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WORLD INTELLECTUAL PROPERTY ORGANIZATION

WIPO Convention

Ratifications

GABON

The Government of Gabon deposited on March 6, 1975, its instrument of ratification of the Convention Establishing the World Intellectual Property Organization (WIPO).

Gabon has fulfilled the condition set forth in Article 14(2) of the Convention by concurrently ratifying the Stockholm Act (1967) of the Paris Convention for the Protection of Industrial Property in its entirety and acceding to the Paris Act (1971) of the Berne Convention for the Protection of Literary and Artistic Works, as provided for in Article 29^{bis} of that Act.

Pursuant to Article 15(2), the WIPO Convention will enter into force with respect to Gabon on June 6, 1975.

WIPO Notification No. 78, of March 10, 1975.

MEXICO

The Government of Mexico deposited on March 14, 1975, its instrument of ratification of the WIPO Convention.

By virtue of Article 29^{bis} of the Paris Act (1971) of the Berne Convention, Mexico, which was not bound by Articles 22 to 38 of the Stockholm Act (1967) of the said Convention, having ratified the Paris Act (1971), fulfills the condition set forth in Article 14(2) of the WIPO Convention.

Pursuant to Article 15(2), the WIPO Convention will enter into force with respect to Mexico on June 14, 1975.

WIPO Notification No. 79, of March 20, 1975.

NIGER

The Government of Niger deposited on February 18, 1975, its instrument of ratification of the WIPO Convention.

Niger has fulfilled the condition set forth in Article 14(2) of the Convention by having previously ratified the Stockholm Act (1967) of the Paris Convention and by concurrently acceding to the Paris Act (1971) of the Berne Convention as provided for in Article 29^{bis} of that Act.

Pursuant to Article 15(2), the WIPO Convention will enter into force with respect to Niger on May 18, 1975.

WIPO Notification No. 77, of February 21, 1975.

INTERNATIONAL UNIONS

Paris Convention

Ratification of the Stockholm Act

GABON

The Government of Gabon deposited on March 6, 1975, its instrument of ratification of the Paris Convention for the Protection of Industrial Property of March 20, 1883, as revised at Stockholm on July 14, 1967.

Concurrently with depositing the said instrument of ratification, Gabon indicated, pursuant to Article 16(4)(b), that it wished to belong to Class VII.

Pursuant to the provisions of Article 20(2)(c) and (3), the Stockholm Act of the Paris Convention will enter into force with respect to Gabon on June 10, 1975.

Paris Notification No. 69, of March 10, 1975.

Lisbon Agreement

Accession

GABON

The Government of Gabon deposited on March 6, 1975, its instrument of accession to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration of October 31, 1958, as revised at Stockholm on July 14, 1967.

Pursuant to the provisions of Article 14(5)(b), the Lisbon Agreement as revised at Stockholm will enter into force with respect to Gabon on June 10, 1975.

Lisbon Notification No. 12, of March 10, 1975.

Patent Cooperation Treaty (PCT)**Accession****GABON**

The Government of Gabon deposited on January 28, 1975, its instrument of accession to the Patent Cooperation Treaty (PCT) adopted at Washington on June 19, 1970.

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

PCT Notification No. 8, of March 10, 1975.

Trademark Registration Treaty (TRT)**Accession****GABON**

The Government of Gabon deposited on March 6, 1975, its instrument of accession to the Trademark Registration Treaty (TRT) adopted at Vienna on June 12, 1973.

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

TRT Notification No. 3, of March 10, 1975.



PLANT VARIETIES
**Convention for the Protection of New Varieties
of Plants**
Ratification of the Additional Act
FRANCE

The Government of France deposited on January 22, 1975, its instrument of ratification of the Additional Act of

November 10, 1972, Amending the International Convention for the Protection of New Varieties of Plants.

A separate notification will be made of the entry into force of the Additional Act when the required number of ratifications is reached.

UPOV Notification No. 4, of February 21, 1975.



CONVENTIONS NOT ADMINISTERED BY WIPO
**European Convention
on the International Classification
of Patents for Invention**
Denunciations by Australia and Spain

In accordance with Article 8(3) of the European Convention mentioned above of December 19, 1954, the Governments

of Australia and Spain have denounced the European Convention mentioned above, on November 6 and 7, 1974, respectively.

