

Copyright

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INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, 1967

Report

on the Work of Main Committee II (Protocol Regarding Developing Countries)
of the Intellectual Property Conference of Stockholm, 1967

by

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1. The protection of authors' rights in countries that have recently gained independence is one of the problems that have solicited the attention of the Swedish Government as the host country of the Revision Conference and that of BIRPI for several years. The history of the preparatory work and studies is to be found in document S/1 (pages 67 to 74).

2. After the publication of document S/1, there was an important event in this domain, whose influence has been apparent both on the discussion and on the results of the Conference. This was the East Asian Seminar on Copyright, which was held at New Delhi in January, 1967.

3. At the proposal of the Government of Sweden, a Main Committee was set up to produce a final text on the basis of document S/1. This Main Committee called Main Committee II in the Conference documents and hereinafter referred to as "the Committee" met ten times. It appointed two Working Groups for certain special problems, one to consider matters of substance (Chairman: Mr. Hesser (Sweden); members: Czechoslovakia, France, India, Ivory Coast, Tunisia, United Kingdom), and the other to consider the definition of the criterion of countries that would be entitled to avail themselves of this Protocol (Chairman: Mr. Lennon (Ireland); members: Brazil, Congo (Kinshasa), Czechoslovakia, France, India, Italy, Ivory Coast, Senegal, Sweden, Tunisia, United Kingdom).

4. Several amendments were submitted with respect to the *definition* of countries beneficiaries of the Protocol mentioned in the introduction to Article 1 of the Protocol with a view to the clarification of the general formula: the object of a proposal by France (document S/176) was to make countries that adhered to the Berne Union only after the signing and entry into force of the Brussels Act beneficiaries of the provisions of the Protocol; a proposal by Italy (document S/213) introduced technical criteria (illiteracy, school attendance) into the idea of a developing country; two proposals, one by the United Kingdom (document S/149), and the other by Denmark, Finland, Norway and Sweden (document S/253), suggested as a solution an international authority competent to decide in each case (the Executive Committee of the Berne Union in the former and the General Assembly of the United Nations in the latter proposal). After discussion, the Working Group proposed to the Committee a text referring to Resolution No. 1897 (XVIII) adopted by the General Assembly of the United Nations at its eighteenth session on November

13, 1963, for application to any country subsequently designated as a developing country. A proposal by the Ivory Coast (document S/234) brought the list up to date by adding seven new African States to it.

5. The Committee dealt with the question and, while accepting the idea that the countries listed in the Annexes to document S/249 should be beneficiaries of the Protocol, it noted that simple reference to the decisions of the United Nations would entail a delay for countries that had recently gained their independence that would prevent them from acceding to the Convention and the Protocol immediately or at least before a decision by the United Nations. A more flexible wording was sought. A joint proposal by Denmark, Finland, Norway and Sweden submitted in document S/253 stipulated that a developing country would be considered to be any country designated as such under the established practice of the General Assembly of the United Nations, it being understood that the term "established practice" implies that the country concerned receives assistance from the United Nations Development Programme through the United Nations or its Specialized Agencies. The country which considers that it is in a position to have recourse to the Protocol shall notify the Director General of WIPO, who shall, if necessary, after consultation with the organs of the United Nations, communicate the notification to the other countries members of the Union together with his observations. The final text was produced by the Committee's Drafting Committee under the chairmanship of Mr. Essén (Sweden) (members: Mr. Abi-Sad (Brazil), Mr. Strnad (Czechoslovakia), Mr. Desbois (France), Mr. Krishnamurti (India), Mr. Ciampi (Italy), Mr. Amon d'Aby (Ivory Coast), Mr. Goundiam (Senegal), Mr. Fersi (Tunisia), Miss White (United Kingdom)). The text was adopted by the Committee at its last meeting.

6. The *substantive provisions* were also examined on the basis of document S/1 submitted by the Government of Sweden with the assistance of BIRPI. The order of the items included in the Protocol was altered by the Drafting Committee so that the provisions concerning the term of protection — following the system of the Convention itself — were mentioned first among the questions of substance, and the others were inserted thereafter. In the course of the proceedings of the Committee they underwent the following changes.

7. As an outcome of the insertion of Article 9, paragraph (2), of the Rome Act of 1928 and the Brussels Act of 1948 in

a new draft of the text of the Convention itself, in which it appears as Article 10^{bis}(1), paragraph (c) of Article 1 in document S/1 became superfluous in the Protocol and was deleted.

8. A group of countries (Congo (Brazzaville), Congo (Kinshasa), Gabon, India, Ivory Coast, Madagascar, Morocco, Niger, Senegal and Tunisia) submitted a new drafting of the text of the Protocol (document S/160), stemming from document S/1 and adopting its scheme, but adding certain new features.

9. The *term of protection* has been decided without change in the manner proposed by the Government of Sweden with the assistance of BIRPI. The term of protection may therefore be fixed by domestic legislation at a period shorter than the compulsory term of fifty years referred to in Article 7 of the Convention.

10. The *translation license* combines the translation license referred to in Articles 25 and 27 of the Convention (Brussels text) and traditional in the Berne Union with certain elements of the license referred to in Article V of the Universal Copyright Convention; the definition of the languages into which the translation may be made has been clarified.

11. Several proposals were submitted for regulating the régime of published works on the basis of a statutory license (the proposals of Italy, document S/162; of Denmark, document S/146; of Greece, document S/181; and of Israel, document S/199). Japan made a proposal in document S/127 for simplification of the translation license by simply taking over the system as it exists in the Berne Convention.

12. The result of the proceedings of the Working Group and of the Committee, which is set out in document S/249, corresponds with certain slight alterations to the desire to replace the text of Article 5 of the Paris Act of 1896 quoted in paragraph (b) of Article 1 of the Protocol by an up-to-date wording without affecting the substance of the provisions concerned.

13. The principles of the Universal Copyright Convention (see Article V, paragraphs 2 and 5), which are incorporated in the system of the translation license provided for by the Protocol (Article 1, paragraph (b)(iv)) have also undergone modification: the compensation stipulated should be just and the explicit reference to international usage in this matter was deleted; the transmittal of such compensation, also referred to in the above Article of the Universal Copyright Convention, is made subject to national currency regulations by the text of the Protocol.

