the necessary working groups, as provided for in its rules of procedure.



ARTICLE 9EXECUTIVE COMMITTEES OF THE PARIS UNION AND THE  
BERNE UNION

- (1) The Paris Union, as well as the Berne Union, shall have an Executive Committee. Each of these Committees shall be governed by the following provisions.
- (2) The number of the States Members of the Executive Committee shall correspond to one-fourth of the States Members of the Union. In establishing the number of seats to be filled, remainders after division by four shall be disregarded.
- (3) In electing the members of the Executive Committee, the General Assembly shall have regard to a balanced geographical distribution.
- (4) Each member of the Executive Committee shall serve from the close of the session of the General Assembly which elected it to the close of the next ordinary session of the General Assembly. Not more than two-thirds of them may be re-elected. At each election, and until the limit of two-thirds is attained, the names of the States members of the Executive Committee shall be called in alphabetical order and the General Assembly shall vote on each separately whether to re-elect it or not. It shall be decided by lot drawn before each election whether the names of the States shall be called on the basis of the English or the French alphabetical list of their names; furthermore, the letter of the alphabet with which the calling for possible re-election will start shall be drawn by lot.

(5) The Executive Committee shall:

- (i) prepare the agenda of the General Assembly;
- (ii) submit proposals to the General Assembly in respect to the draft of the program and triennial budget of the Union prepared by the Director General, and approve, within the limits of this program and budget, the specific yearly budgets and programs prepared by the Director General.
- (iii) submit, with appropriate comments, to the General Assembly the periodical reports of the Director General and the yearly audit reports on the accounts;
- (iv) in accordance with the decisions of the General Assembly and having regard to circumstances arising between two ordinary sessions of that Assembly, it shall take all necessary measures to ensure the execution of the program of the Union by the Director General;
- (v) exercise such other functions as are provided for in this Convention.

(6) Upon convocation by the Director General, the Executive Committee shall meet at least once every year.

(7) Each member of the Executive Committee shall have one vote. Decisions shall be made by simple majority. More than half of the votes cast by the members present and voting shall constitute a simple majority. Abstentions shall not be considered as votes.

(8) The Executive Committee shall establish its own rules of procedure subject to the provisions of this Convention and the decisions of the General Assembly.

(9) The Executive Committee shall elect a chairman and other officers, and appoint the necessary working committees, as provided in its rules of procedure.

ARTICLE 10

EXECUTIVE COMMITTEES OF OTHER UNIONS

The General Assembly of any other Union may establish an Executive Committee of its own.

ARTICLE 11

COORDINATION COMMITTEE\*

(1) There shall be a Coordination Committee comprising the States Members of the Executive Board of the Organization, of the Executive Committee of the Paris Union, and of the Executive Committee of the Berne Union.

(2) If the other Unions administered by the Organization wish to be represented as such in the Coordination Committee, their representatives must be appointed from amongst the representatives of States Members of the Coordination Committee.

(3) The nature of the functions of the Coordination Committee is purely advisory. In particular, it shall give advice to the other organs of the Organization and the Unions on administrative, financial and other matters of common interest to the Organization and the Unions or certain of them.

(4) Each State Member of the Coordination Committee shall have one vote. It may be represented by one or two Delegates, who may be accompanied at sessions of the Coordination Committee by advisers.

(5) Any State Member of the Organization, which is not a Member of the Coordination Committee, may be represented at the meetings of the Committee by observers, having the right to take part in the debates but without the right to vote.

(6) Upon invitation by the Director General, the Coordination Committee shall meet at least once every year.

(7) (a) The Coordination Committee shall express its opinions by simple majority. More than half of the votes cast by the members present and voting shall constitute a simple majority. Absentions shall not be considered as votes.

---

\* The Experts of some of the Governments doubted the necessity of establishing a Coordination Committee. They expressed the view that the functions referred to in paragraph (3) could be better carried out by the Executive Board.

(b) Even if the simple majority is obtained, the representative of any State member of the Coordination Committee may request that the votes already expressed be the object of a special recount in the following manner:

- three separate lists shall be drawn up indicating, respectively, the names of the States members of the Executive Board, the Executive Committee of the Paris Union, and the Executive Committee of the Berne Union,
- the vote of each State shall be inscribed opposite its name in each list in which it appears.

Should this special recount indicate that simple majority has not been obtained in each of these lists, the proposal for an expression of opinion shall not be considered as carried.

(8) Subject to the provisions of this Convention, the Coordination Committee shall establish its rules of procedure.

ARTICLE 12SECRETARIAT

(1) The Secretariat shall comprise a Director General, two or more Deputy Directors General, and the other staff members.

(2) The Director General shall be appointed under such conditions as the General Conference may approve and shall be eligible for reappointment.

