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DE LA PROPRIÉTÉ INTELLECTUELLE  
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ACTIVITIES OF BIRPI

SINCE THE LAST ORDINARY SESSION (DECEMBER 1967)  
OF THE INTERUNION COORDINATION COMMITTEE

Report of the Director of BIRPI

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Table of Contents

	<u>Paragraphs</u>
<u>INTRODUCTION</u>	
Period covered by this Report .....	1
Composition of this Report .....	2-3
<u>THE PARIS UNION AND INDUSTRIAL PROPERTY</u>	
<u>IN GENERAL</u>	
Stockholm Act .....	4-10
Plan for a Patent Cooperation Treaty (PCT) .....	11-20
Model Laws for Developing Countries .....	21-22
ICIREPAT .....	23-29
World Patent Index .....	30-33
International Classification of Industrial Designs .....	34-35
Technical Assistance Program (Training) .....	36-41
Cooperation between the United Nations and BIRPI .....	42-52
Council of Europe .....	53-59
Publications .....	60-61
<u>MADRID AGREEMENT (INDICATIONS OF SOURCE)</u>	
Additional Act of Stockholm .....	62-64
<u>MADRID UNION (REGISTRATION OF MARKS)</u>	
Nice Act .....	65
Stockholm Act .....	66-67
Statistics .....	68
Committee of Directors of National Industrial Property Offices .....	69
Amounts redistributed .....	70
Publication .....	71

[Table of Contents, continued]

	<u>Paragraphs</u>
<u>THE HAGUE UNION</u>	
Complementary Act of Stockholm .....	72
Statistics .....	73
Publication .....	74
<u>NICE UNION</u>	
Stockholm Act .....	75-77
Application by a non-member country.....	78
Publications .....	79
<u>LISBON UNION</u>	
Stockholm Act .....	80
Council .....	81
Statistics.....	82
Publications .....	83
<u>BERNE UNION AND COPYRIGHT IN GENERAL</u>	
New Member of the Union .....	84
Stockholm Act .....	85-89
Permanent Committee .....	90-92
Working Group - Stockholm Conference	
Recommendation No. III .....	93-94
Publications .....	95-97
<u>ROME CONVENTION FOR THE PROTECTION OF</u> <u>NEIGHBORING RIGHTS</u>	
Intergovernmental Committee .....	98
<u>WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)</u>	
Convention Establishing the Organization .....	99-102
*****	
VIEWS OF THE COMMITTEE .....	103

## INTRODUCTION

### Period covered by this Report

1. This document contains a summary of the activities of BIRPI since the last report to the fifth ordinary session of the Interunion Coordination Committee which was held in December 1967. Thus, it generally covers a period of six and a half months, running from December 15, 1967, to July 1, 1968.

### Composition of this Report

2. This document is divided into nine main parts dealing with the following matters: the Paris Union and the protection of industrial property in general; the Madrid Agreement (Indications of Source); the Special Unions of Madrid (Marks), The Hague, Nice and Lisbon; the Berne Union and copyright in general; the Convention for the protection of neighboring rights; and the World Intellectual Property Organization (WIPO).

3. This document is concerned with the carrying out of the program. Financial questions are dealt with in the Management Report for 1967 and in document CCIU/VI/4. The future program is set forth in document CCIU/VI/6. Staff matters are dealt with in documents CCIU/VI/7 and 8.

THE PARIS UNION  
AND INDUSTRIAL PROPERTY IN GENERAL

Stockholm Act

4. Signatures.- The time limit for signing the Stockholm Act (1967) of the Paris Convention for the Protection of Industrial Property expired on January 13, 1968. There are 46 signatory countries. These countries are the following: Algeria,\* Austria, Belgium, Bulgaria,\* Cameroon, Central African Republic, Cuba, Denmark, Finland, France, Gabon, Germany (Federal Republic), Greece, Holy See, Hungary, Iceland, Indonesia,\* Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Monaco, Morocco, Niger, Norway, Netherlands, Philippines, Poland,\* Portugal, Rumania,\* Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia, Union of Soviet Socialist Republics,\* United Kingdom, United States of America, Yugoslavia.

5. Ratification.- Ireland has ratified the Stockholm Act. Its instrument of ratification was deposited on March 27, 1968.

6. Accession.- On June 20, 1968, the Director received a declaration of accession in the name of the German Democratic Republic; this was notified to the Governments of all countries of the Union by the Director, who, in the same document, pointed out that this notification did not mean that he had adopted any position on the question whether the German Democratic Republic is or is not a party to the Convention, the countries of the Union being in disagreement on this question.