14. It should be noted that neither of the two International Conventions that might be regarded as having served as a model for paragraph (b) of Article 1 of the Protocol stipulates precisely where a translation must be published by the author himself if he does not wish a statutory license to come into force. Article 5 of the Paris Act of 1896 merely stipulates that the publication of such a translation must take place in a country of the Union. The Protocol adds an important clarification: the translation must be published in the country invoking the reservation concerning the translation license. Publication does not mean printing in the strict sense;

this is an essential distinction for countries that do not possess even the technical means needed to publish translations or reproductions under the conditions laid down by the Protocol.

15. The proposals on the right of *reproduction* contained in Article 1(e) of document S/1, corresponding to Article 1(c) of the final text, have undergone profound modification. After discussion and examination of the various proposals (see the proposal of the United Kingdom, document S/149, paragraph 3, and the joint proposal of ten developing countries, document S/160), the Working Group proposed the text contained in document S/249, Article 1, paragraph (d). The final solution adopted for the reproduction license is modeled on the translation license to the extent that the analogy is possible. It provides for the possibility of the introduction of a reproduction license for educational or cultural purposes — the wording should not be interpreted in a restrictive manner, given that the addition “for exclusively... purposes...” was intentionally deleted.

16. On the other hand, restriction of the right of reproduction to educational or cultural purposes excludes from the field of application of this reservation all works whose educational or cultural purpose is not evident; as an example, detective and adventure stories were mentioned in the discussion.

17. The procedure to be followed in order to obtain such a license, the conditions concerning payment of the compensation, the place of publication, respect for the right of the author to withdraw the work from circulation, and the possibility of having recourse to such a license even after the copies of the original edition of the work are out of print, have been established on the same basis as for translations.

18. Paragraph (d) of Article 1 of the Protocol, which concerns the *broadcasting* of literary and artistic works, permits the countries beneficiaries of the Protocol to substitute for paragraph (1) and paragraph (2) of Article 11^{bis} of the Convention the text of the Rome Act of 1928 with two changes. The first, which represents a modernization of the text, is to replace the words “communication by radiodiffusion” of the Rome Act of 1928 by the word “broadcasting”. The second change settles a basic matter: the public communication of broadcast works for profit-making purposes shall not be permitted except on payment of equitable remuneration fixed, in the absence of agreement, by competent authority. That addition takes over the wording of the proposal by the United Kingdom (document S/149, paragraph 2).

19. A new possibility for restriction open to domestic legislation has been adopted for uses destined *exclusively for teaching, study and research in all fields of education*. It should be noted that that reservation does not apply solely to the rights of translation and reproduction; it may also be invoked equally for the other uses of literary and artistic works. A new formula has been inserted for the determination of compensation, by which the latter shall “conform to standards of payment made to national authors”. The addition of the words “in all fields of education” and the exclusivity of the purposes for which the reservation can be utilized

indicate that industrial or commercial research or research of the same nature is outside the scope of this reservation.

20. In the case of copies of works translated and reproduced on the basis of the reservations in a country availing itself of the Protocol, the general principle adopted is that their export and sale are not permitted in a country not availing itself of these reservations. The prohibition does not apply if the legislation of a country which cannot avail itself of the Protocol, or the agreements concluded by that country, authorize such importation. The reference to domestic law and to agreements concluded has been replaced, in the case of the works mentioned in Article 1(e), by the condition of the agreement of the author. In the same paragraph it has been made clear that only copies of a work published in a country for the said educational purposes may be imported and sold in other countries availing themselves of the reservations; the effect, therefore, is that such copies will be in a language relevant to the educational needs of that country. An example quoted in the discussions was that of a translation made in India which could be imported into Ceylon but not into Japan.

21. The above reservations may be maintained for ten years from the time of ratification by the country concerned (see Article 1, introduction *in fine*); countries that do not consider themselves in a position to withdraw the reservations made under this Protocol may continue to maintain them until they accede to the Act adopted by the next revision conference; the "maintaining of reservations" therefore implies that it will be essential for a declaration to that effect to be addressed to the Director General by the country concerned, and that in default thereof the reservations shall cease to be applicable. The country concerned would then be bound by the Convention itself.

Various proposals made in the course of the Conference by the Delegations present, and concerning one or other of the problems mentioned above, have either been incorporated in the final text or withdrawn (see, for example, publication of serials, abridgements or translations in newspapers or periodicals, document S/160, or the provisions for the institution of certain measures of control over the application of the

Protocol submitted by Israel, document S/199), or have found their place in a resolution (for example, the creation of a fund intended for the authors of works affected by the reservations stipulated in the Protocol, as proposed by Israel, document S/228).

22. Article 6 was added to the text as the result of a proposal by the United Kingdom which was adopted by the Committee at its eighth meeting. Even a developing territory, judged by the same principles as sovereign countries, which has not acceded to independence by the day on which the Convention is signed may enjoy the benefits of the Protocol.

23. With regard to this Article, the Delegations of Tunisia, Czechoslovakia, India and Israel made statements evidencing their opposition in principle to clauses of this kind in conventions. Later on, in the Plenary of the Berne Union this Article was expanded to indicate that the declaration referred to in it could be made only by a country bound by the Protocol.

24. The reference to the practice established by the United Nations made it necessary to solve the problem of the legal consequences of a contrary situation, namely, to deal with the case of a country to which the status of developing country ceases to be applicable. The solution proposed by the Drafting Committee is that such a country will no longer be able to avail itself of the Protocol at the expiry of a period of six years from the appropriate notification.

25. To provide a possibility for developing countries to benefit immediately from the Protocol, an Article 5 has been added to the text, offering this possibility even before the text of the Convention itself has been ratified within the meaning of Article 28(1)(b)(i).

26. Another question that was the subject of consideration by the developing countries in the course of the preparatory work, that of the protection of folklore, was resolved by Article 15, paragraph (3), of the Convention itself.

[This Report was unanimously adopted by Main Committee II in its meeting on July 8, 1967.]

Report

on the Work of Main Committee IV (Administrative Provisions and Final Clauses of the Paris and Berne Conventions and the Special Agreements) of the Intellectual Property Conference of Stockholm, 1967

by

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1. The tasks assigned to Main Committee IV by the program and rules of procedure of the Conference were of a rather complex nature.

— It was not simply a matter of examining and discussing the proposals for revising the administrative and structural provisions of the Paris Convention for the Protection of Industrial Property (Document S/3), the Berne Convention for the Protection of Literary and Artistic Works (Document S/9), and the Special Agreements concerning industrial property: the Madrid Agreements (international registration of marks; repression of false or deceptive indications of source on goods), the Hague Agreement (international deposit of industrial designs), the Nice Agreement (international classification of goods and services for the purposes of the registration of marks), the Lisbon Agreement (protection of appellations of origin and their international registration), but also of examining the final clauses of the various Conventions and Agreements and the provisions relating to the adoption of possible transitional measures, as well as the decisions to be made with regard to the ceiling of contributions from the member countries of the Paris and Berne Unions.