Pursuant to the said Article, these denunciations will take effect on November 6 and 7, 1975, respectively.

These denunciations were transmitted by the Governments of Australia and Spain to the Swiss Government.

WIPO MEETINGS

Administrative Bodies

Coordination Committee

Eighth Session (3rd extraordinary)
(Geneva, February 18, 1975)

Note *

Twenty-nine of the 33 member States of the Coordination Committee were represented: *Ordinary members*: Argentina, Australia, Brazil, Cameroon, Canada, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, India, Israel, Italy, Japan, Mexico, Morocco, Netherlands, Nigeria, Romania, Senegal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia (27); *Associate members*: Poland, Sri Lanka (2). Kenya, an ordinary member, and Algeria, Iran and the Philippines, associate members, were not represented at the session.

The following States were represented in an observer capacity: Bulgaria, Chile, Congo, Cuba, Finland, Ivory Coast, Portugal, Togo, Turkey, Zaire (10). One intergovernmental organization was represented by an observer.

The list of participants follows this Note.

The session was presided over by the Chairman of the Coordination Committee, Mr. Gabriel Ernesto Larrea Richerand (Mexico).

The agenda included only one item: the appointment to the post of Deputy Director General to be occupied by a national of a developing country.

At the proposal of the Chairman, the delegations of the developing countries which were members of the Coordination Committee or observers held a private meeting, as a result of which they agreed on a certain number of points. Furthermore, they drew to the attention of the Director General the names of four candidates who were most often cited during the said meeting and who are nationals of Cuba, Egypt, India and the Ivory Coast.

The Coordination Committee then approved unanimously the proposal of the Director General to appoint to the said post of Deputy Director General Mrs. K.-L. Liguer-Laubhouet, a national of the Ivory Coast.

List of Participants **

I. Member States

Argentina: E. A. Pareja. Australia: J. McKenzie. Brazil: G. Ferreira Martins. Cameroon: F. Mbianda. Canada: J. Corbeil; D. R. MacPhee.

* This Note has been prepared by the International Bureau.

** A list containing the titles and functions of the participants may be obtained from the International Bureau.

Egypt: A. M. Khalil; S. A. Abou-Ali. France: F. Savignon; S. Balous (Mrs.). German Democratic Republic: J. Hemmerling; D. Schack; C. Micheel (Mrs.); M. Forster (Mrs.). Germany (Federal Republic of): E. Steup (Mrs.); R. von Schleussner (Mrs.). Hungary: E. Tasnádi; G. Pusztai. India: B. C. Mishra; H. Sukhdev. Israel: M. Gabay. Italy: G. Trotta; M. Vitali (Miss). Japan: T. Shiroshita; T. Yoshida; T. Hotta. Mexico: G. E. Larrea Richerand; R. de Pina Vara; V. C. Garcia Moreno. Morocco: A. Zerrad. Netherlands: W. de Buer. Nigeria: O. Johnson (Mrs.); A. G. Adoh. Poland: J. Szomanski; H. Wasilewska (Mrs.); D. Januszkievicz (Mrs.); A. Szajkowski. Romania: I. Marinescu; D. Stoenescu. Senegal: A. M. Cissé; J. P. Crespin. Soviet Union: Y. Maksarev; I. Najashkov; V. Zubarev; A. Zaitsev; V. Roslov. Spain: C. Gonzalez Palacios. Sri Lanka: K. Breckenridge. Sweden: U. Cronenberg (Mrs.). Switzerland: P. Braendli. United Kingdom: I. J. G. Davis. United States of America: H. J. Winter; G. J. Klein. Yugoslavia: D. Bošković; D. Ćemalović.

II. Observer States

Bulgaria: D. Atanassov; T. Sourgov. Chile: A. Silva-Davidson. Congo: A. Letembet Ambily; N. Luc. Cuba: F. Ortiz; M. Jimenez Aday; H. Rivero del Rosario. Finland: P. Salmi. Ivory Coast: B. Nioupin; K. Kra. Portugal: R. Serrão. Togo: I. Johnson. Turkey: N. Yosmaoglu. Zaire: Y. Yoko; K. Lukabu; L. Elembe.