7. Declaration under Article 30(2).- The Republic of Cuba deposited, on January 15, 1968, a declaration according to which that country intends to avail itself of the provisions of Article 30(2) of the Stockholm Act of the Paris Convention.

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\*/ These countries signed the Stockholm Act subject to the reservation provided for in Article 28(2).

8. Official texts.- The Director of BIRPI has consulted the Governments of the countries concerned with regard to the official text of the Stockholm Act in English, German, Italian and Spanish. The Portuguese and Russian texts are in the course of preparation.

9. The English text was published in the May 1968 issue of the review Industrial Property.

10. The other texts will be published as soon as the consultations with the Governments concerned have terminated.

Plan for a Patent Cooperation Treaty (PCT)

11. The last event reported on was the meeting, in October 1967, of the Committee of Experts which studied the first draft of this Treaty (see documents CCIU/V/3, paragraphs 44 to 49, and CCIU/V/10).

12. During the first six months of 1968, BIRPI continued its studies and consultations with a view to drawing up a second draft of the same Treaty, which was to take into account the main suggestions made by the above-mentioned Committee of Experts.

13. These consultations took various forms. They included, inter alia, the following meetings convened by BIRPI in Geneva:

14. Four meetings with representatives of the non-governmental organizations interested: January 18, January 20, April 22 and 23, and April 25 and 26, 1968. The following organizations were represented at these meetings: Committee of National Institutes of Patent Agents; Council of European Industrial Federations; European Industrial Research Management Association; Inter-American Association of Industrial Property; International Association for the Protection of Industrial Property; International Chamber of Commerce; International Federation of Patent Agents; National Association of Manufacturers (United States of America); Union of European Patent Agents; Union des industries de la Communauté européenne.

15. Three meetings with the "Group of Consultants," that is, representatives of the following six States and the International Patent Institute: France, Germany (Federal Republic), Japan, Soviet Union, United Kingdom, United States of America. These meetings were held from January 23 to 25, from April 29 to May 3, and from June 25 to 27, 1968. The discussions were based on documents dealing with (i) questions concerning the proposed international search (document PCT/C/1); (ii) questions concerning the proposed international patent application (documents PCT/C/2 and 3) and the proposed international examination (document PCT/C/4), and (iii) the texts of the second draft of the Treaty and of the first full draft Regulations (these drafts are a preliminary version of the documents intended for the Committee of Experts whose meeting is planned for the month of December 1968).

16. A Working Group which met from March 25 to 29, 1968, at the Palais des Nations, Geneva, and which studied questions concerning the proposed international search (documents of the PCT/II series (those of the PCT/I series having been examined by the Committee of Experts which met in October 1967)). The same countries and the same organizations (plus one) that had been invited to the October 1967 meeting were invited to the Working Group of March 1968. Those countries were the following: Argentina, Australia, Austria, Belgium, Brazil, Canada, Czechoslovakia, Denmark, France, Germany (Federal Republic), Italy, Japan, Mexico, Netherlands, Norway, Poland, South Africa, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, and, as observers, Hungary and India. The intergovernmental organizations invited were the following: United Nations, International Patent Institute, Organization of American States, Council of Europe, European Community, European Free Trade Association, African and Malagasy Industrial Property Office. The same non-governmental organizations were invited as are listed in paragraph 14 above, plus the Japan Patent Association. Approximately one hundred persons participated in the meetings. The list of participants was published in the November 1967 issue of Industrial Property.

17. Lastly, an information meeting was held at the BIRPI headquarters on July 1, 1968. The countries invited to the meeting of the Working Group mentioned in the above paragraph, except for the six countries belonging to the Group of Consultants (see paragraph 15 above), were invited to this meeting, at which BIRPI gave information on the progress of the work and the content of the working documents (PCT/III/1 to 6) prepared for the Committee of Experts of December 1968.

It is planned to have these documents published towards the end of July 1968. All member countries of the Paris Union, as well as the same international organizations that were invited to the Working Group of March 1968, will be invited to participate in the work of the said Committee of Experts.

18. As regards the text of the second draft of the Treaty, see in particular document PCT/III/4, which sums up the main provisions of that draft and its principal advantages.