— While the structural and administrative provisions concerning the Unions are tied in with the proposed new Intellectual Property Organization, the final clauses and transitional measures appear to be related to matters that are of interest also to other Main Committees of the Conference; therefore, constant coordination — particularly through the

holding of joint meetings — was established with those Committees during the course of our work.

2. The Plenary Assembly of the Conference, which met at the time of the opening of the Conference, accepted the proposals of the Swedish Government to the effect that the chairmanship of Main Committee IV should be entrusted to France and the duties of Rapporteur to the writer of this Report.

3. The Committee began its work on June 13 under the chairmanship of Mr. François Savignon (Vice-Chairman: Mr. G. S. Lule, Uganda) and terminated it on July 10. During its meetings, the Committee set up a drafting committee composed of delegates from the following countries: Brazil, France, Germany (Federal Republic), Netherlands, South Africa, Soviet Union, Spain, Sweden, Tunisia, United Kingdom, United States of America. Mr. Roger Labry (France) was named Chairman of this committee and Miss Silvia Nilsen (United States), Vice-Chairman.

— As the work of the Main Committee progressed, working groups were set up to make a preliminary study of certain matters.

4. During the general discussion of the structural and administrative reform, opened by the Chairman at the first meeting of the Committee, all delegations indicated their willingness to adopt, in principle, the suggested proposals which were the result of a long preparatory work, particularly in governmental Committees of Experts.

— The creation, for each Union, of new permanent organs representing the common will of the member countries and the autonomy of each Union, especially as regards its own budget, constituted the foundation of the new administrative structure elaborated by the Committee and proposed to the Conference.

— The Head of the Swiss Delegation made a statement in which he reminded the delegates that the Federal Council considered it an honor to be entrusted with the mandate of supervisory authority but was ready to accept its transfer to the Member States if they so desired; he added that the Swiss Government would, of course, continue to exercise its mandate on behalf of the States as long as they were not yet Members of the new Intellectual Property Organization. This statement was greatly appreciated by all delegations.

5. Also during the general discussion, it was agreed that the references to the new Organization appearing in the texts to be adopted by the Committee could be regarded as approved, subject to the decisions made by Main Committee V. Inasmuch as the program (Document S/3, Article 16; Document S/9, Article 25) reserved to the States the right to choose between several possibilities when ratifying or acceding to the Stockholm Acts (this idea was later accepted by the Committee,

notwithstanding certain proposals intended to restrict the possibilities of choice), some delegations recommended that the references in question be limited to what was absolutely necessary; this suggestion was taken into account in the drafting of the new texts.

6. The examination of the provisions in the program concerning the composition and functions of each Union's Assembly and Executive Committee gave rise to many suggestions by several delegations. Even in cases where they were accepted by the Committee, however, these suggestions did not alter the structure of the new organs as they were proposed in the program. It should simply be noted that, here too, an effort was made to strengthen the existing parallelism among the different Unions but to avoid unduly complicating the organization of certain industrial property Agreements.

7. The Assembly thus remains the sovereign organ of each Union, due to the fact that it is composed of all Union countries, and the Committee endeavored to strengthen its powers. As in the program, the Executive Committee consists of countries elected by the Assembly from among countries members of the Assembly.

— The constitution of the Assembly is the essential feature of the administrative reform of the Unions, and this was the principle on which the Committee based its work. The Assembly permits the member countries of each Union, even though grouped in a Union, to exercise their sovereign powers. Furthermore, from the standpoint of the development of international cooperation in the field of intellectual property, it offers the possibility of an uninterrupted exchange of views, whereas the present organization of the Unions — especially that of the Berne Union — provides for meetings only at intervals sometimes more than twenty years apart, at a time when culture and technology are advancing at a pace never before attained.

8. As regards the composition and functions of each Union's new organs, I should merely like to call attention to a matter concerning the representation of the member countries within the Assembly, a matter that was raised, in connection with a specific case, by a proposal made by the Delegations of Madagascar and Senegal. Because of the very strong fears of certain delegations that the proposal might weaken a basic general principle — namely that each delegation to the Assembly may represent, and vote in the name of, one country only — a compromise solution was adopted, following long debates within both the Committee and an *ad hoc* working group. The solution restricts the provision to the Paris Convention and limits it to the benefit of certain Paris Union countries, namely those which, under an agreement, are grouped in a common office possessing for each of them the character of a special national service of industrial property (referred to in another provision of the same Convention) and all of which, in discussions in the Assembly, may be represented by one of them. It is also understood that, in such a case, a delegation may vote by proxy only for one country and only for exceptional reasons.

— A proposal put forward during the debates by the Delegations of Argentina, Brazil and Uruguay (Document

S/189), supported by the Delegation of Spain, provided that the possibility of voting in the name of a second country would not be limited to countries having a common office but would be made general. However, this proposal was rejected by the majority of the members of the Committee, who were of the opinion that what was involved was an exception and, consequently, should not be generalized so as not to upset, as regards voting, the structure of the Assembly and of any other collegial organ of the Unions.

9. The question of the quorum of each Union's Assembly was examined by a working group, set up for that purpose by the Committee, which felt that the quorum of one-third provided in a paragraph of the draft was too low. The provisions adopted by the Committee in regard to this matter brought the quorum up to one-half, on the understanding, however, that the Assembly could make decisions even if the number of countries represented at a session was less than one-half, as long as it was equal to or more than one-half of the member countries. Decisions adopted in such cases would, however, not take effect until after having been communicated to the countries not represented in the Assembly, with a view to reaching the quorum by correspondence. The provision drawn up to this effect might appear to be somewhat complicated, but certain delegations pointed out that nothing prevented the application of the provision being clarified and simplified in the clauses of the Assembly's rules of procedure.

10. There is a certain interdependence between the matter of the quorum in the Assembly and that of the majority required in the Assembly to amend the administrative clauses of the two Conventions. In fact, only amendments to the administrative clauses are within the competence of the Assembly. Revision of the substantive provisions is, on the other hand, entrusted to conferences of the Union countries. Under the terms of the text adopted by the Committee, the majority required to amend the administrative clauses is three-fourths of the votes cast, except as regards the articles concerning the composition and functions of the Assembly, amendments of which require a four-fifths majority of the votes cast.

