Copyright

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WORLD INTELLECTUAL PROPERTY ORGANIZATION

UNION OF SOVIET SOCIALIST REPUBLICS (USSR)

Ratification of the WIPO Convention

Notification of the Director of BIRPI to the Governments of the countries invited to the Stockholm Conference

The Director of the United International Bureaux for the Protection of Intellectual Property (BIRPI) presents his compliments to the Minister for Foreign Affairs of . . . and, in accordance with the provisions of the above Convention, has the honor to notify him that the Government of the Union of Soviet Socialist Republics deposited on December 4, 1968, its instrument of ratification dated September 19, 1968, of the Convention Establishing the World Intellectual Property Organization (WIPO), with the following declaration:

"The Union of Soviet Socialist Republics declares that the Convention Establishing the World Intellectual Property Organization regulates questions concerning the interests of all countries; for that reason, participation in it should be open to all States, in accordance with the principle of their sovereignty and equality." (Translation)

The Union of Soviet Socialist Republics has fulfilled the condition set forth in Article 14(2) of the Convention by concurrently ratifying the Stockholm Act of the Paris Convention in its entirety.

A separate notification will be made of the entry into force of the Convention Establishing the World Intellectual Property Organization (WIPO), when the required number of ratifications or accessions is reached.

Geneva, December 18, 1968.

WIPO Notification No. 6.

INTERNATIONAL UNION

State of the International Union on January 1, 1969

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 Act, 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 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 Act, in its turn, underwent revision in Rome. The Rome Act, signed on June 2, 1928, has been in force since August 1, 1931. Countries joining the Union by direct accession to this Act could stipulate only one reservation, in respect of the right of translation.

The Berne Convention was again revised in Brussels. The Brussels Act, signed on June 26, 1948, has been in force since August 1, 1951. Countries joining the Union by direct accession to this Act may still stipulate the reservation in respect of the right of translation.

The last revision of the Berne Convention took place at Stockholm in 1967. The *Stockholm Act*, signed on July 14, 1967, has not yet entered into force ¹.

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

Union countries, or contracting countries (to the number of 59), and the territories for the external relations of which they are responsible, apply at present either the Act of Berlin or that of Rome, or that of Brussels.

(a) Berlin Act

Thailand, which has acceded neither to the Rome Act nor to that of Brussels, remains bound by the Berlin Act to the other Union countries and to their dependencies.

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

(b) Rome Act

In accordance with the provisions of the Convention, the Rome Act is applicable to relations between the following 16 countries, which have not yet acceded to the Brussels Act:

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

The Rome Act is also applicable to relations between the 16 above-mentioned countries and the 26 following countries which, after having acceded to this Act, have ratified the Brussels Act or have acceded to it:

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

Lastly, the Rome Act is applicable to relations between the 16 above-mentioned countries and the 16 countries which have acceded to the Brussels Act only, or which have made declarations of continued application of the latter, i.e.:

Argentina	Mali
Cameroon	Mexico
Congo (Brazzaville)	Niger
Congo (Kinshasa)	Philippines
Dahomey	Senegal
Gabon	Turkey
Ivory Coast	Upper Volta
Madagascar	Uruguay

² With regard to East Germany or the German Democratic Republic, see *Le Droit d'Auteur*, 1955, p. 149.

¹ See hereafter page 9 the events occurring in 1968 with respect to the Stockholm Act.

(c) Brussels Act

Forty-two contracting countries apply the Brussels Act in their mutual relations; they are:

Argentina Greece
Austria Holy See
Belgium India
Brazil Ireland
Cameroon Israel
Congo (Brazzaville) Italy
Congo (Kinshasa) Ivory Co

Congo (Kinshasa)Ivory CoastDahomeyLiechtensteinDenmarkLuxembourgFinlandMadagascar

France Mali
Gabon Mexico
Germany (Fed. Rep.) Monaco

Morocco Sweden
Niger Switzerland
Norway Tunisia
Philippines Turkey

Portugal United Kingdom
Senegal Upper Volta
South Africa Uruguay
Spain Yugoslavia

Seventeen countries of the Union have not yet acceded to the Brussels Act (i. e. the 16 countries between which the Rome Act is applicable and Thailand).

The only reservations applicable to the relations between the 42 above-mentioned Union countries are those formulated by Mexico, Turkey and Yugoslavia in respect of the right of translation.

STATE OF THE INTERNATIONAL UNION ON JANUARY 1, 1969

	Class		Date on which the		
Country 1)	chosen [Art. 23 (4)]	Date of Accession (Art. 25)	Convention was declared applicable (Art. 26) ²)	Date of Accession to the Rome Act	Date of Accession to the Brussels Ac
1. Australia 3)	III	14-IV-1928	5-XII-1887	18-I-1935	
Nauru, New Guinea, Norfolk and Papua	_		29-VII-1936	29-VII-1936	
2. Argentina	IV	10-VI-1967	-	_	10-VI-1967
3. Austria	VI	1-X-1920		1-VII-1936	14-X-1953
4. Belgium	III	5-XII-1887	_	7-X-1934	1-VIII-1951
5. Brazil	III	9-II-1922	-	1-VI-1933	9-VI-1952
6. Bulgaria	v	5-XII-1921	·	1-VIII-1931	-
7. Cameroon	VI	21-IX-1964 *)	26-V-1930 °)	22-XII-1933 c)	22-V-1952 °)
8. Canada 4)	II	10-IV-1928	5-XII-1887	1-VIII-1931	
9. Ceylon	VI	24-VI-1959 *)	1-X-1931 °)	1-X-1931 °)	
10. Congo (Brazzaville)	VI	8-V-1962 a)	26-V-1930 °)	22-XII-1933 c)	22-V-1952 c)
11. Congo (Kinshasa)	VI	8-X-1963 a)	20-XII-1948 °)	20-XII-1948 c)	14-II-1952 °)
12. Cyprus	VI	24-II-1964 *)	1-X-1931 °)	1-X-1931 °)	
13. Czechoslovakia	IV	22-II-1921		30-XI-1936	
14. Dahomey	VI	3-I-1961 *)	26-V-1930 °)	22-XII-1933 c)	22-V-1952 °)
15. Denmark	IV	1-VII-1903		16-IX-1933	19-II-1962
16. Finland	IV	1-IV-1928		1-VIII-1931	28-I-1963
17. France	I	5-XII-1887		22-XII-1933 ⁵)	JVIII-1951
Overseas Departments and Territories	_	_	26-V-1930	22-XII-1933	22-V-1952
18. Gabon	VI	26-III-1962 b)	26-V-1930 °)	22-XII-1933 c)	26-III-1962 b)
19. Germany (Fed. Rep.)	I	5-XII-1887		21-X-1933	10-X-1966
20. Greece	VI	9-XI-1920		25-II-1932 ⁶)	6-I-1957
21. Holy See	VI	12-IX-1935		12-IX-1935	1-VIII-1951
22. Hungary	VI	14-II-1922		1-VIII-1931	
23. Iceland	VI	7-IX-1947		7-IX-1947 ⁷)	
24. India 8)	IV	1-IV-1928	5-XII-1887	1-VIII-1931	21-X-1958
25. Ireland 9)	iv	5-X-1927	5-XII-1887	11-VI-1935 ⁷)	5-VII-1959
26. Israel ¹⁰)	v	24-III-1950	21-III-1924	24-III-1950	1-VIII-1951
27. Italy	I	5-XII-1887		1-VIII-1931	12-VII-1953
28. Ivory Coast	VI	1-I-1962 b)	26-V-1930 °)	22-XII-1933 °)	1-I-1962 b)
29. Japan	III	15-VII-1899	_	1-VIII-1931 ⁷)	_

- 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 Act had been replaced by Article 4 of the original Convention of 1886.
- 6) Articles 8 and 11 of the Rome Act bad 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 Act or of the Brussels Act 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, 1969

