

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

BIRPI

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

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UNION DE PARIS: COMITÉ EXÉCUTIF, QUATRIÈME SESSION
PARIS UNION: EXECUTIVE COMMITTEE, FOURTH SESSION

(Genève, 24-27 septembre 1968)
(Geneva, September 24 to 27, 1968)

AGREEMENT WITH THE INTERNATIONAL PATENT INSTITUTE

Report of the Director of BIRPI

1. In its second session (December 1967), the Conference of Representatives of the Paris Union noted with approval the plans of the Director of BIRPI for the conclusion of a new working agreement with the International Patent Institute, designed to bring about closer cooperation between BIRPI and that Institute (see document CR/II/15, paragraph 22).

2. Negotiations with the said Institute resulted in the text reproduced in the Annex to this document.

3. The Executive Committee of the Paris Union is invited to approve the Agreement referred to above.

A G R E E M E N T

Between

THE UNITED INTERNATIONAL BUREAUX
FOR THE PROTECTION OF INTELLECTUAL PROPERTY
(BIRPI)

and

THE INTERNATIONAL PATENT INSTITUTE

Article 1

Mutual Representation at Meetings

(1) The United International Bureaux for the Protection of Intellectual Property, hereinafter referred to as "BIRPI," will invite the International Patent Institute to be represented by observers:

(a) in any diplomatic conference of the Paris Union or any of the present or future Special Unions established in relation with the Paris Union;

(b) in the discussions of such items on the agenda of the Conference of Representatives, Assembly or Executive Committee of the Paris Union as are of interest to the International Patent Institute;

(c) in the meetings of any committee of experts or working group convened by BIRPI which are of interest to the International Patent Institute.

(2) The International Patent Institute will invite BIRPI to be represented by observers:

(a) in any diplomatic conference of States party to the Diplomatic Conference of June 6, 1947, concerning that Institute;

(b) in the discussions of such items on the agenda of sessions of the Administrative Council of the International Patent Institute as are of interest to BIRPI;

(Article 1, continued)

(c) in any other meetings organized by the International Patent Institute which are of interest to BIRPI.

Article 2

Exchanges of Views Between the Executive Committee of the Paris Union and the Administrative Council of the International Patent Institute

(1) In order to maintain close contacts and create an opportunity for exchanges of views among representatives of States on matters of common interest to BIRPI and the International Patent Institute, members of the Executive Committee of the Paris Union and of the Administrative Council of the International Patent Institute will meet from time to time.

(2) The two bodies will decide, depending on the circumstances and the nature of the matters to be discussed, whether these meetings will include all their members or will be limited to certain members.

(3) No decisions will be taken at these meetings.

(4) The meetings will be held alternately at Geneva and The Hague.

(5) These meetings will be presided over by the Chairman of the Executive Committee of the Paris Union when they are held at Geneva, and by the President of the Administrative Council of the International Patent Institute when they are held at The Hague.

(6) The Director of BIRPI and the Director General of the International Patent Institute will participate in these meetings. Each may be accompanied or, if need be, represented by collaborators designated by him.

(7) As a rule, such meetings will be held once a year.

(Article 2, continued)

(8) The date and the agenda of these meetings will be established jointly by the Director of BIRPI and the Director General of the International Patent Institute, after consultation with the Executive Committee of the Paris Union and the Administrative Council of the International Patent Institute, respectively.

(9) Invitations will be signed by both the Director of BIRPI and the Director General of the International Patent Institute.

Article 3

Consultations Between the Director of BIRPI and the Director General of the International Patent Institute

(1) The Director of BIRPI and the Director General of the International Patent Institute will, from time to time, meet in order to discuss matters of common interest to their Organizations.

(2) Either of them may take the initiative in convening such meetings.

(3) Similar meetings may also take place between other BIRPI and International Patent Institute officials appointed for that purpose by the respective Directors of the Organizations to which they belong.

Article 4

Mutual Representation

(1) The Director of BIRPI and the Director General of the International Patent Institute will each take appropriate steps to ensure a liaison between the two Organizations.

(Article 4, continued)

(2) For the purposes of such liaison, the Director of BIRPI and the Director General of the International Patent Institute may, depending on the circumstances and interests of their respective Organizations, each appoint either a permanent representative to the other Organization or else name an official from his own Organization who will ensure the liaison on a non-permanent basis.

(3) The tasks, rights and obligations of this official will be the same as those of the representative, as they are defined in this Article.

(4) The Organization receiving a permanent or temporary representative from the other Organization will provide that representative with office space located in the building it occupies, as well as with secretarial assistance. It will bear these costs, as well as mail, telephone, telegraph and telex expenses.

(5) The representative will report to the Director of the Organization to which he is responsible. Unless the Director of that Organization decides otherwise, he will not have the power to bind the said Organization.

(6) The representative will be bound by the same rules of discretion that apply to the staff of the Organization to which he has been appointed, except, naturally, vis-à-vis the Organization to which he is responsible.

(7) The representative will be associated with such work of the Organization to which he has been appointed as is of interest to the Organization to which he is responsible.

Article 5

Exchange of Documents and Publications

(1) Subject to any measures which might be deemed necessary in order to maintain the confidential nature of certain documents, BIRPI will provide the International Patent Institute free of charge with all documents and publications concerning BIRPI meetings, as long as such documents and publications are of such a nature as to interest the International Patent Institute.

(Article 5, continued)

(2) Subject to any measures which might be deemed necessary in order to maintain the confidential nature of certain documents, the International Patent Institute will provide BIRPI free of charge with all documents and publications concerning International Patent Institute meetings, as long as such documents and publications are of possible interest to BIRPI.

Article 6

Special Agreements

(1) Within the framework of this Agreement, special agreements may be concluded where the development of matters of common interest to BIRPI and the International Patent Institute make it advisable to bring about closer cooperation between the two Organizations in particular fields. Such special agreements may deal in particular with cooperation concerning ICIREPAT, the Patent Cooperation Treaty (PCT), the World Patent Index, and the International Patent Classification; they will determine, where applicable, the sharing out of any costs which such cooperation might entail.

(2) These special agreements will be prepared by the Director of BIRPI and the Director General of the International Patent Institute. They will be adopted and will enter into force in the same manner as the present Agreement.

Article 7

Entry into Force

(1) This Agreement will enter into force when both the Executive Committee of the Paris Union and the Administrative Council of the International Patent Institute have approved it.

(2) Pending such approval, it will be applied on a provisional basis.

Article 8

Modifications

Either Organization party to this Agreement may propose modifications. Such modifications will, at the joint proposal of the Director of BIRPI and the Director General of the International Patent Institute, enter into force in the same manner as the Agreement itself.

Article 9

Repeal of the Former Agreement

The present Agreement replaces the former Agreement concluded by the exchange of letters of March 18 and 29, 1955.

Done at Geneva on September . . ., 1968

G.H.C. BODENHAUSEN
Director, BIRPI

J. HAMELS
President, Administrative
Council of the International
Patent Institute

G. FINNISS
Director General,
International Patent
Institute