19. During this preparatory period, very close contacts were maintained with the six countries and the International Patent Institute, which are already considered prospective Searching Authorities or Examining Authorities. As regards Germany (Federal Republic), Messrs. R. Singer and H. Mast have been sent as delegates by the Patentamt, Munich, and the Bundesjustizministerium, Bonn, to several working meetings. The United Kingdom has done likewise by delegating Mr. E. Armitage of the Patent Office, London, to such meetings. Dr. Bogsch, Deputy Director of BIRPI, has visited the national Offices in Moscow, Tokyo and Washington. The United States Patent Office has sent Mr. R. Tegtmeyer, and the Japanese Patent Office has sent Mr. Y. Hashimoto, to work on the BIRPI "PCT Team." They have shared their time between Geneva and their national Offices, spending the greater part of their time in Geneva. Lastly, on three occasions the International Patent Institute has delegated Messrs. R. Weber and G. J. Philips to work, for several days each time, with the "PCT Team" during the most crucial periods in the preparation of the working documents. It is perhaps unusual to mention such details in a report of this type; the Director of BIRPI is nevertheless doing so, exceptionally, to express publicly his gratitude to those Offices and to those officials for their particularly close collaboration during this phase of preparatory work on PCT.

20. Governments and non-governmental organizations have also organized special meetings in order to study PCT matters and have invited representatives from BIRPI to attend and explain the draft of the Treaty. The Director of BIRPI has thus participated in meetings organized in London by the Association of British Chambers of Commerce, in Frankfurt by the National Association of Manufacturers, and in other



meetings held by employer organizations, namely: in Cannes by FICPI, in Buenos Aires by IAPIP (Presidents' Conference), and in Helsinki by IAPIP (Executive Committee). At this last meeting, the Director was accompanied by Mr. Pfanner, Head of the Industrial Property Division of BIRPI. Dr. Bogsch participated in one of the meetings of the "PCT Coordination Committee" (a joint committee composed of representatives of the US Government and American bar groups) and in a meeting organized by the National Association of Manufacturers, as well as in meetings organized by various private Japanese associations, two meetings of the Comité privé d'experts en propriété industrielle de l'industrie européenne (COMPRI), a joint meeting (Government and associations) organized by the Canadian Patent Office, and a meeting of the national Offices of socialist countries organized by the National Office of Inventions of Hungary.

#### Model Laws for Developing Countries

21. Model Law on Marks, Trade Names, and Acts of Unfair Competition.- The French and Spanish versions of this model law have been published. (The English version was published in summer 1967, as is indicated in document CCIU/V/3, paragraph 39).

22. Model Law on Industrial Designs.- In spring 1968, the Director of BIRPI entrusted two eminent specialists with the preparation of a draft proposal for such a model law: Mr. R. Franceschelli, Professor at the University of Milan, and Mr. M. Spunda, of the Office of Patents and Inventions, Czechoslovakia.

#### ICIREPAT

23. BIRPI has participated in the activities of the Committee for International Cooperation in Information Retrieval Among Examining Patent Offices (ICIREPAT). In particular, BIRPI representatives attended the seventh annual meeting of the Committee, which was held in Stockholm from September 18 to 29, 1967.

24. BIRPI has continued to take an active interest in the work of Standing Committees (STAC) II and III, being represented at their meetings held at the same time as the annual meeting in September 1967, and at the special meeting of Standing Committee II, held in London from September 11 to 15, 1967. Two of the matters discussed by these Committees have been of special interest to BIRPI: (i) the adoption of microform standards for international exchange purposes between ICIREPAT members; and (ii) the question of uniform procedures for the identification, by number, of data on the first page of a patent or like document, and of data appearing in Patent Gazettes.

25. BIRPI was also represented at the meeting of the ICIREPAT ad hoc Committee on the World Patent Index, held in The Hague from February 12 to 15, 1968.

26. BIRPI was represented at the spring meetings of Standing Committees I and II, held in Munich from April 22 to 26, 1968.

27. Two meetings of the Enlarged Transitional Steering Committee were held at the BIRPI headquarters in Geneva. These meetings, which took place on March 30 and June 28, 1968, were convened by the Director of BIRPI in accordance with the decision of the Conference of Representatives of the Paris Union at its second session, as part of the consultation procedure concerning the statutes, rules of procedure, program, and budget of the new ICIREPAT.

28. At its first session, the Enlarged Transitional Steering Committee studied the question of the statutes of the new ICIREPAT. The proposals that resulted from this study are incorporated in document CEP/IV/4, which has been submitted to all member countries of ICIREPAT (including those which are not members of the Committee) for comment.

29. At its second session, the Enlarged Transitional Steering Committee discussed the program of ICIREPAT and decided to undertake an evaluation of the program as a whole.