— The debates on these matters were rather lively, especially as concerns the conferences of revision of the substantive clauses. The requirement of unanimity was reaffirmed in respect of the Berne Convention, including the Protocol, which is an integral part of it. A proposal to substitute a qualified majority for unanimity was rejected by a vote of 24 to 11, with 9 abstentions. As to the substantive clauses of the Paris Convention, the existing situation has been maintained.

— A proposal to provide that the conferences of revision would always be held at the headquarters of the Organization was not adopted, but it was understood that the matter would be re-examined at the Conference of Revision of the Paris Union, scheduled to be held at Vienna in a few years' time.

11. The administrative tasks with respect to each Union will, on the basis of the new structural organization of the Unions, be performed by the International Bureau. The latter is a continuation of the Bureau of the Paris Union and the

Bureau of the Berne Union, united in 1892 pursuant to a Swiss Federal Council decree. The Committee made no important substantive amendments to the proposals contained in the program. The replacement of the wording (French text) appearing in the program by the expression "*Les tâches administratives incombant à l'Union sont assumées par le Bureau international qui succède au Bureau de l'Union*" does not alter the basic idea. What is concerned is, in fact, a continuation in the same functions, and, as a transitional measure, the new wording confirms that the International Bureau of the Organization will also act as the Bureau of each Union so long as all countries of the Unions have not become Members of the Organization.

— The International Bureau will provide the secretariat of the various organs of each Union.

— This combination of functions within a single organ, this two-faced Janus, is not only a characteristic of the new structural organization of the Unions as set up at Stockholm in regard to the International Bureau; it is also to be found in the person of the Director General. He is, in fact, the chief executive of the new Organization and, at the same time, the chief executive of each Union; in addition, he represents all of these different international bodies, which, by the way, have their own autonomy.

12. In the matter of finances, the text adopted by the Committee provides that each Union shall have its own budget. This provision also reflects the concept that each Union is autonomous, as is brought out in the Unions' new structural organization.

— On the basis of a joint proposal by France, Germany (Federal Republic), Italy, and the United States of America, the original text (Documents S/3 and S/9) was amended as concerns the financing of the Unions. The Committee reached agreement on a text which provides that the budget of the Union shall include the expenses proper to the Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization. Other draft provisions were altered accordingly. In connection with this provision, the Delegations of France, Germany (Federal Republic), Hungary, Italy, the Soviet Union, the United Kingdom, and the United States of America, put forth proposals to Main Committee V so as to have the words "...adopt the budget of expenses common to the Unions" (Documents S/62 and S/93) inserted in the list of powers belonging to the General Assembly of the Organization.

— Again on the subject of finances, the Delegation of Spain suggested (Document S/82) including among the sources of income of the Paris Union a fee that would be collected on behalf of the International Bureau in respect of all applications relating to patents, marks, etc., for which claim — under the Paris Convention — is made to the right of priority. Another proposal (Document S/163) would merely have referred to the possibility of such a fee. Considering, however, that the proposal raised important practical and legal questions, the Committee preferred to adopt a draft resolution addressed to the Plenary of the Paris Union and requesting it to invite the International Bureau to make a study of the matter and submit

the results of its work to the forthcoming Vienna Conference of Revision.

13. Still in connection with finances, the Committee adopted draft decisions concerning the maximum annual amount of ordinary contributions from the countries members of the Paris Union and of the Berne Union (ceiling of contributions) for the years 1968, 1969, and 1970. In regard to this matter, the Delegation of Argentina, supported by the Delegation of Brazil, observed that the ceiling-of-contributions system was no longer appropriate. It should be noted that the new Stockholm texts have abandoned this system.

14. At this point in my Report, I see that, if I were to attempt to deal in detail with each matter taken up by the Committee, this paper would become unnecessarily long, not only because of the existence of minutes and other Committee documents, but also and above all because of the fact that no really complex problems came up in connection with the administrative organization of the Unions. As a matter of fact, after carefully considering each matter, the Committee almost fully accepted the proposals, on these points, appearing in the draft texts contained in the program of the Conference. The work consisted primarily in resolving questions of a technical and editorial nature. In this respect, I should like to call attention to the really impressive accomplishments of the drafting committee which, in particular, undertook to draft the texts of the Special Agreements concerning industrial property that are in relationship with the Paris Convention, taking into account the parallelism that had to be achieved as far as possible in these different instruments.

I shall thus restrict myself to one or two matters concerning the final and transitional clauses.

15. In regard to the final provisions of the Paris Convention and Berne Convention, the Committee devoted special attention to the proposals of the program relating to the application of the earlier Acts of the Conventions of the Unions (Paris, Article 18; Berne, Article 27), which refer to the relations among countries of the Union that have acceded to different earlier Acts, and above all to the relations between a country that has acceded solely to the Stockholm Act and the other Union countries that have not acceded to it.

— Since corrigenda (Documents S/3/Corr. 1 and S/9/Corr. 1) to the proposals regarding this matter contained in the original program had affected other provisions somewhat related to it (in particular, Article 25^{quater} (Berne), originally proposed concerning the anticipated application of the Protocol Regarding Developing Countries), these problems were also examined at joint meetings of Main Committees II and IV, where other problems too were examined, especially those raised by Article 20^{bis} (Berne) concerning the Protocol Regarding Developing Countries. The joint meeting of the two Committees, under the chairmanship of Mr. Joseph Voyame (Switzerland), referred these matters to a working group, likewise chaired by Mr. Voyame, for preliminary examination; after a thorough debate, the working group presented its conclusions to the Committee. Moreover, once these conclusions had been approved, the subject — particularly as concerns Article 27(3) (Berne) — was again taken up by the Committee,

at the proposal of the Delegation of Switzerland, after it had been decided to re-open discussion on this point.

16. The solution to the problems concerning the application of earlier Acts within the framework of a Union Convention may look different depending on the view held, as regards international public law, on the effects of international treaties on the reciprocal obligations of States deriving from successive Acts of a Union Convention. The debates on this reflected the various schools of legal thought that exist on the subject, and there were naturally differences of opinion as to how the question might be settled. Furthermore, the matter is also tied in with the basic principles of Article 2 of the Paris Convention and Article 4 of the Berne Convention, relating to the concept of equality of treatment (assimilation clause) and to the obligations of the States regarding the rights specially provided for by the Convention (minimum rights), as well as to the principle that the enjoyment and exercise of rights is independent of the existence of protection in the country of origin of the work. These problems of a general nature, which in the past had been the subject of a number of scholarly discussions, were once again raised in the Committee, particularly in the statements made by the Delegations of Australia, France, and the United Kingdom. Out of rather divergent views — one considering that the obligations among Union countries are governed by the most recent common Act, the other that the obligations of a Union country are governed by the provisions of the most recent Act to which it has acceded with regard to all other Union countries and, therefore, even Union countries not parties to that Act — the view that emerged in the Committee, but only in respect to countries outside the Union which become parties to the Stockholm Act, is one which, in reciprocal relations, takes account of certain interests of any country that has not acceded to the Stockholm Act.