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 Act	Date of Accession to the Brussels Act
30. Lebanon	VI	1-VIII-1924		24-XII-1933	
31. Liechtenstein	VI	30-VII-1931		30-VIII-1931	1-VIII-1951
32. Luxembourg	VI	20-VI-1888		4-II-1932	1-VIII-1951
33. Madagascar	VI	1-I-1966 a)	26-V-1930 °)	22-XII-1933 °)	22-V-1952 c)
34. Mali	VI	19-III-1962 a)	26-V-1930 °)	22-XII-1933 c)	22-V-1952 °)
35. Malta	VI	29-V-1968 a)	1-X-1931 °)	1-X-1931 °)	
36. Mexico	IV	11-VI-1967	_		11-VI-1967 ⁷)
37. Monaco	VI	30-V-1889		9-VI-1933	1-VIII-1951
38. Morocco	VI	16-VI-1917		25-XI-1934	22-V-1952
39. Netherlands Surinam and Netherlands Antilles	III	1-XI-1912 —	1-IV-1913	1-VIII-1931 1-VIII-1931	
40. New Zealand 11)	V	24-IV-1928	5-XII-1887	4-XII-1947	
41. Niger	VI	2-V-1962 *)	26-V-1930 °)	22-XII-1933 °)	22-V-1952 °)
42. Norway	IV	13-IV-1896		1-VIII-1931	28-I-1963
43. Pakistan 12)	VI	5-VII-1948	5-XII-1887	5-VII-1948	
44. Philippines	VI	1-VIII-1951			1-VIII-1951
45. Poland	V	28-I-1920		21-XI-1935	_
46. Portugal ¹³)	III	29-III -1 911		29-VII-1937	1-VIII-1951
47. Rumania	V	1-I-1927		6-VIII-1936	
48. Senegal	VI	25-VIII-1962 b)	26-V-1930 °)	22-XII-1933 °)	25-VIII-1962 b)
49. 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 —
50. Spain	II	5-XII-1887		23-IV-1933	1-VIII-1951
51. Sweden	III	1-VIII-1904		1-VIII-1931	1-VII-1961
52. Switzerland	III	5-XII-1887		1-VIII-1931	2-I-1956
53. Thailand	VI	17-VII-1931			
54. Tunisia	VI	5-XII-1887		22-XII-1933 ⁵)	22-V-1952
55. Turkey	VI	1-I-1952			1-I-1952 ⁷)
56. United Kingdom 16) Colonies, Possessions and certain	I	5-XII-1887		1-VIII-1931	15-XII-1957
Protectorate Territories		TO TITTE TO SO !!	various dates		various dates 17)
57. Upper Volta	VI	19-VIII-1963 b)	26-V-1930 °)	22-XII-1933 °)	19-VIII-1963 b)
58. Uruguay	VI	10-VII-1967		1 VIII 1001 7\	10-VII-1967
59. Yugoslavia	IV	17-VI-1930	-	1-VIII-1931 ⁷)	1-VIII-1951 ⁷)

The accession of Palestine, as a territory under British mandate, took effect from March 21, 1924. After its accession to independence (May I5, 1948), Israel acceded with effect from March 24, 1950.

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

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

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.

United Kingdom of Great Britain and Northern Ireland.

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

b) Date of the despatch 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).

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.

The former colonies have become "Portuguese Overseas Provinces". The Brussels Act has been applicable to these provinces since

Application of the Convention to the Isle of Man, Fiji, Gibraltar and Sarawak (see Le Droit d'Auteur-Copyright, 1962, p. 32); to Zanzibar, Bermndas 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); to Montserrat, Santa-Lucia and Bechuanaland (Copyright, 1966, p. 67); to Grenada, the Cayman Islands and British Gniana (ibid., 1966, p. 91); to the British Honduras (ibid., 1966, p. 242); to Saint Vincent (ibid., 1967, p. 208). The Republic of the Philippines, however, reserved its position as regards the application to Sarawak.

The International Union on the Threshold of 1969

The purpose of this note is to sum up the events occurring in 1968 which were of concern to the Berne Union.

I. Member States

One new State, Malta, which had attained its independence on September 21, 1964, confirmed by a declaration of continued adherence its membership of the Union and the application of the Berne Convention on its territory 1. The relevant text is the Rome Act of 1928, as Malta's membership is based on the declaration made by the United Kingdom at a time when it was responsible for the international relations of Malta² and referring to application of the Rome text.

The declaration of continued adherence by Malta brings the number of States members of the Berne Union up to 593.

Under the heading relating to membership of the Union, mention should be made of a rectification concerning the effect of the declaration of continued adherence sent by the Republic of Cyprus in 1964 to the Swiss Government. The declaration in question confirmed an earlier declaration by the United Kingdom which made the Rome text of the Convention applicable to the territory of Cyprus; it referred at the same time, however, to the Brussels text of the Convention, thus giving the impression that it also covered accession to that text. However, the legal position was ambiguous, and one Member State drew attention to the fact. The Swiss Government approached the Government of Cyprus, which cleared up the misunderstanding. There is therefore no possible doubt now as to the situation: it is the Rome text, and the Rome text only, which is applicable on the territory of Cyprus. In pursuance of the functions entrusted to it under the Convention, the Swiss Government informed the other Member States accordingly 4.

Finally, under this heading, New Zealand intimated that it desired to change its class with regard to its contribution towards the expenses of the International Bureau. The Government of New Zealand intends to be placed in Class V instead of Class IV, as from the financial year 1968. The Swiss Government also informed Member States of this change 5.

II. Stockholm Acts (Ratifications or Accessions)

During 1968, a number of States took action with regard to the new texts of the Conventions adopted by the Stockholm Conference.

1. First, the Convention Establishing the World Intellectual Property Organization (WIPO) started along the road leading to its ultimate entry into force. In the first place,

¹ See Copyright, 1968, p. 178. ² Le Droit d'Auteur, 1932, p. 38.

Ireland signed the Convention on January 12, 1968 (that is to say, within the time limit prescribed under Article 20(1) (b)), without reservation as to ratification (being the only State to have availed itself of this possibility provided for under Article 14(1)(i)). As Ireland subsequently (on March 27, 1968) deposited with the Director of BIRPI its instrument of ratification, dated February 15, 1968, of the Stockholm Act of the Paris Convention (Industrial Property) in its entirety, it fulfilled the conditions prescribed under Article 4 and thus became party to the WIPO Convention. In pursuance of the functions devolving upon him by virtue of Articles 19 and 21 of the said Convention, the Director of BIRPI duly notified the Member States that Ireland had become party to the WIPO Convention 6.

On June 20, 1968, the Government of the German Democratic Republic deposited an instrument of accession, dated May 20, 1968, to the WIPO Convention. The Director of BIRPI notified the Governments of the countries invited to the Stockholm Conference of this deposit, without, however, adopting any position on the question whether the German Democratic Republic fulfilled the conditions prescribed under Article 5(1) of the Convention to which its Government expressly referred, namely, whether the German Democratic Republic is a member of one of the Unions defined in Article 2(vii) of the Convention 7. The States members of the said Unions are, it is known, not in agreement on this question.

On September 19, 1968, Senegal, which had signed the WIPO Convention 8 on July 14, 1967, deposited its instrument of ratification, dated August 24, 19689. As the Government of Senegal concurrently ratified the Stockholm Acts of the Berne and Paris Conventions, it fulfilled the condition prescribed under Article 14(2) of the WIPO Convention.

Lastly, as far as the WIPO Convention is concerned, the Government of the Union of Soviet Socialist Republics deposited on December 4, 1968, its instrument of ratification, dated September 19, 1968, of the said Convention, which it had signed on October 12, 1967 10. As it concurrently ratified the Stockholm Act of the Paris Convention in its entirety, the condition prescribed under Article 14(2) of the WIPO Convention was fulfilled in this case also 11.

According to information which has reached us, the constitutional, legislative or administrative procedures of ratification of or accession to the WIPO Convention are in progress in many countries and it is possible to predict, without fear of contradiction, that the Director of BIRPI will receive

³ Or 60, if East Germany or the German Democratic Republic is also considered party to the Berne Convention. Memher States disagree on this question (ibid., 1956, pp. 105, 117 and 169). 4 Copyright, 1968, p. 194.

