

Industrial Property

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WORLD INTELLECTUAL PROPERTY ORGANIZATION

RATIFICATIONS AND ACCESSIONS

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

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 Byelorussian Soviet Socialist Republic deposited on March 19, 1969, its instruments of ratification dated October 18, 1968, of the Convention Establishing the World Intellectual Property Organization (WIPO), with the following declaration:

“The Byelorussian Soviet Socialist Republic declares that the Convention Establishing the World Intellectual Property Organization regulates questions concerning the interests of all countries; and that is why it must be open to participation of all States, in accordance with the principle of their sovereign equality.” *(Translation)*

Pursuant to Article 11(4)(b) of the said Convention, the Byelorussian Soviet Socialist Republic has expressed the wish to belong to Class C.

The deposit of this instrument of ratification is in conformity with the provisions of Article 14(1)(ii) and of Article 5(2)(i) of the said Convention.

Geneva, March 25, 1969.

WIPO Notification No. 10

INTERNATIONAL UNIONS

RATIFICATIONS AND ACCESSIONS

Ratification of the Additional Act of Stockholm of the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods

UNITED KINGDOM

*Notification of the Director of BIRPI to the Governments
of the Union Countries*

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 international instrument adopted at Stockholm, has the honor to notify him that the Government of the United Kingdom of Great Britain and Northern Ireland deposited, on February 26, 1969, its instrument of ratification, dated November 18, 1968, of the Additional Act of Stockholm, of July 14, 1967, to the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods.

A separate notification will be made of the entry into force of the Additional Act of Stockholm of the said Agreement, when the required number of ratifications or accessions is reached.

March 10, 1969.

Madrid (Indications of Source) Notification No. 4

Ratification of the Stockholm Act of the Madrid Agreement Concerning the International Registration of Marks

RUMANIA

*Notification of the Director of BIRPI to the Governments
of the Union Countries*

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 international instrument adopted at Stockholm, has the honor to notify him that the Government of the Socialist Republic of Rumania deposited, on February 28, 1969, its instrument of ratification, dated December 28, 1968, of the Madrid Agreement Concerning the International Registration of Marks, of April 1891, as revised at Stockholm on July 14, 1967, with the following declaration:

“The Council of State of the Socialist Republic of Rumania considers that the maintenance of the state of dependence of certain territories to which reference is made in Article 14(7) of the Madrid Agreement Concerning the International Registration of Marks is not in accordance with the declaration on the grant of independence to colonial countries and peoples, adopted by the General Assembly of the United Nations on December 14, 1960, by Resolution 1514 (XV), in which is stressed the need to bring an end rapidly and unconditionally to colonialism in all its forms and manifestations.” *(Translation)*

A separate notification will be made of the entry into force of the Stockholm Act of the said Agreement, when the required number of ratifications or accessions is reached.

March 10, 1969.

Madrid (Marks) Notification No. 3

**Ratification of the Stockholm Act
of the Nice Agreement
Concerning the International Classification
of Goods and Services for the Purposes
of the Registration of Marks**

UNITED KINGDOM

*Notification of the Director of BIRPI to the Governments
of the Union Countries*

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 international instrument adopted at Stockholm, has the honor to notify him that the Government of the United Kingdom of Great Britain and Northern Ireland deposited, on February 26, 1969, its instrument of ratification, dated November 18, 1968, of the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of June 15, 1957, as revised at Stockholm on July 14, 1967.

A separate notification will be made of the entry into force of the said Agreement, when the required number of ratifications or accessions is reached.

March 10, 1969.

Nice Notification No. 4

LEGISLATION

ISRAEL

The Patents Law

(No. 5727—1967)¹

CHAPTER I

Interpretation

1. — In this Law —

“examiner” means a person appointed according to law to be a patent examiner or a chief examiner or the superintendent of examiners;

“owner of an invention” means the inventor or a person deriving title under him, that is to say, a person entitled to the invention by law or by transfer or by agreement;

“patentee” means the person registered in the Register as the person to whom the patent has been granted or to whom the ownership of the patent has passed;

“the Office” means the Patent Office referred to in Chapter X;

“Convention country” means any country declared by the Minister of Foreign Affairs in *Reshumot* to be a member of the Union for the Protection of Industrial Property by virtue of the Paris Convention for the Protection of Industrial Property², and includes any territory to which the Convention has been made applicable by virtue of Article 16^{bis} of the Convention;

“exploitation of an invention” means any use of an invention and includes manufacture, marketing or the derivation of benefit in any other way, but does not include use which is not on a commercial scale and not of a commercial character;

“patent attorney” means a person registered in the Register of Patent Attorneys and holding a patent attorney’s license;

“Register” means the Register of Patents kept in accordance with the provisions of Section 166;

“Registrar” means the person appointed to be the Registrar of Patents under Section 157 and, subject to the provisions of Section 158, includes an Assistant Registrar;

“application date” means the patent application date as defined in Section 15, save in so far as a different date is prescribed by or under this Law.

CHAPTER II

Patentability

2. — The owner of a patentable invention is entitled to apply for the grant of a patent for it in accordance with the provisions of this Law.

3. — An invention, whether a product or a process, which is new, useful and susceptible of industrial or agricultural application, and which involves an inventive step, is a patentable invention.

4. — An invention is deemed to be new unless it has been published, in Israel or abroad, prior to the application date —

- (1) by written, visual, audible or any other description, in such a manner that a man of the art can carry it out in accordance with the details of the description;
- (2) by exploitation or exhibition, in such a manner that a man of the art can carry it out in accordance with the details thus made known.

5. — An inventive step is a step which to an average man of the art does not appear obvious in the light of information published, prior to the application date, in the ways indicated in Section 4.

6. — The right of the owner of an invention to the grant of a patent shall not be affected by publication as referred to in Section 4 if —

- (1) it is proved that the matter published was obtained from him or his predecessor in title and was published without his consent, and the patent application was filed

¹ Passed by the Knesset on the 2nd Av, 5727 (August, 8, 1967) and published in *Sefer Ha-Chukkim* No. 510 of the 11th Av, 5727 (August, 17, 1967), p. 148; the Bill and an Explanatory Note were published in *Hatza'ot Chok* No. 637 of 5725, p. 98. Text kindly supplied by the Government of Israel.

² *Kitvei Amana* No. 312, cap. 10, p. 405.

within a reasonable time after the publication became known to the applicant; or

- (2) (a) publication was made by the owner of the invention or his predecessor in title in one of the following ways:
- (i) display at an industrial or agricultural exhibition in Israel, or a recognized exhibition in one of the Convention countries, official notice of which had been given to the Registrar before its opening;
 - (ii) publication of a description of the invention at the time of an exhibition as aforesaid;
 - (iii) use of the invention for the purposes of an exhibition as aforesaid at the place of the exhibition;
- (b) publication was made by using the invention, without the consent of its owner, at the time of an exhibition as aforesaid, whether at the place thereof or outside it:

Provided that the patent application is filed within six months after the opening of the exhibition;

- (3) publication was by way of a lecture by the inventor before a scientific society or by way of publication of such a lecture in the official transactions of the society: Provided that the Registrar had been given notice of the lecture before it was delivered and that the patent application is filed within six months after publication as aforesaid.

7. — Notwithstanding the provisions of Section 2, no patent shall be granted for —

- (1) a method of therapeutic treatment of the human body;
- (2) new varieties of plants or animals, except microbiological organisms not derived from nature.

8. — A patent shall be granted for one invention only.

9. — Where more than one applicant has applied for a patent for the same invention, the patent shall be granted to he who first validly applied for it.

10. — (a) If a patent application is filed in Israel for an invention for which the owner thereof, or his predecessor in title, has already filed an application for protection in one of the Convention countries (such an application hereinafter referred to as a "foreign application"), the owner of the invention has the right to request that for the purposes of Sections 4, 5 and 9 the date of the foreign application be deemed to be the date of the application filed in Israel (such right hereinafter referred to as a "priority right") if all the following conditions are fulfilled:

- (1) the application in Israel has been filed within twelve months after the filing of the foreign application;
- (2) the claim for the priority right is made not later than two months after the filing of the application in Israel;
- (3) a copy of the specification filed with the foreign application, and of the drawings accompanying such specification, certified by a competent authority in the Convention country in which the foreign application was filed,

is submitted to the Registrar within the period prescribed by regulations;

- (4) it appears to the Registrar that the invention described in the foreign application and the invention for which a patent is applied for in Israel are *prima facie* identical in substance.

(b) If the claim for a priority right is based on more than one foreign application, and a priority right is claimed on the basis of each of those applications, the provisions of subsection (a) shall apply to each element of the invention in accordance with the date of the earliest foreign application relating to that element.

(c) If the claim for a priority right is based on a part of a foreign application, the provisions of subsection (a) shall apply as if that part had been filed abroad as a separate foreign application.

(d) A priority right may be claimed in respect of a part of a patent application, and the provisions of subsection (a) shall thereupon apply to that part only.

CHAPTER III

Patent Granting Procedure

Article 1

Patent Applications

11. — (a) A patent application shall be filed at the Office in the prescribed manner and form and accompanied by the prescribed fee, and it shall contain the name of the applicant, an address for service in Israel and a specification of the invention.

(b) If the applicant is a person other than the inventor, he shall indicate in the application how he became the owner of the invention.

12. — The specification shall contain a title by which it is possible to identify the invention, a description of the invention, with drawings as may be necessary, and a description of the manner of carrying out the invention such that a man of the art can carry it out according thereto.

13. — The specification shall end with a claim or claims defining the invention: Provided that each claim shall reasonably arise out of the description contained in the specification.