17. The solution envisaged by the Committee takes its inspiration from the following general principle: as this matter is not one of different treaties but of successive Acts of a Union of countries (see Article 1 of the Berne and Paris Conventions: “The countries . . . constitute a Union . . .”), all of the Union countries must always have some links with one another, even if they are not bound by a common Act. Moreover, the successive Acts of a Union Convention always contain more or less parallel provisions, so that, from a practical point of view, the question arises only with respect to provisions that differ from one another, especially when the more recent Act to which a Union country has not acceded contains provisions regarding minimum rights that are far removed from the level of protection guaranteed by the previous Act. Only in such a case did it seem reasonable and legally correct for the countries outside the Union but parties to the Stockholm Act, in conformity with the above-mentioned Swiss proposal, to apply that Act in their relations with all of the Union countries, even those that have not acceded to the Stockholm Act, while the latter countries, in their relations with the former, apply the provisions of the last Act to which they are party, with the possibility, however, of adapting its level of protection to the level guaranteed by the Stockholm Act. Texts based on these principles were adopted by the Committee.

— Consequently, as regards the relations between countries that accede only to the Stockholm Act and countries of the Union that do not accede to it, or that do so only later, both the Berne Convention and the Paris Convention provide that the former shall apply the Stockholm Act and that the latter shall apply the most recent Act to which they have acceded.

— Furthermore, I repeat, the Stockholm Act of the Berne Convention also provides that the countries of the second group mentioned above have the possibility of adjusting the level of protection they grant, on the basis of the most recent Act, to the level provided by the Stockholm Act. The Committee felt that this provision was justified because, in certain respects, the level of protection guaranteed by the Stockholm Act is not as high as that guaranteed by earlier Acts.

— Based on analogous principles, but having a different structure and content, is the provision, proposed during the joint meetings of Main Committees II and IV, according to which countries having, upon becoming parties to the Stockholm Act, made reservations permitted under the Protocol Regarding Developing Countries may apply such reservations in their relations with other countries of the Union not parties to the Stockholm Act, provided that the latter countries have accepted such application. A precedent for the legal institution of such acceptance is found in the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations.

— The Committee did not feel it was necessary for the Paris Convention to include a provision similar to the one inserted in the Berne Convention, since the Stockholm Act of the Paris Convention in no way alters the level of protection afforded under the previous Act of that Convention. Consequently, there seemed to be no need to provide for the possibility of the kind of material reciprocity which is the basis of the new provision of the Berne Convention, and which, by the way, already existed in earlier Acts of that Convention — although in a less general form — in particular in regard to the term of protection and works of applied art.

18. Somewhat tied in with the views on the general question of the application of earlier Acts was the decision made by the Committee regarding the accession of a country outside the Union which accedes to the Stockholm Act and, by the same fact, to the earlier Acts. This decision extended to the Paris Convention the provision already found in Article 28(3) of the Berne Convention (Brussels Act). Consequently, after the entry into force of the Stockholm Act in its entirety, a country may not accede to earlier Acts of the Paris Convention. It was only after long debates that the Committee came to an agreement on this extension of the principle found in the text of the Berne Convention. As a matter of fact, as was pointed out in the Committee, a distinction must be made between *accession* to earlier Acts and *application* of such Acts. A country may not accede to earlier Acts of a Union Convention since they are replaced by the last Act; however, because of the relations existing between countries outside the Union that accede to the last Act and countries already belonging to the Union that do not accede to it, there do exist relations between these two categories of countries, which relations

result also from the very contents of the earlier Acts. Besides, nothing prevents a country acceding for the first time to the Unions, in particular the Paris Union, from making an express declaration on the application of the earlier Acts.

— The new wording adopted by the Committee introduces a further element of parallelism between the texts of the two Conventions.

19. There was still another matter concerning the relations among Union countries within the framework of the unitary system of the Unions, and that was the provision of Article 25^{quater} (Document S/9) in the original text of the program which deals with the anticipated, voluntary application of the reservations made under the Protocol Regarding Developing Countries at any time after the date of signature of the Stockholm Act, by any Union country not yet bound by the substantive articles of that Act, including the Protocol which is an integral part of it. A provision debated at length in a working group and corresponding to Article 25^{quater} was included in an article of the Protocol proposed to Main Committee II by its drafting committee.

20. Ratification of or accession to the Stockholm Act (Paris and Berne Conventions) entails acceptance of all the clauses and admission to all the advantages of that Act; however, as mentioned above (paragraph 5), there is the possibility of excluding from the effects of ratification or accession one of the two groups of Convention provisions (substantive and administrative).

— The general question of reservations (other than the reservations provided for in the Protocol Regarding Developing Countries), regarding certain provisions of the Berne Convention, that may be confirmed or formulated at the time of ratification of or accession to the Stockholm Act had been included in the program of the Conference (Article 25^{ter} of Document S/9), and it was therefore within the province of the Committee to examine this matter. However, Main Committee I had examined, as to substance, the question posed by the reservation concerning the right of translation, and had been in favor of maintaining, in the Stockholm Act, the provision contained in Article 25(3) of the Brussels Act, namely that notifications of accession to the new Stockholm Act by countries outside the Union could specify that such countries wished to substitute, provisionally at least, the provisions of Article 5 of the Union Convention revised at Paris in 1896 for those relating to the exclusive right of translation.

— In this connection, a proposal was subsequently put to Main Committee I by the Delegation of Italy in order to combine the possible maintenance of the right of reservation in favor of countries outside the Union which accede to the Stockholm Act with the right of countries making no reservations to apply, in this matter, the principle of material reciprocity in their relations with countries wishing to benefit from such a right of reservation. The matter was again taken up at a joint meeting of Main Committees I and IV held under the chairmanship of Professor Ulmer (Federal Republic of Germany), the compromise proposal was accepted, and a provision to the said effect was added to Article 25^{ter} of the program. On the other hand, as concerns Union countries which have

already made reservations (Article 27(2) of the Brussels Act of the Berne Convention and Article 25^{ter}(2)(a) of the program) and which, when ratifying the Stockholm Act, wish to retain the benefit of such previously formulated reservations, the situation on reservations made in regard to the right of translation remains what it was before.