III. Intergovernmental Organization

African and Malagasy Industrial Property Office (OAMPI): D. Ekani.

IV. Officers

Chairman: G. E. Larrea Richerand (Mexico); *Vice-Chairman*: O. Johnson (Mrs.) (Nigeria); *Secretary*: C. Masouyé (WIPO).

V. WIPO

A. Bogsch (*Director General*); K. Pfanner (*Deputy Director General*); C. Masouyé (*Director, Office of the Director General*); B. A. Armstrong (*Director, Administrative Division*).

Other Meetings

Paris Union

I

Ad Hoc Group of Governmental Experts on the Revision of the Paris Convention

First Session

(Geneva, February 11 to 17, 1975)

Note *

Pursuant to a decision taken by the competent bodies of WIPO and of the Paris Union at their sessions in September 1974, an Ad Hoc Group of Governmental Experts on the Revision of the Paris Convention met in Geneva from February 11 to 17, 1975.

* This Note has been prepared by the International Bureau.

All member States of the Paris Union, and all States which, while not being members of the Paris Union, exercise the rights belonging to members of WIPO, were invited. Forty-seven States were represented. The United Nations, two United Nations bodies, four intergovernmental organizations and nine international non-governmental organizations were represented by observers.

A list of participants follows this Note.

The Group of Experts unanimously elected Dr. Arpad Bogsch (WIPO) as Chairman and Mr. Salah Bouzidi (Algeria) and Mr. Göran Borggård (Sweden) as Vice-Chairmen. Mr. Klaus Pfanner (WIPO) acted as Secretary of the Group of Experts.

The task of the Group of Experts was to study all aspects of the question of revising the Paris Convention including, *inter alia*, additional provisions of special benefit to developing countries. It did not have any preparatory documentation.

During the general discussion most of the delegations expressed the view that the Paris Convention was playing a very useful role but that the moment had come to revise it as regards certain points, particularly in order to take the legitimate interests of developing countries into account. The Group of Experts drew up and discussed in further detail a list of questions to be studied with a view to a possible revision of the Paris Convention.

After a full discussion the Group of Experts adopted the following recommendation:

"The Ad Hoc Group of Governmental Experts on the Revision of the Paris Convention for the Protection of Industrial Property, convened in accordance with the decisions taken at the September 1974 sessions of the Coordination Committee of the World Intellectual Property Organization (WIPO) and the Executive Committee of the Paris Union for the Protection of Industrial Property,

Meeting at Geneva from February 11 to 17, 1975,

Noting the interest that developing countries have manifested in the revision of the Paris Convention,

1. Agrees that, at this stage of the work, the following questions be considered:

- (i) National Treatment
- (ii) Independence of Patents
- (iii) to (v) Non-Working and Delays in Working of the Patented Invention; Compulsory Licenses; Licenses of Right
- (vi) Preferential Treatment Without Reciprocity
- (vii) Technical Assistance
- (viii) Types of Protection Other than Patents (Inventors' Certificates, etc.)
- (ix) Marks; Industrial Designs; Appellations of Origin
- (x) Reservations
- (xi) Deletion of Article 24
- (xii) Scope of Protection of Process Patents
- (xiii) Right of Priority
- (xiv) Unanimity Rule

2. *Recommends:*

(a) that the Director General, taking into account the need to respect the basic principles of the Paris Convention and to take into consideration the concerns of the developing countries, prepare a study containing an analysis of the issues and outlining possible alternative solutions in respect of the said points and any connected questions,

(b) that the report containing the said study be communicated to the Governments of all countries members of the United Nations system of organizations for their comments,

(c) that, as a continuation of the work towards the revision of the Paris Convention, the Ad Hoc Group of Governmental Experts be convened, as soon as possible, in a second session,

(d) that the competent organs of WIPO and the Paris Union and all other interested organizations, in particular the United Nations Conference on Trade and Development (UNCTAD) and the United Nations Industrial Development Organization (UNIDO), be informed of the results of the first (present) session of the Ad Hoc Group of Governmental Experts,

(e) that other United Nations bodies, particularly the United Nations Conference on Trade and Development and the United Nations Industrial Development Organization, interested in the transfer of technology be consulted as to the contribution they could make to the further work of the Ad Hoc Group of Governmental Experts."

