

Copyright

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of Intellectual Property (BIRPI)

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Contents

	Pages
INTERNATIONAL UNION	
— State of the International Union on January 1, 1965	2
— The International Union on the Threshold of 1965	3
— Poland. Change of Class with regard to the Contribution towards the Expenses of the Bureau of the International Union for the Protection of Literary and Artistic Works	8
NATIONAL LEGISLATION	
— India. International Copyright Order, 1958. First, Second, Third and Fourth Amendments of 1964	8
GENERAL STUDIES	
— The Moral Right of the Music Composer during Final Preparation of the Film (with respect to French Law) (A. Huguët)	9
CORRESPONDENCE	
— Letter from Sweden (Torwald Hesser)	18
INTERNATIONAL ACTIVITIES	
— Sixth Congress of the International Federation of Actors (Mexico, October 18 to 24, 1964)	23
NEWS ITEMS	
— State of Ratifications and Accessions to the Conventions and Agreements affecting Copyright on January 1, 1965	26
— United Kingdom. Mauritius. Application of the Universal Copyright Conven- tion (coming into force on January 6, 1965)	27
CALENDAR	
— Meetings of BIRPI	27
— Meetings of other International Organizations concerned with Intellectual Property	28

INTERNATIONAL UNION

State of the International Union on January 1, 1965

The Conventional Texts

The Charter of the International Union for the Protection of Literary and Artistic Works is the *Berne Convention* of September 9, 1886, which came into force on December 5, 1887.

This Convention was amended and supplemented in Paris on May 4, 1896, by an *Additional Act* and an *Interpretative Declaration* put into operation on December 9, 1897.

A thorough overhaul took place in Berlin on November 13, 1908. The Berlin instrument, which bears the title of the *Revised Berne Convention for the Protection of Literary and Artistic Works*, came into force on September 9, 1910. At the time of the revision effected in Berlin, countries were given the right to indicate, by means of reservations, the provisions of the original Convention of 1886, or of the Additional Act of 1896, which they wished to substitute, provisionally at least, for the corresponding provisions of the Convention of 1908.

On March 20, 1914, an *Additional Protocol* to the revised Berne Convention of 1908 was signed in Berne, in order to enable Union Countries to restrict, should they deem fit, the protection given to authors who are nationals of a non-Union Country. This Protocol came into force on April 20, 1915.

The Berlin Text, in its turn, underwent revision in Rome. The *Rome Text*, signed on June 2, 1928, has been in force since August 1, 1931. Countries joining the Union by direct accession to this Convention may stipulate one reservation in respect of the right of translation into their language.

The last revision of the Berne Convention took place in Brussels. The *Brussels Text*, signed on June 26, 1948, has been in force since August 1, 1951. Countries joining the Union by direct accession to this Convention may again stipulate one reservation in respect of the right of translation into their language.

The next revision of the Berne Convention will take place at *Stockholm* in 1967.

Field of application of the various revised texts of the Berne Convention

Unionist countries, or contracting countries (to the number of 54), and the territories for which they ensure the external affairs, apply either the Berlin Text or that of Rome, or even that of Brussels.

a) Berlin Text

Thailand, which has adhered neither to the Rome Text nor to that of Brussels, is bound by the Berlin Text to the

other Unionist countries which have adhered to the latter Text and to the dependencies of a contracting State which apply this Text.

In these relations, the reservations stipulated by these countries when adhering to the Berlin Text are applicable, except as regards Norway, which withdrew its reservations as from December 12, 1931 (see *Le Droit d'Auteur*, January 15, 1953, p. 2).

South West Africa, which is a trust territory of the Republic of South Africa, remains bound by the Berlin Text.

b) Rome Text

In accordance with the provisions of the Convention, the Rome Text is applicable to relations between the following 15 countries, which have not yet acceded to the Brussels Text:

Australia	Japan
Bulgaria	Lebanon
Canada	Netherlands
Ceylon	New Zealand
Czechoslovakia	Pakistan
Germany	Poland
Hungary	Rumania
Iceland	

The Rome Text is also applicable to relations between the 15 above-mentioned countries and the 25 following countries which, *after having acceded to this Text*, have ratified the Brussels Text or have adhered to it:

Austria	Luxembourg
Belgium	Monaco
Brazil	Morocco
Denmark	Norway
Finland	Portugal
France ¹⁾	South Africa
Greece	Spain
Holy See (Vatican City)	Sweden
India	Switzerland
Ireland	Tunisia
Israel	United Kingdom ²⁾
Italy	Yugoslavia
Liechtenstein	

At present, only 3 countries have not acceded to the Rome Text: Philippines, Thailand and Turkey.

¹⁾ Overseas departments and territories included.

²⁾ Great Britain and Northern Ireland.

On the other hand, 6 countries, former colonies which have attained independence, have sent declarations of continued adherence; they are: Cameroon, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Mali and Niger. 4 others have acceded to the Brussels Text; they are: Ivory Coast, Gabon, Senegal and Upper Volta.

Another country, Cyprus, has addressed a declaration of continued adherence concerning the Rome Text and, at the same time, a notification of accession to the Brussels Text.

As far as territories, whose external affairs are placed under the responsibility of a Unionist country are concerned, see Tables hereafter (pages 4 and 5).

c) Brussels Text

38 contracting countries apply the Brussels Text in their mutual relations; they are:

Austria	Denmark
Belgium ³⁾	Finland
Brazil	France ⁴⁾
Cameroon	Gabon
Congo (Brazzaville)	Greece
Congo (Leopoldville)	Holy See (Vatican City)
Cyprus	India
Dahomey	Ireland

Israel	Portugal ⁵⁾
Italy	Senegal
Ivory Coast	South Africa
Liechtenstein	Spain
Luxembourg	Sweden
Mali	Switzerland
Monaco	Tunisia
Morocco	Turkey
Niger	United Kingdom ²⁾
Norway	Upper Volta
Philippines	Yugoslavia

16 Unionist countries have not yet acceded to the Brussels Text (i. e. the 15 countries between which the Rome Text is applicable and Thailand).

The only reservations applicable to the Unionist relations between the 38 above-mentioned countries are those formulated by Turkey and Yugoslavia in respect of the right of translation.

³⁾ Belgium acceded to the Brussels Text for *Ruanda Urundi*.

⁴⁾ France has acceded to the Brussels Text for its overseas and trust territories.

⁵⁾ Portugal has acceded to the Brussels Text for its overseas provinces.

The International Union on the Threshold of 1965

A review of the situation of the Berne Union and of events directly concerning it over a period of ten years was published last January in these pages¹⁾. At the start of another year, it would seem appropriate to bring the reader up to date on the new developments that have arisen since our last stock-taking. These may be classified under the following headings:

I. Member States

1. — Two declarations of continued adherence, sent in 1964 by the Republic of Cyprus²⁾ and the Federal Republic of Cameroon³⁾ respectively, brought the number of Member States of the Berne Union up to 54. These two declarations call for some remarks.

(a) In their letter addressed on February 24, 1964, to the Swiss Embassy in Lebanon, communicating their declaration of continued adherence, the Cypriot authorities referred to the accession formerly made by the United Kingdom in accordance with Article 26 (1) of the Berne Convention. This reference was to the extension of the application of the 1928 Rome Text of the Berne Convention to a certain number of British colonies and protectorates⁴⁾.