(3) The Director General shall be the chief administrative officer of the Organization and shall represent the Organization.

(4) The Director General shall prepare and communicate to Member States, the Executive Board, the Executive Committees, and the Coordination Committee, the draft budgets and programs which concern them, and periodical reports on the activities and finances of the Organization and the various Unions.

(5) The Director General, or a staff member designated by him, shall participate, without the right to vote, in all meetings of the General Conference, the General Assemblies, the Executive Board, the Executive Committees, the Coordination Committee, and any other commission, committee or working group. He, or a staff member designated by him, shall be ex officio Secretary of all these bodies.

(6) The Director General shall appoint the staff necessary for the efficient performance of the tasks of the Organization. He shall appoint the Deputy Directors General with the approval of the Executive Board. The conditions of employment shall be fixed by the staff regulations to be approved by the Executive Board on the proposal of the Director General. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

(7) The nature of the responsibilities of the Director General and of the staff shall be exclusively international. In the discharge of their duties they shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might prejudice their position as international officials. Each Member State undertakes to respect the exclusively international character of the responsibilities of the Director General and the staff, and not to seek to influence them in the discharge of their duties.



ARTICLE 13FINANCES

(1) (a) There shall be a budget of the Organization, and separate budgets of the Unions.

(b) In the budget of the Organization, there shall appear the proper expenses of the Organization itself and its share in the common expenses.

(c) In the budget of each Union there shall appear the proper expenses of the Union itself and its share in the common expenses.

(d) Expenses not attributable exclusively to the Organization or to any given Union alone shall be considered as common expenses. Common expenses shall be assessed among the Organization and the various Unions in proportion to the interest each of them has in such expenses.

(2) The budget of the Organization and the budgets of the Unions shall be established with due regard to the necessities of coordination.

(3) The budget of the Organization and the budgets of the Unions shall be financed from the following sources:

- (i) the contributions of the Member States towards the budgets of the Organization, the Paris Union, the Berne Union, and such other Unions which know the system of financing by contributions;
- (ii) the fees charged for services performed by the Secretariat;
- (iii) sale of, or royalties on, the publications of the Secretariat;
- (iv) gifts, bequests and subventions;
- (v) rents, interests, and other similar miscellaneous income.

(4) (a) For the purpose of establishing its contribution towards the budgets referred to in paragraph (3)(i), each Member State shall belong to a class, and shall pay its annual contribution on the basis of a fixed number of units as follows:

Class I .....	25
Class II .....	20
Class III .....	15
Class IV .....	10
Class V .....	5
Class VI .....	3
(Class VII .....	1)*

(b) Each State is free to indicate the class in which it wishes to belong with due regard to the size of its national economy. If a State fails to make a selection, the Executive Board shall assign it a class. Any State may change class but if the change is one to a lower class the State must announce it to an ordinary session of the General Conference; such change shall take effect at the beginning of the calendar year following the session.

(c) The amount of the yearly contribution of any given State shall be calculated separately for each budget referred to in paragraph (3)(i) and in the following manner: the units applicable to each State according to the class to which it belongs shall be added together; the amount of the total yearly contributions inscribed in the budget shall be divided by the sum resulting from the said addition; the quotient of this division shall be multiplied, for the given State, by the number of the units applicable to it. The product of this multiplication shall be the amount of the yearly contribution of the given State.

(d) The contributions of the Member States shall be due on the first of January of each year.

(e) A Member State which is in arrears in the payment of any of its financial contributions shall have no vote in any organs of the Organization and of the Unions if the amount

---

\* As to the question of adding Class VII, see the Explanatory Statement

of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Conference may, nevertheless, permit such a State to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the said State.

(5) (a) The amount of the fees charged for international registration shall be fixed by the Director General with the consent of the General Assembly of the Union establishing the registration service. The fees of each registration service shall be fixed at a level at least sufficient to cover the expenses of the Secretariat caused by the maintenance of such service.

(b) The amount of other fees charged for services shall be established by the Director General who shall report on them to the competent organs.

(6) The Organization, with the approval of the Executive Board, may receive gifts, bequests and subventions, directly from governments, public or private institutions, associations or private persons.

(7) (a) The Organization shall have a working capital fund constituted by payments made by each Member State and of each international registration service administered by the Organization.

(b) The payment that each Member State shall make towards the working capital fund shall be (the equivalent of its yearly contributions)\*(X percent of its yearly contributions)\* which is assessed according to par. (4) for the first year following the year in which it becomes party to this Agreement. This payment is due by the end of the year following the year in question.