14. — When an application has been filed in the prescribed manner, the Registrar shall, as soon as possible, acknowledge to the applicant the fact and the date of the filing.

15. — The date of the patent application shall be the time at which it is first filed at the Office even if it is defective in form; but if on the face of it no invention is disclosed therein or if the name of the applicant is not stated or the fee payable for the filing of the application has not been paid, the application date shall be the time at which these requirements are fulfilled.

16. — (a) As soon as possible after the filing of the application at the Office, the Registrar shall, at the expense of the applicant, publish in *Reshumot* the title of the invention in

respect of which a patent is applied for, the name of the applicant, the application date and, if a priority right is claimed, the name of the Convention country in which the foreign application was filed, the date of filing thereof and the number or other identification mark given it by the authority with which it was filed.

(b) If an application for a priority right is filed after the fact of the application has already been published under subsection (a), the fact of the application shall be published again, at the expense of the applicant, including the additional particulars.

(c) The Minister of Justice shall, by order, prescribe the date of the coming into force of this Section.

Article 2

Examination and Acceptance of Application

17. — (a) The Registrar or an examiner shall examine whether —

- (1) the invention is patentable within the meaning of Chapter II;
 - (2) the application complies with the provisions of Article 1 of this Chapter;
 - (3) the publication expenses under Section 26 have been paid,
- and if the Registrar is satisfied that all these conditions are fulfilled, he shall accept the application and notify the applicant accordingly.

(b) Notwithstanding the provisions of subsection (a)(1), no examination shall be necessary if the invention is unpatentable by virtue of Section 4(2).

18. — (a) In the case of applications of certain classes which shall be prescribed, the Registrar or an examiner may use for the examination the following additional means, namely —

- (1) refer the specification to an international body with which the State has entered into a contractual relationship, for the purpose of a search for material enabling the examination;
- (2) require the applicant to submit a list of the material relied upon by the patent authority in a foreign country in examining a patent application for the same invention filed in that country by the applicant or his predecessor in the ownership of the invention.

(b) The Registrar shall give notice in *Reshumot* of the use of any means under subsection (a) and shall use such means in respect of all applications of the class specified in the notice.

19. — If the invention is found not to be patentable, wholly or in part, because of the existence of an earlier application which has not yet been published in accordance with Section 26, the Registrar or an examiner may, and shall if so requested by the applicant whose application has been found not to be patentable, direct that the examination of the later application be suspended until after the publication of the earlier application.

20. — If the Registrar or an examiner finds that the invention is not patentable or that the application does not comply with the provisions of Article 1 of this Chapter, he shall notify the applicant of the ground of unpatentability or the defects in the application.

21. — If the applicant has not, within the time prescribed by regulations, removed the ground of unpatentability of the invention or has not corrected the defects notified to him under Section 20, the Registrar shall refuse to accept the application.

22. — The applicant may, at any time before acceptance of the application, amend the specification either in consequence of a notification under Section 20 or of his own motion.

23. — If amendments of a substantive nature have been made in the specification, the Registrar may prescribe, for the purposes of Sections 4, 5 and 9 —

- (1) that, if it is possible to distinguish between those amendments and the existing specification, the date of the amendments shall be the date at which they were submitted to the Office;
- (2) that, if it is not possible to distinguish between the amendments and the existing specification, the date of the application as a whole shall be the date on which the amendments were submitted to the Office.

24. — (a) So long as the application has not been accepted, the applicant is entitled to request that it be divided into several applications.

(b) If the application contains more than one invention, the Registrar may, so long as he has not accepted the application, direct the applicant to divide it.

(c) Subject to the provisions of Section 23, the date of each of the applications resulting from a division under subsection (a) or (b) shall be the same as that of the application which has been divided.

25. — If the application has been filed by more than one applicant, and the Registrar is satisfied that the prosecution of the application is held up in consequence of a dispute between the applicants, he may act on the initiative of some of them, on such conditions as he may prescribe, provided that the initiators of the action give the applicants who are not parties thereto notice of every proceeding before the Registrar and of any amendment made in the specification; but the Registrar shall not entertain a request for the cancellation of the application save with the consent of all the applicants.

26. — (a) When an application has been accepted under this Article, the Registrar shall publish the fact of its acceptance in *Reshumot* at the expense of the applicant.

(b) The publication shall indicate —

- (1) the title of the invention and its class in accordance with the classification adopted by the Office;
- (2) the name of the applicant;
- (3) the application date;

- (4) if a priority right has been claimed — the Convention country in which the foreign application was filed, the date of filing thereof, and the number or other identification mark given it by the authority with which it was filed;
- (5) a description of what the Registrar believes to be the main features of the invention;
- (6) the address in Israel, as indicated to the Registrar, for the service of notices to the applicant;
- (7) any other particular relevant to the matter and which, in the opinion of the Registrar, should be included in the publication.

27. — The description published under Section 26(b)(5) of the main features of the invention shall not, in court or before the Registrar, be relied upon in construing the specification in any legal proceeding.

28. — Acceptance of the application shall be conclusive evidence that it contains only one invention and that the provisions as to the form of the application, specification and drawings have been complied with.

29. — After acceptance of an application under this Article, the applicant may amend the specification in the manner prescribed in Article 3 of Chapter IV as if he were the owner of a patent.

Article 3

Opposition to Grant of Patent

30. — Any person may, within three months from the date of publication of the application under Section 26, oppose the grant of a patent by written notice to the Registrar.

31. — The following are the grounds of opposition to the grant of a patent:

- (1) there exists a reason for which the Registrar was entitled to refuse acceptance of the patent application;
- (2) the invention is not patentable under Section 4(2);
- (3) the opponent, and not the applicant, is the owner of the invention.

32. — (a) The Registrar may accept the opposition, wholly or in part, or reject it or exercise in respect of the application his powers under Sections 18, 23 and 24.

(b) If the Registrar has demanded the division of the application, he shall not publish the resulting separate applications under Section 26.

33. — (a) Where opposition has been filed on the ground specified in Section 31(3), the opponent may request that the patent be granted to him, and the Registrar may, in addition to any other relief, grant the patent to the person who proves that he is the owner of the invention.

(b) The Registrar may include in proceedings under this Section any person who, in the opinion of the Registrar, has an interest in the matter.

34. — Where opposition has been properly filed under Section 30 and has subsequently been withdrawn, the Registrar may refuse to grant the patent applied for if, as a result

of the opposition, he has discovered material on the strength of which the application should not have been accepted in the first place.

Article 4

Grant of Patent

35. — If no opposition has been filed by the expiration of the period allowed for filing it, or if opposition has been filed but has been withdrawn or been finally rejected by the Registrar or the Court, and the Registrar has not exercised his power under Section 34, the patent shall be granted to the person who is the owner of the invention at the time.

36. — The grant of the patent shall be registered in the Register and a certificate to such effect shall be given to the owner thereof.

37. — The examination of the application and the grant of the patent shall not be a guarantee that the patent is valid, and the State or its employees shall bear no responsibility because of the grant thereof.

38. — The grant of the patent shall not constitute permission to use the invention in an unlawful manner or so as to infringe rights existing under any law.

39. — An inventor for whose invention a patent has been applied for, or his survivors, may request that his name be indicated in the specification, the Register and the patent certificate, and the Registrar shall accede to the request, subject to the provisions of Sections 40 and 41, provided that it is made within the time and in the manner prescribed.

40. — If the inventor or his survivors requests or request the indication of his name, and he or they are not the owner or owners of the invention or the patentee or patentees, the Registrar shall notify the owner of the invention or the patentee and, if opposition proceedings under Section 30 are pending at the time, any other person who is a party to those proceedings. The Registrar shall give his decision after hearing the arguments of those concerned if they have so requested within the time allowed.

41. — The Registrar shall not entertain a request for the indication of the name of the inventor if he considers that the request should be treated as an application upon the ground specified in Section 31(3) or 73.

42. — A stipulation by which the inventor waives the right to request the indication of his name shall be void.

43. — A person who has been named as the inventor shall not for that reason alone have any right whatsoever in the invention or the patent.

Article 5

Patent of Addition

44. — (a) A patentee who is the owner of an invention which is an improvement on or modification of the invention for which the patent (hereinafter referred to as "the main patent") has been granted, may request that a patent for the second invention be granted him as a patent of addition.

(b) A patent of addition shall be granted for an invention patentable as a patent of addition under subsection (a) even though it may not involve an inventive step beyond the invention covered by the main patent or by any patent of addition thereto.

(c) If an applicant has filed several applications, he may request that the patent for one of them be granted as a main patent and the patents for the others as patents of addition thereto, and subsections (a) and (b) shall apply *mutatis mutandis*.

45. — A patent of addition shall not be granted if the application therefor was filed before the date of the application for the main patent.

46. — The grant of a patent of addition shall be conclusive evidence that the subject-matter of such patent is an improvement on or modification of the main patent and that it is fit to be a patent of addition.

47. — A patent of addition shall be in force so long as the main patent is in force, and no fee under Section 56 shall be payable in respect thereof.

48. — (a) If the main patent is revoked under the provisions of Article 4 of Chapter IV or Article 2 of Chapter VII and the patent of addition is not revoked together with it, the patent of addition shall become an independent patent if the owner of the patent of addition so requests, and it shall remain in force until the expiration of the period for which the main patent would have remained in force if it had not been revoked, provided that the fees prescribed by Section 56 are paid on it at the times and in the amounts which were fixed for the fees leviable on the main patent.

(b) If a main patent is revoked to which there is more than one patent of addition, subsection (a) shall apply to all the patents of addition; however —

- (1) the fees prescribed by Section 56 shall be payable only in respect of the patent of addition the application date of which is the earliest, and all the other patents shall be deemed to be additional to it;
- (2) save in so far as one of the patents of addition constitutes an improvement on or modification of another, subsection (a) shall apply to each of them separately.