List of Participants*

I. States

Algeria: S. Bonzidi; R. Lammali; G. Sellali (Mrs.). Argentina: E. A. Pareja. Australia: J. McKenzie. Austria: T. Lorenz. Belgium: J. Verlinden; A. Braun. Brazil: A. G. Alencar. Bulgaria: D. Atanassov; T. Sourgov. Cameroon: F. Mbianda. Canada: J. Corbeil; D. French; D. Macphee. Congo: M. A. Mackita. Cuba: J. Rodríguez Padilla; F. Ortiz Rodríguez; M. Jimenez Aday; J. R. Gonzalez Agarracho. Czechoslovakia: V. Vaniš; A. Ringl; K. Kmochova (Mrs.). Denmark: K. Skjødt; D. Simonsen (Mrs.); J. I. P. Irgens. Egypt: A. M. Khalil. Finland: E. Wuori; P. Salmi. France: F. Savignon; R. Labry. German Democratic Republic: J. Hemmerling; D. Schack; G. Schumann; M. Forster (Mrs.). Germany (Federal Republic of): E. Steup (Mrs.); R. von Schleussner (Mrs.); W. Pitzer. Hungary: E. Tasnádi; G. Bánrévý; G. Pusztai. India: S. Vedaraman; H. N. Sukhdev. Ireland: M. J. Quinn. Israel: M. Gabay. Italy: G. Trotta; S. Samperi; M. Vitali (Miss); R. Messerotti Benvenuti; M. Tomajuoli. Ivory Coast: B. Nioupin; K. L. Liguer-Laubhouet (Mrs.); K. Kra. Japan: T. Shiroshita; T. Yoshida; T. Hotta. Kenya: D. Coward. Liechtenstein: A. F. de Gerliczy-Burian. Luxembourg: F. Schlessner. Mexico: R. De Pina Vara; V. C. García Moreno. Netherlands: E. van Weel; H. J. G. Pieters. Nigeria: O. O. Johnson (Mrs.); A. G. Adoh. Norway: L. Nordstrand; R. Roed; D. Tønseth. Philippines: C. V. Espejo. Poland: J. Szomański; H. Wasilewska (Mrs.); D. Januszkievicz (Mrs.); A. Szajkowski. Portugal: R. Serrão. Romania: I. Marinescu; D. Stoenescu. South Africa: T. Schoeman; M. G. Atmore; P. H. Bosman; K. N. Kisch; A. Gomez de Mesquita. Soviet Union: Y. Makssarev; I. Naishkov; V. Zubarev; A. Zaitsev; M. Boguslavsky; V. Roslov. Spain: A. Fernández-Mazarambroz; J. Delicado Montero-Ríos. Sweden: G. Borggård; M. Jacobsson; S. Norberg. Switzerland: W. Stamm; P. Braendli; J. Mirimanoff-Chilikine; P. J. Pointet; M. von Gruenigen (Miss). Tunisia: K. Gueblaoui. Turkey: N. Yosmaoglu. United Kingdom: E. Armitage; I. J. G. Davis; J. J. D. Ashdown. United States of

* A list containing the titles and functions of the participants may be obtained from the International Bureau.

America: C. M. Dann; H. J. Winter; M. K. Kirk; G. Klein. Yugoslavia: D. Bošković; D. Čemalović; V. Besarović-Prekajski; M. Zecar (Mrs.); M. Mrdjanov. Zaire: M.-N. Tshinkela; L. Elebe.

II. United Nations

Department of Economic and Social Affairs: H. Einhaus. Economic Commission for Europe (ECE): F. Brusick. United Nations Conference on Trade and Development (UNCTAD): S. J. Patel; P. Roffe; P. O'Brien.