Since its accession to the Brussels Text of 1948 on December 15, 1957, the United Kingdom has made no further declaration concerning the application of the Convention to

Cyprus. It is obvious in the circumstances that the text applicable at the time of the accession of Cyprus to independence on August 16, 1960, was the Rome Text.

However, the declaration of continued adherence addressed in 1964 by the Ministry of Foreign Affairs of the Republic of Cyprus made express reference to the 1948 Brussels Text, while pointing out that the Republic retained all rights acquired under the former régime.

It may be deduced, therefore, that this declaration confirms the adherence of Cyprus to the Rome Text of the Berne Convention without interruption since October 1, 1931 (date on which the notification was made by the United Kingdom, in accordance with Article 26 of the Convention), and, at the same time, constitutes a notification of accession to the Brussels Text. As far as countries of the Union which have not yet adhered to the Brussels Text are concerned, the Rome Text will of course continue to be applicable as regards their relations with the Republic of Cyprus.

(b) The declaration of continued adherence addressed on September 21, 1964, by the Federal Republic of Cameroon refers to the Brussels Text of the Convention, because the notification by France on October 23, 1951, in accordance with Article 26⁵⁾, mentioned Cameroon expressly among those countries in whose territories the 1948 text had become applicable.

¹⁾ See *Le Droit d'Auteur (Copyright)*, 1964, pp. 5, 8 and 9.

²⁾ *Ibid.*, 1964, p. 88.

³⁾ *Ibid.*, 1964, p. 176.

⁴⁾ See *Le Droit d'Auteur*, 1932, p. 39.

⁵⁾ *Ibid.*, 1952, p. 49.

STATE OF THE INTERNATIONAL UNION ON JANUARY 1, 1965

Country ¹⁾	Class chosen [Art. 23 (4)]	Date of Accession (Art. 25)	Date on which the Convention was declared applicable (Art. 26) ²⁾	Date of Accession to the Rome Text	Date of Accession to the Brussels Text
1. Australia ³⁾ Nauru, New Guinea, Papua and Northern Territory	III —	14-IV-1928 —	5-XII-1887 29-VII-1936	18-I-1935 29-VII-1936	— —
2. Austria	VI	1-X-1920	—	1-VII-1936	14-X-1953
3. Belgium	III	5-XII-1887	—	7-X-1934	1-VIII-1951
4. Brazil	III	9-II-1922	—	1-VI-1933	9-VI-1952
5. Bulgaria	V	5-XII-1921	—	1-VIII-1931	—
6. Cameroon	VI	24-IX-1964 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
7. Canada ⁴⁾	II	10-IV-1928	5-XII-1887	1-VIII-1931	—
8. Ceylon	VI	20-VII-1959 ^{a)}	1-X-1931 ^{c)}	1-X-1931 ^{c)}	—
9. Congo (Brazzaville)	VI	8-V-1962 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
10. Congo (Leopoldville)	VI	8-X-1963 ^{a)}	20-XII-1948 ^{c)}	20-XII-1948 ^{c)}	14-II-1952 ^{c)}
11. Cyprus	VI	24-II-1964 ^{a)}	1-X-1931 ^{c)}	1-X-1931 ^{c)}	24-II-1964
12. Czechoslovakia	IV	22-II-1921	—	30-XI-1936	—
13. Dahomey	VI	3-I-1961 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
14. Denmark	IV	1-VII-1903	—	16-IX-1933	19-II-1962
15. Finland	IV	1-IV-1928	—	1-VIII-1931	28-I-1963
16. France Overseas Departments and Territories	I —	5-XII-1887 —	— 26-V-1930	22-XII-1933 ⁵⁾ 22-XII-1933	1-VIII-1951 22-V-1952
17. Gabon	VI	26-III-1962 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	26-III-1962 ^{b)}
18. Germany	I	5-XII-1887	—	21-X-1933	—
19. Greece	VI	9-XI-1920	—	25-II-1932 ⁶⁾	6-I-1957
20. Holy See (Vatican City)	VI	12-IX-1935	—	12-IX-1935	1-VIII-1951
21. Hungary	VI	14-II-1922	—	1-VIII-1931	—
22. Iceland	VI	7-IX-1947	—	7-IX-1947 ⁷⁾	—
23. India ⁸⁾	IV	1-IV-1928	5-XII-1887	1-VIII-1931	21-X-1958
24. Ireland ⁹⁾	IV	5-X-1927	5-XII-1887	11-VI-1935	5-VII-1959
25. Israel ¹⁰⁾	V	24-III-1950	21-III-1924	24-III-1950	1-VIII-1951
26. Italy	I	5-XII-1887	—	1-VIII-1931	12-VII-1953
27. Ivory Coast	VI	1-I-1962 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	1-I-1962 ^{b)}

¹⁾ Among the newly independent countries to which the Berne Convention was applied, by virtue of Article 26, there are only mentioned those which have so far made a declaration of continued adherence or a formal notification of accession to the Swiss Government under Article 25 of the Convention. This list will be amended as and when declarations of continued adherence or notifications of accession are received by the Swiss Government from other countries.

²⁾ I. e. the date from which the notification made by virtue of Article 26 (1) began to take effect for the application of the Convention on the territory of the country concerned. After the latter's accession to independence, the application was confirmed by a declaration of continued adherence or accession.

³⁾ Australia belonged to the Union from the outset as a country for the international relations of which the United Kingdom was responsible. April 14, 1928, is the date on which Australia made a declaration of accession, as a contracting country of the Union, in conformity with Article 25.

⁴⁾ Same observation as in note ³⁾, for Canada, which acceded with effect from April 10, 1928.

⁵⁾ Reservation concerning works of applied art: Article 2 (4) of the Rome Text had been replaced by Article 4 of the original Convention of 1886.

⁶⁾ Articles 8 and 11 of the Rome Text had been replaced by Articles 5 and 9 of the original Convention of 1886; but, as from January 6, 1957, Greece renounced these reservations in favour of all countries of the Union.

⁷⁾ Reservation concerning the right of translation: Article 8 of the Rome Text has been replaced by Article 5 of the original Convention of 1886, in the version of the Additional Act of 1896.

⁸⁾ Same observation as in note ³⁾, for India, which acceded with effect from April 1, 1928.

⁹⁾ The new free State of Ireland, which was constituted by the Treaty signed with Great Britain on December 6, 1921, acceded, as such, with effect from October 5, 1927.