CHAPTER IV

The Patent, its Modification and Revocation

Article 1

Rights Deriving from Patent

49. — A patentee is entitled to prevent any other person from exploiting, without his permission or unlawfully, the invention for which the patent has been granted, whether in the manner defined in the claims or in a manner similar thereto and involving the main features, as defined in the claims, of the invention which is the subject-matter of the patent (exploitation as aforesaid hereinafter referred to as "infringement").

50. — (a) If the invention is a process, the patent shall apply also to the direct product of the process.

(b) A person who alleges that a particular product which in the ordinary course of things is a direct product of a patented process has not been manufactured by means of the process shall bear the burden of proof.

51. — A patent shall have effect against the State subject to the provisions of Chapter VI, but the provisions of the Civil Procedure Amendment (The State as a Party) Law, 5718-1958³, shall apply.

52. — The term of the patent shall be twenty years from the application date.

53. — A person who, on the determining date, exploits in Israel in good faith the invention for which the patent is applied for or makes in good faith actual preparations for its exploitation, shall be personally entitled to exploit that invention, in the course of his business, without paying a consideration; for the purpose of this provision, "the determining date" means the date on which the application for the grant of a patent in Israel is filed or, if a priority right under Section 10 is claimed for that application, the date of the filing of the foreign application on which the claim for the priority right is based.

54. — The right under Section 53 is not capable of transfer, devolution or transmission by way of inheritance except together with the business in which the invention was used.

55. — (a) The State may, as may be necessary for its requirements and without paying royalties or other compensation to the patentee or the holder of any other right in the patent, exploit an invention for which a patent has been granted to another person if —

- (1) it is also a service invention, within the meaning of Section 132, made by an employee bound to give notice under Section 137 before the date of filing of the application for a patent or, if a priority right is claimed for that application, before the date of the foreign application;
- (2) no protection has been claimed for the service invention as referred to in paragraph (1), either in Israel or elsewhere, by the inventor or the State or a person to whom rights in the invention have been transferred;
- (3) the service invention was registered before the date referred to in paragraph (1) in the registers prescribed for that purpose and in the manner prescribed.

(b) The provision of subsection (a) shall apply also to an invention made by a person not bound to give notice under Section 137 if the rights therein have been transferred to the State and the other conditions set out in the said subsection have been fulfilled in respect thereof.

(c) Where the State may exploit an invention under subsection (a), the Government may permit the exploitation thereof, for the purposes of the State only, by a person acting under a contract with the State.

(d) The provisions of this Section shall not derogate from the rights of a State employee under Chapter VIII, from the

³ *Sefer Ha-Chukkim* No. 251 of 5718, p. 118; *LSI* vol. XII, p. 138.

rights arising from an agreement or from rights granted to a person who has transferred the invention to the State.

Article 2

Payment of Fees a Condition of Maintenance

56. — A patent shall remain in force for the whole of the period prescribed in Section 52 if the patentee pays the fee prescribed with the approval of the Finance Committee of the Knesset (hereinafter referred to as the "renewal fee") at the times prescribed as aforesaid. If the fee is not paid, the patent shall lapse at the time prescribed for the payment of the fee.

57. — Where the renewal fee has not been paid at the time prescribed for the payment thereof, it may be paid within six months from that time with the addition of a fee of an amount prescribed, as it shall thereupon be deemed to have been paid at the time prescribed in Section 56 and the patent shall be deemed not to have lapsed.

58. — If the period allowed by Section 57 has passed without the fee being paid as specified in that Section, the Registrar shall publish in *Reshumot* a notice of the lapse of the patent.

59. — The owner of a patent which has lapsed by reason of non-payment of a renewal fee may apply to the Registrar, in the manner and form prescribed, for the restoration of the patent, provided that on filing the application (hereinafter referred to as the "restoration application") he pays the special fee prescribed for that purpose.

60. — If the Registrar is satisfied that the renewal fee has not been paid for reasonable cause, and that the patentee did not intend to let the patent lapse, and that the application for restoration of the patent was filed as soon as possible after the fact of non-payment had become known to the patentee or the person responsible on his behalf for the payment of the fee, he shall order publication of the application in *Reshumot* after the patentee has paid the renewal fee which had not been paid.

61. — Any person may oppose the restoration application within three months from the date of publication on the ground that the Registrar had no cause for ordering publication of the application in *Reshumot*.

62. — Where no opposition has been filed or where an opposition has been filed but has been rejected, the Registrar shall make an order for restoration, and he may make restoration subject to such conditions as he shall prescribe.

63. — Where a patent has lapsed and a person begins to exploit the invention in question in Israel, or makes actual preparations for exploiting it, after notice of the lapse is published under Section 58, such person is entitled to continue exploiting the invention, for the purpose of his business only, even after the patent is restored.

64. — The right of exploitation of an invention under Section 63 is not capable of transfer, devolution or transmission by way of inheritance, except together with the business in which the invention was used.

Article 3

Amendment of Patent

65. — A patentee may apply for an amendment of the patent specification for the purpose of a clarification or of the elimination of a mistake made in the specification or of a restriction of the claims.

66. — The Registrar shall permit an amendment if he is satisfied that it will not widen the scope of the claims in the specification or add to the specification things not originally contained therein in substance; notice of the grant of permission for the amendment shall be published in *Reshumot*.

67. — Any person may oppose before the Registrar the grant of permission to amend a specification. The opposition shall be by delivering a notice to the Registrar within three months from the publication of notice of the grant of permission to amend.

68. — The following are the grounds of opposition to the grant of permission to amend:

- (1) there exists a reason for which the Registrar was entitled to refuse permission to amend;
- (2) the amendment does not achieve the purpose intended by the application for amendment.

69. — (a) A patentee may apply for the correction of a clerical error in the specification, and the Registrar shall permit the correction if he is satisfied that it concerns a clerical error only.

(b) The Registrar may, of his own motion, with the consent of the patentee, correct any clerical error he finds in the specification.

70. — (a) Where an application for an amendment of a patent is filed while a proceeding for infringement or revocation of that patent is pending before the Court, the Registrar shall not deal with the application save by leave of the Court.

(b) If leave is given, the Registrar shall decide upon the application after giving all the parties to that proceeding an opportunity to be heard.

(c) Where court proceedings for an infringement of a patent are instituted after an application for an amendment of the patent has been filed with the Registrar, the Registrar shall continue to deal with the application unless the Court otherwise directs.

71. — Where no opposition to the amendment has been filed, or where opposition has been filed but has been rejected by a decision of the Registrar or by final judgment, or where leave to amend the specification is given by the Court under Section 190, the Registrar shall enter the amendment in the Register, and from the date of the entry the amended specification shall be deemed to have been accepted in this form from the outset.

72. — The registration of the amendment shall, unless obtained by fraud, be conclusive evidence that the amendment is permissible under Section 66.

Article 4

Revocation of Patent

73. — The Registrar may, upon the application of any person, revoke a patent on any ground on which the grant of a patent may be opposed.

74. — (a) Where an application for revocation is filed with the Registrar while a court proceeding for infringement or revocation of the same patent is pending, the Registrar shall not deal with the application save by leave of the Court.

(b) If leave is given, the Registrar shall decide upon the application after giving all the parties to that proceeding an opportunity to be heard.

(c) If court proceedings for an infringement of a patent are instituted after an application for its revocation is filed with the Registrar, the Registrar shall continue to deal with the application unless the Court otherwise directs.

75. — (a) A revocation order under this Article shall come into force upon the expiration of thirty days after the prescribed period of appeal: Provided that where an appeal has been filed, the Court may suspend the coming into force of the order or may make such coming into force or the suspension thereof subject to such conditions as it may think fit.

(b) Where a patent has been finally revoked under this Article or under Section 182, the Registrar shall enter the fact of the revocation in the Register, and the patent shall be deemed not to have been granted.

CHAPTER V

Ownership of Patents

76. — A person who files a patent application shall be regarded as the owner of the invention so long as the contrary is not proved.

77. — (a) An invention or patent may be owned by several persons jointly.

(b) Where an invention or patent is owned by several persons, they shall, for the purposes of their mutual rights, be deemed to own equal shares unless a different apportionment is laid down by a written agreement between them or by virtue of law.

78. — Each of the joint owners of a patent is entitled to exploit reasonably the invention which is the subject-matter of the patent, unless otherwise provided by written agreements between them or by virtue of law. However, if exploitation as aforesaid prevents such exploitation by another joint owner, the other joint owners may, at their option, demand of the exploiting joint owner an appropriate royalty or their share in the profits derived by him.

79. — A person who in good faith acquires from one of the joint owners a product for which a jointly owned patent exists or which was manufactured by a process protected by a patent as aforesaid shall be deemed to have acquired the product from a sole patentee. A person who alleges that the acquisition was not made in good faith shall bear the burden of proof.

80. — Each of the joint owners of a patent may transfer the ownership of his share without the consent of the other joint owners unless the parties have otherwise agreed between them and the fact of the agreement has been entered in the Register.

81. — (a) On the application of some of the joint owners of a patent, the Court may order the other joint owners to do certain acts for the exploitation of the patent or of any right therein or to grant a license thereunder, or may issue orders to them as to any other matter relating to the patent, and the Court may authorize one of the applicants to do the act in place of the respondents, all in accordance with the application and on such conditions as it may think fit.

(b) No order shall be made under this Section —

- (1) which is prejudicial to the rights or obligations of a trustee in bankruptcy, a receiver, a liquidator, an administrator or the executor of a will;
- (2) which is repugnant to any of the conditions of a written agreement between the joint owners of the patent.