⁵ Ibid., 1968, p. 62.

⁶ Ibid., 1968, p. 83. Notifications concerning the WIPO Convention hear the reference "WIPO Notification", those concerning the Berne Convention the reference "Berne Notification", those concerning the Paris Convention the reference "Paris Notification", and so on for the Special Agreements established in relation with the Paris Convention. The number following this reference corresponds to the chronological order in which the notifications are effected by the Director of BIRPI.

Ibid., 1968, p. 155.

⁸ Ibid., 1968, p. 2.

⁹ Ibid., 1968, p. 210. 10 Ibid., 1968, p. 2.

¹¹ Ibid., 1969, p. 3.

several instruments of ratification or accession in 1969, thus enabling the WIPO Convention to enter into force comparatively soon.

Mention should also be made under this heading of the fact that the Director of BIRPI transmitted to all States members of the Unions, on August 28, 1968, pursuant to Article 20(3) of the WIPO Convention, two copies of the Convention, certified by the Government of Sweden. Furthermore, official texts, in conformity with Article 20(2), have now been established in German and Italian, after consultation with the interested Governments; they may be obtained, on request, from BIRPI. The establishment of the official Portuguese text is in progress.

2. As far as the Stockholm Act of the Berne Convention is concerned, 1968 was a year in which a number of States adopted a position in this connection. First, two States, Senegal and Bulgaria, made declarations concerning the application of the Protocol Regarding Developing Countries. The first of those States, referring to Articles 1 and 5 of the Protocol, declared that it intended to apply the provisions of that Protocol to works whose country of origin is a country of the Berne Union which will become bound by Articles 1 to 21 of the Stockholm Act of the Berne Convention and by the Protocol, or which will admit such application. This declaration took effect on the date on which it was deposited, that is to say, November 14, 1967, and the Director of BIRPI notified the other countries of the Union accordingly 12. The second State (Bulgaria), by a declaration deposited on January 11, 1968, admitted the application of the provisions of the Protocol to works of which it is the country of origin 13. Through the action of the texts adopted at Stockholm, the Protocol has thus become applicable in relations between Bulgaria and Senegal.

Subsequently (on September 19, 1968), Senegal deposited its instrument of ratification, dated August 24, 1968, of the Stockholm Act of the Berne Convention in its entirety 14.

At the same time as its accession to the WIPO Convention, the Government of the German Democratic Republic deposited on June 20, 1968, an instrument of accession, dated May 20, 1968, to the Stockholm Act of the Berne Convention in its entirety. The Director of BIRPI notified the Governments of States members of the Union of the deposit of this instrument but, as in the case of the WIPO Convention, this notification did not mean that any position has been adopted on the question on which the member countries of the Berne Union are not in agreement, namely, whether the German Democratic Republic is or is not party to the Berne Convention 15.

Lastly, the Government of Ireland notified the Director of BIRPI on March 4, 1968, of its intention to avail itself of the provisions of Article 38(2) of the Stockholm Act of the Berne Convention. Under the terms of that transitional provision, Ireland may, until five years after the entry into force of the WIPO Convention, exercise the rights provided under Articles 22 to 26 of the said Stockholm Act as if it were bound by those Articles 16. The Articles in question regulate the new administrative structure of the Union and, instead of accepting them at this stage, the Government of Ireland preferred to await developments while availing itself of the provisions of Article 38(2).

As in the case of the WIPO Convention, the Director of BIRPI transmitted to all States members of the Berne Union, on August 28, 1968, in pursuance of Article 37(3) of the Stockholm Act of the Berne Convention, two copies, certified by the Government of Sweden, of that Act. Furthermore, official texts, in conformity with Article 37(1) (b), have been established, after consultation with the interested Governments, in German, Italian and Spanish; they may be obtained, on request, from BIRPI. Establishment of the official Portuguese text will shortly begin.

Finally, under this heading, it should be noted that, as far as the Stockholm Act of the Berne Convention is concerned, ratification or accession procedures are also in progress in a number of countries.

III. BIRPI Meetings

In 1968, BIRPI organized several meetings, which are listed below in chronological order.

1. Working Group Stockholm Conference Recommendation No. III (Copyright) (Geneva, March 12 to 14, 1968)

After adopting the Protocol Regarding Developing Countries, the countries members of the Berne Union voted, in Stockholm, a Recommendation inviting BIRPI to study ways and means of creating financial machinery to ensure a fair and just return to authors 17. In order to give effect to the Recommendation, the Director of BIRPI convened a Working Group composed of delegates of the interested governmental and non-governmental organizations. This Working Group, whose task was to collect information on the problems posed and to try to find solutions along the lines indicated at Stockholm, adopted some considerations at the close of its deliberations 18.

2. Committee of Experts on the Photographic Reproduction of Protected Works (Paris, July 1 to 5, 1968)

In conformity with the views expressed on several occasions by the Permanent Committee of the Berne Union, a Committee of Experts on the Photographic Reproduction of Protected Works was convened jointly by the Director of BIRPI and the Director-General of Unesco. The participants were specialists in the field either of copyright or of photographic documentation requirements, as well as observers from international organizations interested in the questions under study. The report adopted by the Committee of Experts was published in this Review 19. Annex C to the report contains particularly important recommendations on the subject.

¹² Ibid., 1968, p. 10.

¹³ *Ibid.*, 1968, p. 23. 14 *Ibid.*, 1968, p. 210.

¹⁵ Ibid., 1968, p. 155.

¹⁶ Ibid., 1968, p. 83.

¹⁷ The text of this Recommendation is reproduced in paragraph 17, ibid., 1968, p. 85.

18 Ibid., 1968, p. 86.

19 Ibid., 1968, pp. 195 to 201.

3. Interunion Coordination Committee (Sixth Session, Geneva, September 24 to 27, 1968)

As in previous years, the Interunion Coordination Committee met in Geneva. It heard the report of the Director of BIRPI on the activities of BIRPI since the last session, approved the program and budget of BIRPI for 1969, and took decisions on matters concerning the staff of BIRPI 20.

4. Working Group on Copyright Problems of Satellite Communications (Geneva, October 14 to 16, 1968)

As shown above, BIRPI was concerned in 1968 with the repercussions of the use of new techniques, and the Director of BIRPI convened a Working Group whose purpose was to undertake an exchange of views on the copyright and neighboring rights problems that might arise from the transmission of radio and television broadcasts by communications satellites. The meetings of the Working Group were attended by distinguished personalities, including experts in the field and representatives of interested circles (authors, performers, record manufacturers, broadcasting organizations), and the level of discussion was high, both on the technical and legal planes. The report adopted at the close of the debates was published in this Review 21. This was only the first stage of the study of those important questions undertaken by BIRPI, a study which BIRPI intends to pursue in cooperation with the organizations concerned by some of the aspects of those questions.

5. Symposium on Practical Aspects of Copyright (Geneva, November 25 to 29, 1968)

Within the framework of the legal-technical assistance offered to developing countries, BIRPI organized a Symposium whose purpose was to provide participants with information on practical aspects of the protection of authors' rights. As the questions dealt with were mainly concerned with the collection and distribution of royalties and the organization of authors' societies, BIRPI had recourse to the cooperation of the International Confederation of Societies of Authors and Composers (CISAC) and its experts. A brief report on this very interesting event is published in this issue of the Review²². The texts of the reports presented at the Symposium will be printed in full in a separate publication which will appear in the course of 1969. Immediately after the Symposium, participants who were nationals of developing countries went on to carry out training programs in some of the European authors' societies. There is good reason to hope that this meeting and these contacts will bear fruit, in other words, that they will help to contribute towards a better protection of authors' rights in the developing countries of Africa and Asia which had been invited to participate.

IV. Other Meetings

BIRPI was represented in 1968 at various meetings held by intergovernmental and international non-governmental organizations and dealing with questions relating to copyright or neighboring rights.