III. Intergovernmental Organizations

African and Malagasy Industrial Property Office (OAMPI): C. Johnson. Benelux Trademarks Office: J. C. Groen; N. H. IJssbrandy. Commission of the European Communities (CEC): B. Schwab. European Patent Organization (Secretariat of the Interim Committee): G. Aschenbrenner; J. F. Mézières.

IV. Non-Governmental Organizations

Committee of National Institutes of Patent Agents (CNIPA): R. Petersen. Council of European Industrial Federations (CEIF): G. Zagrebelsky; J. W. Gelissen; W. Kuster; D. Maday. European Industrial Research Management Association (EIRMA): D. Vincent. International Association for the Protection of Industrial Property (IPIP): P. Mathély; S. P. Ladas; G. H. C. Bodenhausen. International Chamber of Commerce (ICC): B. Kish; D. E. Parker; R. Hervé. International Federation of Inventors Associations (IFI): H. Romanus; S.-E. Angert; K. Lerstrup. International Federation of Patent Agents (FICPI): F. Steenstrup. Union of European Professional Patent Representatives (UNEPA): F. Gaspar; W. Cohausz. Union of Industries of the European Community (UNICE): G. Albrechtskirchinger; H. P. Kunz; A. P. Pieroen; D. Vincent.

V. Officers

Chairman: A. Bogsch (WIPO); *Vice-Chairmen:* S. Bouzidi (Algeria), G. Borggård (Sweden); *Secretary:* K. Pfanner (WIPO).

VI. WIPO

A. Bogsch (*Director General*); K. Pfanner (*Deputy Director General*); R. Harben (*Counsellor, Acting Head, External Relations Division*); L. Baeumer (*Counsellor, Head, Legislation and Regional Agreements Section, Industrial Property Division*); F. Moussa (*Counsellor, External Relations Division*); M. Porzio (*Counsellor, External Relations Division*); I. Thiam (*Counsellor, Head, Technical Assistance Section, External Relations Division*); F. Curchod (*Legal Officer, General and Periodicals Section, Industrial Property Division*); I. S. Pike-Wanigasekara (Mrs.) (*Assistant, Office of the Director General*).

II

Working Group

on International Cooperation in the Classification of Search Files According to the International Patent Classification

Second Session

(Geneva, January 27 to 30, 1975)

Note*

The second session¹ of the Working Group on International Cooperation in the Classification of Search Files According to the International Patent Classification (IPC) met in Geneva, from January 27 to 30, 1975. It was chaired by Mr. G. Gall

(Austria). Representatives of Algeria, Austria, Brazil, Germany (Federal Republic of), Philippines, Sweden and the International Patent Institute (IIB) participated in this session. The International Patent Documentation Center (INPADOC) was represented by an observer. A list of participants follows this Note.

Advancement of Reclassification of Search Files According to the IPC. The Working Group noted an updated survey of the advancement of reclassification of search files according to the IPC in various patent offices, compiled by the International Bureau.

Study of a Centralized Procedure for Organizing Search Files According to the IPC. The Working Group examined the revised study prepared by the International Bureau with the assistance of consultants of the Austrian Patent Office, the German Patent Office and the IIB.

The organization and structure of the project were discussed in detail. The Working Group agreed that, apart from the documents of the seven PCT minimum documentation countries, patent documents in English, French and German which become part of the minimum documentation under Rule 34.1(c)(vi) of the PCT should be included in the centralized project as well.

The Working Group noted that INPADOC was prepared to undertake the task of the central intermediary body under the project, and that it would input, after appropriate standardization, the relevant data regarding the inventories of reclassified search files according to the IPC provided by the Austrian Patent Office, the German Patent Office and the IIB, even in so far as such data concern documents not forming part of the PCT minimum documentation. Inventories of reclassified Japanese and Soviet Union patent documents would also be included as soon as they became available. In this respect it was noted that the Japanese Patent Office was planning to complete the reclassification of their documents according to the IPC and to input data on magnetic tape by the end of 1980, after which it would be ready to provide inventories.

The Working Group agreed that it would be useful, in particular for offices intending to reorganize according to the IPC their existing search files arranged according to a national classification system, to create, if feasible, also a data bank arranged by document number ("inverted file") from the inventories received. INPADOC agreed to provide the International Bureau with a study on the feasibility of the production and maintenance of such a data bank, including cost estimates.