82. — Rights in an invention or patent may be transferred in writing and may devolve by operation of law.

83. — The transfer of a patent by agreement shall not be effective towards any person other than the parties to the agreement unless it has been registered under this Law.

84. — A patentee, or the owner of an invention for which a patent has been applied for, may grant in writing an exclusive or non-exclusive license to exploit the invention for which the patent has been granted or applied for.

85. — An exclusive license under a patent confers upon its holder an exclusive right to act in accordance with Section 49, as if he were the patentee, and prohibits the patentee from exploiting in Israel the invention which is the subject-matter of the patent.

86. — A non-exclusive license under a patent confers the right to exploit, to the extent and on the conditions prescribed in the license, the invention which is the subject-matter of the patent.

87. — A license under a patent shall not be effective in respect of any person other than the parties to the license unless it has been registered in accordance with this Law.

88. — (a) A license to exploit a jointly owned patent shall only be granted with the consent of all the joint owners.

(b) This Section shall not derogate from the power of the Court under Section 81.

89. — A patentee may, in writing, charge the patent or the income thereof or both and — save as otherwise provided in this Law — the Pledges Law, 5727-1967⁴, shall apply to the charge.

90. — A charge on a patent shall not be effective with regard to any other creditor of the patentee or to a liquidator or to a trustee in bankruptcy of the patentee unless it is regis-

⁴ *Sefer Ha-Chukkim* No. 496 of 5727, p. 48.

tered in the Register within twenty-one days from the day on which it is created, and it shall be subject to any right in the patent which was granted before the creation of the charge and was duly registered under this Law. However, if the patent forms part of assets charged with a floating charge by a company or cooperative society which is the patentee, it shall not be necessary to register the floating charge in accordance with this Section.

91. — The grant of a license to exploit a patent which is subject to a charge, other than a floating charge, requires the written consent of the chargee.

92. — A charge on a patent can only be realized by leave of the Court, which may grant the chargee any relief it may think fit and, *inter alia*, appoint a receiver or order the sale of the patent.

93. — A receiver may, with the consent of the Court, sell the patent or grant a license for its exploitation, and he may, subject to any direction of the Court, collect the royalties or other payments to which the patentee is entitled *qua* patentee, whether their due date falls before the appointment of the receiver or thereafter.

CHAPTER VI

Powers of State

Article 1

Powers Required for the Security of the State

94. — (a) The Minister of Defense may, by order, if he deems it necessary so to do in the interests of the defense of the State, including the guarding of security secrets, and after consultation with the Minister of Justice —

- (1) direct the Registrar to refrain from doing, or postpone, in respect of a particular application, any act which he is required or permitted to do under this Law;
- (2) prohibit or restrict the publication or passing of information concerning a particular application.

(b) A copy of the order of the Minister of Defense shall be delivered to the applicant.

95. — The Minister of Defense may direct the Registrar to transmit to a person designated by him in that behalf a copy of any application of a particular class, and the Registrar may transmit to the Minister of Defense any application the subject-matter of which appears to him to be relevant to the defense of the State or which contains a security secret, all with a view to enabling the Minister to consider whether an order under Section 94 should be made in respect of the application. The Minister of Defense shall give his decision with regard to the application not later than four months after it is transmitted, and until he gives his decision or the said period expires, whichever is the earlier event, the Registrar shall not do any act in respect of the application, except acknowledge its receipt under Section 14.

96. — (a) The applicant may appeal against an order under Section 94 to an appeal committee of three members appointed by the Minister of Justice; they shall include a

Justice of the Supreme Court, who shall be the chairman of the committee, and a person recommended by the Minister of Defense.

(b) Notice of the appointment and address of the committee shall be published in *Reshumot*.

(c) The filing of appeal shall not stay the implementation of the order.

(d) The appeal committee may confirm, vary or rescind the order.

97. — The applicant may appeal against an order under Section 94 so long as the order is in force, and he may appeal again after a decision has been given on an appeal if, in his opinion, the circumstances which existed at the time of the decision have changed. However, the committee may order the applicant to pay costs if, in its opinion, there was no occasion for filing a further appeal.

98. — An Israel national, a permanent resident of Israel or any other person owing allegiance to the State shall not file outside Israel an application for a patent for an invention the subject-matter of which is arms or ammunition or which is otherwise of military value, or for an invention as dealt with by Section 95, unless —

- (1) he has received written advance permission from the Minister of Defense; or
- (2) he has filed in Israel an application in respect of that invention, and six months after the filing of that application the Minister of Defense has not made an order under Section 94 in respect thereof or, such an order having been made, it is no longer in force.

Article 2

Powers Concerning Inventions Relating to Nuclear Energy

99. — (a) Where it appears to the Minister that an invention for which a patent application has been filed is important for the development of the use of nuclear energy in Israel or that the publication of the invention may prejudice nuclear research in Israel, he may, by order, after consultation with the Minister of Justice —

- (1) direct the Registrar to refrain from doing, or postpone, in respect of that application, any act which he is required or permitted to do under this Law;
- (2) prohibit or restrict the publication or passing of information concerning that application.

(b) A copy of the order of the Minister shall be delivered to the applicant.

100. — The Minister may direct the Registrar to transmit to a person designated by him in that behalf a copy of any application of a particular class, and the Registrar may transmit to the Minister a copy of any application in respect of which it appears to the Registrar that an order under Section 99 should be made, all in order to enable the Minister to consider whether such an order should be made. The Minister shall give his decision with regard to the application not later than four months after it is transmitted to him, and until he gives his decision or the said period expires, whichever is the

earlier event, the Registrar shall not do any act in respect of the application, except acknowledge its receipt under Section 14.

101. — (a) The applicant may appeal against an order under Section 99 to an appeal committee of three members appointed by the Minister of Justice; they shall include a Justice of the Supreme Court, who shall be the chairman of the committee, and a person recommended by the Prime Minister.

(b) Notice of the appointment and address of the committee shall be published in *Reshumot*.

(c) The filing of appeal shall not stay the implementation of the order.

(d) The appeal committee may confirm, vary or rescind the order.

102. — The applicant may appeal against an order under Section 99 so long as the order is in force, and he may appeal again after a decision has been given on an appeal if, in his opinion, the conditions which existed at the time of the decision have changed. However, the committee may order the applicant to pay costs if, in its opinion, there was no occasion for filing a further appeal.

103. — An Israel national, a permanent resident of Israel or any other person owing allegiance to the State shall not file outside Israel an application for a patent for an invention as dealt with by Section 100 unless —

- (1) he has received written advance permission from the Minister; or
- (2) he has filed in Israel an application in respect of that invention, and six months after the filing of that application the Minister of Defense has not made an order under Section 99 in respect thereof or, such an order having been made, it is no longer in force.

Article 3

Use of Invention in the Interest of the State

104. — The Minister may permit the exploitation of an invention by Government Departments or by any enterprise or agency of the State, even though a patent has already been granted for it or applied for, if it appears to the Minister that it is necessary so to do in the interests of the defense of the State or the maintenance of essential supplies and services.

105. — The Minister may, if it appears to him that it is necessary so to do for the purposes mentioned in Section 104, grant a permit under that Section to a person operating under a contract with the State, with a view to ensuring or facilitating the execution of that contract and for the requirements of the State only.

106. — Upon the grant of a permit under this Article, the Minister shall notify the owner of the invention or the patentee or the holder of the exclusive license of the grant of the permit and the extent of the use permitted, unless otherwise required in the interest of the defense of the State.

Article 4

Obligation of State to Pay Compensation and Royalties

107. — Where an order under Section 94 or 99 has been made or where a permit under Section 98 or 103 has not been granted, the Treasury shall pay to the owner of the invention compensation at the rate fixed by agreement between the parties or, in the absence of agreement, by the compensation and royalty committee established under Section 109.

108. — Where a permit under Section 104 or 105 has been granted, the Treasury shall pay to the owner of the invention or the patentee or the holder of an exclusive license, as the case may be, royalties fixed by agreement between the parties or, in the absence of agreement, by the compensation and royalty committee.

109. — The Minister of Justice shall appoint a compensation and royalty committee, which shall decide upon claims for compensation and royalties under this Article. The members of the committee shall be a Justice of the Supreme Court, the Registrar and a member of the teaching staff of an institution of higher education, within the meaning of the Council for Higher Education Law, 5718-1958⁵.

110. — In determining royalties, the committee shall consider, *inter alia*, the extent and nature of the permitted exploitation, and it may take into account royalties stipulated in licenses the terms of which are similar to those of the permit.

111. — No court or tribunal shall deal with any matter within the jurisdiction of the compensation and royalty committee, and any decision given by the committee shall be final.

Article 5

General Provisions

112. — In this Chapter, "the Minister" means the Minister designated by the Government.

113. — An appeal committee under Section 96 or 101 and the compensation and royalty committee (such committees hereinafter referred to as "the committees") shall each prescribe their own rules of procedure in so far as they have not been prescribed by or under this Law.

114. — Proceedings before the committees shall not be open to the public unless the committee otherwise directs in respect of a particular matter, and no person shall publish anything concerning proceedings taken *in camera* except with the permission of the committee.