World Patent Index

30. In accordance with the decision taken by the Conference of Representatives of the Paris Union at its December 1967 session, BIRPI interrupted its negotiations with private firms concerning the creation of the proposed Index and awaited government proposals for executing the project through cooperation among certain national Offices and the International Patent Institute (see document CR/II/15, paragraph 21).

31. No such proposal reached the Director of BIRPI within the prescribed time limits. An ad hoc meeting convened by the Director of BIRPI noted this fact on May 3, 1968. Representatives of Germany (Federal Republic), Japan, Switzerland, the Soviet Union, the United Kingdom, the United States of America, and the International Patent Institute, participated in the meeting (see document PJ/64.Rev.).

32. The ad hoc meeting expressed the opinion, in accordance with the decision of the Conference of Representatives (see document CR/II/15, paragraph 21(b)(iii)), that BIRPI should attempt to renew negotiations with private enterprise, in conformity with the principles laid down in document CR/II/11.

33. BIRPI has acted accordingly, and the results of the negotiations--if any are obtained before the administrative meetings in September 1968--will be given in a separate document, but probably not before September 1968.

International Classification for Industrial Designs

34. Attention is called to the fact that, since October 1967, the countries and organizations invited to the Locarno Conference have been in possession of the draft Locarno Agreement (document L/1).

35. The proposed Agreement would establish an international classification for industrial designs. The draft Agreement was drawn up by BIRPI at the request of the Swiss Government which will act as host to the Diplomatic Conference. The Conference is to be held at Locarno from October 2 to 8, 1968.

Technical Assistance Program (Training)

36. This year (1968), BIRPI, in collaboration with the competent authorities of the member States of the Paris Union, has continued its technical assistance program intended for government officials of developing countries who work in the field of industrial property.
37. In response to a request addressed by BIRPI to the Industrial Property Offices of 23 member States of the Paris Union, the following 13 States replied that they were willing to receive trainees from developing countries for a training period ranging from two to three months: Australia, Austria, Czechoslovakia, France, Germany (Federal Republic), Ireland, Israel, Poland, Soviet Union, Switzerland, United Kingdom, United States of America, Yugoslavia.
38. BIRPI contacted 23 States of the Paris Union and 32 States outside the Union--all developing countries--and invited them to present candidates for the 1968 technical assistance program.
39. Applications were received from the following 25 countries: Ceylon, Chile, Congo (Kinshasa), Cyprus, Ecuador, Ghana, Greece, India, Iran, Iraq, Kenya, Korea (Republic of), Libya, Malaya, Malawi, Mexico, Pakistan, Peru, Sierra Leone, Somalia, Sudan, Trinity and Tobago, Turkey, United Arab Republic, Viet-Nam (Republic of).
40. It is impossible, for budgetary reasons, to accept all of these applications. Besides, among other considerations the linguistic abilities of the candidates, in relation to the offers received by BIRPI from the national Offices, must be taken into account.
41. At the date of the writing of this report, the training program for 1968 has not yet been finalized. A supplement to the present document will give all relevant information concerning this matter.

Cooperation between the United Nations and BIRPI

42. BIRPI has continued and extended its cooperation with the United Nations and with the various subsidiary bodies of that Organization.

43. United Nations Commission on International Trade Law (UNCITRAL).-- Regarding this Commission, attention is called to the fact that a detailed report was submitted to the 1967 session of the Interunion Coordination Committee (document CCIU/V/9) and that the Committee approved the policy set forth in Annex III to the said document.

44. The first session of UNCITRAL was held in New York from January 29 to February 26, 1968. BIRPI was represented throughout almost the entire session; the Director of BIRPI participated personally in a few meetings and made a statement to the Commission on February 9, 1968.

45. UNCITRAL drew up a list of the subjects it intends to deal with and selected four which are to be given priority. "Intellectual Property" is among the subjects to be taken up but not among the four to be given priority. It can thus be expected that UNCITRAL will not deal actively with intellectual property in the immediate future.

46. International Symposium on Industrial Development.-- BIRPI was represented at this Symposium which was held in Athens from November 29 to December 19, 1967. The Symposium was organized by the United Nations Industrial Development Organization (UNIDO). There were 78 countries represented at the Symposium, 53 of which were members of the Paris Union and 41 of which were members of the Berne Union. BIRPI and UNIDO formed a joint secretariat during the consideration of an item of the agenda pertaining to administrative machinery for industrial development, namely, special arrangements for industrial property.

47. Two recommendations relating to BIRPI's work were adopted by the Symposium. One called upon UNIDO, in collaboration with other national and international organizations, to study

present industrial property arrangements, having regard to the special situations and problems of the developing countries. The other advised developing countries, in their own interests, to enact patent laws or to modernize existing laws so as to be in a better position to benefit from discoveries made in other countries.