STATE OF THE INTERNATIONAL UNION ON JANUARY 1, 1965

Country ¹⁾	Class chosen [Art. 23 (4)]	Date of Accession (Art. 25)	Date on which the Convention was declared applicable (Art. 26) ²⁾	Date of Accession to the Rome Text	Date of Accession to the Brussels Text
28. Japan	III	15-VII-1899	—	1-VIII-1931 ⁷⁾	—
29. Lebanon	VI	1-VIII-1924	—	24-XII-1933	—
30. Liechtenstein	VI	30-VII-1931	—	30-VIII-1931	1-VIII-1951
31. Luxembourg	VI	20-VI-1888	—	4-II-1932	1-VIII-1951
32. Mali	VI	8-V-1962 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
33. Monaco	VI	30-V-1889	—	9-VI-1933	1-VIII-1951
34. Morocco	VI	16-VI-1917	—	25-XI-1934	22-V-1952
35. Netherlands Surinam and Netherlands Antilles	III —	1-XI-1912 —	— 1-IV-1913	1-VIII-1931 1-VIII-1931	— —
36. New Zealand ¹¹⁾	IV	24-IV-1928	5-XII-1887	4-XII-1947	—
37. Niger	VI	2-V-1962 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
38. Norway	IV	13-IV-1896	—	1-VIII-1931	28-I-1963
39. Pakistan ¹²⁾	VI	5-VII-1948	5-XII-1887	5-VII-1948	—
40. Philippines	VI	1-VIII-1951	—	—	1-VIII-1951
41. Poland	V	28-I-1920	—	21-XI-1935	—
42. Portugal ¹³⁾	III	29-III-1911	—	29-VII-1937	1-VIII-1951
43. Rumania	V	1-I-1927	—	6-VIII-1936	—
44. Senegal	VI	25-VIII-1962 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	25-VIII-1962 ^{b)}
45. South Africa ¹⁴⁾ South West Africa ¹⁵⁾	IV —	3-X-1928 28-X-1931	5-XII-1887 5-XII-1887	27-V-1935 —	1-VIII-1951 —
46. Spain	II	5-XII-1887	—	23-IV-1933	1-VIII-1951
47. Sweden	III	1-VIII-1904	—	1-VIII-1931	1-VII-1961
48. Switzerland	III	5-XII-1887	—	1-VIII-1931	2-I-1956
49. Thailand	VI	17-VII-1931	—	—	—
50. Tunisia	VI	5-XII-1887	—	22-XII-1933 ⁵⁾	22-V-1952
51. Turkey	VI	1-I-1952	—	—	1-I-1952
52. United Kingdom ¹⁶⁾ Colonies, Possessions and certain Protectorate Territories	I —	5-XII-1887 —	— various dates	1-VIII-1931 various dates	15-XII-1957 various dates ¹⁷⁾
53. Upper Volta	VI	19-VIII-1963 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	19-VIII-1963 ^{b)}
54. Yugoslavia	IV	17-VI-1930	—	1-VIII-1931 ⁷⁾	1-VIII-1951 ⁷⁾

¹⁰⁾ The accession of *Palestine*, as a territory under British mandate, took effect from March 21, 1924. After its accession to independence (May 15, 1948), *Israel* acceded with effect from March 24, 1950.

¹¹⁾ Same observation as in note ³⁾, for *New Zealand*, which acceded with effect from April 24, 1928.

¹²⁾ When *Pakistan* formed part of India, it belonged *ipso facto* to the Union as from the outset [see note ⁸⁾]; subsequently, *Pakistan* became a separate State from India and, on July 5, 1948, made a declaration of accession to the Berne Convention as revised at Rome in 1928.

¹³⁾ The former colonies have become "Portuguese Overseas Provinces". The Brussels Text has been applicable to these provinces since August 3, 1956.

¹⁴⁾ Same observation as in note ³⁾, for the *Union of South Africa*, which acceded with effect from October 3, 1928.

¹⁵⁾ The *Union of South Africa* later made a declaration of accession for *South West Africa*, a territory under mandate, and fixed the date of accession at October 28, 1931.

¹⁶⁾ United Kingdom of Great Britain and Northern Ireland.

¹⁷⁾ Application of the Convention to the Isle of Man, Fiji, Gibraltar and Sarawak (see *Le Droit d'Auteur-Copyright*, 1962, p. 32); to Zanzibar, Bermudas and North Borneo (*ibid.*, 1963, p. 8); to Bahamas and Virgin Islands (*ibid.*, 1963, p. 144); to Falkland Islands, Kenya, St. Helena and Seychelles (*ibid.*, 1963, p. 180); to Mauritius (*ibid.*, 1964, p. 192). The Republic of the Philippines, however, reserved its position as regards the application to Sarawak.

^{a)} Date of the despatch of the declaration of continued adherence after the accession of this country to independence.

^{b)} Date of the entry into force of the accession, by virtue of Article 25 (3) of the Convention.

^{c)} As a colony (date of the application resulting from the notice made by the colonising power or the power exercising trusteeship or being responsible for the international relations of a country, by virtue of Article 26 (1) of the Convention).

2. — Availing itself once more of the power granted under Article 26 (1) of the Convention, the United Kingdom notified the Swiss Government on October 12, 1964, that the Brussels Text of the Convention would apply to *Mauritius* with effect from December 27, 1964⁶⁾.

3. — Finally, *Japan* intimated in a Note from its Embassy in Berne, dated October 7, 1964, that it intended to be placed in Class III (instead of Class VI) with regard to its contribution towards the expenses of the International Bureau, as from the financial year 1963⁷⁾. This change in class is made in pursuance of Article 23 (4) of the Convention, which provides that each country of the Union shall choose the class in which it wishes to be placed at the time of its accession but may subsequently declare that it intends to be placed in another class. Rumania availed itself of this provision in 1956⁸⁾.

II. BIRPI Meetings

The end of 1963 and the year 1964 were characterised by a number of meetings which were important to the Berne Union.

1. Committee of Experts for the Preparation of the Stockholm Conference for the Revision of the Berne Convention (Geneva, November 18-23, 1963)

A Committee of Experts in an advisory capacity was convened, within the framework of the preparatory work for the Stockholm revision, to express an opinion on the amendments proposed by the Swedish/BIRPI Study Group⁹⁾ for some of the Articles of the Berne Convention.

The results of these deliberations were submitted to the Permanent Committee of the Berne Union, whose task, according to Article 5 of its rules of procedure, is to advise the International Bureau on problems concerning the preparations for Revision Conferences. At the close of its 11th session, the Permanent Committee suggested that, when convenient, a Committee of Governmental Experts, open to all member countries of the Berne Union wishing to take part, should be convened. As a result, the Director of BIRPI convened a meeting of this Governmental Committee, to be held in Geneva from July 5 to 14, 1965.

During 1964, the Swedish/BIRPI Study Group met on several occasions, in Stockholm or Geneva, to draw up the text of the revision proposals which are to be discussed by the Committee of Experts.

2. Interunion Coordination Committee (First Session, Geneva, November 27-29, 1963)

The first ordinary session of the Interunion Coordination Committee, composed of States which are members of the Permanent Bureau of the Paris Union and of the Permanent Committee of the Berne Union, was convened by the Swiss Government. A number of questions of common interest to both Unions were examined, including administrative and financial matters and the programme and budget of BIRPI

for 1964. A report on the proceedings of this Committee has been published¹⁰⁾.

3. Permanent Committee of the Berne Union (Eleventh Session, New Delhi, December 2-7, 1963)

At the kind invitation of the Government of India, the Permanent Committee held its eleventh session in the capital of that country in December 1963. There were many items on the agenda, some of which were examined jointly with the Intergovernmental Copyright Committee.

The final report, the resolutions adopted, and the list of participants, were published¹¹⁾. Mr. B. N. Lokur (India) and Mr. I. Mascarenhas da Silva (Brazil) were elected Chairman and Vice-Chairman, respectively, of the two Committees.

The next session is to be held in 1965, probably in Brazil.