21. At the Brussels Conference of Revision of the Berne Convention, a clause on the settlement of disputes was inserted into the text of the Convention (Article 27^{bis}) providing for the compulsory jurisdiction of the International Court of Justice in matters of disputes between two or more countries of the Union, concerning the interpretation or application of the Convention, not settled by negotiation. There was no similar clause, however, in the Paris Convention.

— It should be noted that, since the entry into force of the Brussels Act, no petition on such an issue has been made to the International Court by Union countries.

— The Committee examined this matter several times on the basis of the proposal of the program, reproducing the existing provision of the Berne Convention together with several variants. Certain delegations feared that this proposal — restricted, by the way, to the Berne Convention — might, in changing the existing provision, weaken the Convention as regards the compulsory jurisdictional protection obtained with such great effort at the Brussels Conference. Other delegations, on the other hand, expressed concern since, in their view, such a clause constituted an obstacle for several countries of the Union to the ratification even of the Brussels Act. Lastly, the Committee constantly endeavored to maintain a certain parallelism between the administrative clauses of the Berne and Paris Conventions, that is, between those clauses not touching upon the substantive provisions of the two Conventions. A compromise proposal, presented by the Delegations of the Netherlands and of Switzerland, whereby the same provision concerning the settlement of disputes could be inserted in both Conventions, was finally accepted by the Committee. This compromise provides for the insertion of the said jurisdictional clause in the texts of both Union Conventions, but each Union country would have the right, when signing or ratifying the Stockholm Act, to consider itself not bound by that clause, the principle of reciprocity applying for any Union country that has not availed itself of that right.

22. The provisions of the program relating to the denunciation of the Paris and Berne Conventions have not been altered.

— In regard to the interpretation of paragraph (4) relating to the minimum of five years from the date upon which a country becomes a member of the Union that must elapse before such a country may exercise the right of denunciation, the drafting committee recommended that the Report of Main Committee IV should specify that denunciation may not be notified until after the expiration of the period concerned; it would thus go into effect six years, at the earliest, after the date mentioned in the said paragraph (4).

23. Draft resolutions on certain transitional measures regarding the proposed administrative reforms (Document S/11) — the first pertaining to the Paris Union, the second

to the Berne Union, and the third to the General Assembly and the Coordination Committee of the proposed new Intellectual Property Organization as well as to related matters — were withdrawn by BIRPI. Mr. E. Braderman (United States of America), Chairman of Main Committee V, announced this at a joint meeting of that Committee and Main Committee IV that he had been called upon to chair. As no delegation brought up these proposals again, our Committee did not have an opportunity to pursue the debates on them. It is therefore understood that, until such time as the different Stockholm texts enter into force, the administrative situation of the Unions will — as it is at present — be governed by the Acts now in force and by the application of these Acts in practice. Once the new structural rules of the Union have entered into force, certain existing institutions of the Unions will cease to function — such as, for the Paris Convention, the Conferences of Representatives established by Article 14(5) of the Lisbon Act, and, for the Berne Convention, the

Permanent Committee of the Union, set up by a resolution of the Brussels Conference of Revision.

24. As we have already indicated in this Report, the Swiss Government will continue to exercise its mandate of supervisory authority, not only until the entry into force of the various texts signed at Stockholm, but beyond that date in regard to Union countries that have not yet become Members of the new Intellectual Property Organization and the Assemblies of the Unions. In this connection, at the joint meeting, tribute was once again paid to Switzerland, which, for nearly a century, has carried out with dignity functions permitting the Unions to be administered wisely, and which, today, agrees to carry on — even though on a somewhat reduced scale — this function.

[This Report was unanimously adopted by Main Committee IV in its meeting on July 10, 1967.]

INTERNATIONAL UNION

Working Agreement between the United International Bureaux for the Protection of Intellectual Property (BIRPI) and the International Labour Office (I.L.O.)

A working agreement has been concluded between the United International Bureaux for the Protection of Intellectual Property and the International Labour Office.

The terms of this agreement are contained in a letter from BIRPI to the I. L. O., dated May 31, 1967, and the reply of the I. L. O. of June 9, 1967. The text of the two letters is as follows:

I

“Mr. David Morse, Director-General
International Labour Office
Geneva

Dear Mr. Director-General,

I have the honor to confirm that, following informal consultations concerning the establishment of working relations between the International Labour Office (I. L. O.) and the United International Bureaux for the Protection of Intellectual Property (BIRPI), agreement has been reached, pending the conclusion of further arrangements in the light of the expected structural reform of BIRPI, on the following provisions:

Cooperation and Consultation

With a view to facilitating their respective functions, and especially to avoiding duplication of effort, I. L. O. and BIRPI shall regularly consult each other on matters of common interest. In particular, each of them will consult the other prior to undertaking any project likely to be of interest to the latter.

Exchange of Documents

Subject to the restrictions necessary for the safeguarding of the confidential nature of certain documents, the I. L. O. will communicate to BIRPI, and BIRPI will communicate to I. L. O., their documents concerning matters of common interest.

Mutual Representation

The Director-General of the I. L. O. will make appropriate arrangements to enable BIRPI representatives to participate, without the right to vote, in meetings convened by the I. L. O. whenever questions of mutual interest are discussed. Similarly, the Director of BIRPI will make appropriate arrangements to enable I. L. O. representatives to participate, without the right to vote, in BIRPI meetings whenever questions of mutual interest are discussed.

Sincerely yours,
G. H. C. BODENHAUSEN
Director ”

II

“Mr. G. H. C. Bodenhausen, Director
United International Bureaux for the Protection
of Intellectual Property
32, chemin des Colombettes
Geneva

Dear Mr. Director,

I have the honor to confirm that, following informal consultations concerning the establishment of working relations between the United International Bureaux for the Protection of Intellectual Property (BIRPI) and the International Labour Office (I. L. O.), agreement has been reached, pending the conclusion of further arrangements in the light of the expected structural reform of BIRPI, on the following provisions:

Cooperation and Consultation

With a view to facilitating their respective functions, and especially to avoiding duplication of effort, I. L. O. and BIRPI shall regularly consult each other on matters of common interest. In particular, each of them will consult the other prior to undertaking any project likely to be of interest to the latter.