48. Industrial Development Board.- The second session of this Board took place from April 17 to May 14, 1968, in Vienna, and BIRPI was represented. UNIDO's program of work for 1968 and 1969 was approved by the Board; this program includes "assistance to developing countries in the field of patents" with the "cooperation and participation of the United Nations Department of Economic and Social Affairs, of BIRPI, and of other interested agencies." Great interest was shown in the possibility of joint publication by BIRPI and UNIDO of an authoritative compilation of industrial legislation, including patent laws, on a world-wide basis. The financial implications of such a publication are now being investigated.

49. Second United Nations Conference on Trade and Development (UNCTAD).- This Conference, held in New Delhi from February 1 to March 25, 1968, and at which BIRPI was represented, had on its agenda an item relating to the transfer of technology, including know-how and patents. The United Nations Under Secretary-General for Economic and Social Affairs, in a statement to the Conference in plenary session, spoke of the role of patents in this context and emphasized the need for international arrangements. He stressed the potential importance to developing countries of ICIREPAT and of the BIRPI plan for a Patent Cooperation Treaty. The working group to which this item on the transfer of technology had been assigned did not have time to consider a draft resolution, submitted by a group of States, recommending that the Trade and Development Board, after taking the views of the Economic and Social Council, should consider establishing a committee to examine the question of transfer of technology to developing countries, including the effects of existing international regulations for the protection of industrial property upon the economic development of developing countries. This draft resolution was therefore referred to the Conference, which decided, after some amendments had been made, to transmit it to the Trade and Development Board for consideration at its seventh session in September 1968.

50. The Conference adopted a draft resolution calling for a study of restrictive business practices adopted in developed countries, with particular reference to the harmful effects they have on the exports of developing countries. Since the text of the resolution drew attention to the large extent to which the developing countries rely on the transfer of patents and know-how, the Secretary-General of UNCTAD has asked for the assistance of BIRPI in preparing his study.

51. UN Conference on the Law of Treaties.- BIRPI was represented by observers at the first session of this Conference, held at Vienna from March 26 to May 24, 1968. It was convened in accordance with a decision taken by the General Assembly on the recommendation of the International Law Commission to study the draft articles on the law of treaties submitted by that Commission and to conclude an international convention. BIRPI had submitted in advance a written statement on the practices adopted within the Unions in relation to treaty obligations between countries that are members of the same Union but party to different Acts. The draft articles relating to this question, and to that of majority voting at international conferences, remain to be considered at the second session which will be held in 1969. An article has already been provisionally approved which should make it clear that the application of the Convention to any treaty which is the constituent instrument of an international organization, or to any treaty adopted within an international organization, will be without prejudice to any relevant rules of the organization.

52. International Law Commission.- At its twentieth session, being held at Geneva from May 27 to August 2, 1968, this Commission is considering the question of the succession of States to multilateral treaties; the working documents included studies of the relevant practices of the Unions administered by BIRPI. BIRPI is being represented by observers.

#### Council of Europe

53. BIRPI has participated in the work of the Committee of Experts on Patents of the Council of Europe. BIRPI representatives attended a meeting of the Committee of Experts, held at Strasbourg from November 6 to 8, 1967, and meetings

of the Working Party of the Committee of Experts on Patents, held at Strasbourg on November 9 and 10, 1967, from January 8 to 12, 1968, and from June 17 to 21, 1968.

54. The meeting of the Committee of Experts was concerned with the program of the Council for 1968, the international patent classification, and the harmonization of patent and trademark laws.

55. The program provides for the continuation of the work being done in the fields of the harmonization of patent laws and the international patent classification. The importance of close cooperation between the Council of Europe and BIRPI was underlined in the debate. The geographically limited character of the activities of the Council of Europe was emphasized as well as the fact that activities of a world-wide character in the field of intellectual property fall within the province of BIRPI by virtue of the world-wide scope of the Conventions it administers.

56. The Working Party of the Committee of Experts on Patents continued its work on the study of proposals for revising the European Convention Relating to the Formalities Required for Patent Applications, of 1953, and for the harmonization of other elements of patent laws and practices. At the last meeting, a report was adopted for submission to the next meeting of the Committee of Experts in November 1968. The report contained draft texts of:

- (i) a revision of the Convention Relating to the Formalities Required for Patent Applications, of 1953;
- (ii) articles suitable to form part of one or more additional protocols to the Convention for the Harmonization of Certain Points of Substantive Law on Patents for Invention, of 1963;
- (iii) a new European Convention on the Unification of Patent Applications, intended to combine item (i) and part of the questions referred to in item (ii) above in an international instrument containing the greatest possible



number of requirements in respect of both form and content of patent applications, and also laying down certain requirements relating to unity of invention, the contents of the description and claims, and the standardization of paper size for documents.

