

# Copyright

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# BILATERAL AGREEMENTS

GERMANY (Fed. Rep.)—AUSTRIA

## Exchange of Notes

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

(Notification dated December 12, 1967)

On July 24 and August 7, 1967, Notes were exchanged in Vienna between the Government of the Federal Republic of Germany and the Government of the Republic of Austria concerning the extension of the term of copyright protection. The Notes exchanged are published below \*).

EMBASSY OF THE FEDERAL  
REPUBLIC OF GERMANY

#### Verbal Note

The Embassy of the Federal Republic of Germany has the honour to inform the Federal Ministry of Foreign Affairs of the following:

In Article 64 of the German Act dealing with Copyright and related Rights (Copyright Act) of September 9, 1965, which Article has been in force since September 17, 1965, the term of protection for all works not yet in the public domain in Germany was extended from 50 to 70 years after the death of the author. The German Government considers that, pursuant to the provisions of Article 7 (2) of the Berne Convention for the Protection of Literary and Artistic Works, to which the Federal Republic of Germany and the Republic of Austria are party, works of Austrian origin also benefit from this extension of the term of protection, to the degree that such works enjoy, in Austria, protection which extends beyond 50 years after the death of the author according to Article III of the Austrian Act of 1953 amending the Copyright Act (*Urheberrechtsgesetznovelle 1953*). The above-mentioned works of Austrian origin are consequently protected in the Federal Republic of Germany for 57 years after the death of the author, if they were created before January 1, 1949, and if they were still protected on September 17, 1965, the date on which Article 64 of the German Copyright Act entered into force. Conversely, the German Government is of the opinion that it follows from the same Article 7 (2) of the Berne Convention for the Protection of Literary and Artistic Works, as well as from Article III (2) of the Austrian Act of 1953 amending the Copyright Act (*Urheberrechtsgesetznovelle 1953*), that, in the same conditions, works of German origin benefit, in Austria, from the extension of the term of protection provided for in Article III of the Act.

The German Government considers that this legal situation results directly from the above-mentioned provisions of the

German and Austrian Acts, and from the Berne Convention for the Protection of Literary and Artistic Works, without there being any need to conclude a special agreement to that effect.

The Embassy of the Federal Republic of Germany would be grateful to the Federal Ministry of Foreign Affairs if it would kindly confirm that the Austrian Government shares this legal viewpoint.

The Embassy takes this opportunity to renew to the Federal Ministry of Foreign Affairs the assurance of its highest consideration.

Vienna, July 24, 1967.

\* \* \*

FEDERAL MINISTRY  
OF FOREIGN AFFAIRS

The Federal Ministry of Foreign Affairs presents its compliments to the Embassy of the Federal Republic of Germany and has the honour to acknowledge receipt of the Note of July 24, 1967 (Z1. V 5-82-217/94.19-0), reading as follows:

« In Article 64 of the German Act dealing with Copyright and related Rights (Copyright Act) of September 9, 1965, which Article has been in force since September 17, 1965, the term of protection for all works not yet in the public domain in Germany was extended from 50 to 70 years after the death of the author. The German Government considers that, pursuant to the provisions of Article 7 (2) of the Berne Convention for the Protection of Literary and Artistic Works, to which the Federal Republic of Germany and the Republic of Austria are party, works of Austrian origin also benefit from this extension of the term of protection, to the degree that such works enjoy, in Austria, protection which extends beyond 50 years after the death of the author according to Article III of the Austrian Act of 1953 amending the Copyright Act (*Urheberrechtsgesetznovelle 1953*). The above-mentioned works of Austrian origin are consequently protected in the Federal Republic of Germany for 57 years after the death of the author, if they were created before January 1, 1949, and if they were still protected on September 17, 1965, the date on which Article 64 of the German Copyright Act entered into force. Conversely, the German Government is of the opinion that it follows from the same Article 7 (2) of the Berne Convention for the Protection of Literary and

\*) Original in German. BIRPI translation.

Artistic Works, as well as from Article III (2) of the Austrian Act of 1953 amending the Copyright Act (*Urheberrechtsgesetznovelle 1953*), that, in the same conditions, works of German origin benefit, in Austria, from the extension of the term of protection provided for in Article III of that Act.

The German Government considers that this legal situation results directly from the above-mentioned provisions of the German and Austrian Acts, and from the Berne Convention for the Protection of Literary and Artistic Works, without there being any need to conclude a special agreement to that effect.

The Embassy of the Federal Republic of Germany would be grateful to the Federal Ministry of Foreign Affairs if it would kindly confirm that the Austrian Government shares this legal viewpoint. »

The Austrian Government shares the legal viewpoint of the Government of the Federal Republic of Germany as expressed in the Note quoted above.

The Federal Ministry of Foreign Affairs takes this opportunity to renew to the Embassy of the Federal Republic of Germany the assurance of its highest consideration.

Vienna, August 7, 1967.

## NATIONAL LEGISLATION

### NEW ZEALAND

#### An Act to amend the Copyright Act 1962

(No. 65, of November 23, 1967) <sup>1)</sup>

##### *Short Title*

1. This Act may be cited as the Copyright Amendment Act 1967, and shall be read together with and deemed part of the Copyright Act 1962 (hereinafter referred to as the principal Act).

##### *Transitional provision*

2. Clause 6 of the First Schedule to the principal Act is hereby amended, as from the commencement of that Act,

- (a) by inserting, before the words "any literary", the words "after his death and before the commencement of this Act";
- (b) by omitting the words "before the commencement of this Act".