Unesco:

- Committee of Experts on Translators' Rights, Paris, September 23 to 27, 1968.
- General Conference, 15th session, Paris, October 14 to November 20, 1968.

Council of Europe:

- Consultative Assembly, 19th ordinary session, Strasbourg, January 29 to February 2, 1968²³.

International Literary and Artistic Association (ALAI):

- Annual General Assembly, Paris, April 23, 1968²⁴.
- Executive Committee, Paris, November 8, 1968 25.

International Confederation of Societies of Authors and Composers (CISAC):

- 26th Congress. Vienna, June 23 to 29, 1968 26.
- 6th Inter-American Congress on Copyright, Bogotá, December 2 to 6, 1968 27.

International Publishers Association (IPA):

— 18th Congress, Amsterdam, June 9 to 15, 1968 28.

V. Legislative Developments

As in former years, the texts of legislation promulgated in the field of copyright in both member and non-member countries of the Berne Union were published in this Review, either in the original version or in the form of a translation.

One country of the Union, Yugoslavia 29, made a complete recast of its copyright legislation, while two non-member countries, Sierra Leone 30 and Tanzania 31, acquired legislation in this field for the first time.

A number or orders, regulations or decrees, supplementing the basic laws, were adopted in the following countries: Kenya 32, Malawi 33, Norway 34, Pakistan 35, United Kingdom 36, and Zambia 37. A slight amendment was made to the copyright legislation in New Zealand 38. Lastly, an important change was made in October 1968 in the United Kingdom concerning the protection of "works of applied art" 39.

As for the general revision of copyright legislation in the United States of America, it was not completed in 1968 as had been expected, and this led to a further extension of the duration of copyright protection 40.

Activity in the legislative field remains widespread and it is to be expected that there will be further legislation in 1969, particularly in some of the developing countries and

²⁰ Ibid., 1968, p. 211.

²¹ *Ibid.*, 1968, pp. 230 to 233. ²² *Ibid.*, 1969, p. 11.

²³ Ibid., 1968, p. 99.

²⁴ Ibid., 1968, p. 146. 25 Ibid., 1968, p. 258.

²⁶ Ibid., 1968, p. 189.

²⁷ Ibid., 1969, p. 19.

²⁸ *Ibid.*, 1968, p. 188.

²⁹ Ibid., 1968, p. 242.

³⁰ Ibid., 1968, pp. 127, 158 and 179.

Ibid., 1968, p. 39.

³² Ibid., 1968, p. 64.

Ibid., 1968, p. 65.

³⁴ Ibid., 1968, p. 214.

³⁵ Ibid., 1968, pp. 201 and 202.

Ibid., 1968, p. 65.

³⁷ Ibid., 1968, p. 66.

³⁸ Ibid., 1968, p. 108.

³⁹ Ibid., 1968, p. 234. 40 Ibid., 1968, p. 203.

also in countries of the Union whose laws require to be amended to bring them into line with the new provisions of the Convention adopted at Stockholm.

VI. Bilateral Relations

The extension of the term of copyright protection in the Federal Republic of Germany has resulted, among other things, in an exchange of Notes with countries whose legislation provides for a term of protection in excess of the minimum laid down in the Berne Convention, i.e., fifty years post mortem auctoris. Several bilateral agreements have been in existence for a number of years; two further such agreements have been concluded by the Federal Republic of Germany, one with Austria 41 and the other with Norway 42.

An important event to be noted under this heading is the conclusion between Hungary and the U.S.S.R. of a bilateral Convention on the Reciprocal Protection of Copyright 43, which has been in force since January 1, 1968. For the first time, the U.S.S.R. has become bound at the international level by an agreement on the protection of copyright, and the agreement is with a member country of the Berne Union. According to information from certain sources, negotiations are said to be in progress between the competent authorities of the U.S.S.R. and those of other countries. At all events, the first step has been taken towards recognition by the U.S.S.R. of the rights of foreign authors and it is to be hoped that other bilateral relations will be established, pending the adherence of that great country to the systems of international copyright protection.

Symposium on Practical Aspects of Copyright

(Geneva, November 25 to 29, 1968)

Note

A Symposium on Practical Aspects of Copyright was organized from November 25 to 29, 1968, by the United International Bureaux for the Protection of Intellectual Property (BIRPI) with the cooperation of the International Confederation of Societies of Authors and Composers (CISAC). The purpose of the Symposium was to offer the participants information on practical aspects of copyright protection, that is, on problems of a technical, legal, economic and social nature, as well as on general problems relating to international copyright.

This Symposium, which formed part of BIRPI's program for legal-technical assistance to developing countries, was especially intended for participants from those countries. Thus, nationals of the following African and Asian countries attended the meetings: Congo (Kinshasa), Ethiopia, Guinea, India, Iran, Ivory Coast, Kenya, Madagascar, Morocco, Nigeria, Senegal, Tunisia, United Arab Republic.

Members and officials of most of the authors' societies or other organizations in Europe also attended the Symposium, as well as a certain number of individual participants.

Professor G. H. C. Bodenhausen, Director of BIRPI, opened the Symposium by an address in which he paid tribute to CISAC for the role it had played in preparing the meeting. He also stressed the need for an effective safeguard for authors' rights to foster intellectual creation, and expressed the hope that the information acquired at the Symposium would enable the participants from developing countries to contribute to the improvement, in their respective countries, of protection of the rights and interests of their national au-

The subjects dealt with were the following:

The Berne Convention, its principles, development and administration (by C. Masouyé, Counsellor, Head of the Copyright Division of BIRPI);

The role of authors' societies and of CISAC (by L. Malaplate, Secretary General of CISAC);

Collection and distribution of public performance fees (by J. L. Tournier, Director General of the Society of Authors, Composers and Music Publishers, SACEM, France);

Collection and distribution of mechanical reproduction and printing royalties (by E. Schulze, Director General of the Society of Authors, Composers and Music Publishers, GEMA, Federal Republic of Germany);

Collection and distribution of theater royalties (by J. van Nus, Honorary Director General of the Societies of Authors and Composers, SEBA and BUMA, Netherlands);

The methods of establishing authors' societies and other organizations and their internal structure (by R. Whale, General Manager, Performing Rights Society, PRS, United Kingdom);

The social and cultural function of authors' societies and other organizations (by J. Novotný, Deputy Director of the Society of Authors, OSA, Czechoslovakia);

License agreements made with users (by U. Uchtenhagen, Director General of the Society of Authors and Publishers, SUISA, Switzerland);

⁴¹ *Ibid.*, 1968, p. 107. ⁴² *Ibid.*, 1968, p. 213.

⁴³ Ibid., 1968, p. 63.

Reciprocal protection of authors' interests in international relations (by A. Ciampi, Director General of the Society of Authors and Publishers, SIAE, Italy).

These lectures were followed by discussions during which the participants from developing countries, on the one hand, asked for additional information about the problems dealt with and, on the other hand, gave details on the manner in which the protection of authors' rights was organized in their respective countries.

The resulting exchange of information and views was greatly appreciated by all participants. At the close of the Symposium, it was suggested that, as a follow up, a similar meeting might be held in the not too distant future.

The texts of the lectures will appear in a volume that will be published by BIRPI in 1969.

List of Participants

I. Participants from developing countries

Congo-Kinshasa

Mr. Victor Nkoinzale, Director at the Ministry of Culture and Tourism, Kinshasa.

Ethiopia

Lieut. Girma Wolde-Giorgis, Treasurer, Ethiopian Literary Society,

Guinea

Mr. Alpha Ibrahima Diallo, Chef de Cabinet, Ministry of Foreign Affairs, Conakry.

India

Mr. S. N. Prasad, Principal Book-Production Officer, Commission for Scientific and Technical Terminology, Ministry of Education, New Delhi.

Iran

Mr. Mehdi Naraghi, Director, Office for the Registration of Companies and Industrial Property, Teheran.