115. — (a) The committees shall have power —

- (1) to obtain any written or oral evidence which they consider necessary;
- (2) to summon any person to appear before them to give evidence or to produce any document in his possession, and to examine him and demand from him any document in his possession;
- (3) to compel the attendance of any person who has not complied with the summons and has not justified his

⁵ *Sefer Ha-Chukkim* of 5718, p. 191; *LSI* vol. XII, p. 217.

non-compliance to their satisfaction, order him to defray all the expenses caused by such non-compliance or by compelling his attendance, and fine him an amount of money not exceeding seventy-five pounds;

- (4) to require any witness to give evidence, on oath or affirmation, in the manner accepted in a court of law;
- (5) to fine an amount of money not exceeding seventy-five pounds any person who has been called upon to give evidence on oath or affirmation or to produce a document and who has refused to do so without reasonable justification:
Provided that no person shall be required to answer a question, or be fined for refusing to answer a question, if by answering it he might incriminate himself;
- (6) admit any written or oral evidence even if it would not be admissible in a civil or criminal trial;
- (7) award to a person summoned to attend a session of the committee an amount of money which, in the opinion of the committee, he has spent in consequence of his attendance.

(b) The compensation and royalty committee may order that the amount of compensation or royalty not in dispute be paid, wholly or in part, before the final decision.

CHAPTER VII

Restriction or Cancellation of Rights of Patentee in the Public Interest

Article 1

Compulsory Licenses

116. — In this Article —

“patented product” means a product for which or for the process of manufacture of which a patent has been granted;
“patentee” includes the holder of an exclusive license under the patent.

117. — (a) If the Registrar is satisfied that a patentee abuses his monopoly, he may grant a license to exploit the patented invention to a person who applies therefor in the prescribed manner and pays the prescribed fee.

(b) The Registrar shall not entertain an application under this Section unless it is filed after the expiration of three years from the date on which the patent was granted or four years from the date of the filing of the patent application, whichever is later.

118. — (a) Upon the expiration of the time referred to in Section 117, the Registrar may require the patentee to notify him, within sixty days of the date of the requisition, whether he exploits the patented invention in Israel by way of manufacture, and if so, the extent and place of manufacture.

(b) The Registrar shall require notification under this Section if he has been requested so to do in the prescribed form and the prescribed fee has been paid.

(c) If the patentee does not comply with the requisition within sixty days of the date thereof, or within an additional period allowed by the Registrar, such non-compliance shall

be regarded as an admission on his part that he abuses the monopoly conferred on him by the patent.

119. — The exercise of a monopoly conferred by a patent shall be regarded as abuse if one of the following circumstances exists in respect of the invention, product or process which is the subject-matter of the patent, and the patentee does not provide a reasonable justification for its existence:

- (1) the demand for the product is not supplied in Israel in full and on reasonable conditions;
- (2) conditions attached by the patentee to the supply of the product or to the grant of a license for its manufacture or use, and arising essentially out of the existence of the patent, are not fair in the circumstances of the case and do not take account of the public interest;
- (3) the exploitation of the invention by way of manufacture in Israel is impossible or restricted owing to importation of the product;
- (4) the product is not manufactured in Israel, and the patentee refuses to grant to a local manufacturer, on reasonable conditions, a license for its manufacture or use, whether for the requirements of the local market or for export purposes;
- (5) the patentee refuses to grant, on reasonable conditions, a license for the manufacture of the product, or the use of the process, in Israel and as a result —
 - (a) the export of a product from Israel is prevented or adversely affected; or
 - (b) the launching or development of a commercial or industrial venture in Israel is prevented.

120. — (a) Subject to the provisions of Section 122, the Registrar may, if he has been requested to do so and if it is necessary to do so in order to assure the public of a reasonable quantity of medical supplies, grant a license for —

- (1) a patented product capable of being used as a medication or for the manufacture of a medicament;
- (2) a patented process for the manufacture of a product as referred to in paragraph (1);
- (3) a patented device usable as a device for medical purposes or as part of such a device.

(b) This Section shall add to, and not derogate from, the powers of the Registrar under Section 117.

121. — (a) Where a patented invention (hereinafter referred to as “the later invention”) cannot be exploited without infringing an invention the application date for the patent of which is earlier (such an invention hereinafter referred to as “the earlier invention”), the Registrar may, on the application of the patentee of the later invention, grant him a license to exploit the earlier invention to the extent necessary for the exploitation of the later invention, provided that the later invention serves a different industrial purpose from the earlier invention or marks a considerable advance thereon.

(b) Where the earlier invention and the later invention serve the same industrial purpose, a license under subsection (a) shall be granted on condition that the owner of the later invention grants a similar license to the owner of the earlier invention if he so requests.

(c) In the case of a patent application for which a priority right is claimed under Section 10(a), the date of the foreign application, within the meaning of Section 10(a), shall be regarded as the patent application date for the purposes of this Section.

122. — In dealing with an application for a license under Section 117 or 120, the Registrar shall take into account, *inter alia*, the following factors:

- (1) the ability of the applicant to remedy the defect on account of which the license has been applied for;
- (2) the public interest, which generally requires that inventions capable of exploitation in Israel by way of manufacture should be so exploited to the greatest extent possible under existing circumstances and without delay;
- (3) the right to a reasonable remuneration, having regard to the nature of the invention, for the exploitation of the patented invention;
- (4) the safeguarding of the rights of any person who exploits in Israel, by way of manufacture, the invention to which the application for the license relates or who is engaged in developing that invention;
- (5) the nature of the invention, the time elapsed since the patent was granted, and the steps which are taken by the patentee, or by a person authorized by him, for the exploitation of the invention in Israel by way of manufacture.

123. — (a) A license under this Chapter shall not be granted except for the exploitation of an invention in Israel by way of manufacture or for the use thereof in Israel in the course of manufacture.

(b) A license under this Chapter shall not be granted except to a person capable of exploiting the invention as provided in subsection (a) to a reasonable extent.

(c) Notwithstanding anything provided in this Section, the Registrar may, in granting a license under Section 120, authorize the exploitation of the invention in another manner if it is not possible to exploit it by way of manufacture in Israel, or if it is not possible to supply the patented product in this manner to the extent of satisfying the demand for it, and the grant of the license is necessary in order to assure the public of a reasonable quantity of medical supplies at reasonable prices.

124. — (a) As soon as possible after the filing of an application for a license under this Chapter, the Registrar shall publish, at the expense of the applicant, a notice in *Reshumot* concerning the filing of the application, inviting any person interested in the application, or likely to be adversely affected by the grant of the license, to join the proceeding.

(b) If a person wishes to join the proceeding, he shall give notice to such effect in the prescribed manner and at the prescribed time and shall pay the prescribed fee, and upon his doing so he shall be deemed to be an applicant or respondent in the proceeding, as the case may be.

(c) This Section shall add to, and not derogate from, the provision of Section 159.

125. — A compulsory license under this Chapter shall come into force upon the passage of thirty days from the date of the decision of the Registrar or on a later date prescribed by the Registrar. Where an appeal is filed against the decision, the Court may suspend its coming into force or may attach conditions to such coming into force or to the suspension thereof.

126. — A license under this Chapter shall be a non-exclusive license, and the Registrar shall, upon granting it, prescribe the conditions thereof, including the royalties or other consideration payable by the licensee to the patentee, as may be reasonable and appropriate in the circumstances of the case, and *inter alia* —

- (1) circumstances under which the license shall be regarded as void, or under which it shall be revoked or its conditions varied;
- (2) the modes of determining the amount of the royalties or other consideration, and the time and mode of payment thereof;
- (3) the modes of marking the product produced under the license.

127. — The owner of a patent in respect of which a license has been granted under this Chapter may, in the prescribed form and manner, apply to the Registrar for a review of the license granted, on the ground that the circumstances which existed at the time of its grant have changed or that the licensee has infringed any of its conditions, and the Registrar may revoke the license or vary the conditions thereof if he is satisfied that it is right so to do.

128. — A license under this Chapter and the conditions thereof shall have the effect of a license granted under an agreement between the patentee and any other person who may be a party thereto, and the licensee.

Article 2

Revocation of Patents in the Public Interest

129. — (a) The Registrar may revoke a patent in respect of which a license has been granted under this Chapter if he is satisfied that the grant of the license has been unable to prevent the abuse of the monopoly which was the ground for such grant.

(b) The Registrar shall not entertain an application under this Section unless it is filed by a person qualified to receive a license and after the expiration of two years from the day on which a license under this Chapter was first granted in respect of the patent in question.

130. — The revocation of a patent, under Section 129, shall come into force upon the passage of sixty days from the date of the decision of the Registrar or on a later date prescribed by the Registrar. Where an appeal is filed against the revocation, the Court may suspend its coming into force or may attach conditions to such coming into force or to the suspension thereof.

CHAPTER VIII

Service Inventions

131. — Where an employee has arrived at any invention in consequence of his service or during the period of his service, he shall notify his employer thereof as soon as possible; an employee shall also notify his employer as aforesaid of any patent application filed by him.

132. — (a) An invention by an employee, arrived at in consequence of his service and during the period of his service (hereinafter referred to as a "service invention"), shall, in the absence of an agreement to the contrary between him and his employer, become the property of the employer, unless the employer renounces the invention within six months from the day on which the notification under Section 131 is delivered to him.

(b) If the employee, in his notification under Section 131, states that in the absence of a contrary reply from the employer within six months from the date of the said notification, the invention will become the property of the employee, and the employer does not make a reply as aforesaid, the invention shall not become the property of the employer.

133. — Where a dispute arises as to whether a particular invention notified under Section 131 is a service invention, the employee or the employer may, at the expiration of three months from the date of the notification, apply to the Registrar for a decision.

134. — In the absence of an agreement determining whether, to what extent and on what conditions the employee is entitled to a remuneration for a service invention, the matter shall be decided by the compensation and royalty committee established under Chapter VI.

135. — In giving a decision under Section 134, the compensation and royalty committee shall take into account, *inter alia*, the following factors:

- (1) the capacity in which the employee was employed;
- (2) the nature of the connection between the invention and the employee's work;
- (3) the initiative displayed by the employee in making the invention;
- (4) the possibilities of exploiting the invention and its actual exploitation;
- (5) expenses which according to the circumstances were reasonably incurred by the employee in order to secure protection of the invention in Israel.