57. Among the most important revisions of the Formalities Convention proposed by the Working Party was the recommendation that the A4 standard international paper size be compulsory for descriptions and drawings (the question whether to permit the use of size A3 as an alternative for drawings was left open). Other proposed revisions would permit a requirement to provide a short abstract of the technical content of the description, the claims and the drawings, and would prevent the denial of a filing date if payment of the fees is delayed (at least for good cause) by up to one month, or if the application is sent, even by post, from abroad (the requirement that an agent be appointed, or an address for service provided, in the country of application being permitted only in respect of subsequent procedure). It was proposed that standard international application forms should no longer be annexed to the Convention, which should specifically permit the contracting States to require the use of their own national forms. The majority of the Working Party agreed on a proposal that the competent authorities should no longer have the right to require translations if documents are submitted in English, French or German.

58. So far as harmonization of procedural and substantive matters is concerned, the Working Party drafted alternative texts concerning unity of invention and articles relating to the content of the description and of the claims (matters also affecting the revision of the Formalities Convention), early publication and provisional protection, patents of addition, uniform term (20 years), and the right of prior use.

59. In its report, the Working Party recommended to the Committee of Experts on Patents that any of the present proposals which are approved should not be implemented pending the outcome of the negotiations on the BIRPI plan for a Patent Cooperation Treaty and that the proposals be kept under review by the Working Party in the light of PCT developments.

Publications

60. The reviews La Propriété industrielle and Industrial Property continued to appear once a month.

61. A new quarterly review, La Propiedad intelectual, was introduced by BIRPI in 1968. This review is the first Spanish-language review published by BIRPI and deals with matters of interest to all of the Unions administered by BIRPI. The first two issues appeared in March and June 1968.

MADRID AGREEMENT

(INDICATIONS OF SOURCE)

Additional Act of Stockholm

62. Signatures.- The time limit for signing the Additional Act of Stockholm (1967) to the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods expired on January 13, 1968. There are 18 signatory countries. These countries are the following: Cuba, France, Germany (Federal Republic), Hungary, Ireland, Israel, Italy, Japan, Liechtenstein, Monaco, Morocco, Poland, Portugal, Spain, Sweden, Switzerland, Tunisia, United Kingdom.

63. Ratification.- Ireland has ratified the Additional Act of Stockholm. Its instrument of ratification was deposited on March 27, 1968.

64. Accession.- On June 20, 1968, the Director of BIRPI received a declaration of accession in the name of the German Democratic Republic; this was notified to the Governments of all interested countries by the Director, who, in the same document, pointed out that this notification did not mean that he had adopted any position on the question whether the German Democratic Republic is or is not a party to the Paris Convention or the said Agreement, the countries of the Paris Union being in disagreement on this question.

MADRID UNION  
(REGISTRATION OF MARKS)

Nice Act

65. Three of the member countries of the Madrid Union Concerning the International Registration of Marks have not yet acceded to the Nice Act of 1957. These three countries are Austria, Morocco and Viet-Nam.

Stockholm Act

66. Signatures.- The time limit for signing the Stockholm Act (1967) of the Madrid Agreement expired on January 13, 1968. There are 17 signatory countries. These countries are the following: Austria, Belgium, France, Germany (Federal Republic), Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, Portugal, Rumania, Spain, Switzerland, Tunisia, Yugoslavia.

67. Accession.- On June 20, 1968, the Director of BIRPI received a declaration of accession in the name of the German Democratic Republic; this was notified to the Governments of all interested countries by the Director, who, in the same document, pointed out that this notification did not mean that he had adopted any position on the question whether the German Democratic Republic is or is not a party to the Paris Convention, or a member of the Special Union, the countries of the Paris Union being in disagreement on this question.

Statistics

68. Registrations and renewals totaled 10,287 in 1967 (as against 24,259 in 1966). In the first six months of 1968, the figure was 5,732.

Committee of Directors of National Industrial  
Property Offices

69. This Committee held an extraordinary session in Geneva on June 24, 1968. It decided to increase the amount of the basic fee collected in respect of international registrations or renewals thereof. This increase will become effective on November 1, 1968.