With regard to the cost and financing of the project, the Working Group was assured that INPADOC had the intention to recover only its costs when charging offices for output "products" delivered from the data bank. The Working Group stressed that, in designing output "products," the special needs and possibilities of the developing countries should be taken into account. In this context, the Working Group noted that the Austrian authorities competent for assistance programs for developing countries had expressed

* This Note has been prepared by the International Bureau.

¹ A Note on the first session of the Working Group was published in *Industrial Property*, 1973, p. 139.

their readiness to investigate whether output products under the project could be offered to developing countries at a price lower than their actual cost.

Future Steps to be Undertaken Regarding the Implementation of the Project. The Working Group asked the International Bureau to continue, and conclude before April 1, 1975, consultations with the Austrian authorities on the cost and financing of the centralized project, and, on the basis of these consultations, to prepare a revised study of the centralized project. This should be submitted to the September 1975 session of the Executive Committee of the Paris Union.

List of Participants *

I. States

Algeria: G. Sellali (Mrs.). Austria: G. Gall; K. Springer. Brazil: G. F. Martins. Germany (Federal Republic of): K.-H. Hofmann; R. Schiffels. Philippines: C. V. Espejo. Sweden: J. von Döbeln.

II. Organizations

International Patent Institute (IIB): A. Vandecasteele. International Patent Documentation Center (INPADOC): W. Wratschko.

III. Officers

Chairman: G. Gall (Austria); *Vice-Chairmen:* K.-H. Hofmann (Federal Republic of Germany), J. von Döbeln (Sweden); *Secretary:* P. H. Claus (WIPO).

IV. WIPO

K. Pfanner (*Deputy Director General*); P. Claus (*Technical Counsellor, Head, ICIREPAT Section, Industrial Property Division*); B. Hansson (*Counsellor, Head, IPC Section, Industrial Property Division*); R. Andary (*Technical Officer, IPC Section*); A. Sagarmiaga (*Technical Officer, IPC Section*).

* A list containing the titles and functions of the participants may be obtained from the International Bureau.

Hague Union

Committee of Experts for the Revision of the Hague Agreement

Second Session

(Geneva, February 20 to 27, 1975)

Note *

The Committee of Experts for the Revision of the Hague Agreement Concerning the International Deposit of Industrial Designs held its second session¹, at the offices of WIPO, under the chairmanship of Mr. P. Braendli (Switzerland).

* This Note has been prepared by the International Bureau.

¹ A Note on the first session of the Committee was published in *Industrial Property*, 1974, p. 432.

Six member States of the Hague Union were represented during this session, as were five States not members of the Hague Union but signatories of the 1960 Act of the Hague Agreement and two intergovernmental organizations. A list of participants follows this Note.

The task of the Committee was to study a draft Protocol to the Hague Agreement, prepared by the International Bureau, intended to rectify the situation created by the denunciation of the Hague Agreement by Belgium and the Netherlands.

The Committee completed a draft the main effect of which is to enable member States of the Hague Union to establish or to re-establish legal relationships with the States not members of the Union which may have ratified or adhered to the 1960 Act. The latter States would, in accepting the Protocol, become members of the Union and would, to the extent laid down in the Protocol, have the rights and obligations which arise under the 1960 and 1967 Acts of the Hague Agreement. The draft Protocol will be submitted for adoption to a Conference of plenipotentiaries which will take place at Geneva on August 28 and 29, 1975.

List of Participants **

I. Member States

Egypt: A. M. Khalil. France: M. Bierry. Germany (Federal Republic of): E. Steup (Mrs.). Liechtenstein: A. F. de Gerliczy-Burian. Spain: J. Escudero Durán; S. Jessel Picoury (Mrs.). Switzerland: P. Braendli.

II. Observer States

Austria: G. Mautner-Markhof. Belgium: P. Peetermans. Italy: G. Pizzini (Mrs.). Luxembourg: J. P. Hoffmann. Netherlands: E. van Weel; W. de Boer.

III. Intergovernmental Organizations

Benelux Designs Office: L. van Bauwel. Commission of the European Communities (CEC): B. Harris.