Exchange of Documents

Subject to the restrictions necessary for the safeguarding of the confidential nature of certain documents, the I. L. O. will communicate to BIRPI, and BIRPI will communicate to I. L. O., their documents concerning matters of common interest.

Mutual Representation

The Director-General of the I. L. O. will make appropriate arrangements to enable BIRPI representatives to participate, without the right to vote, in meetings convened by the I. L. O. whenever questions of mutual interest are discussed. Similarly, the Director of BIRPI will make appropriate arrangements to enable I. L. O. representatives to participate, without the right to vote, in BIRPI meetings whenever questions of mutual interest are discussed.

Sincerely,
David A. MORSE
Director-General ”

RHODESIA

According to information brought to the knowledge of BIRPI, the Berne Convention for the Protection of Literary

and Artistic Works, in its version as revised at Rome on June 2, 1928, continues to be applied on the Rhodesian territory.

BILATERAL RELATIONS

Exchange of Notes

between the Government of the Federal Republic of Germany and the Government of the Italian Republic concerning the extension of the term of copyright protection

(Notification dated May 29, 1967)

Notes concerning the extension of the term of copyright protection were exchanged in Bonn on April 18 and 28, 1967, between the Government of the Federal Republic of Germany and the Government of the Italian Republic. The Notes exchanged are published below.

THE ITALIAN EMBASSY

Bad Godesberg, April 18, 1967

His Excellency
The Secretary of State
for Foreign Affairs
B o n n

Sir,

The relations between the Italian Republic and the Federal Republic of Germany with regard to copyright have been re-examined and,

— After having established that, under paragraph (2) of Article 7 of the Brussels Convention of June 26, 1948, the following provisions were laid down with respect to the term of protection:

“(2) However, where one or more countries of the Union grant a term of protection in excess of that provided by paragraph (1), the term shall be governed by the law of the country where protection is claimed, but shall not exceed the term fixed in the country of origin of the work.”

— In view of the legal situation with regard to the term of protection of copyright as laid down in the Italian Republic by Act No. 633 of April 22, 1941, and by the Legislative Decree No. 440 of July 20, 1945, and in the Federal Republic of Germany by the Act dealing with Copyright and Related Rights (Copyright Act) of September 9, 1965,

I have the honour to state the following:

— the German works already published on August 17, 1945, and still protected on the date of entry into force of the above-mentioned Act of September 9, 1965, benefit by the extension by six years of the term of protection provided in the Legislative Decree No. 440 of July 20, 1945;

— as a matter of reciprocity, the Italian works already published on August 17, 1945, and still protected on the date of entry into force of the above-mentioned Act of September 9, 1965, benefit by prolongation of the same duration in the Federal Republic of Germany.

I have the honour to inform you that the Italian Government is of the opinion that this legal situation results directly from the Italian and German laws and the Berne Convention and I would be grateful if you would confirm that the Government of the Federal Republic of Germany is of the same opinion.

I beg you, Sir, to accept the assurance of my highest consideration.

* * *

THE SECRETARY OF STATE
FOR FOREIGN AFFAIRS

Bonn, April 28, 1967

His Excellency
The Ambassador of Italy

Sir,

I have the honour to acknowledge receipt of your Note No. 8541 of April 18, 1967, the text of which is as follows:

“The relations between the Italian Republic and the Federal Republic of Germany with regard to copyright have been re-examined and,

— After having established that, under paragraph (2) of Article 7 of the Brussels Convention of June 26, 1948, the following provisions were laid down with respect to the term of protection:

“(2) However, where one or more countries of the Union grant a term of protection in excess of that provided by paragraph (1), the term shall be governed by the law of the country where protection is claimed, but shall not exceed the term fixed in the country of origin of the work.”

— In view of the legal situation with regard to the term of protection of copyright as laid down in the Italian Republic

by Act No. 633 of April 22, 1941, and by the Legislative Decree No. 440 of July 20, 1945, and in the Federal Republic of Germany by the Act dealing with Copyright and Related Rights (Copyright Act) of September 9, 1965,

I have the honour to state the following:

— the German works already published on August 17, 1945, and still protected on the date of entry into force of the above-mentioned Act of September 9, 1965, benefit by the extension by six years of the term of protection provided in the Legislative Decree No. 440 of July 20, 1945;

— as a matter of reciprocity, the Italian works already published on August 17, 1945, and still protected on the date of entry into force of the above-mentioned Act of September 9, 1965, benefit by prolongation of the same duration in the Federal Republic of Germany.

I have the honour to inform you that the Italian Government is of the opinion that this legal situation results directly from the Italian and German laws and the Berne Convention and I would be grateful if you would confirm that the Government of the Federal Republic of Germany is of the same opinion.”

I have the honour to inform you that my Government is in agreement with the statements contained in your Note and shares the opinion of the Italian Government that the legal situation referred to in your Note results directly from the German and Italian laws and the Berne Convention.

I beg you, Sir, to accept the assurance of my highest consideration.



CORRESPONDENCE



Letter from Hungary

CALENDAR

Meetings of BIRPI

Date and Place	Title	Object	Invitations to Participate	Observers Invited
December 12 to 15, 1967 Geneva	Permanent Committee of the Berne Union (13 th Session)	Consideration of various questions concerning copy-right	Belgium, Brazil, Denmark, France, Germany (Fed. Rep.), India, Italy, Portugal, Rumania, Spain, Switzerland, United Kingdom	All other Member States of the Berne Union; interested international inter-governmental and non-governmental organizations
December 18 and 19, 1967 Geneva (Headquarters of ILO)	Intergovernmental Committee (Neighbouring Rights). Meeting convened jointly by BIRPI, ILO and UNESCO (1 st Session)	Adoption of the rules of procedure; election of officers; various questions	Congo (Brazzaville), Czechoslovakia, Ecuador, Mexico, Sweden, United Kingdom	All other States parties to the Rome Convention (1961)
December 18 to 21, 1967 Geneva	Internation Coordination Committee (5 th Session)	Program and Budget of BIRPI	Belgium, Brazil, Ceylon, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Mexico, Morocco, Netherlands, Nigeria, Portugal, Rumania, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia	All other Member States of the Paris Union or of the Berne Union
December 18 to 21, 1967 Geneva	Conference of Representatives of the International Union for the Protection of Industrial Property (2 nd Session)	Program and Budget (Paris Union)	All Member States of the Paris Union	United Nations; International Patent Institute
December 18 to 21, 1967 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (3 rd Session)	Program and Budget (Paris Union)	Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Japan, Mexico, Morocco, Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia	All other Member States of the Paris Union
December 20 and 21, 1967 Geneva	Council of the Lisbon Union for the Protection of Appellations of Origin and their International Registration (2 nd Session)	Annual Meeting	All Member States of the Lisbon Union	All other Member States of the Paris Union
1968				
September 24 to 27 1968 Geneva	Interunion Coordination Committee (6 th Session)	Program and Budget of BIRPI	To be announced later	To be announced later
October 2 to 8, 1968 Locarno	Diplomatic Conference	Adoption of a Special Agreement concerning the International Classification of Industrial Designs	All Member States of the Paris Union	To be announced later