Ivory Coast

Mr. Bernard Dadié, Director of Cultural Affairs, Ministry of National Education, Abidjan.

Kenya

Mr. Z. R. Chesoni, Assistant Registrar General, Nairobi.

Madagascar

Miss Ranirina Juliette Ratsimandrava, Librarian, National Library, Tananarive.

Mr. Désiré Razanamaholy, Head, Press Relations Service, Ministry of Information, Tananarive.

Morocco

Mr. Abderrahim H'ssaine, Director-General, Copyright Office of Morocco. Rabat.

Mr. Ali Djilali Zoujaji, Copyright Office of Morocco, Rabat.

Nigeria

Mr. D. S. Coker, Registrar, Commercial Legislation, Ministry of Trade, Lagos.

Senegal

Mr. Ousmane Goundiam, Attorney-General, Supreme Court, Dakar.

Tunisia

Mr. Abderrahmane Amri, Director-Geueral, Society of Authors and Composers of Tunisia (SODACT), Tunis.

United Arab Republic

Mr. Mahmoud Loutfi, Director and Legal Advisor, Society of Authors, Composers and Publishers of the United Arab Republic (SACERAU), Cairo.

II. Members and officials of authors' societies and other organizations

BELGIUM

SABAM (Société belge des auteurs, compositeurs et éditeurs)

Mr. Edgard Hoolants, Director-General.

Mr. Jean Beaufays, Administrateur délégué.

Mr. Hendrik E. A. Diels, Administrateur délégué.

Mr. Theo Van Elewijck, Directeur délégué.

CZECHOSLOVAKIA

OSA (Ochranny Svaz Autorsky)

Mr. J. Novotný, Assistant Director-General.

FINLAND

TEOSTO (Tekjänoikeustoimisto)

Mr. Martti Turunen, Director.

FRANCE

SACD (Société des auteurs et compositeurs dramatiques)

Mr. Jacques Guéritat, Secretary-General.

SACEM (Société des auteurs, compositeurs et éditeurs de musique)

Mr. Jean-Loup Tournier, Director-General.

Mr. Henry Lemarchand, Secretary-General of the Administrative

Mr. Claude Joubert, Délégué aux affaires générales.

Mr. François Sparta, Délégué à la coopération.

SGLF (Société des Gens de Lettres de France)

Mr. Robert Dupuy, Délégué administratif.

Syndicat national des auteurs

Mr. Roger Fernay, Vice-Président Délégué général.

GERMANY (Dem. Rep.)

AWA (Anstalt zur Wahrung der Aufführungsrechte auf dem Gebiete der Musik)

Mr. Georg Münzer, Legal Advisor at the Ministry of Culture.

Mr. Kurt Folkmann, Director.

Büro für Urheberrechte

Mr. Camillo Harth, Director.

Mr. Hans-Joachim Sauerstein, Head, Legal Service.

GERMANY (Fed. Rep.)

GEMA (Gesellschaft für musikalische Aufführungs- und mechanische Vervielfältigungsrechte)

Mr. Erich Schulze, Director-General.

HUNGARY

ARTISJUS (Hungarian Bureau for the Protection of Copyright)

Mr. István Timár, Director-General.

ITALY

SIAE (Società italiana degli autori ed editori)

Mr. Antonio Ciampi, Director-General.

Mr. Giulio Bacci di Capaci, Delegate for France.

Mr. Lucio Capograssi, Sous-directeur central.

Mr. Lionello Cecchini, Directeur central de la Section musique.

NETHERLANDS

SEBA (Stichting tot Exploitatie en Bescherming van Auteursrechten)

BUMA (Het Bureau voor Muziek-Auteursrecht)

STEMRA (Stichting tot Exploitatie van Mechanische-Reproductie Rechten der Auteurs)

Mr. J. van Nus, Honorary Director-General.

Mr. Th. Limperg, Director-General.

Mr. G. P. Willemsen, Assistant Director-General.

Mr. R. L. Du Bois, Director, Distribution Service.

Mr. G. A. Lentink, Director, Collection Service.

Mr. J. H. Brohm, Head of the Copyright and Correspondence Services.

NORWAY

TONO (Norsk Komponistforenings Internasjonale Musikk-byra)

Mr. Gorm Baekkelund, Assistant Director-General.

PARAGUAY

APA (Autores Paraguayos Asociados)

Mrs. Edelmira Peña de Grimaldo.

POLAND

ZAIKS (Stowarzyszenie Autorow)

Mr. Boleslaw Nawrocki, Director-General.

Mr. Edward Wierzchon, Assistant Director-General.

Mr. Jerzy Orzechowski, Member of the Council.

PORTUGAL

SECTP (Sociedade de escritores e compositores teatrais portugueses)

Mr. Luiz Francisco Rebello, Secrétaire général du Conseil directeur.

Mr. João Nobre, Membre du Conseil directeur.

SWEDEN

STIM (Föreningen Svenska Tonsättares Internationella Musikbyra)

Mr. Sven Wilson, Director-General.

SWITZERLAND

SUISA (Société suisse des auteurs et éditeurs)

Mr. Ulrich Uchtenbagen, Director-General.

Mr. Jean-Pierre Maggi, Head, Collection Service for French-speaking Switzerland.

UNITED KINGDOM

MCPS (Mechanical Copyright Protection Society Ltd.)

Mr. B. W. Pratt, General Manager.

PRS (The Performing Right Society Ltd.)

Mr. Royce F. Whale, Director-General.

Mr. Vivian Ellis, composer and author.

Mr. William Alwyn, composer.

Mr. James Kennedy.

The Society of Authors

Mrs. Hélène Héroys, Representative of the Secretary-General.

YUGOSLAVIA

Jugoslovenska autorska agencija

Mr. Miodrag Stamatović, Director.

Mr. Božidar Marković, Member of the Administrative Council.

SAKOJ (Savez kompozitora Jugoslavije)

Mrs. Miroslava Ćirković, Head, Copyright Division.

Mr. Josif Levi, Head, Collection Service (Belgrade).

Mr. Ivan Henneberg, Head, Collection Service (Zagreb).

III. Individual participants

Mr. Paul Brügger, Geneva.

Mrs. Dominique Castanet, Paris.

Mr. M. Curtil, Legal Advisor, IFPI, Paris.

Mr. Roland Dufour, Geneva.

Mr. André Géranton, Paris.

Mr. Fritz Isler, Zurich.

Miss Franca Klaver, Hilversum.

Mr. Bengt Lassen, Stockholm.

Miss Monique Lehmann, Paris.

Mr. Antonio Miserachs-Rigalt, Barcelona.

Mr. René Muttenzer, Arlesbeim.

Mr. Hjalmar Pehrsson, Secretary-General, IPA, Geneva.

Mr. Edouard Petitpierre, Lausanne.

Mr. Sergio Riccardi, Milan.

Mr. Stephen Stewart, Director-General, IFPI, London.

Mr. Hermann Suter, Lausanne.

Mr. J. E. van Zyl, Johannesburg.

IV. Observers

Luxembourg

Mr. Eugène Emringer, Governmental Counsellor, Ministry of National Economy.

U. S. S. R.

Mr. Valeri Kalinine, Second Secretary, Permanent Representation of the U.S.S.R., Geneva.

Unesco

Miss Marie-Claude Dock, Head, Copyright Division.

Council of Europe

Mr. Per von Holstein, Administrator, Directorate of Legal Affairs.

V. International Confederation of Societies of Authors and Composers (CISAC)

Mr. Georges Auric, Membre de l'Institut, President.

Mr. Joaquin Calvo Sotelo, Honorary President.

Mr. Léon Malaplate, Secretary-General.

Mr. J. A. Ziegler, Deputy Secretary-General.

VI. BIRPI

Professor G. H. C. Bodenbausen, Director.

Mr. Claude Masouyé, Counsellor, Head of the Copyright Division.

Mr. Mihailo Stojanović, Legal Assistant, Copyright Division.

Staff Changes in BIRPI

Mr. Charles-Louis MAGNIN, Deputy Director, retired on January 1, 1969.