136. — The compensation and royalty committee shall be competent to reconsider a decision under Section 134 if, in its opinion, the circumstances which existed at the time of the decision have changed and it has been requested to reconsider it; however, the committee may order the applicant to pay costs if, in its opinion, there was no occasion for making the request.

137. — A State employee, a soldier, a police officer or an employee of a State agency or enterprise designated by the Minister of Justice by order, or any other person who re-

ceives his wage from the State or from any such agency or enterprise as aforesaid, who makes an invention during the period of his service or who within six months after the termination of the period of his service makes an invention within the scope of the functions he exercised or of the work of the unit in which he was employed, shall notify it to the State Service Commissioner (hereinafter referred to as "the Service Commissioner") or to another public servant, as may be prescribed. A notification as aforesaid shall be delivered as soon as possible after the invention is made, but not later than the date at which the inventor proposes to file the patent application, in the manner prescribed in consultation with the Minister of Finance.

138. — A person obligated to make notification under Section 137 shall not file an application for a patent or other protection for his invention abroad unless —

- (1) he has received advance permission therefor from the Service Commissioner or from another public servant empowered in that behalf; or
- (2) within six months from the date on which he notified his invention under Section 137 it has not been decided that his rights in the invention have passed, wholly or in part, under Section 132 or by agreement, to the State or to the State agency or State enterprise at which he worked.

139. — A person who has delivered, or was obligated to make, a notification under this Chapter shall disclose to his employer, at any time, all the particulars of his invention and any further particular relevant to the purposes of Section 132, 135 or 140.

140. — A person who has made a service invention the ownership of which has passed, wholly or in part, to his employer, under Section 132 or by agreement, shall do everything required of him by the employer in order to obtain protection for the invention, in any place, in favor of the employer and to sign any document required therefor. If he fails to do so, the Registrar may permit the employer to do so after giving the employee an opportunity to be heard.

141. — So long as a patent application for a service invention has not been filed, the employee, the employer or any person to whom the matter has been confided shall not disclose particulars of the invention.

CHAPTER IX

Patent Attorneys

142. — There shall be entitled to be registered in the Register of Patent Attorneys and to receive a patent attorney's license any person who meets the following requirements:

- (1) he is a resident of Israel;
- (2) (a) he is registered in the Register of Engineers and Architects under the Engineers and Architects Law, 5718-1958⁶, in one of the branches of engineering, chemistry or physics; or

⁶ *Sefer Ha-Chukkim* No. 250 of 5718, p. 108; *LSI* vol. XII, p. 124.

(b) he has completed a course of study at an institution of higher education, within the meaning of the Council for Higher Education Law, 5718-1958, in one of the said branches; or

(c) he has completed abroad, in one of the said branches, a course of study at an institution of higher education or a higher technological institute approved for the present purpose by the Minister of Justice after consultation with the Council for Higher Education;

(3) he has passed, or been exempted from, examinations as referred to in Section 143;

(4) he has done qualifying service, for not less than two years, at the office of a patent attorney who has been practising his profession for not less than three years or at the Patent Office or at the patent department of an industrial enterprise;

(5) he has paid the prescribed fee.

143. — (a) A person who wishes to be registered in the Register of Patent Attorneys shall pass an examination in the prescribed manner in order to prove that he has an appropriate knowledge of the law of patents, designs and trademarks of Israel and other countries and of other relevant legislation, all as may be prescribed, and that he has command of the Hebrew language and knows at least two other languages to the extent required for his work.

(b) The examination shall be held by two or three examiners, who shall include not more than one patent attorney and shall be selected, in respect of each particular case, by the Minister of Justice, or a person appointed by him for that purpose, from a panel of examiners nominated by the Minister.

(c) The Minister of Justice may exempt particular classes of candidates from the examination if it can be otherwise proved, in such manner as shall be prescribed, that they possess the knowledge required in an examination under subsection (a).

144. — The Minister of Justice may prescribe that particular classes of candidates shall be exempt from the whole or part of the duty of qualifying service under Section 142(4).

145. — A person who has been registered in the Register of Patent Attorneys shall be granted a patent attorney's license and shall remain registered in such Register so long as he pays the prescribed fee at the prescribed times.

146. — The Minister of Justice shall, generally or for a particular case, appoint a disciplinary committee of three members, viz. a person qualified to be a judge, who shall be the chairman of the committee, and two other members, of whom at least one shall be a patent attorney.

147. — (a) The Attorney-General or the Registrar may file with the disciplinary committee a complaint against a patent attorney.

(b) If the Minister of Justice has not appointed a disciplinary committee by general appointment, the complaint shall be filed with the Minister of Justice, who shall thereupon appoint a committee under Section 146 and refer the complaint to it.

148. — If the disciplinary committee finds that a patent attorney —

(1) has been convicted of a criminal offense involving ignominy; or

(2) has permitted his name as a patent attorney to be used for the benefit of a person not being a patent attorney; or

(3) has been negligent in the discharge of his functions; or

(4) has acted improperly in the discharge of his functions, it shall recommend to the Minister of Justice one of the following disciplinary punishments: a warning, the suspension of the license, the revocation of the license.

149. — Where the disciplinary committee recommends a punishment as referred to in Section 148, the patent attorney may appeal to the Supreme Court within thirty days from the day on which notice of the recommendation is delivered to him, and a person who filed a complaint against a patent attorney under this Chapter may appeal as aforesaid against the recommendation of the disciplinary committee or against the dismissal of his complaint.

150. — A disciplinary committee shall not try a patent attorney or take evidence in his case except in his presence and after he has been summoned to attend before it and the complaint has been notified to him. Before the decision is given, he shall be afforded an opportunity to be heard. If the patent attorney does not attend before the committee after being summoned twice, the committee may try him, take evidence and deal with the matter in his absence and may give its decision without hearing him.

151. — A disciplinary committee shall have all the powers of committees under Section 115(a).

152. — (a) The Minister of Justice shall impose upon the patent attorney the disciplinary punishment which the disciplinary committee has recommended.

(b) The Minister of Justice shall not implement the recommendation of the disciplinary committee so long as the period of appeal under Section 149 has not expired; if an appeal has been filed, the recommendation shall not be implemented until the Supreme Court has given its decision.

(c) The Minister of Justice may publish in *Reshumot* any disciplinary punishment imposed on a patent attorney under Section 148.

(d) Where the license of a patent attorney has been revoked, his name shall be struck from the Register of Patent Attorneys.

153. — The conviction or acquittal of a person in a disciplinary proceeding under this Chapter shall not affect any power to take a criminal proceeding or another disciplinary proceeding against him on the same ground on which the disciplinary proceeding under this Law was taken.

154. — (a) A patent attorney shall have an exclusive right to deal in Israel, for remuneration, with applications for patents, designs and trademarks and with the preparation of any document to be submitted to the Registrar, the Office

or an authority for the protection of industrial property in another country and to represent parties, and handle matters, in any proceeding before the Registrar or at the Office.

(b) This Section shall not affect the right of an advocate or of a State employee to perform the said acts within the scope of his functions.

155. — A patent attorney shall, by leave of the Court, have the right to plead in court, on behalf of a party to proceedings under this Law, as to any matter relating to an invention or a patent and not being a point of law, provided that the advocate of that party is present at the time.

CHAPTER X

The Office and the Registrar

156. — There shall be established an office to be known as the Patent Office and which shall carry out, through the Registrar, the examiners and its other personnel, the activities assigned to it by this Law, and which shall, moreover—

- (1) give information to the public concerning patents that have been granted;
- (2) maintain a library, and a publication service, for material relating to patents;
- (3) maintain contact with the international organizations concerned with the protection of industrial property.

157. — (a) The Office shall be headed by the Registrar of Patents, who shall be appointed by the Minister of Justice.

(b) The Registrar shall be a person qualified to be a Judge of a District Court.

(c) In carrying out his judicial functions under this Law, the Registrar shall be subject to no authority other than that of the law.

158. — (a) The Minister of Justice may appoint a Deputy Registrar.

(b) A Deputy Registrar shall be a person qualified to be a Judge of a District Court or a person who was registered for not less than five years in the Register of Patent Attorneys.

(c) A Deputy Registrar may carry out any function assigned to the Registrar by this Law, except functions assigned to him by Sections 109 and 157. He may exercise any power vested in the Registrar, except his powers under Sections 34, 73 and 133 and under Chapters VII and IX.

(d) Any act validly done by a Deputy Registrar shall, for the purposes of this Law, have the effect of an act done by the Registrar.

159. — The Registrar shall exercise any power conferred on him by this Law after giving every person who, in the opinion of the Registrar, is likely to be adversely affected by his decision an opportunity to be heard.

160. — A decision by the Registrar shall be in writing and shall be delivered, in the prescribed manner, to every person who was a party to the proceedings in which it was given.

161. — It shall be permitted to object to any decision or act of an examiner and to demand that the matter be brought before the Registrar.

162. — (a) In any contested case brought before the Registrar under this Law, the Registrar shall give the parties an opportunity to produce their evidence and to present their arguments in writing and orally in such a way and form, at such times and in such manner as shall be prescribed.

(b) The Registrar may order the payment of reasonable expenses and direct which of the parties shall pay the expenses and how they shall be paid.

(c) An order under subsection (b) shall be enforceable as if it were a court judgment.

163. — (a) Subject to any provision of this Law or of regulations made thereunder, evidence given before the Registrar shall be by written affidavit, and the Registrar shall, if he has been requested so to do and sees no reasonable ground for not doing so, permit the person making the affidavit to be cross-examined.