Meetings of Other International Organizations Concerned with Intellectual Property

Place	Date	Organization	Title
Strasbourg	November 6 to 10, 1967	Council of Europe	Committee of Experts on Patents
The Hague	December 4 to 6, 1967	International Patent Institute (IIB)	94th Session of the Administrative Council
1968			
Buenos Aires	April 15 to 19, 1968	International Association for the Protection of Industrial Property (IAPIP)	Presidents' Conference
Munich	April 22 to 26, 1968	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT)	Standing Committee II
Tokyo	October 21 to November 1, 1968	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT)	8th Annual Meeting
Lima	December 2 to 6, 1968	Inter-American Association of Industrial Property (ASIPI)	Congress

Vacancies for Posts in BIRPI

Applications are invited for the following posts:

I. Counsellor in the Copyright Division

Category and Grade: P 4.

Principal duties:

In general to assist in the implementation of BIRPI's copyright and neighboring rights program.

The particular duties will include:

- a) legal studies on questions concerning copyright and neighboring rights;
- b) drafting of working papers for, and reports on, international meetings;
- c) participation in meetings of other international organizations;
- d) maintaining up to date a complete collection of copyright and neighboring rights legislation of all countries.

Qualifications required:

- a) university degree in law or equivalent professional qualifications;
- b) wide experience in the field of copyright and neighboring rights (preferably including its international aspects);
- c) excellent knowledge of one of the official languages (English and French) and at least a good knowledge of the other.

Date of entry on duty:

January 1968 or later as mutually arranged.

II. Counsellor (Relations with International Organizations)

Category and Grade: P 4.

Principal duties:

In general, to assist in the work of maintaining BIRPI's relations with other international organizations and, as far as BIRPI's depository functions are concerned, with Governments.

The duties will include:

- a) representation of BIRPI in meetings of other international organizations, especially those of the United Nations and its subsidiary bodies;
- b) responsibilities in connection with the notification of instruments of ratification of and accession to treaties of which BIRPI is the depository.

The incumbent will be under the general supervision of the Senior Counsellor for Relations with International Organizations.

Qualifications required:

- a) university degree in law, political science, economics, or equivalent qualifications in a relevant field;
- b) familiarity with the activities and procedure of the United Nations, its organs and its specialized agencies; knowledge in the field of intellectual property, especially in its international aspects, would be an advantage;
- c) excellent knowledge of one of the official languages of BIRPI (English and French) and at least a good knowledge of the other; additional languages (particularly Spanish or Russian) would be an advantage.

Date of entry on duty:

January 1968 or later as mutually arranged.

III. Translator/Editorial Assistant (French)

Category and Grade: P 2 or P 3, according to the qualifications and the experience of the candidate selected.

Principal duties:

- a) translation of legal texts from English into French;
- b) editing of French texts;
- c) correction of printed proofs in French.

Qualifications required:

- a) perfect knowledge of French (mother tongue) and excellent knowledge of English;
- b) university degree or equivalent qualifications;
- c) experience as a translator, preferably in the legal field.

Date of entry on duty:

January 1968 or later as mutually arranged.

IV. Administrative Assistant in the Finance Section

Category and Grade: P 1.

Principal duties:

As one of the two assistants to the Head of the Finance Section the appointee will participate in part of the following duties:

- 1) preparation of data for the annual Management Report, budget and annual and periodic financial reports; supervision of budget control accounts;
- 2) examination and payment of accounts; responsibility for allocation to subheads of expenditure and necessary accounting;
- 3) supervision of payments of staff salaries, allowances, pensions, pension fund contributions;
- 4) preparation of annual account of Pension Fund;
- 5) financial aspects of staff missions, conferences and delegates travel; overtime;
- 6) cash disbursement and accounting therefor.

The foregoing duties will be placed broadly into two categories: i) those directly related to the budget (items 1) and 2)) and ii) those relating to staff salaries etc. (items 3), 4), 5), and 6)). The appointee may be assigned one or other of these categories of duties.

Qualifications required:

- 1) a) Either a university degree or commercial qualifications at equivalent level;
- b) or a full secondary school certificate and at least eight years experience of work comparable with the duties mentioned above.
- 2) Perfect knowledge of one of the official languages of BIRPI (English and French) and at least a good knowledge of the other, in order to be able to perform the duties in both languages.
- 3) Some administrative practice in international organizations would be an advantage.

Date of entry on duty:

To be mutually arranged.

V. Administrative Assistant in the Division of Finance, Personnel and General Administration

Category and Grade: P 1.

Principal duties:

To assist the Head of Division in the following matters:

- a) general management of BIRPI building, office and storage accommodation; determination of requirements and procurement of supplies and equipment; supervision of inventories;
- b) BIRPI meetings: arrangements regarding conference rooms, interpretation and the reception of delegates;
- c) application of Staff Rules concerning allowances for travel, removal and installation;
- d) participation in the administration of the BIRPI technical assistance program.

Qualifications required:

- 1) a) Either a university degree or equivalent qualifications in a relevant field;
- b) or a full secondary school certificate and at least eight years experience of work comparable with the duties mentioned above.
- 2) Perfect knowledge of one of the official languages of BIRPI (English and French) and at least a good knowledge of the other, in order to be able to perform the duties in both languages.
- 3) Some administrative practice in international organizations would be an advantage.

Date of entry on duty:

To be mutually arranged.

For the five posts mentioned above:

Nationality:

Candidates must be nationals of one of the member States of the Paris or Berne Unions. Qualifications being equal, preference will be given to candidates who are nationals of States of which no national is on the staff of BIRPI.

Age limit:

Candidates must be less than 50 years of age at date of appointment.

Application forms and full information regarding the conditions of employment may be obtained from the Head of Personnel, BIRPI, 32, chemin des Colomhettes, 1211 Geneva, Switzerland. Application forms duly completed should reach BIRPI not later than December 1, 1967, as regards posts I, II and III, and not later than December 15, 1967, as regards posts IV and V.