Mr. Ross WOODLEY, Senior Counsellor for Relations with International Organizations, retired on December 1, 1968.

* * *

Dr. Arpad BOGSCH, Deputy Director since 1963, has been appointed First Deputy Director, with effect from February 15, 1969.

Mr. Joseph VOYAME, formerly Director of the Federal Bureau of Intellectual Property, Switzerland, has been appointed Second Deputy Director, with effect from February 15, 1969.

Mr. Claude MASOUYÉ, Head of the Copyright Division since 1961, has been appointed Senior Counsellor in charge of External Relations, with effect from January 1, 1969.

Mr. Vojtěch STRNAD, formerly Director General of "Supraphon" (music and record publishers) in Prague (Czechoslovakia), has been appointed Head of the Copyright Division, with effect from March 1, 1969.

NATIONAL LEGISLATION

TUNISIA

Decree regulating the administration of the moral and material interests of the authors and composers of Tunisia

(No. 68-283, of September 9, 1968) *

Article 1. — The administration of the rights, as well as the safeguarding of the moral and material interests, of the authors and composers of Tunisia shall be entrusted to the association called the Société des Auteurs et Compositeurs de Tunisie (SODACT) (Society of authors and composers of Tunisia).

Article 2. — SODACT shall, to the exclusion of any other person or legal entity, have the capacity to act as intermediary, for the grant of authorizations and for the collection of fees relating thereto, between the author or his successors in title on the one hand and the users or associations of users on the other.

Article 3. — SODACT shall be lawfully substituted, as from the publication of this Decree, for all other existing

societies of authors and composers in the execution of outstanding contracts with users or associations of users in the territory of the Republic of Tunisia.

Article 4. — SODACT shall, with regard to users of works, represent its members, or foreign societies of authors or their members, whether by mandate or by agreement of reciprocity.

Article 5. — The Secretary of State for Cultural Affairs and Information shall be charged with the implementation of this Decree which shall be published in the Journal Official de la République Tunisienne.

^{*} See Article 31 of the Law relating to Literary and Artistic Property (No. 66-12, of February 14, 1966), published in Copyright, 1967, p. 23. This Decree was published in the Journal Officiel de la République Tunisienne (French translation), No. 37, of September 6-10, 1968.

CORRESPONDENCE

Letter from France

INTERNATIONAL ACTIVITIES

6th Inter-American Congress on Copyright

(Bogota, December 2 to 7, 1968)

The Pan American Council of the International Confederation of Societies of Authors and Composers (CISAC) held the 6th Inter-American Congress on Copyright in Bogota, thanks to the kind hospitality of the Society of Authors and Composers of Colombia, from December 2 to 7, 1968. Delegates of authors' societies from the following countries participated in this gathering: Argentina, Bolivia, Brazil, Chili, Colombia, Guatemala, Mexico, Paraguay, Peru, Uruguay and Venezuela. BIRPI, invited as an observer, was represented by Mr. C. Masouyé, Counsellor, Head of the Copyright Division.

Dr. Octavio Arizmendi Posada, Minister for National Education of Colombia, and various Colombian dignitaries were present at the opening meeting. At another of its meetings, the Congress was also honored by the presence of Dr. Alfonso López Michelsen, Minister for Foreign Affairs of Colombia. Receptions were given for the delegates by Mr. Tulio Jimenez Barriga, Mayor of Bogota, and by the Rector of the University of Bogota (Colegio Major del Rosario). Professor Arcadio Plazas was present at the closing meeting.

The work was presided over by Mr. Carlos Gómez Barrera, President of the Pan American Council of CISAC. The agenda included first of all the establishment of the new Rules of Procedure of the Council as well as a statement by each delegation on the copyright problems in its respective country. Secondly, it included an examination of the results of the Stockholm revision of the Berne Convention and a survey of the present position of international copyright. In this connection, the Council unanimously adopted, at the close of the debates, the recommendation reproduced below.

In addition, the new officers of the Pan American Council were elected, and the presidency is now held by the Argentine Society SADAIC. The next meeting of the Council is scheduled to take place in June 1969 in Caracas.

Recommendation

The Pan American Council of the International Confederation of Societies of Authors and Composers, at its 6th Inter-American Congress held in Bogota, Colombia, from December 2 to 7, 1968,

Considering

- the importance for the Latin American countries to accede to the Berne Convention for the Protection of Literary and Artistic Works, which ensures to the said works and their authors the highest level of protection in the world;
- 2. that this Convention was revised in Stockholm in 1967, hut that the revised text has not yet entered into force;
- that the spirit and the results of the Stockholm revision demand a general reconsideration of the present position of international copyright, which undertaking was recently advocated by the Intergovernmental Committees;
- 4. that the above-mentioned circumstances have created a major interest for the Latin American countries to join with the countries of this same continent (Argentina, Brazil, Mexico and Uruguay) that are already members of the Berne Union and, consequently, to accede to the Berne Convention before the entry into force of the Stockholm text, so as to be able to participate fully in the said general reconsideration,

Invites the societies of authors and composers of the American continent to take as soon as possible whatever steps are required with their respective Governments so as to take advantage of this last opportunity to accede to the Berne Convention, Brussels text, while that text is still in force and before the ratification of the Stockholm text by five countries puts an end to this possibility.

NEWS ITEMS

State of Ratifications of and Accessions to the Conventions and Agreements affecting Copyright on January 1, 1969

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)
Brazil	June 29, 1965	September 29, 1965	R
Congo (Brazzaville) *)	Jnne 29, 1962	May 18, 1964	\mathbf{A}
Czechoslovakia*)	May 13, 1964	August 14, 1964	\mathbf{A}
Denmark *)	June 23, 1965	September 23, 1965	R
Ecuador	December 19, 1963	May 18, 1964	\mathbf{R}
Germany (Fed. Rep.) *)	July 21, 1966	October 21, 1966	\mathbf{R}
Mexico	February 17, 1964	May 18, 1964	R
Niger *)	April 5, 1963	May 18, 1964	A
Sweden*)	July 13, 1962	May 18, 1964	R
United Kingdom *)	October 30, 1963	May 18, 1964	R

^{*)} 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 Denmark, see Copyright, 1965, p. 214; as to Germany (Fed. Rep.), see ibid., 1966, p. 237; as to Niger, see Le Droit d'Auteur (Copyright), 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	Ratifica- tion (R) or Acces- sion (A)	Protocols adopted
Andorra	31 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
Anstria	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
Cnba	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
Gnatemala	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	

Contracting States	Deposit of Instrument	Coming into Force	Ratifica- tion (R) or Acces- sion (A)	Protocols adopted
India	21 X 1957 21 X 1957	21 I 1958 21 I 1958	R	1, 2
Ireland	20 X 1958	20 I 1959	R	1, 2, 3
Israel	6 IV 1955	16 IX 1955	R	1, 2, 3
	24 X 1956	24 I 1957	R	2, 3
Italy	19 XII 1966	19 XII 1966	R	1
Japan	28 I 1956	28 IV 1956	R	1, 2, 3
Kenya	7 VI 1966	7 IX 1966	A	1, 2, 3
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
Malawi	26 VII 1965	26 X 1965	A	
Malta	19 VIII 1968	19 XI 1968	A	
Mexico	12 II 1957	12 V 1957	R	2
Monaco	16 VI 1955	16 IX 1955	R	1, 2
	22 III 1967	22 VI 1967	R	
Netherlands	22 III 1967	22 III 1967	R	
	22 III 1967	22 VI 1967	A	1, 2
New Zealand 6) .	11 VI 1964	11 IX 1964	A	1, 2, 3
Nicaragna	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	A	
Philippines 7)	19 VIII 1955	19 XI 1955	A	1, 2, 3
Portugal	25 IX 1956	25 XII 1956	R	1, 2, 3
Spain 8)	27 X 1954	16 IX 1955	R	2
Sweden	1 IV 1961	1 VII 1961	R	1, 2, 3
Switzerland	30 XII 1955	30 III 1956	R	1, 2
United Kingdom 9)	27 VI 1957	27 IX 1957	R	1, 2, 3
United States	(1711 Total	16 TF 3055	- D	, , .
of America 10) .	6 XII 1954	16 IX 1955	R	1, 2, 3
Venezuela	30 VI 1966	30 IX 1966	A	1, 2, 3
Yugoslavia	11 II 1966	11 V 1966	R	1, 2, 3
Zambia	1 III 1965	1 VI 1965	A	