4. Working Party on an Administrative Agreement (Geneva, May 20-26, 1964)

Apart from the preparations for the revision of the Berne Convention, in view of the Conference to be held at Stockholm in 1967, work was also started in 1964 preparatory to the revision of some of the administrative clauses in the existing Conventions and other Agreements administered by BIRPI. A Working Party, whose composition and terms of reference had been determined by the Permanent Bureau of the Paris Union and the Permanent Committee of the Berne Union, met for that purpose in May¹²⁾. The Working Party drew up a draft instrument entitled "Draft Convention of the World Intellectual Property Organization (WIPO)". This draft was circulated to all the Member States of the Paris and Berne Unions and is to be examined by a committee of experts convened by the Director of BIRPI for the period from March 22 to April 2, 1965, in Geneva. All States Members have been invited to attend.

5. Interunion Coordination Committee (Second Session, Geneva, September 28-October 2, 1964)

The Interunion Coordination Committee held its second session at the headquarters of BIRPI at the end of September and beginning of October, in conformity with the provision in its rules of procedure stipulating that it should meet in ordinary session once a year, as a rule at the headquarters of BIRPI¹³⁾. After the presentation and adoption of the report of the Director on the activities of BIRPI during the past year, the Committee examined a number of administrative and financial questions, as well as the programme and budget of BIRPI for 1965. With particular reference to the Berne Union, the Interunion Coordination Committee expressed the view that the Swiss Government, as Supervisory Authority, should invite the Member States to contribute towards the expenses of the Bureau of the Union on the basis of an annual ceiling of 700,000 Swiss francs. The purpose of this new ceiling for contributions would be to give the Bureau of the Berne Union adequate financial resources to enable it to accomplish the tasks entrusted to it. A consultation of the

⁶⁾ See *Le Droit d'Auteur (Copyright)*, 1964, p. 192.

⁷⁾ *Ibid.*, 1964, p. 192.

⁸⁾ See *Le Droit d'Auteur*, 1957, p. 5.

⁹⁾ See *Le Droit d'Auteur (Copyright)*, 1964, p. 21.

¹⁰⁾ *Ibid.*, 1964, p. 23.

¹¹⁾ *Ibid.*, 1964, pp. 35 to 43.

¹²⁾ *Ibid.*, 1964, p. 148.

¹³⁾ *Ibid.*, 1964, pp. 177 et seq.

Member States is now being carried out by the Swiss Government.

6. Committee of African Experts to Study a Draft Model Copyright Law (Geneva, November 30-December 4, 1964)

In pursuance of one of the recommendations adopted by the African Study Meeting on Copyright, held in Brazzaville in August 1963¹⁴), the Director of BIRPI and the Director-General of UNESCO convened a Committee of African Experts to draw up a draft model copyright law for the use of the African States. The general report, the text of the draft model law and the resolutions adopted will be published later.

III. Other Meetings

Throughout 1964, BIRPI was represented at a number of meetings dealing with copyright or neighbouring rights.

1. Intergovernmental Organisations

- UNESCO: General Conference. Programme Committee. Paris, November 9-11, 1964.
- Council of Europe: Consultative Assembly, 15th ordinary session. Strasbourg, January 13-17, 1964¹⁵).
- Legal Committee for Broadcasting and Television. Strasbourg, May 11-14, 1964.

2. Non-governmental Organisations

- International Literary and Artistic Association (ALAI): Annual General Assembly. Paris, March 13, 1964.
- International Confederation of Societies of Authors and Composers (CISAC): Legislation Committee. Paris, February 27-28, 1964¹⁶).
- XXIIIrd Congress. London, June 11-20, 1964¹⁷).
- International Federation of Actors (IFA): VIth Congress. Mexico, October 18-24, 1964¹⁸).
- Institut für Film- und Fernsehrecht: 6th public session. Berlin, April 23-25, 1964¹⁹).
- Union of African National Radio and Television Broadcasters (URTNA): Administrative and legal study session. Tunis, December 16-20, 1964.

IV. Publication of "Le Droit d'Auteur" in English

Article 22 (1) of the Berne Convention provides for the publication by the International Bureau of a periodical in the French language. A monthly review entitled *Le Droit d'Auteur* has therefore been appearing since January 15, 1888.

In recent years, however, it has seemed increasingly necessary and important that the periodical should not be published in French only. At its tenth session in Madrid in 1961, the Permanent Committee had recommended that as many articles and texts as possible should be included in other languages in the review²⁰). Following this resolution, the official texts of the Rome Convention on neighbouring rights were published in German, Italian and Portuguese, and the general report in English and Spanish. The most important

result, however, was the publication, as from January 1962, of an English-language insert entitled *Copyright*, reproducing a number of official legislative texts, articles and news items.

After this experiment, the question arose as to whether it would not be an added improvement if a separate English edition of the review were to be published. Article 22 (1) of the Berne Convention provides *in fine* that "the Governments of the countries of the Union reserve to themselves the power to authorise by agreement the publication by the Office of an edition in one or more other languages if, by experience, this should be shown to be necessary". This provision appeared in the original Convention of 1886 and has not been amended in the course of any of the successive revisions.

The Permanent Committee, referring to this provision at its eleventh session in New Delhi in 1963, requested the Swiss Government to consult the Member States on the subject²¹). The results of this consultation were positive and *Le Droit d'Auteur* will be published from now on in two separate French and English editions, as readers have already been informed²²). This is an outstanding event in the life of the review, which is now entering on its 78th year.

V. Legislative Developments

Faithful to the letter and the spirit of Article 22 (1) of the Berne Convention, *Le Droit d'Auteur* publishes, *inter alia*, the texts of legislation promulgated in the field of copyright, even in States which are not members of the Berne Union. The texts published in 1964 call for a few brief remarks.

A number of countries have entirely remodelled their domestic laws (New Zealand, Act of December 5, 1962, and Regulations of June 5, 1963) or made amendments or additions to them (Australia, Act of May 14, 1963; Mexico, Decrees of November 4 and 16, 1963, and Agreement of October 9, 1964; Spain, Decree of January 24, 1963). Others have acquired new copyright legislation (El Salvador, Act of September 6, 1963; Uganda, Act of June 22, 1964). Others again have promulgated Decrees, Rules, Regulations or Orders (India, Ireland, Norway, United Kingdom). One country — France — has availed itself of the right granted under Article 6, paragraphs (2) and (3), of the Berne Convention, by promulgating the Act of July 8, 1964, on the application of the principle of reciprocity as regards copyright protection²³). The notice provided for in paragraph (4) of that Article has not, however, been given so far, pending the decrees in respect of application required to complete the Act in question. The fact remains that this is an event without precedent and the French legislator is breaking new ground here in the matter of Article 6.

VI. Neighbouring Rights

This rapid survey of the main events affecting the Berne Union would not be complete without mentioning the entry into force, on May 18, 1964, of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations.

¹⁴) *Ibid.*, 1963, p. 199.

¹⁵) *Ibid.*, 1964, p. 43.

¹⁶) See *Le Droit d'Auteur*, 1964, p. 121.

¹⁷) *Ibid.*, 1964, pp. 209 and 210.

¹⁸) See *Copyright*, 1965, p. 23.

¹⁹) See *Le Droit d'Auteur*, 1964, p. 138.

²⁰) *Ibid.*, 1961, p. 336 (Resolution No. 1).

²¹) See *Le Droit d'Auteur (Copyright)*, 1964, p. 41 (Resolution No. 1).

²²) *Ibid.*, 1964, p. 193.

²³) See *Le Droit d'Auteur*, 1964, p. 217.

With the deposit of its instrument of ratification²⁴), Mexico has set in motion the machinery provided under Article 25 (1) of the Convention. At the time of writing, seven countries are parties to this Convention²⁵), but other accessions or ratifications are expected. According to Article 32 (3), the Intergovernmental Committee will be constituted in 1965.