<sup>1)</sup> See *Le Droit d'Auteur (Copyright)*, 1963, pp. 161, 181, 208 and 229.



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*CORRESPONDENCE*

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**Letter from Great Britain**

**dealing with copyright and related matters which occurred in Great Britain in 1967**

*(Second and Last Part) \**













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**Dr. Paul ABEL**  
**Consultant on International**  
**and Comparative Law**  
**London**

**Letter from the Netherlands**





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**S. GERBRANDY**  
**Professor at the Free University of Amsterdam**





Date and Place	Title	Object	Invitations to Participate	Observers Invited
October 21 to November 1 Tokyo	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT) - Technical Meetings	Questions of technical cooperation in information retrieval	All member States of ICIREPAT	International Patent Institute; Council of Europe; European Atomic Energy Community; Fédération internationale de documentation
November 25 to 29 Geneva	BIRPI Symposium on Practical Aspects of Copyright (held with the cooperation of CISAC)	To offer to participants information on practical aspects of copyright protection (collection and distribution of royalties, organization and working of authors' societies or other bodies, etc.)	Personalities from developing countries. Members and officers of authors' societies. Individual participants against payment of a registration fee	International Labour Office; Unesco; Council of Europe
December 2 to 10*) Geneva	Committee of Experts — Patent Cooperation Treaty (PCT)	New Draft Treaty	All member States of the Paris Union	<i>Intergovernmental Organizations:</i> United Nations; United Nations Industrial Development Organization; United Nations Conference on Trade and Development; International Patent Institute; Organization of American States; Permanent Secretariat of the General Treaty for Central American Economic Integration; Latin-American Free Trade Association; Council of Europe; European Atomic Energy Community; European Economic Community; European Free Trade Association; African and Malagasy Industrial Property Office <i>Non-Governmental Organizations:</i> Committee of National Institutes of Patent Agents; Council of European Industrial Federations; European Industrial Research Management Association; Inter-American Association of Industrial Property; International Association for the Protection of Industrial Property; International Chamber of Commerce; International Federation of Patent Agents; Japan Patent Association; National Association of Manufacturers (U. S. A.); Union of European Patent Agents; Union des industries de la Communauté européenne

\*) This meeting replaces the meetings previously announced for July 1 to 9, and November 4 to 12, 1968.

## Meetings of Other International Organizations Concerned with Intellectual Property

Place	Date	Organization	Title
<b>1968</b>			
Prague	May 1 to 5	International League Against Unfair Competition (LICCD)	Symposium
Amsterdam	June 9 to 15	International Publishers Association (IPA)	Congress
Strasbourg	June 17 to 21	Council of Europe	Working Party of the Committee of Experts on Patents
Vienna	June 24 to 29	International Confederation of Societies of Authors and Composers (CISAC)	Congress
The Hague	July 8 and 9	International Patent Institute (IIB)	97th Session of the Administrative Council
Lima	December 2 to 6	Inter-American Association of Industrial Property (ASIPI)	Congress

## VACANCIES FOR POSTS IN BIRPI

Applications are invited for the following posts:

### Competition No. 60

#### *Second Deputy Director or Assistant Director*

**Category:**

According to the qualifications and experience of the candidate selected, an appointment will be offered either as Second Deputy Director or as Assistant Director.

**Duties:**

The duties of the post consist, in general, in assisting the Director of BIRPI in organizing and implementing the tasks of BIRPI.

**Qualifications:**

- (a) wide experience in the field of industrial property law and in the field of copyright law — particularly in their international aspects — or at least in one of these two fields, preferably with some experience in the other;
- (b) wide experience in administrative matters, preferably in connection with international organizations;
- (c) university degree in law or equivalent professional qualification;
- (d) excellent knowledge of one of the official languages (English and French) and at least a good knowledge of the other. Knowledge of additional languages would be an advantage.

**Nationality:**

Candidates must be nationals of one of the member States of the Paris Union or of the Berne Union.

**Age limit:**

Less than 55 at the date of appointment.

**Date of entry on duty:**

January 1, 1969, or a later date as mutually agreed.

*Applications forms and full information regarding the conditions of employment may be obtained from the Head of Personnel, BIRPI, 32, chemin des Colombettes, 1211 Geneva, Switzerland.*

*Applications forms duly completed should reach BIRPI not later than July 31, 1968.*

### Competition No. 59

#### *Assistant (Developing Countries)*

*(Fixed term appointment for two years with the possibility of renewal)*

**Category and Grade:** P 3.

**Principal duties:**

In general, to assist in the formation and implementation of BIRPI programs concerning assistance to developing countries.

The particular duties will include:

- (a) correspondence and contacts with representatives of developing countries;
- (b) participation in international meetings dealing with questions of particular interest to developing countries;
- (c) studying and preparing documents on questions of technical assistance to developing countries in the field of industrial property and copyright.

**Qualifications:**

- (a) university degree or equivalent qualification;
- (b) experience in the field of industrial property or copyright (preferably including their international aspects) with particular knowledge of conditions in developing countries;
- (c) experience in the work of intergovernmental agencies would be an advantage;
- (d) 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:** August 1968.

**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 nationals are on the staff of BIRPI.

**Age limit:**

The candidate designated must be less than 50 years of age at the 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 Colombettes, 1211 Geneva, Switzerland.*

*Application forms duly completed should reach BIRPI not later than June 30, 1968.*