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RÉUNIS POUR LA PROTECTION
DE LA PROPRIÉTÉ INTELLECTUELLE
GENÈVE, SUISSE

BIRPI

UNITED INTERNATIONAL
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OF INTELLECTUAL PROPERTY
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(Genève, 22-26 septembre 1969)

(Geneva, September 22 to 26, 1969)

Notes Relating to the Establishment of a Special Union for the International Classification of Patents for Inventions

(Item 8 of the Agenda)

I. Note of the French Delegation (Original: French)

The remarks of the French Delegation concerning the usefulness of having a Special Union for the International Classification of Patents for Inventions were intended to provoke consideration of the best means of facilitating the extension of the use of the Classification.

After hearing the observations of other Delegations, and the replies of the Director of BIRPI, according to which even States not applying the Classification would derive an undeniable advantage from the use of it by a greater number of Union States since the Classification will make it possible for them to provide their nationals with patents of foreign origin classified according to a single classification, the French Delegation clarifies its position as follows:

1. In view of the fact that no Delegation has doubted the intrinsic advantages of an International Classification, but that, on the other hand, certain Delegations have declared that for the moment it has not been proved that the Classification meets national needs, the French Delegation desires that the greatest possible number of States should be put in a position to:

- a) carry out tests on the use of the Classification, without contracting any obligation on their part;
 - b) make observations on the improvements that should be made to the Classification.
2. Considering that the expenses relating to the continuation and revision of the Classification are independent of the form - simple Committee or Special Union - that will be given to the organ entrusted with these tasks, the French Delegation does not insist on avoiding the establishment of a Special Union.

II. Note of the Mexican Delegation
(Original: Spanish)

In accordance with the agreement reached during the Fifth Session of the Executive Committee of the Paris Union on September 23, 1969, the Delegation of Mexico would like to point out the position of its Government with respect to item (d) of paragraph 10 of document CEP/V/9 concerning the International Classification of Patents for Invention.

In this respect, Mexico considers that there is no justification for the expenses of the Special Union, established by certain interested countries in connection with the International Classification, to form part of the general Paris Union budget.

In fact, Mexico has no interest in this Special Union and does not plan to apply the International Classification. Furthermore, Mexico has rejected the BIRPI plan for the elaboration of the PCT.

Mexico wishes to record the fact that it does not accept that the expenses of a Special Union, created by a group of certain countries interested in its work, should form part of the general Paris Union budget. Mexico, along with 20 other countries, does not intend to apply the International Classification elaborated by the Special Union and sees no reason why the expenses of the said Special Union should affect Mexico indirectly through the general Paris Union budget.

III. Note of the United Kingdom Delegation
(Original: English)

The United Kingdom, having heard the explanations of the Director, is in favor of the expenses of the Special Union to be established being borne by the general Paris Union budget.

IV. Note of the Swiss Delegation
(Original: French)

The Swiss Delegation takes the view that the expenses of the Special Union for the International Classification of Patents for Invention should be borne by the general Paris Union budget as soon as a substantial majority have shown their interest in the Classification.

If this should not prove to be the case, unfortunately the Swiss Delegation sees no solution other than to have the costs of the of the Special Union borne exclusively by the member States of that Union.

V. Note of the Delegation of the Soviet Union
(Original: English)

Taking into account the universal character of the applicability of the International Classification of Patents for Invention it would be desirable to provide for the financing of the Special Union--which is set up for the constant updating of the Classification and for supervision of its uniform application--from the general budget of the Paris Union.

Such a financial arrangement would facilitate the wider application of the Classification for no Patent Office would feel itself deprived the right to use it only because its country is unable to contribute to the Special Union.

It goes without saying that any country of the Paris Union may refrain from the ratification of the Special Agreement so as not to enter into an obligation to apply the Classification.

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