---

\* See the Explanatory Statement

(c) The payment to be made by the Trademark Registration Service shall be ..... Swiss francs, and that to be made by the Design Registration Service shall be ..... Swiss francs. These amounts shall be transferred from the reserve funds of these Services. The amount of the payment to be made by any future Service administered by the Organization shall be fixed by the General Conference.

(d) The General Conference may decide to increase or decrease the working capital fund. If the working capital fund is diminished, each Member State and Registration Service shall be credited in the same proportion as its payments into the working capital fund stand to the total amount of the fund at the time the decrease is effected. If the working capital fund is increased, the payment to be effected shall be determined in the same manner for each Member State and each Registration Service.

(e) If a State ceases to be a member of the Organization, any payment made by such State into the Working Capital Fund shall be reimbursed to it.

(8) (Paragraph reserved for provisions establishing a system of auditing the accounts by the Government of the Swiss Confederation until the second ordinary session of the General Conference and, thereafter, by other Member States, as decided by the General Conference, or by external auditors designated by the General Conference.)

(9) (Paragraph reserved for provisions to the effect that (i) the Government of the Swiss Confederation shall continue to grant the necessary advances if the working capital fund is insufficient, (ii) the details shall be regulated in an agreement between the Swiss Confederation and the Organization and (iii) in order to be able to know the financial situation of the Organization in all its details, Switzerland shall be ex officio member of the Executive Board, the Executive Committees and the Coordination Committee.)

ARTICLE 14

LEGAL STATUS, PRIVILEGES AND IMMUNITIES

(1) The Organization shall enjoy in the territory of each Member State such legal capacity as may be necessary for the fulfilment of its purposes and for the exercise of its functions.

(2) (a) The Organization shall enjoy in the territory of each Member State such privileges and immunities as may be necessary for the fulfilment of its purposes and for the exercise of its functions.

(b) Representatives of Member States and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

(3) The Director General shall conclude, in the name of the Organization and with the approval of the Executive Board, a Headquarters Agreement with the Swiss Confederation, and may conclude, as necessary, bilateral or multilateral agreements with the other Member States concerning the application of the provisions of the foregoing paragraphs, in conformity with international custom and the constitutions of the interested States.

ARTICLE 15INDEPENDENCE OF THE INTELLECTUAL PROPERTY CONVENTIONS,  
AGREEMENTS AND TREATIES

(1) Subject to paragraph (2), the provisions of the Paris Convention, the special agreements established in relation with that Convention, the Berne Convention, and any other convention, agreement or treaty the administration of which is entrusted to the Organization, are not affected by the provisions of this Convention.

(2) Among the States parties to this Convention, the provisions of this Convention shall replace those provisions of the instruments referred to in the preceding paragraph which are set forth in the Annex.

ARTICLE 16

REVISION OF THE INTELLECTUAL PROPERTY CONVENTIONS  
AGREEMENTS AND TREATIES

(1) Revision, not inconsistent with the provisions of the present Agreement, of any of the conventions, agreements or treaties referred to in Article 15 shall be a matter within the sole jurisdiction of the States parties to the convention, agreement or treaty to be revised, and shall be effected as provided in those instruments.

(2) States parties to any of these conventions, agreements or treaties shall establish committees for the preparation -- where appropriate in cooperation with the Government of the country in which the revision conference is scheduled to take place -- of revision conferences. The secretariat of the revision conferences as well as of the said committees shall be provided by the Secretariat of the Organization.

ARTICLE 17

RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS

(1) The Organization shall, if appropriate, establish effective relations and cooperate closely with other intergovernmental organizations. Subject to Article 6, paragraph (2)(v), any general agreement entered into with such organizations shall be made with the approval of the Executive Board.

(2) The Organization may on matters within its competence make suitable arrangements for consultation and cooperation with nongovernmental international organizations and, with the consent of the governments concerned, with national organizations, governmental or nongovernmental.

(3) The Organization may take over from any other international organization or agency such functions, resources and obligations as may be transferred to the Organization by international agreement or by arrangements entered into with the competent authorities of such other organization or agency.



ARTICLE 18

SETTLEMENT OF DISPUTES

Any dispute between two or more Member States concerning the interpretation or application of this Convention which is not settled by negotiation or by the General Conference shall, upon the request of one or more of the interested Member States, be referred to the International Court of Justice for adjudication, unless the parties concerned agree on another mode of settlement.\*

---

\* Some of the Experts declared that their Governments had objections in principle with respect to the compulsory jurisdiction of the International Court of Justice and have proposed that a Protocol to this Convention be formulated containing the substance of this Article and that the acceptance of this Protocol be left to the discretion of each Member State.

ARTICLE 19

VOTING

(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) adoption of the budgets to the extent they change the financial obligations of Member States (Articles 6(2)(ii) and 7(2)(i));

(iv) changes in the amount of the working capital fund (Article 13(7)(d)).