IV. Officers

Chairman: P. Braendli (Switzerland); *Vice-Chairmen:* E. Steup (Mrs.) (Germany, Federal Republic of), J. Escudero Durán (Spain); *Secretary:* L. Baeumer (WIPO).

V. WIPO

A. Bogs (Director General); K. Pfanner (Deputy Director General); L. Egger (Counsellor, Head, International Registrations Division); L. Baeumer (Counsellor, Head, Legislation and Regional Agreements Section, Industrial Property Division); F. Curchod (Legal Officer, General and Periodicals Section, Industrial Division).

** A list containing the titles and functions of the participants may be obtained from the International Bureau.



LEGISLATION

CZECHOSLOVAKIA

I

Law concerning the Protection of Appellations of Origin of Products

(No. 159/1973 Sb., of December 12, 1973)

1. — Appellation of origin of products (hereinafter, "appellation of origin") means the geographical name of a country, region or locality which has come to be generally known to designate a product originating therein the quality and characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors.

Agricultural and natural products, in addition to products of handicraft or industry, are considered to be products for the purposes of this Law.

2. — The protection of an appellation of origin under this Law shall result from its registration in the register of appellations of origin (hereinafter, "register") kept by the Office of Inventions and Discoveries (hereinafter, "Office").

3. — Only the registered holder of the right to use an appellation of origin may use the registered appellation of origin.

4. — No one shall have the right to misuse a registered appellation of origin, in particular to misappropriate it or to imitate it, even where the true origin of the product is indicated or where the appellation is used in a translated or altered form if despite the difference there is a risk of confusion, or even where the appellation is accompanied by terms such as "kind," "type," "make," "imitation," or the like.

A registered appellation of origin may not be used as the generic name of a product.

The right to use a registered appellation of origin may not be licensed.

In the event of the merger or division of an organization registered as the holder of the right to use an appellation of origin, the right in respect of the registered appellation of origin shall be transferred in the same way as other rights; the transfer shall be recorded in the register. In the event of any other reorganization or of a transfer of production programs, the registered appellation of origin may be transferred by agreement between the organizations with the consent of the Office; the transfer shall become effective when it is entered in the register. In all cases of the transfer of a registered appellation of origin, the products must satisfy the requirements set out in Section 1.

5. — The registered holder of the right to use an appellation of origin may request the competent authority to prohibit infringements of his right and to remedy the unlawful situation, without prejudice to the other rights of the registered holder of the right to use the appellation of origin.

The right referred to in paragraph (1) of this Section shall not be enforceable against a person who, within six months from the publication of the registration of the appellation of origin in the Bulletin published by the Office (hereinafter, "Bulletin"), applies to be registered as another holder of the right to use the appellation of origin (Section 8) and is registered as such.

6. — Applications for the registration of appellations of origin shall be filed with the Office.

7. — Applications for the registration of an appellation of origin may be made by legal entities or natural persons.

The Office shall register the appellation of origin and the holder of the right to use it if it finds that the application contains the particulars required by the Rules and that the appellation of origin fulfills the conditions set out in Section 1. A certificate of registration of the appellation of origin shall be issued to the applicant. The registration shall be published in the Bulletin.

If the application does not contain the required particulars the Office shall invite the applicant to remedy the defects within three months. If the application is not rectified within that time limit, the applicant shall be deemed to have withdrawn the application.

If the appellation of origin does not fulfill the prescribed requirements the Office shall reject the application.

8. — Any person whose products fulfill the requirements laid down for an appellation of origin already registered may apply to the Office for registration as another holder of the right to use that appellation of origin. The procedure for the application shall be governed by the same rules as those for the application for registration of the appellation of origin.

The protection of the rights of another holder of the right to use the appellation of origin under this Law shall result from his entry in the register.

9. — The protection resulting from the registration of an appellation of origin or the registration of another holder of the right to use the appellation of origin shall take effect as from the date on which the application for registration of the appellation of origin or the application for registration of another holder of the right to use the appellation of origin reaches the Office.

The protection shall be of unlimited duration.