(b) In taking oral evidence, the Registrar shall have all the powers of a court as to the swearing of witnesses, the acceptance of declarations from them and compelling their attendance and to other matters connected therewith and with the giving of evidence.

164. — (a) The Registrar may, if he sees reasonable grounds for doing so, extend any time prescribed by this Law or by regulations thereunder for the doing of anything at the Office or before the Registrar, except the times prescribed by Sections 10(a)(1) and (2), 30, 56 and 57: Provided that the Registrar may extend the time prescribed by Section 10(a)(1) if he is satisfied that the application in Israel was not filed in time because of circumstances over which the applicant and his representative had no control and which they could not have prevented from arising.

(b) The Registrar may make the extension of time dependent on such conditions as he may think fit.

(c) An application for extension of time may be filed within or after the period originally allowed.

165. — (a) Save as otherwise provided in this Law, the Registrar and every other member of the Office, and any other person to whom information has been passed by virtue of Section 18(a)(1), 95, 96, 100, 101 or 109, shall keep secret every patent application so long as it has not been published under Section 26.

(b) Save as required for carrying into effect the provisions of this Law or for filing a criminal action thereunder, a person shall not disclose any information which reached him in the course of the implementation of this Law and which has not been made accessible to the public.

166. — (a) A "Register of Patents" shall be kept at the Office in which shall be recorded the matters prescribed by this Law and such further particulars as have been prescribed or as the Registrar may think fit.

(b) Where a person, in a proceeding under this Law, indicates his address to the Office, such address shall be his address for the service of notices and documents for the purposes of any matter under this Law.

167. — All the documents in the possession of the Office relating to the examination of a patent application by the

Office or to the validity of or rights in a patent or to any other matter calculated to affect the validity of or rights in a patent — except internal correspondence between members of the Office and other documents otherwise provided for by regulations — shall be retained at the Office for not less than seven years from the day on which the patent expires.

168. — (a) The Register and the documents to be retained under Section 167 shall be open for inspection by the public: Provided that documents relating to a patent application not yet published under Section 26 shall not be open for inspection.

(b) Any person shall be entitled to receive an extract certified by the seal of the Office from any entry in the Register or from any document open for inspection under this Section if he so requests in the prescribed manner and pays the prescribed fee.

169. — (a) The transferee of rights in a patent or in an invention for which a patent application has been filed may apply to the Registrar for registration as the owner of those rights, and if the transfer has been proved to the satisfaction of the Registrar and the prescribed fee has been paid, the transfer of rights shall be recorded in the Register or the application file.

(b) The Minister of Justice may prescribe the manner of serving judgments establishing a transfer of rights in a patent or in an invention for which a patent application has been filed. If the Minister has so prescribed and a judgment has been served in the said manner, then, notwithstanding the provisions of subsection (a), the Registrar shall record the transfer established by the judgment.

170. — (a) On the application of an interested person, to be filed in the prescribed manner and form, the Registrar may rectify an entry in the Register or any document issued by him or filed at the Office if, in his opinion, the Register or document does not reflect the facts and no other way of effecting the rectification is provided for by this Law.

(b) The Registrar shall give notice of an application under this Section to any person likely to be adversely affected by the rectification, inviting him to submit to the Registrar his arguments concerning the requested rectification within the time stated in the notice, and the Registrar shall not decide upon the application before the expiration of the said time.

171. — The Registrar may, if requested to do so in the prescribed form and manner, correct a clerical error in the Register or in a document issued by him or by the Office.

172. — The Registrar may make a rectification under Section 170 or 171 of his own motion after giving every person who in his opinion is likely to be adversely affected by the rectification an opportunity to be heard.

173. — (a) No document or deed transferring a patent, an invention for which a patent application has been filed or an interest in an invention as aforesaid or in a patent shall be admitted in court as evidence of title to the invention, patent or interest unless it has been registered under Section 169 or the Court sees a reason for admitting it.

(b) Notwithstanding the provision of subsection (a), documents as aforesaid shall be admitted as evidence in any proceeding concerning a rectification of the Register under Section 170.

174. — A person who considers himself aggrieved by a decision of the Registrar under this Law, including a decision not to hear him under Section 159, may appeal to the Court within the prescribed time.

175. — Any person other than the appellant who was a party to the proceedings before the Registrar shall be a respondent in the appeal. If there was no other party, the Registrar shall be the respondent.

176. — An appeal against a decision of the Registrar refusing acceptance of a patent application before publication under Section 26 shall be heard *in camera* unless the Court, on the application of the appellant, otherwise directs.

177. — The Court which hears the appeal may take evidence, both evidence which has already been taken by the Registrar and other evidence, and it may demand that the evidence be presented by affidavit or in such other manner as it may think fit. Where evidence is presented by affidavit, Section 163(a) shall apply *mutatis mutandis*.

CHAPTER XI

Infringement of Patent

178. — (a) Only the patentee or the holder of an exclusive license shall be entitled to bring an action for infringement.

(b) In the case of a patent in joint ownership, each joint owner may bring an action for infringement.

(c) If the patentee or any of the joint owners or the exclusive licensee has not joined the action for infringement as a plaintiff, he shall be included therein by the plaintiff as a defendant.

(d) A person who has been included in the action as a defendant under this Section but has not taken part in the proceeding shall not be required to pay costs.

179. — An action for infringement shall not be brought until the patent has been granted; but when an action for infringement has been brought, the Court may grant relief for an infringement committed after the date of publication under Section 26.

180. — The exploitation of a patented product which has been validly forfeited to the State shall not constitute infringement.

181. — There shall not be regarded as infringement —

- (1) the use of an invention patented in Israel in the body of a vessel registered in a Convention country other than Israel, or in the machinery, tackle, apparatus or other accessories thereof, if the vessel is in the territorial waters of Israel temporarily or accidentally and the invention is used exclusively for the needs of the vessel;
- (2) the use of an invention patented in Israel in the construction or working of an aircraft or land vehicle regis-

tered in a Convention country other than Israel, or of the accessories thereof, if the aircraft or vehicle is in Israel temporarily or accidentally.

182. — Any ground upon which the grant of a patent may be opposed shall be a good defense in an action for infringement. If the Court allows the defense, it shall order that the patent be revoked, wholly or in part, as the case may be.

183. — (a) In an action for infringement, the plaintiff shall be entitled to relief by way of injunction or damages.

(b) In awarding damages, the Court shall have regard to the act constituting the infringement and to the position of the plaintiff in consequence of that act, and it may take into account, *inter alia* —

- (1) the direct damage caused to the plaintiff;
- (2) the extent of the infringement;
- (3) the profits derived by the infringer from the act constituting the infringement;
- (4) reasonable royalties which the infringer would have had to pay if he had been granted a license to exploit the patent to the extent to which he infringed it.

(c) Where an infringement was committed after the patentee or the holder of the exclusive license has warned the infringer, the Court may order the infringer to pay punitive damages, in addition to damages fixed under subsection (b), of an amount not exceeding the amount of such last-mentioned damages.

(d) Where damages have been claimed, the Court may order the defendant to render an account of the extent of the infringement; however, in fixing the amount of the damages, the Court shall not be bound by the account but may fix the amount in accordance with all the circumstances of the case. This provision shall not derogate from the rules of procedure concerning the rendering of accounts.

184. — Where part of a patent in respect of which an action for infringement has been brought has been revoked, such fact shall not by itself deprive the plaintiff of damages for the infringement; but the Court may refuse to award damages if the claims in the specification of the original patent were not worded in good faith or were not worded clearly.

185. — Where a patent was infringed before leave to amend one of the claims in the specification was given, and damages for the infringement were claimed after the giving of such leave, the Court may refuse to take the giving of leave into account if the claims in the specification of the original patent were not worded in good faith or were not worded clearly.

186. — The Court may refuse to award damages for the infringement of a patent which was committed in the period between the time for the payment of the fee under Section 56 and its actual payment under Section 57.

187. — (a) A person who intends to exploit any process or product may petition the Court for a declaration that such exploitation is not an infringement of a patent specified in the petition.

(b) The patentee or exclusive licensee shall be the respondent to the petition.

(c) The Court shall not grant the declaration unless the petitioner has given the patentee full particulars of the product or process he wishes to use, has requested of him the declaration for which he petitions the Court, and the respondent has refused to give the declaration or has not given it within a reasonable period; but the Court shall not reject a petition by reason only that it was filed before, in the opinion of the Court, the reasonable time for the giving of the declaration by the respondent had passed.

(d) The costs of all the parties shall be paid by the petitioner for the declaration unless the Court otherwise directs.

(e) In proceedings under this Section, the plea that the patent is invalid shall not be heard, and the grant or refusal of the declaration shall not be deemed to decide the question of validity.

CHAPTER XII

Jurisdiction and Penalties

188. — (a) The Court for the purposes of this Law, except for actions for infringement, shall be the District Court of Jerusalem; but the Minister of Justice may, by order, direct that the powers of a Court under this Law shall vest also in such other District Courts as he may prescribe.

(b) The Court for actions for infringement shall be the District Court which has jurisdiction in the matter under any other law.

189. — (a) In proceedings under this Law, the Court may appoint a scientific adviser, who shall assist it in taking evidence and advise it, but who shall not take part in giving judgment.

(b) The remuneration of the scientific adviser shall be fixed by the Court and shall be paid out of the Treasury.

190. — In any proceeding under this Law, the Court may, on the application of the patentee, order an amendment of the specification on the grounds set out in Section 65 or 69, and the provisions of Sections 66 and 67 shall apply thereto *mutatis mutandis*.