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 npon 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) 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 Trnst Territory of Rwanda-Urnndi, 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, Guadelonpe, Martinique, Gniana 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 Con-

vention 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 June 11, 1964, New Zealand notified the Director-General of Unesco that the Convention and its three Protocols shall apply, from their coming into force in New Zealand, to the Cook Islands (including Niue) and Tokelau Islands.
- 7) 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 Jannary 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.
- 8) 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.
- 9) The Director-General of Unesco received notifications 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), to Zanzihar, to the Bermudas and North Borneo (coming into force on May 4, 1963), to the Bahamas and the Virgin Islands (coming into force on July 24, 1963), to the Falkland Islands, Kenya, St. Helena and Seychelles (coming into force on January 29, 1964), to Mauritins (coming into force on January 6, 1965), to Bechuanaland, Montserrat and Santa-Lucia (coming into force on May 8, 1966), to Grenada (coming into force on May 15, 1966), to the Cayman Islands (coming into force on June 11, 1966), to British Guiana (coming into force on June 15, 1966), to British Honduras (coming into force on October 19, 1966), to Saint Vincent (coming into force on November 10, 1967).
- 10) 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 February 28, 1958, the Government of the United States of America asserted that such extension of the Convention was proper nuder Article 3 of its 1903 treaty with Panama. Copies of the two letters have been communicated by the Director-General to all States concerned.

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

(Paris, December 15, 1958)

Contracting States	Deposit of Instrument		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
Ireland	March 5, 1965	April 4, 1965	S
Luxembourg	October 1, 1963	October 31, 1963	R
Netherlands	February 3, 1967	March 5, 1967	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)
Belgium *)	February 7, 1968	March 8, 1968	R
Denmark *)	October 26, 1961	November 27, 1961	l R
France	June 22, 1960	July 1, 1961	S
Germany (Fed. Rep.) *)	September 8, 1967	October 9, 1967	R
Norway *)	July 9, 1968	August 10, 1968	R
Sweden	May 31, 1961	July 1, 1961	R
United Kingdom *)	March 9, 1961	July 1, 1961	R

^{*)} The instruments of ratification were accompanied by "options" in accordance with Article 3, paragraph 1, of the Agreement. As to Belgium, see Copyright, 1968, p. 147; as to Denmark, see Le Droit d'Auteur, 1961, p. 360; as to the United Kingdom, see ibid., 1961, p. 152; as to Germany (Fed. Rep.), see Copyright, 1967, p. 217; as to Norway, see ibid., 1968, p. 191.

Protocol to the said Agreement (Strasbourg, January 22, 1965)

Contracting States	Deposit of Instrument	Coming into Force	Signature without Reservation in respect of Ratification (S) or Ratification (R)
Belgium	February 7, 1968	March 8, 1968	R
Denmark	January 22, 1965	March 24, 1965	S
France	January 22, 1965	March 24, 1965	S
Germany (Fed. Rep.)	September 8, 1967	October 9, 1967	R
Norway	July 9, 1968	August 10, 1968	R
Sweden	January 22, 1965	March 24, 1965	S
United Kingdom	February 23, 1965	March 24, 1965	S

5. European Agreement for the Prevention of Broadcasts Transmitted from Stations Outside National Territories

(Strasbourg, January 22, 1965)

Contracting States	Deposit of Justrument	Coming into Force	Ratification (R)
Belgium	September 18, 1967	October 19, 1967	R
Denmark	September 22, 1965	,	R
France	March 5, 1968	April 6, 1968	R
Sweden	June 15, 1966	October 19, 1967	R
United Kingdom	November 2, 1967	December 2, 1967	R

BOOK REVIEWS

The Law of Copyright under the Universal Convention, by Arpad Bogsch.

A volume of 696 pages, 25×16 cm. A. W. Sijthoff, Leyden, and R. R. Bowker Co., New York, 1968 (third revised edition).

When the first edition of this work appeared in 1958, under the title Universal Copyright Convention: An Analysis and Commentary, its importance and timeliness were immediately recognized 1. The practical value of the book was further enhanced when, in its second edition 2, a new part was added containing an analysis of the copyright law of each country party to the Universal Copyright Convention.

This third revised edition also consists of two main parts.

The first part is a detailed analysis and commentary of the Universal Copyright Convention, with an appendix including the text of the Convention in English, French and Spanish, the Report of the Rapporteur-General of the Geneva Conference, and the documents of the Intergovernmental Copyright Committee.

The second part is divided into as many chapters as there are countries party to the Universal Copyright Convention, and each chapter consists of a summarized exposition of the copyright law of one such country. The information is mainly concerned with what is of practical interest in determining the copyright status of works entitled to protection under the Universal Copyright Convention.

The principal difference between the second and third editions is that the latter also covers those countries — some ten — which have acceded to the Universal Copyright Convention since the date of publication of the second edition, and that the other chapters have been revised in order to reflect the changes which have occured during the last five years in the various copyright laws. Thus, several chapters — including the chapter on the law in the Federal Republic of Germany — have been entirely rewritten.

- ¹ See Le Droit d'Auteur, 1959, p. 36.
- ² Published under the present title in 1964.

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Book List

From July 1 to December 31, 1968, the BIRPI Library has entered in its catalogue a number of works or publications on copyright, among which mention should be made of the following most recent or most important:

- ABEL (Paul). Copyright from the international viewpoint ¹. London, Vincent Press, 1968. [35] p. Extr. Journal of World Trade Law, Vol. 1, 1967, No. 4, pp. 399-433.
- ACEBEY (Pedro Carlos). Derecho de autor. Regimen legal de la propiedad intelectual y su reglamentación. Buenos Aires, Troquel, 1967. 441 p.
- BARKER (Ronald E.). The revised Berne Convention. The Stockholm Act 1967. A review with an article-by-article summary. London, Publishers Association, 1967. - 18 p.
- BEHR (Omri M.). Relay by communications satellites: a special situation in copyright infringement liability. Dallas, School of Law, Southern Methodist University, 1965. [16] p. Extr. Journal of Air Law and Commerce, Vol. 31, pp. 311-326.
- BOYTHA (György). Reciprocity in international copyright law. Budapest, Hungarian Branch of the International Law Association, 1968. - [27] p. Extr. Questions of International Law, 1968, pp. 37-63.
 - ¹ See Copyright, 1968, p. 121.

- CHAVANNE (Albert) and POINTET (Pierre-Jean). L'Organisation Mondiale de la Propriété Intellectuelle (O. M. P. I.). Paris, Union des Fabricants, 1967. [11] p. Extr. Revue internationale de la propriété industrielle et artistique, No. 70, December 1967, pp. 213-223.
- CUPPEN (F. A.). Uitgevers ernstig verontrust over Protocol Stockholm. Amsterdam, BUMA, 1967. [3] p. Extr. Auteursrechtbelange, No. 66, 1967, pp. 22-24.
- DIAMOND (Sidney A.). Sound recordings and copyright revision. Iowa City, 1968. - [31] p. Extr. Iowa Law Review, February 1968, Vol. 53, pp. 839-869.
- DIETZ (Adolf). Das Droit Moral des Urhebers im neuen französischen und deutschen Urheberrecht. Eine rechtsvergleichende Untersuchung.