²⁴) See *Le Droit d'Auteur (Copyright)*, 1964, p. 44.

²⁵) See *Copyright*, 1965, p. 26.

The year before us will bring other events in its train; there will be new activities to pursue, and another stage of development to cover. May they all be favourable to the protection of literary and artistic works throughout the world — a protection for whose maintenance and improvement the Berne Union continues to develop, as it marches on towards its 80th birthday.

C. M.

POLAND

Change of Class with regard to the Contribution towards the Expenses of the Bureau of the International Union for the Protection of Literary and Artistic Works

The Embassy of the Polish People's Republic in Berne has informed the Swiss Government, in a Note dated December 19, 1964, that pursuant to Article 23 (4) of the Berne Convention for the Protection of Literary and Artistic Works, of September 9, 1886, revised at Berlin on November 13, 1908, and at Rome on June 2, 1928, its Government intends

to be placed, as from the financial year 1965, in Class V instead of Class III with regard to its contribution towards the expenses of the International Bureau.

All States members of the Union will be notified of this decision of the Polish Government by the Swiss Government.

NATIONAL LEGISLATION

INDIA

Protection of Works Originating in Countries Parties to the Universal Copyright Convention or Members of the Berne Union

International Copyright Order, 1958

First Amendment of 1964 (S. O. 428, of January 28, 1964)

In exercise of the powers conferred by section 40 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby makes the following Order further to amend the International Copyright Order, 1958, namely:

1. This Order may be called the International Copyright (First Amendment) Order, 1964.
2. In the International Copyright Order, 1958, in Part I of the Schedule, after the entry "Greece", the entry "Haute Volta" shall be inserted.

Second Amendment of 1964 (S. O. 734, of February 29, 1964)

In exercise of the powers conferred by section 40 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby makes the following Order further to amend the International Copyright Order, 1958, namely:

1. This Order may be called the International Copyright (Second Amendment) Order, 1964.

2. In the International Copyright Order, 1958, in Part II of the Schedule, in the Explanation:

- (i) after the entry "North Borneo", the entry "Falkland Islands" shall be inserted;
- (ii) after the entry "Isle of Man", the entry "St. Helena" shall be inserted;
- (iii) after the entry "Sarawak", the entry "Seychelles" shall be inserted.

Third Amendment of 1964 (S. O. 820, of February 29, 1964)

In exercise of the powers conferred by section 40 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby makes the following Order further to amend the International Copyright Order, 1958, namely:

1. This Order may be called the International Copyright (Third Amendment) Order, 1964.

2. In the International Copyright Order, 1958, in Part I of the Schedule:

- (i) against the entry "Belgium", the words "and Belgian Congo" shall be omitted;
- (ii) after the entry "Republic of Congo (Brazzaville)", the entry "Republic of Congo (Leopoldville)" shall be inserted.

In exercise of the powers conferred by section 40 of the Copyright Act, 1957 (14 of 1957), the Central Government

hereby makes the following Order further to amend the International Copyright Order, 1958, namely:

1. This Order may be called the International Copyright (Fourth Amendment) Order, 1964.

2. In the International Copyright Order, 1958, in Part I of the Schedule:

- (i) after the entry " Republic of Congo (Leopoldville) ", the entry " Republic of Cyprus " shall be inserted;
- (ii) in the Explanation, after the entry " British Solomon Islands Protectorate ", the entry " Cyprus " shall be omitted.

A. HUGUET

Doctor of Laws in the Faculty of Law
and Economic Science at Poitiers

CORRESPONDENCE

Letter from Sweden

Torwald HESSER

Judge at the Court of Appeal of Stockholm

INTERNATIONAL ACTIVITIES

Sixth Congress of the International Federation of Actors (IFA)

(Mexico, October 18-24, 1964)

The International Federation of Actors (IFA) held its 6th Congress in Mexico, from October 18 to 24, 1964, at the kind invitation of its Mexican affiliate, the *Asociación Nacional de Actores* (ANDA).

The aims of the IFA, which groups at present 35 Actors' Unions from 30 countries, include among others:

- the protection and development of the live theatre, considered as one of the best media of expression for promoting mutual understanding between peoples;
- the protection of actors' rights in the reproduction of their performances by mechanical means (radio, gramophone records, films, television);
- the establishment of protective measures, at the national or international levels, for the defence of actors against the unauthorised use of recordings of their performances, whatever the method of recording;
- the support of all activities designed to raise the level of performance and to render more accessible the art of the theatre, radio, the cinema and television.

The delegates of the Actors' Unions of the following countries were present: Australia, Austria, Canada, Chile, Colombia, Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Iceland, Ireland, Mexico, Netherlands, Norway, Panama, Péru, Poland, Puerto Rico, Sweden, Switzerland, United Kingdom, Uruguay and Venezuela.

The intergovernmental organisations responsible for the Rome Convention of 1961 had been invited to send observers. BIRPI was therefore represented by Mr. Claude Masouyé, Counsellor, Head of the Copyright Division, and the ILO by Mr. Edward Thompson, a local delegate. UNESCO had been unable to send a representative because of its General Conference.

Apart from a number of questions of an internal or administrative character, the agenda contained two main items:

- (i) performers' rights (Rome Convention: contents, entry into force, development, application; domestic laws; performers' societies);

- (ii) television (international television exchanges by means of relays or recordings; protection of national television as a medium of artistic expression; relations between television and radio, the theatre and the cinema).

Discussions were also held on other problems, such as: the live theatre, international exchanges of radio programmes, joint productions for the cinema, actors' social rights.

The meetings were held in the foyer of the Jorge Negrete Theatre, next to the headquarters of the *Asociación Nacional de Actores* (ANDA), which had been specially converted for the occasion.

Before the official opening of the Congress, the President of the Republic of Mexico, Sr. Lic. Adolfo López Mateos, inaugurated the Actors' Clinic, a very fine achievement by the Mexican actors' Union. The opening ceremony was held in the presence of Sr. Lic. Salomon Gonzales Blanco, Minister of Labour and Social Welfare, Sr. Ernesto Enriquez, Under-Secretary of State for Education, a large number of distinguished Mexican figures in the fields of politics, art and literature, a great many Mexican actors and numerous representatives of the press and television. A great number of highly successful fringe activities in connection with the Congress were organised at the same time by the host Association.

The two main items of the agenda referred to above were studied at great length and gave rise to extremely interesting exchanges of views. At the close of the discussions, several Resolutions were adopted, some of which are reproduced below. The Congress unanimously congratulated the Mexican Government on the new provisions it had adopted concerning the payment of authors' royalties in the field of cinematography (published in the *Diario Oficial* of October 14, 1964, and later in *Le Droit d'Auteur* (Copyright), 1964, p. 194).

The IFA also elected its Executive Committee for the period 1964-1967. Mr. Fernand Gravey (France) was appointed Honorary President. The Chairmanship of the IFA was conferred by acclamation on Mr. Rodolfo Landa (Mexico), Senator and former Deputy of Mexico, Secretary-General of the ANDA and other Mexican Unions, who had been responsible for the successful organisation of this brilliant Congress, with the help of his colleagues. The Vice-Chairmen were elected in the persons of: Mr. Gerald Croasdel (United Kingdom), Secretary-General of the British Actors' Equity Association, and Mr. Rolf Rembe (Sweden), Secretary-General of the Swedish Association. Representatives of the following countries make up the membership of the Executive Committee: Austria, Canada, Czechoslovakia and France; and Mr. Pierre Chesnais (France) has been re-elected Secretary-General.