Amounts redistributed

70. The amount of 1,469,875 Swiss francs was redistributed among the national Offices which apply the Nice Act. This amount relates to twelve and a half months of operations (December 15, 1966, to December 31, 1967) and consists of supplementary fees (114,750 francs) and complementary fees (1,355,125 francs). The former are payable when the registration applies to more than three classes of goods or services. The latter are payable when the applicants wish to have their marks protected in countries that must be especially designated for that purpose under the Nice Act; at present, eleven national Offices are concerned, that is, half of the total number of national Offices applying the Madrid Agreement.

Publication

71. The review Les Marques internationales continued to appear once a month.

THE HAGUE UNION

Complementary Act of Stockholm

72. The time limit for signing the Complementary Act of Stockholm (1967) to the Hague Agreement Concerning the International Deposit of Industrial Designs expired on January 13, 1968. There are 11 signatory countries. These countries are the following: Belgium, France, Germany (Federal Republic), Holy See, Liechtenstein, Monaco, Morocco, Netherlands, Spain, Switzerland, Tunisia.

Statistics

73. In 1967, the number of international deposits amounted to 2,244 (as against 2,434 in 1966). During the first six months of 1968, the number of international deposits amounted to 1,247.

Publications

74. The monthly review Les Dessins et Modèles internationaux continued to appear once a month.

NICE UNION

Stockholm Act

75. Signatures.- The time limit for signing the Stockholm Act (1967) of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks expired on January 13, 1968. There are 19 signatory countries. These countries are the following: Belgium, Denmark, France, Germany (Federal Republic), Hungary, Ireland, Israel, Italy, Monaco, Morocco, Norway, Netherlands, Poland, Portugal, Spain, Sweden, Switzerland, United Kingdom, Yugoslavia.

76. Ratification.- Ireland has ratified the Stockholm Act. Its instrument of ratification was deposited on March 27, 1968.

77. Accession.- On June 20, 1968, the Director of BIRPI received a declaration of accession in the name of the German Democratic Republic; this was notified to the Governments of all interested countries by the Director, who, in the same document, pointed out that this notification did not mean that he had adopted any position on the question whether the German Democratic Republic is or is not a party to the Paris Convention, or a member of the Special Union, the countries of the Paris Union being in disagreement on this question.

Application by a non-member country

78. Beginning with the Official Gazette dated March 5, 1968, the United States Patent Office has started to indicate the appropriate international class for all trademarks and service marks published for opposition, even though the United States of America is not a member of the Nice Union.

Publications

79. A second supplement to the French edition of the International Classification, including the contents of the first supplement, was published in November 1967.

LISBON UNION

Stockholm Act

80. The time limit for signing the Stockholm Act (1967) of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration expired on January 13, 1968. There are five signatory countries. These countries are the following: Cuba, France, Hungary, Israel, Portugal.

Council

81. The Council set up by the Agreement held its second session in Geneva on December 20 and 21, 1967. It was decided to raise the registration fee from 50 to 200 Swiss francs per appellation of origin.

Statistics

82. In 1967, BIRPI recorded the first 422 registrations of appellations of origin. Of these applications for registration, 347 came from France and 75 from Czechoslovakia.

Publications

83. The first issue of the official review Les Appellations d'origine was published in March 1968.



THE BERNE UNION  
AND COPYRIGHT IN GENERAL

New Member of the Union

84. In 1968, one State, Malta, made a declaration of continuity confirming that it has belonged to the Berne Union since the date on which it became independent (September 21, 1964).

Stockholm Act

85. Signatures.- The time limit for signing the Stockholm Act (1967) of the Berne Convention for the Protection of Literary and Artistic Works expired on January 13, 1968. There are 39 signatory countries. These countries are the following: Austria, Belgium, Bulgaria,\* Cameroon, Congo (Kinshasa), Denmark, Finland, France, Gabon, Germany (Federal Republic), Greece, Holy See, Hungary, Iceland, India, Ireland, Israel, Italy, Ivory Coast, Japan, Liechtenstein, Luxembourg, Madagascar, Mexico, Monaco, Morocco, Niger, Norway, Philippines, Poland,\* Portugal, Rumania,\* Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia, Yugoslavia.

86. Declaration.- In December, 1967, Senegal deposited a declaration on the basis of Articles 1 and 5 of the Protocol Regarding Developing Countries of the Stockholm Act of the Berne Convention. By this declaration, Senegal intends to apply the provisions of the Protocol to works of which the country of origin is a member country of the Berne Union having accepted such application.

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\* / These countries signed the Stockholm Act subject to the reservation provided for in Article 33(2).