(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)(x));

(5) The approval 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)(v)).

ARTICLE 20

AMENDMENTS

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

(2) Amendments are adopted by the General Conference by at least three-quarters of the votes cast provided that any amendment 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. Abstentions shall not be considered as votes.

(3) Amendments shall enter into force when accepted by three-fourths of the Member States. Amendments thus accepted shall bind all the Member States, except that any amendment increasing the obligation of Member States shall bind a State only upon acceptance by it.

(4) Acceptance shall be communicated in writing to the Director General.

ARTICLE 21

ENTRY INTO FORCE

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

- (i) signature without reservation as to ratification, or
- (ii) signature subject to ratification followed by the deposit of an instrument of ratification;
- (iii) deposit of an instrument of accession.

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

(2) (a) This Convention 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) 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) above before the date referred to in subparagraph (a) of the present paragraph, this Convention shall enter into force on the date referred to in subparagraph (a) of the present paragraph.

(3) States which, on the day when this Convention 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 have not yet become party

to this Convention shall, for five years from such date have the same rights as if they had become party to this Convention, 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 this Convention shall have no right to vote in the General Conference. Upon becoming party to this Convention 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 this Convention, no State shall, without being a party to this Convention, become party to a convention, agreement or treaty the administrative tasks or the administration of which is entrusted to the Organization.

ARTICLE 22

DENUNCIATION

(1) Any State may denounce this Convention, 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 are entrusted to the Organization.

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

(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

The Director General shall notify to the Governments of all States which sign or accede to this Convention:

- (i) the date the Convention enters into force,
- (ii) each signature deposit of ratification or accession, and the date thereof,
- (iii) each acceptance of an amendment to this Convention, the date of the receipt of any document signifying acceptance, and the date upon which the amendment enters into force,
- (iv) any denunciation of this Convention and the date of the receipt thereof.

ARTICLE 24

FINAL PROVISION

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

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

(3) The Director General shall transmit two duly certified copies of this Convention and of each amendment adopted by the General Conference to the Governments of the signatory States, of the States acceding to this Convention, of all Member States of the Paris and Berne Unions, and, on request, of any other State.

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



ARTICLE 25TRANSITORY PROVISION

Until the first Director General assumes office, references to the Director General shall be deemed to be references to the Director of the United International Bureaux for the Protection of Industrial, Literary and Artistic Property (BIRPI).

ANNEX TO ARTICLE 15

PROVISIONS SUBSTITUTED  
BY THE PROVISIONS OF  
THE CONVENTION

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 paragraph (2).

Earlier Texts of the Berne Convention: Provisions corresponding  
to those listed above.

Madrid Agreement

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 Registrati ..

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

DRAFT RESOLUTION

The Diplomatic Conference of Stockholm resolves:

(1) (a) Subject to subparagraph (c) concerning the financial obligations of Member States, the provisions of the Convention of the World Intellectual Property Organization (W. I. P. O.) signed today shall be applied on an interim basis as of January 1st of next year and until the Convention enters into force as provided in its Article 21(2)(a), unless, prior to such entry into force, the present Resolution is rescinded or amended by not less than nine-tenths of the States signatories of the Convention. Such interim application shall give rise to obligations on any Member State only to the extent compatible with its Constitution and laws.

(b) During the interim period, all States party to any convention, agreement or treaty the administrative tasks or the administration of which is now entrusted to the United International Bureaux for the Protection of Industrial, Literary and Artistic Property (BIRPI), or will be entrusted to the interim Organization, and all States which, without being party to such conventions, agreements or treaties, sign the Convention without reservation as to ratification, or ratify or accede to it, shall have the same rights as if the Convention were in force and they were parties thereto.

(c) All States are invited to contribute on the basis of the budgets to be established by the General Conference and the General Assemblies functioning on an interim basis and according to the system provided for in the Convention.

(2) Subject to the provisions of the Convention, references in the conventions, agreements or treaties the administrative tasks or the administration of which was entrusted to the United International Bureaux for the Protection of Industrial, Literary and Artistic Property (BIRPI) shall be considered:

(i) as references to the General Conference and the General Assemblies whenever the reference is to the

Draft Resolution Continued:

Swiss Government as Supervisory Authority and whenever the reference is to assemblies of Member States other than revision conferences,

- (ii) as references to the Director General whenever the reference is to the Director of the United International Bureaux for the Protection of Industrial, Literary and Artistic Property (BIRPI).

(3) The Government of Switzerland, the Interunion Coordination Committee, and the Director of the United International Bureaux for the Protection of Industrial, Literary and Artistic Property (BIRPI) are invited to take the necessary measures for the implementation of the present Resolution.