The exact date and place of the next Congress in 1967 will be determined in due course by the Executive Committee.

1. Resolution on the Rights of Performers

The 6th Congress of the IFA, which met at Mexico City, from October 19 to 24, 1964, expresses its satisfaction that:

1. after many years of preparation, the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations, adopted by the Diplomatic Conference held in Rome in 1961, has come into being;

2. the said Convention came into force on May 18, 1964, and apart from the seven States which are already parties to it, other States are preparing to ratify or to adhere to it.

The Congress appeals to all the Performers' Unions throughout the world to make representations to their respective Governments in order to accelerate the procedures of ratification or adhesion.

It requests the Executive Committee to provide the necessary documents and support to all the Unions which may request them, and, if requested by Unions, to communicate with the Governments in order to obtain:

- that the national laws ensure the most efficient protection of performers, including protection relating to visual or audio-visual recordings;
- that the ratification or adhesion of their countries take into consideration to the maximum extent the rights and interests of performers;
- that the States, which do not fulfil the necessary requirements to adhere to the Rome Convention (i.e. to be party to the Universal Copyright Convention or member of the Berne Union), establish national laws ensuring for performers at least the minimum protection guaranteed by the Rome Convention; and, if they persist in their non-fulfilment of the said requirements, to enter into bilateral and multilateral agreements with other States, thus ensuring international protection for their performers.

2. Resolution on Television

The 6th Congress of the IFA, which met at Mexico City, from October 19 to 24, 1964,

Having reaffirmed the continuing validity of the Resolutions on television passed by previous Congresses,

And having examined the artistic and economic problems existing both on the national level and in relation to the international distribution of television programmes and films,

Reaffirms that television is a medium of national culture in its own right which can and must develop as such, and

That it is therefore essential to protect the production of television programmes and films in each country against competition from foreign films and programmes imported because they are cheap (having either recovered their production costs in their country of origin or being provided for reasons of propaganda or under the guise of assistance to developing countries) rather than because of their cultural value; and

Recommends the Trade Unions of Actors of all countries to try by all possible means (seeking to these ends the widest support from other workers in entertainment and from the general public)

1. to defend the national character of their television by
 - (a) ensuring that a high percentage of programmes is transmitted "live"; or
 - (b) the establishment of protective quotas limiting the use of foreign recorded programmes and television films; or
 - (c) securing guarantees of the production and transmission of an adequate proportion of national television programmes and films; or
 - (d) by any combination of these measures;
2. to prevent, other than for the purpose of giving information about activity in the other cultural media,
 - (a) the transmissions by radio of the sound element of television programmes and vice-versa;
 - (b) the use in television of films made for the cinema and vice-versa;
 - (c) the direct transmission in television of plays being performed to a paying theatre audience or the recording of such performances for later transmission;
3. where these do not yet exist, to secure collective agreements with television employers establishing, *inter alia*:
 - (a) a level of fees which adequately reflects the vast size of the viewing audience and the inherent profitability of the medium;
 - (b) strict control over the number of repeat transmissions of any programme and over the time within which such repeats may

be given; together with adequate payment in respect of each repeat;

- (c) a clause preventing the use in television of any recorded programme in which actors are engaged, during any period of industrial conflict between the Actors' Trade Unions and the employers;
- (d) provisions relating to the use of television programmes and films outside their country of origin to ensure
 - (i) the payment to actors of substantial additional fees for each transmission in another country; and
 - (ii) that such programmes or television films may not be transmitted in another country during any industrial dispute between the Actors' Trade Unions and the employers in that country.

The additional fees here referred to should preferably be established in relation to the size of the audience and the position of the actors in the importing country rather than only in relation to the actor's original fee.

The Congress declares that the foregoing principles apply equally to all forms of recording intended for transmission in television, including so-called television films.

The Congress further declares that it is the duty of all affiliated Unions to give each other every possible assistance, especially when strike action is taken in support of the foregoing or other legitimate aims of actors. In particular, it is the duty of each affiliated Union to ensure that, when an employer from any other country produces television programmes by any means in the country of that Union, the actors are employed on terms and conditions not less favourable than those prevailing in either country.

To assist in the achievement of these objectives, both the IFA and the affiliated Unions will take the initiative in promoting discussions directed towards bilateral or multilateral agreements both among Unions already affiliated and with *bona fide* Actors' Unions not yet affiliated, upon provisions to be included in national collective agreements in furtherance of the foregoing principles.

The Congress also declares that similar principles apply to the direct or indirect relay of a programme to another country or countries, whether by means of satellites or otherwise.

Upon the implementation of these principles depends not only the very existence of an adequate number of actors in each country, living by the exercise of their profession, but the right of every people to safeguard its national culture and conscience.

3. Resolution on the Live Theatre

The 6th Congress of the IFA, which met at Mexico City, from October 19 to 24, 1964,

Considering that the experience of all the representatives of the member countries leads to the incontestable conclusion that the live theatre has preserved intact its role as an ideal instrument for the diffusion of universal culture;

Considering that the difficulties with which the live theatre is faced in the majority of countries are entirely economic,

Affirms its conviction that the only solution which will allow the theatre to fulfil its mission lies in its liberation from purely commercial pressures;

Convinced that this solution is possible in every country, whatever may be its economic system and whatever may be the structure of its theatrical industry and the type of play presented,

Appeals to all affiliated Unions to draw the attention of their Governments and Local Authorities to these facts and to do everything possible in order to obtain satisfaction.

4. Resolution on the Activity of the IFA

The 6th Congress of the IFA, which met at Mexico City, from October 19 to 24, 1964,

Has recorded with lively satisfaction the results obtained thanks to the existence and activities of the IFA in collaboration with the IFM and the IFVA

- in the domain of the protection of performers' rights (International Convention of Rome concluded in October 1961, entered into force May 18, 1964);
- in the domain of television and sound radio (agreements EBU/FFF on the subject of international television relays and on the subject of certain international exchanges of radio programmes);
- in the domain of the theatre, films and television, in taking part in the work of the International Theatre Institute and of the International Film and Television Council of which the IFA is a member;
- in the domain of the social and artistic welfare of the actor, in collaboration with the ILO, UNESCO, the Berne Union and the Council of Europe;
- and finally by actions of solidarity and by the exchange of information which have contributed to the effective defence of the profession of the actor both on the national and on the international plane;

And has reaffirmed that such results have been possible only because 35 organisations representative of the actors of 30 countries are united within the IFA on a purely professional basis without account being paid to their other national or international affiliations nor to their different political, ideological or religious outlooks.

That is why the 6th Congress of the IFA is of opinion that the organisations of actors affiliated to the IFA, while maintaining complete liberty to take part in the activities of other international organisations to which they may be directly or indirectly affiliated, should do everything to safeguard their right to remain members of the IFA and to reserve to the IFA the entire jurisdiction to represent them internationally in order to achieve the objects laid down in the Constitution of the IFA.

It is in this spirit that the 6th Congress of the IFA invites every actors' organisation in the world which is not yet affiliated to join the IFA so that the actors of all countries, in the face of techniques which know no frontiers and in the face of employers and other users of actors' work who recognise no frontiers either, may defend, in unity, their profession and their art.