87. Bulgaria deposited a declaration in January, 1968, according to which Bulgaria will accept the application, by developing countries having made the permitted reservations, of the above-mentioned Protocol to works of which it is the country of origin.

88. Ireland deposited a declaration in March, 1968, according to which it intends to avail itself of the provisions of Article 38(2) of the Stockholm Act of the Berne Convention (application of the transitional clauses).

89. Accession.- On June 20, 1968, the Director of BIRPI received a declaration of accession in the name of the German Democratic Republic; this was notified to the Governments of all countries of the Union by the Director, who, in the same document, pointed out that this notification did not mean that he had adopted any position on the question whether the German Democratic Republic is or is not a party to the Convention, the countries of the Union being in disagreement on this question.

#### Permanent Committee

90. The Permanent Committee of the Berne Union held its thirteenth ordinary session at Geneva from December 12 to 15, 1967. The 12 member States of the Committee were represented, as well as 30 States present as observers and the international organizations concerned.

91. The Permanent Committee took cognizance in particular of the results of the Stockholm revision of the Berne Convention. It requested the Director of BIRPI to undertake an inquiry, among the member States of the Berne Union, concerning the application of the Protocol Regarding Developing Countries. This inquiry is now under way.

92. In addition, at meetings held jointly with the Intergovernmental Copyright Committee, the Permanent Committee considered among other things the possibility of a revision of the Universal Copyright Convention. The two Committees expressed the wish that, after the inquiries had been made

by the Director-General of Unesco on that matter and by the Director of BIRPI on the Protocol, a joint study group should be set up to examine the current problems of international copyright. The membership and the mandate of such a study group will be decided upon at an extraordinary session planned for 1969.

Working Group - Recommendation No. III of the  
Stockholm Conference

93. After having adopted the Protocol Regarding Developing Countries, the Stockholm Conference recommended that BIRPI should undertake, in collaboration with other governmental and non-governmental organizations, a study of ways and means with a view to setting up financial machinery permitting authors to be assured of equitable and fair remuneration.

94. So as to implement this recommendation, the Director of BIRPI convened a working group in Geneva from March 12 to 14, 1968, with the task of advising him on the matter. The report of the deliberations was published in Copyright (April, 1968).

Publications

95. The reviews Le Droit d'Auteur and Copyright continued to appear each month.

96. An up-to-date version of the manual of the Berne Convention and a supplement containing the Stockholm Act were published in 1968.

97. As regards the review La Propiedad intelectual, see paragraph 61 above.

ROME CONVENTION

FOR THE PROTECTION OF NEIGHBORING RIGHTS

Intergovernmental Committee

98. The Intergovernmental Committee established by the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations held its first session at Geneva on December 18 and 19, 1967, at the headquarters of the International Labour Office. It adopted its rules of procedure, elected its officers and considered certain questions. The detailed report of the debates was published in the February 1968 issue of the review Copyright.

WORLD INTELLECTUAL PROPERTY ORGANIZATION  
(WIPO)

Convention Establishing the Organization

99. Signatures.- The time limit for signing the Convention Establishing the World Intellectual Property Organization (WIPO), adopted on July 14, 1967, at Stockholm, expired on January 13, 1968. There are 51 signatory countries. These countries are the following: Algeria, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Congo (Kinshasa), Denmark, Ecuador, Finland, France, Gabon, Germany (Federal Republic), Greece, Holy See, Hungary, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Mexico, Monaco, Morocco, Niger, Norway, Netherlands, Peru, Philippines, Poland, Portugal, Rumania, Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

100. Accessions.- On January 12, 1968, Ireland signed, without reservation as to ratification, the WIPO Convention and, as it deposited, on March 27, 1968, its instrument of ratification of the Stockholm Act of the Paris Convention, Ireland has fulfilled the conditions laid down in Article 14 of the WIPO Convention.

101. On June 20, 1968, the Director received a declaration of accession in the name of the German Democratic Republic; this was notified to all the States members of the Unions defined in Article 2(vii) of the Convention. In the same communication it was pointed out that this notification did not mean that the Director had adopted any position on the question whether the German Democratic Republic fulfills the conditions provided by Article 5(1) of the Convention, namely, that it is a member of one of the said Unions, the States members of those Unions being in disagreement on this question.

102. Declaration under Article 21(2)(a).- The Republic of Cuba filed a declaration on January 15, 1968, according to which that country intends to avail itself of the provisions of Article 21(2)(a) of the WIPO Convention.

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103. The Committee is invited to express its views on this report.

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