

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

# BIRPI

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

**UNION DE PARIS: COMITÉ EXÉCUTIF, CINQUIÈME SESSION**  
**PARIS UNION: EXECUTIVE COMMITTEE, FIFTH SESSION**

(Genève, 22-26 septembre 1969)  
(Geneva, September 22 to 26, 1969)

PROTECTION OF TYPE FACES

Report by the Director of BIRPI

1. The full background of the question concerning possible adoption of a special agreement for the protection of type faces is given in a report submitted to the Fourth Session of the Executive Committee, which report (document CEP/IV/9) is attached to the present one.

2. From the report mentioned above, it can be seen, *inter alia*, that:

(a) on June 18, 1964, and again on August 25, 1967, BIRPI sent to all countries party to the Paris Convention a draft agreement and draft regulations drawn up by a Committee of Experts which met four times in Geneva at the invitation of the Director of BIRPI, as well as a report drawn up by the Rapporteurs of that Committee; all of these countries were consulted on the question whether they favored having a diplomatic conference convened for the purpose of discussing the adoption of a special agreement and whether they would be willing to act as the host country for such a conference.

(b) of the 35 countries whose replies reached BIRPI, 19 were not in favor of having such a conference convened, two were not in a position to give an opinion, two had no objection to the convening of such a conference, three favored it provided that a sufficient number of countries of the Union would participate in the conference, and nine were in favor without reservation of having a conference convened. However, no country indicated that it would be willing to act as the host country for the conference.

3. On September 27, 1968, at the close of its Fourth Session, the Executive Committee adopted a Report (document CEP/IV/18) containing, inter alia, the following passage: "The Committee expressed the view that the conclusion of the said agreement should be placed on the agenda of the said Conference (the Vienna Conference) but, at the same time, invited the Director of BIRPI to try actively to find a Government willing to be host of a special conference for the adoption of such an agreement."
4. As early as November 1968, the Director of BIRPI therefore asked each of the countries that had been in favor of convening a special conference for the adoption of the agreement in question whether it would be willing to act as the host country.
5. At the date on which this report was drawn up (June 15, 1969), replies had reached BIRPI from three countries:
  - (a) Sweden and Turkey indicated that they would not be able to organize the diplomatic conference;
  - (b) Luxembourg felt that the matter should be dealt with within the framework of the Vienna Conference.
6. Having regard to the replies received, it would seem that the question of concluding the aforesaid agreement should be entered into the program of the Vienna Conference, provided, of course, that the Government of Austria agrees. As was pointed out in document CEP/IV/9, this solution would not pose any serious financial problems for BIRPI, which would merely have to plan for a final meeting, in 1970, of a Committee of Experts in which all countries members of the Paris Union would be invited to be represented; such a meeting would be all the more useful in that, by the time the Vienna Conference is to be held, at least eight years will have elapsed since the drawing up of the draft agreement for the protection of type faces and the draft regulations for that agreement.
7. It is known that the Council of Europe is contemplating taking up the question of protection for type faces. The Secretary-General of the Council of Europe and the Director of BIRPI have entered into an agreement whereby the Council of Europe will suspend all work on the matter until a decision has been taken within the framework of BIRPI.

This agreement was approved by the Committee of Ministers of the Council of Europe on March 5, 1969.

8. The Executive Committee is invited to express its opinion on the following question: Does the Executive Committee consider that the conclusion of a special agreement for the protection of type faces should be placed on the agenda of the Vienna Conference?