NEWS ITEMS

State of Ratifications and Accessions to the Conventions and Agreements affecting Copyright on January 1, 1965

1. International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, October 26, 1961)

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R) or Accession (A)
Congo (Brazzaville) ¹⁾	June 29, 1962	May 18, 1964	A
Czechoslovakia ¹⁾	May 13, 1964	August 14, 1964	A
Ecuador	December 19, 1963	May 18, 1964	R
Mexico	February 17, 1964	May 18, 1964	R
Niger ¹⁾	April 5, 1963	May 18, 1964	A
Sweden ¹⁾	July 13, 1962	May 18, 1964	R
United Kingdom ¹⁾	October 30, 1963	May 18, 1964	R

¹⁾ The instruments of ratification or accession deposited with the Secretary-General of the United Nations were accompanied by "declarations". As to Congo (Brazzaville), see *Le Droit d'Auteur (Copyright)*, 1964, p. 127; as to Czechoslovakia, see *ibid.*, 1964, p. 110; as to Niger, see *ibid.*, 1963, p. 155; as to Sweden, see *ibid.*, 1962, p. 138; as to United Kingdom, see *ibid.*, 1963, p. 244.

2. Universal Copyright Convention (Geneva, September 6, 1952)

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R) or Accession (A)	Protocols adopted
Andorra	30 XII 1952 ¹⁾ 22 I 1953 ²⁾	16 IX 1955	R	2, 3 1, 2, 3
Argentina	13 XI 1957	13 II 1958	R	1, 2
Austria	2 IV 1957	2 VII 1957	R	1, 2, 3
Belgium ³⁾	31 V 1960	31 VIII 1960	R	1, 2, 3
Brazil	13 X 1959	13 I 1960	R	1, 2, 3
Cambodia	3 VIII 1953	16 IX 1955	A	1, 2, 3
Canada	10 V 1962	10 VIII 1962	R	3
Chile	18 I 1955	16 IX 1955	R	2
Costa Rica	7 XII 1954	16 IX 1955	A	1, 2, 3
Cuba	18 III 1957	18 VI 1957	R	1, 2
Czechoslovakia . .	6 X 1959	6 I 1960	A	2, 3
Denmark	9 XI 1961	9 II 1962	R	1, 2, 3
Ecuador	5 III 1957	5 VI 1957	A	1, 2
Finland	16 I 1963	16 IV 1963	R	1, 2, 3
France ⁴⁾	14 X 1955	14 I 1956	R	1, 2, 3
Germany (Fed. Rep.) ⁵⁾	3 VI 1955	16 IX 1955	R	1, 2, 3
Ghana	22 V 1962	22 VIII 1962	A	1, 2, 3
Greece	24 V 1963	24 VIII 1963	A	1, 2, 3
Guatemala	28 VII 1964	28 X 1964	R	1, 2, 3
Haiti	1 IX 1954	16 IX 1955	R	1, 2, 3
Holy See	5 VII 1955	5 X 1955	R	1, 2, 3
Iceland	18 IX 1956	18 XII 1956	A	
India	21 X 1957	21 I 1958	R	1, 2, 3
Ireland	20 X 1958	20 I 1959	R	1, 2, 3
Israel	6 IV 1955	16 IX 1955	R	1, 2, 3
Italy	24 X 1956	24 I 1957	R	2, 3
Japan	28 I 1956	28 IV 1956	R	1, 2, 3

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R) or Accession (A)	Protocols adopted
Laos	19 VIII 1954	16 IX 1955	A	1, 2, 3
Lebanon	17 VII 1959	17 X 1959	A	1, 2, 3
Liberia	27 IV 1956	27 VII 1956	R	1, 2
Liechtenstein . . .	22 X 1958	22 I 1959	A	1, 2
Luxembourg	15 VII 1955	15 X 1955	R	1, 2, 3
Mexico	12 II 1957	12 V 1957	R	2
Monaco	16 VI 1955	16 IX 1955	R	1, 2
New Zealand	11 VI 1964	11 IX 1964	A	1, 2, 3
Nicaragua	16 V 1961	16 VIII 1961	R	1, 2, 3
Nigeria	14 XI 1961	14 II 1962	A	
Norway	23 X 1962	23 I 1963	R	1, 2, 3
Pakistan	28 IV 1954	16 IX 1955	A	1, 2, 3
Panama	17 VII 1962	17 X 1962	A	1, 2, 3
Paraguay	11 XII 1961	11 III 1962	A	1, 2, 3
Peru	16 VII 1963	16 X 1963	R	1, 2, 3
Philippines ⁶⁾ . . .	19 VIII 1955	19 XI 1955	A	1, 2, 3
Portugal	25 IX 1956	25 XII 1956	R	1, 2, 3
Spain ⁷⁾	27 X 1954	16 IX 1955	R	1, 2, 3
Sweden	1 IV 1961	1 VII 1961	R	1, 2, 3
Switzerland	30 XII 1955	30 III 1956	R	1, 2
United Kingdom ⁸⁾	27 VI 1957	27 IX 1957	R	1, 2, 3
United States of America ⁹⁾ . .	6 XII 1954	16 IX 1955	R	1, 2, 3

Total: 49 countries

¹⁾ Date upon which an instrument of ratification of the Convention and of Protocols 2 and 3 was deposited on behalf of the Bishop of Urgel, co-Prince of Andorra.

²⁾ Date upon which an instrument of ratification of the Convention and of Protocols 1, 2 and 3 was deposited on behalf of the President of the French Republic, co-Prince of Andorra.

³⁾ On January 24, 1961, the Director-General of Unesco received from the Belgian Government a notification of application of the Convention and Protocols 1, 2 and 3 to the Trust Territory of Ruanda-Urundi, effective from April 24, 1961.

⁴⁾ On November 16, 1955, France notified the Director-General of Unesco that the Convention and the three Protocols apply, as from the date of their entry into force in respect of France, to Metropolitan France and to the Departments of Algeria, Guadeloupe, Martinique, Guiana and Réunion.

⁵⁾ Following the deposit of the instrument of ratification, a statement was made on June 3, 1955, on behalf of the Federal Republic of Germany: "The Government of the Federal Republic of Germany reserves the right, after complying with the preliminary formalities, to make a statement regarding the implementation of the Universal Copyright Convention and the additional Protocols 1, 2 and 3 so far as the *Land* of Berlin is concerned". On September 12, 1955, the Director-General of Unesco received the following declaration made on behalf of the Federal Republic of Germany on September 8, 1955: "The Universal Copyright Convention and Protocols 1, 2 and 3 annexed shall likewise be applied in *Land* Berlin as soon as the Convention and the annexed Protocols come into force in respect of the Federal Republic of Germany".

⁶⁾ On November 14, 1955, the following communication was addressed to the Director-General of Unesco on behalf of the Republic of the Philippines:

"... His Excellency the President of the Republic of the Philippines has directed the withdrawal of the instrument of accession of the Republic of the Philippines to the Universal Copyright Convention prior to the

date of November 19, 1955, at which the Convention would become effective in respect of the Philippines". This communication was received on November 16, 1955. By circular letter of January 11, 1956, the Director-General of Unesco transmitted it to the Contracting States of the Convention as well as to the Signatory States. Observations received from Governments were communicated to the Republic of the Philippines and to other States concerned by circular letter of April 16, 1957.