 Munich, C. Beck, 1968. 214 p. Urheberrechtliche Abhandlungen des Max-Planck-Instituts für ausländisches und internationales Patent-, Urheher- und Wettbewerbsrecht, Vol. 7.
- DUVAL (Hermano). Violação es dos direitos autorais². Rio de Janeiro, Borsoi, 1968. 567 p.
- EGLI (Jean-François). Le droit de la radiodiffusion en Suisse. Radio et télévision. Aperçu de quelques aspects de droit privé. Basle, Helbing & Lichtenhahn, 1968. [203] p. Société des juristes, Rapports et communications, Vol. No. 2, 1968, pp. 223-425.
- GERSTENBERG (Ekkehard). Die Urheberrechte an Werken der Kunst, der Architektur und der Photographie. Munich, C. H. Beck, 1968. XX-323 p.
- HUNG VAILLANT (Francisco). Algunos aspectos de la protección del derecho de autor en Venezuela³. Caracas, Instituto de derecho privado, 1965. - 108 p. Publicaciones del Instituto de derecho privado, Sección de derecho comparado, No. 15.
- Estudios sobre derecho de autor³. Caracas, Facultad de derecho.
 1968. 80 p. Estudios jurídicos, No. XL.
- INTERNATIONAL LABOUR ORGANISATION, UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION and UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY.
- Records of the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organizations. Rome, October 10 to 26, 1961. - 312 p.
- Actes de la Conférence diplomatique sur la protection internationale des artistes interprètes ou exécutants, des producteurs de phonogrammes et des organismes de radiodiffusion. Rome, 10-26 octobre 1961. - 334 p.
- Actas de la Conferencia Diplomática sobre la protección internacional de los artistas intérpretes o ejecutantes, productores de fonogramas y los organismos de radiodifusión. Roma, 10-26 de octubre de 1961. -346 p.

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² Ibid., 1968, p. 259.

³ Ibid., 1968, p. 259.

- JAPANESE SOCIETY OF RIGHTS OF AUTHORS AND COMPOSERS (JASRAC). This is JASRAC. Tokyo, JASRAC, [1968]. 20 p.
- JONES (Rennie C.). The application of copying processes to work with current records and historical manuscripts. Selected references. State Lihrary of Victoria, Research Department, 1966. - 35 p. Research Service Bihliographies, No. 7, 1966.
- LEUZINGER (Rudolf). Facts and opinions on certain practices regarding copyright in musical works. Zurich, International Federation of Musicians, 1967. 27 p.
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- NUS (J. van). De Berner Conventie op de helling. Amsterdam, Auteursrechthelangen, 1967. [8] p. Extr. Auteursrechtbelangen, No. 66, 1967, pp. 14-21.
- PATTERSON (Lyman Ray). Copyright in historical perspective. Nashville, Vanderhilt University Press, 1968. - VII-264 p.
- RUSSEL-CLARKE (A.D.). Copyright in industrial designs. London, Sweet & Maxwell, 1968. 4th ed. XX-237 p.
- SAUERSTEIN (Hans-Joachim). Der Verlagsvertrag. Berlin, Neue Justiz, 1965. [10] p. Extr. Neue Justiz, 1965, pp. 676-680.

- SIMON (Rohert G.). Trends in the international development of television. South Hackensack, F. B. Rothman, 1967. [12] p. Extr. Bulletin of the Copyright Society of the U. S. A., Vol. 15, pp. 119-130.
- SORDELLI (Luigi). Problemi giuridici della pubblicità commerciale. Milan, Giuffrè, 1968. - VII-279 p.
- THOMAS (Denis). Copyright and the creative artist. The protection of intellectual property with special reference to music. London, Institute of Economic Affairs, 1967. 48 p. Pref. Alan T. Peacock.
- THROOP (Allen E.). Some legal facets of satellite communication. Washington, Washington College of Law, 1967. [29] p. Extr. American University Law Review, Vol. 17, pp. 12-40.
- TROLLER (Alois). Immaterialgüterrecht, Patentrecht, Markenrecht, Urheberrecht, Muster- und Modellrecht, Wettbewerbsrecht. Basle and Stuttgart, Helhing & Lichtenhahn, 1968, Vol. I. XV-682 p.
- UNITED NATIONS ORGANIZATION. INTERNATIONAL LAW COM-MISSION. The succession of states to multilateral treaties. Studies prepared by the Secretariat. Genève, ONU, 1968. - 60 p. A/CN.4/200.-I. International Union for the Protection of Literary and Artistic Works: Berne Convention of 1886 and subsequent Acts of revision.
- UNITED STATES. COPYRIGHT OFFICE. General information on copyright. Washington, Library of Congress, 1968. 11 p.
- UNITED STATES. SUPREME COURT. Fortnightly Corporation, Petitioner, v. United Artists Television Inc.: On writ of certiorari to the United States Court of Appeals for the second circuit [CATV Service], June 17, 1968. 12 + 6 p.
- VIGNES (Daniel). Droit d'auteur et aide au développement: le Protocole à l'Acte de Stockholm pour la protection des œuvres littéraires et artistiques 4. Paris, CNRS, 1967. [26] p. Extr. Annuaire français de droit international, 1967, pp. 716-741.

⁴ Ibid., 1968, p. 259.

CALENDAR

BIRPI Meetings

- February 3 to 7, 1969 (Paris) Permanent Committee of the Berne Union (Extraordinary Session)
 - Object: Consideration of various questions concerning copyright Invitations: Belgium, Brazil, Denmark, France, Germany (Fed. Rep.), India, Italy, Portugal, Rumania, Spain, Switzerland, United Kingdom Observers: All other member States of the Berne Union; interested international intergovernmental and non-governmental organizations
- April 17 and 18, 1969 (Geneva) Paris Union Committee for International Cooperation in Information Retrieval Among Examining Patent Offices (ICIREPAT) Technical Cooperation Committee (1st Session)
- September 17, 1969 (Geneva) Paris Union Committee for International Cooperation in Information Retrieval Among Examining Patent Offices (ICIREPAT) Technical Cooperation Committee (2nd Session)
- September 18 and 19, 1969 (Geneva) Paris Union Committee for International Cooperation in Information Retrieval Among Examining Patent Offices (ICIREPAT) First Annual Meeting
- September 22 to 26, 1969 (Geneva) Interunion Coordination Committee (7th Session)
 - Object: Program and Budget of BIRPI for 1970 Invitations: Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Denmark, France, Germany (Fed. Rep.), Hungary, India, Iran, Italy, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Portugal, Rumania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America
- September 22 to 26, 1969 (Geneva) Executive Committee of the Conference of Representatives of the Paris Union (5th Session)
 - Object: Program and Budget (Paris Union) for 1970 Invitations: Argentina, Australia, Austria, Cameroon, France, Germany (Fed. Rep.), Hungary, Iran, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America Observers: All the other member States of the Paris Union; United Nations; International Patent Institute
- September 22 to 26, 1969 (Geneva) Council of the Lishon Union for the Protection of Appellations of Origin and their International Registration (4th Session)
 - Object: Annual Meeting Invitations: All member States of the Lishon Union Observers: All other member States of the Paris Union

Meetings of Other International Organizations Concerned with Intellectual Property

- January 28 and 29, 1969 (The Hague) International Patent Institute (IIB) 99th Session of the Administrative Council
- March 24 to 27, 1969 (Cairo) Afro-Asian Organization for Economic Cooperation (AFRASEC) Afro-Asian Conference on the Development of Small Industries
- May 19 to 22, 1969 (Prague) International Federation of Musicians Executive Committee
- May 26 to 30, 1969 (Vienna) International League Against Unfair Competition (LICCD) 21st Congress
- May 31 to June 7, 1969 (Istanhul) International Chamber of Commerce (ICC) XXIInd Congress
- June 9 to 14, 1969 (Venice) International Association for the Protection of Industrial Property (IAPIP) XXVIIth International Congress
- July 1 to 5, 1969 (Moscow) Moscow Juhilee Symposium 1969 (Industrial Property)
- July 3 to 7, 1969 (Moscow) International Writers Guild (IWG) 2nd Congress
- September 8 to 12, 1969 (Nuremberg) International Federation of Musicians 7th Ordinary Congress