191. — Where the Court has given leave to the Registrar to hear an application for amendment under Section 70 or an application for revocation under Section 74, it may suspend the proceedings in an action pending before it in the matter of that patent, for such period and on such conditions as it shall prescribe; but each party may apply to the Court at any time for a variation of the suspension order or for the revocation thereof.

192. — (a) The following shall be liable to a fine of 5,000 pounds:

- (1) a person who, not being a patent attorney, does any act reserved by this Law to a patent attorney;
- (2) a person who, not being a patent attorney, holds himself out to be a patent attorney;
- (3) a person who, during a period in which his patent attorney's license is suspended, does any act reserved by this Law to a patent attorney.

(b) Subsection (a)(1) shall not apply to an advocate or State employee acting in the discharge of his functions under Section 154(b).

193. — (a) A person who publishes or passes information in contravention of a direction issued under Section 94 or 99 or who contravenes the provisions of Sections 98, 103, 114, 137, 138, or 165 shall be liable to imprisonment for a term of two years or to a fine of 20,000 pounds.

(b) The Courts in Israel shall be competent to try an offense under Sections 98, 103, 138 or 165 committed abroad.

(c) The provisions of this Section shall add to, and not derogate from, the provisions of any other law.

CHAPTER XIII

Implementation and Regulations

194. — The Minister of Justice is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation and, *inter alia*, as to —

- (1) registration procedure;
- (2) rules of procedure in proceedings under this Law;
- (3) the form of the application and specification and the modes of exemplifying the invention in the specification;
- (4) the fees payable in respect of applications filed with the Office, acts of the Office, the registration or renewal of patents, and other matters in respect of which a fee is payable;
- (5) the publication and sale of abridgments of specifications and drawings on behalf of the Registrar and the regulation of other publications undertaken by the Office;
- (6) the preparation, printing, publication and sale of patent specifications by the Office;
- (7) the procedure for the registration of patent attorneys by the Office.

CHAPTER XIV

Commencement and Transitional Provisions

195. — This Law shall come into force on the 3rd Nisan, 5728 (April 1, 1968), and from that date onwards the Patents and Designs Ordinance⁷ shall no longer apply to the grant of patents on inventions and to the validity thereof; however —

- (1) the said Ordinance shall apply to a patent granted before the coming into force of this Law as to any matter relating to patentability and validity;
- (2) a patent sought by an application regarding which notification has been made under Section 10 of the Ordinance shall be granted in the manner prescribed by the Ordinance, and when it has been granted, paragraph (1) shall apply to it;
- (3) a register which was kept under the Ordinance shall have the same validity as the Register kept under this Law;
- (4) the person appointed to be Registrar under the Ordinance shall be deemed to have been appointed Registrar under this Law.

196. — From the date of the coming into force of this Law, no person shall deal with the registration of patents unless he be a person registered as a patent attorney under this Law or an advocate or a State employee acting in the discharge of his functions under Section 154(b); however —

- (1) an individual registered as a patent agent under the Patents and Designs Ordinance shall be entitled to be registered as a patent attorney under this Law,
- (2) an individual who is a partner in a firm registered as a patent agent under the Ordinance, and an individual employed by a firm as aforesaid, shall be entitled to be registered as patent attorneys under this Law if they have engaged to a considerable extent, to the satisfaction of the Registrar, in work reserved by this Law to a patent attorney;

provided that they apply for registration as aforesaid in the period between the publication of this Law in *Reshumot* and its coming into force; and when they have done so, they shall not have to pay a registration fee under Section 142(5).

ITALY

Decrees

Concerning the Temporary Protection of Industrial Property Rights at Seventeen Exhibitions

(of January 21, 23, 27 and 30, and February 6, 10, 11 and 13, 1969)¹

Single Article

Industrial inventions, utility models, designs and trademarks relating to objects appearing at the following exhibitions:

- Rassegna internazionale elettronica nucleare e teleradiocinematografica* (Rome, March 18 to 30, 1969);
 XXXIII^a *Mostra mercato internazionale dell'artigianato* (Florence, April 24 to May 8, 1969);
 XV^o *Salone nazionale della calzatura, macchine, pelletterie, materie prime, accessori* (Padua, April 25 to 27, 1969);
 MITAM — *Mercato internazionale per l'abbigliamento-arredamento* (Milan, May 13 to 16, 1969);
 V^a *Settimana della vita collettiva* (Rome, May 13 to 18, 1969);
 XLVII^a *Fiera di Padova campionaria internazionale* (Padua, May 29 to June 9, 1969);
 XVI^a *Mostra internazionale avicola* (Varese, May 31 to June 5, 1969);
 XVII^a *Fiera di Roma campionaria internazionale* (Rome, May 31 to June 15, 1969);
 XXI^a *Fiera di Trieste campionaria internazionale* (Trieste, June 15 to 29, 1969);
 XII^a *Fiera internazionale della casa, edilizia, abbigliamento, arredamento, alimentari* (Naples, 21 juin au 6 juillet 1969);
 XXX^a *Fiera di Messina campionaria internazionale* (Messina, August 3 to 18, 1969);
 XXXIII^o *Salone internazionale della calzatura, del cuoio, delle macchine e degli affini* (Vigevano, August 30 to September 5, 1969);

⁷ *Laws of Palestine* vol. II, cap. 105, p. 1076 (English Edition).

¹ Official communications from the Italian Administration.

XXIII^a Fiera campionaria nazionale del Friuli-Venezia-Giulia
(Pordenone, August 31 to September 14, 1969);

XXIV^a Mostra internazionale delle industrie per le conserve alimentari (Conserve, imballaggi, impianti ed attrezzature industriali) (Parma, September 20 to 28, 1969);

III^a Mostra internazionale dei servizi pubblici "SEP" (Padua, September 25 to 29, 1969);

VII^a Mostra internazionale dei trasporti interni e del magazzino - manutenzione degli impianti - container "TRAMAG" (Padua, October 9 to 13, 1969);

IV^a Esposizione internazionale delle attrezzature per il commercio ed il turismo Expo CT 69 (Milan, October 18 to 26, 1969)

shall enjoy the temporary protection provided by Laws No. 1127 of June 29, 1939², No. 1411 of August 25, 1940³, No. 929 of June 21, 1942⁴, and No. 514 of July 1, 1959⁵.

² See *La Propriété industrielle*, 1939, p. 124; 1940, p. 84.

³ *Ibid.*, 1940, p. 196.

⁴ *Ibid.*, 1942, p. 168.

⁵ *Ibid.*, 1960, p. 23.

GENERAL STUDIES

New Patent Legislation in Israel *

The Patent Law, 5727-1967

By Ze'ev SHER, Deputy Attorney-General, Israel

**The Development
of an International Reference System for Patent
Applications and Patent Office Publications,
Derived from Present Practice in Patent Offices**

By Otto BOSSUNG, Munich

LETTERS FROM CORRESPONDENTS

Letter from Austria

By Dr. Wilhelm KISS-HORVATH, Vienna

CALENDAR OF MEETINGS

BIRPI Meetings

June 9 to 12, 1969 (Ahidjan) — African Committee of Experts

Object: To draft model statutes for societies of authors in African States — *Invitations:* Congo (Kinshasa), Ghana, Ivory Coast, Kenya, Malawi, Nigeria, Senegal, Tunisia — *Observers:* Intergovernmental and non-governmental organizations concerned — *Note:* Meeting convened jointly with Unesco

June 20 and 21, 1969 (Geneva) — 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

August 29, 1969 (Geneva) — Information Meeting of International Non-Governmental Organizations

Object: To appoint observers to the International Copyright Joint Study Group — *Invitations:* Interested Organizations — *Note:* Meeting convened jointly with Unesco

September 17, 1969 (Geneva) — Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) — Technical Coordination Committee (2nd Session)

September 18 and 19, 1969 (Geneva) — Paris Union Committee for International Cooperation in Information Retrieval Among 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 Lisbon Union for the Protection of Appellations of Origin and their International Registration (4th Session)

Object: Annual Meeting — *Invitations:* All member States of the Lisbon Union — *Observers:* All other member States of the Paris Union

September 29 to October 3, 1969 (Washington) — International Copyright Joint Study Group

Object: To examine all questions concerning international copyright relations — *Invitations:* Argentina, Australia, Brazil, Canada, Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), India, Italy, Ivory Coast, Japan, Kenya, Mexico, Netherlands, Nigeria, Peru, Philippines, Rumania, Senegal, Spain, Sweden, Tunisia, United Kingdom, United States of America, Yugoslavia — *Observers:* Organizations to be designated — *Note:* Meeting convened jointly with Unesco

December 10 to 12, 1969 (Paris) — Intergovernmental Committee Rome Convention (Neighboring Rights), convened jointly by BIRPI, ILO and Unesco (2nd Session)

December 15 to 19, 1969 (Paris) — Permanent Committee of the Berne Union (14th Ordinary Session)

Meetings of Other International Organizations Concerned with Intellectual Property

May 19 to 22, 1969 (Prague) — International Federation of Musicians — Executive Committee

May 25 to 29, 1969 (Vienna) — International League Against Unfair Competition (LICCD) — 21st Congress

May 31 to June 7, 1969 (Istanbul) — 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

June 23 to 27, 1969 (Paris) — Unesco — Subcommittee of the Intergovernmental Copyright Committee

June 24 to 26, 1969 (The Hague) — International Patent Institute (IIB) — 101st Session of the Administrative Council

July 1 to 5, 1969 (Moscow) — Moscow Jubilee Symposium 1969 (Industrial Property)

July 2 to 7, 1969 (Moscow) — International Writers Guild (IWG) — 2nd Congress

September 8 to 12, 1969 (Nuremberg) — International Federation of Musicians — 7th Ordinary Congress