7) The instrument of ratification deposited on behalf of Spain on October 27, 1954, related to the Convention and the three Protocols. Since Protocols 1 and 3 had not been signed on behalf of Spain, the Director-General of Unesco, by letter of November 12, 1954, drew the attention of the Government of Spain to this fact. In reply, the following communication was addressed to the Director-General of Unesco on January 27, 1955: "I am ... instructed by the Minister of Foreign Affairs to inform you that the Spanish ratification of the Universal Copyright Convention applies solely to the documents in fact signed, viz., the Convention and Protocol No 2 ...". The States concerned were informed of this communication by circular letter of March 25, 1955.

8) On November 29, 1961, the Director-General of Unesco received a notification from the Government of the United Kingdom concerning the application of the Convention to the Isle of Man, Fiji Islands, Gibraltar and Sarawak (coming into force on March 1, 1962). A second notification was received on February 4, 1963, extending the application of the Convention to Zanzibar, to the Bermudas and North Borneo (coming into force on May 4, 1963). A third notification of April 26, 1963, extends the application of the Convention to the Bahamas and the Virgin Islands (coming into force on July 24, 1963). A fourth notification of October 29, 1963, extends the application of the Convention to the Falkland Islands, Kenya, St. Helena and Seychelles (coming into force on January 29, 1964). A fifth notification, of October 6, 1964, extends the application of the Convention to Mauritius (coming into force on January 6, 1965).

9) On December 6, 1954, the United States of America notified the Director-General of Unesco that the Convention shall apply, in addition to continental United States, to Alaska, Hawaii, the Panama Canal Zone, Puerto Rico and the Virgin Islands. On May 14, 1957, the United States of America further notified the Director-General of Unesco that the Convention shall apply to Guam. Notification was received on May 17, 1957.

By letter of November 21, 1957, the Government of Panama contested the right of the Government of the United States of America to extend the application of the Convention to the Panama Canal Zone. By letter of January 31, 1958, the Government of the United States of America asserted that such extension of the Convention was proper under Article 3 of its 1903 treaty with Panama. Copies of the two letters have been communicated by the Director-General to all States concerned.

UNITED KINGDOM

Mauritius

Application of the Universal Copyright Convention (coming into force on January 6, 1965)

In a letter dated December 3, 1964, the Director-General of Unesco, with reference to the previous notifications by which the Government of the United Kingdom declared, pursuant to Article XIII of the Universal Copyright Convention, that the Convention would apply to certain named

3. European Agreement concerning Programme Exchanges by Means of Television Films

(Paris, December 15, 1958)

Contracting States	Deposit of Instrument	Coming into Force	Signature without Reservation in respect of Ratification (S) or Ratification (R)
Belgium	March 9, 1962	April 8, 1962	R
Denmark	October 26, 1961	November 25, 1961	R
France	December 15, 1958	July 1, 1961	S
Greece	January 10, 1962	February 9, 1962	R
Luxembourg	October 1, 1963	October 31, 1963	R
Norway	February 13, 1963	March 15, 1963	R
Sweden	May 31, 1961	July 1, 1961	R
Turkey	February 27, 1964	March 28, 1964	R
United Kingdom	December 15, 1958	July 1, 1961	S

4. European Agreement on the Protection of Television Broadcasts

(Strasbourg, June 22, 1960)

Contracting States	Deposit of Instrument	Coming into Force	Signature without Reservation in respect of Ratification (S) or Ratification (R)
Denmark ¹⁾	October 26, 1961	November 27, 1961	R
France	June 22, 1960	July 1, 1961	S
Sweden	May 31, 1961	July 1, 1961	R
United Kingdom ¹⁾	March 9, 1961	July 1, 1961	R

¹⁾ The instruments of ratification were accompanied by "options" in accordance with Article 3, paragraph 1, of the Agreement. As to Denmark, see *Le Droit d'Auteur*, 1961, p. 360; as to United Kingdom, see *ibid.*, 1961, p. 152.

territories for the international relations of which they are responsible, has informed us that he received, on October 6, 1964, a further notification by which the Government of the United Kingdom declared, pursuant to Article XIII of the Convention, that the Convention shall apply to Mauritius.

In accordance with the provisions of the said Article, this notification will take effect from January 6, 1965.

CALENDAR

Meetings of BIRPI

Date and Place	Title	Object	Invitations to Participate	Observers Invited
March 11 and 12, 1965 Geneva	Advisory Group of the International Committee of Novelty-Examining Patent Offices	Industrial property statistics; index of parallel patents	Austria, Canada, France, Germany (Fed. Rep.), Japan, Poland, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America	International Patent Institute, Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT)

Date and Place	Title	Object	Invitations to Participate	Observers Invited
March 15 to 19, 1965 Geneva	Committee of Experts on Inventors' Certificates	To study the problem of inventors' certificates in relation to the Paris Convention	All Member States of the Paris Union	Union of Soviet Socialist Republics, United Nations, Council of Europe, International Patent Institute, Organization of American States, Inter-American Association of Industrial Property, International Association for the Protection of Industrial Property, International Chamber of Commerce, International Federation of Patent Agents
March 22 to April 2, 1965 Geneva	Committee of Experts on the Administrative Structure of International Cooperation in the Field of Intellectual Property	To study a draft Convention on administrative structure	All Member States of the Paris and Berne Unions	United Nations, International Labour Organization, United Nations Educational, Scientific and Cultural Organization, World Health Organization, Council of Europe, International Patent Institute, Organization of American States, Inter-American Association of Industrial Property, International Association for the Protection of Industrial Property, International Bureau for Mechanical Reproduction, International Chamber of Commerce, International Confederation of Societies of Authors and Composers, International Federation of Patent Agents, International Literary and Artistic Association
May 4 to 7, 1965 Geneva	Committee of Experts for the Classification of Goods and Services	To bring up to date the international classification	All Member States of the Nice Union	
July 5 to 14, 1965 Geneva	Committee of Governmental Experts preparatory to the Revision Conference of Stockholm (Copyright)	Examination of the amendments proposed by the Swedish/BIRPI Study Group for the revision of the Berne Convention	All Member States of the Berne Union	Interested international intergovernmental and non-governmental organizations
September 28 to October 1, 1965 Geneva	Interunion Coordination Committee (3 rd Session)	Program and budget of BIRPI	Belgium, Brazil, Ceylon, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Morocco, Netherlands, Nigeria, Portugal, Rumania, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union or of the Berne Union; United Nations
September 29 to October 1, 1965 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (1 st Session)	Program and activities of the International Bureau of the Paris Union	Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Japan, Morocco, Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union; United Nations

Meetings of other International Organizations concerned with Intellectual Property

Place	Date	Organization	Title
Tel Aviv	January 31 to February 2, 1965	International Association for the Protection of Industrial Property (IAPIP)	Conference of Presidents
New Delhi	February 6 to 12, 1965	International Chamber of Commerce (ICC)	Congress
Paris	February 19, 1965	International Literary and Artistic Association (ALAI)	Executive Committee and Annual General Assembly
Paris	March 1 to 6, 1965	International Confederation of Societies of Authors and Composers (CISAC)	Federal Bureaux, Legislative Committee and Confederal Council
Namur	May 23 to 27, 1965	International League Against Unfair Competition	Congress
Stockholm	August 23 to 28, 1965	International Literary and Artistic Association (ALAI)	Congress