10. — The Office shall cancel the registration of the appellation of origin if it finds that:

(a) the appellation of origin was registered although the requirements set out in Section 1 had not been fulfilled;

(b) the conditions prescribed for the registration of the appellation of origin have ceased to exist;

(c) all the registered holders of the right to use the appellation of origin have renounced the appellation of origin in writing.

The Office shall cancel the registration of an individual holder of the right to use the appellation of origin if the grounds set out in paragraph (1)(b) or (c) hereof apply only to that holder.

In its decision, the Office shall mention the date of the cancellation of the registration of the appellation of origin or of the registration of the holder of the right to use the appellation of origin. The Office shall enter the cancellation in the register and shall publish it in the Bulletin.

11. — The decision of the Office shall be subject to appeal; the appeal may be lodged within one month from the date on which the decision was notified.

12. — Any person may consult the register and request official extracts therefrom.

13. — Applications for the registration of Czechoslovak appellations of origin may be made abroad only after they have been registered in Czechoslovakia and only with the consent of the Office.

The consent of the Office shall also be required for the withdrawal of an application for registration of an appellation of origin made abroad and for the renunciation of protection.

14. — Registered holders of the right to use the appellation of origin shall notify the Office, without undue delay, of any new particulars so that they may be entered in the register of appellations of origin, and of any changes in the particulars already registered.

15. — Legal entities or natural persons whose head office or domicile is not situated in the territory of Czechoslovakia must be represented in proceedings before the Office by a member of an organization authorized to act in such proceedings.

16. — Subject to reciprocity, foreigners shall enjoy the same rights and shall have the same obligations as Czechoslovak citizens.

The first paragraph shall apply *mutatis mutandis* to legal entities.

17. — This Law shall be without prejudice to the protection of appellations of origin based on other regulations or on international agreements.

Czechoslovak appellations of origin registered under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration on the date of the entry into force of this Law shall be entered in the register by the Office. Appellations of origin so registered shall enjoy

protection under this Law as from the date of its entry into force.

18. — Filings (applications for registration, petitions, etc.) made at the Office shall not be admissible unless they are in writing.

Sections 19(5), 29(2) and 49 of Law No. 71/1967 Sb. on Administrative Procedure shall not be applicable.

The general regulations concerning administrative procedure shall, except where this Law provides otherwise, be applicable in respect of proceedings before the Office.

19. — The Office shall make rules concerning:

(a) the particulars which must be contained in an application for the registration of an appellation of origin and in an application for the registration of another holder of the right to use an appellation of origin;

(b) the particulars which must be contained in a petition for the cancellation of the registration of an appellation of origin or of the registration of the holder of the right to use an appellation of origin;

(c) the particulars to be entered in the register of appellations of origin kept by the Office;

(d) the characteristics to be entered in the certificate of registration of the appellation of origin;

(e) relations outside Czechoslovakia and the representation of foreigners before the Office.

20. — This Law shall enter into force on February 1, 1974.

II

Order

of the Office of Inventions and Discoveries
concerning
Procedure in respect of Appellations of Origin of Products
(No. 160/1973 Sb., of December 13, 1973)

1. — An application for the registration of an appellation of origin of products (hereinafter, "application") shall be filed with the Office of Inventions and Discoveries (hereinafter, "Office") in writing, and may only relate to one appellation of origin.

The application shall indicate clearly that its purpose is the registration of the appellation of origin and of the holder of the right to use the said appellation.

If the application is filed by more than one such holder, without the designation of a common agent, the holders shall state in the application the name and address of the holder to whom the notifications and the decisions of the Office are to be communicated; if this is not done, notifications and decisions shall be communicated to the holder mentioned first in the application.

2. — The application shall state:

(a) the trade name and head office, or the given name, family name and domicile of the applicant and his nationality; in addition, if the applicant is a Czechoslovak legal entity,

the name and head office of the supervisory authority and of the competent central authority;

(b) where the applicant is represented by an agent, the trade name and head office, or the given name, family name and domicile of the agent;

(c) the trade name and head office of the undertaking or factory in the locality whose geographical name constitutes the appellation of origin;

(d) the name of the appellation of origin;

(e) the country, region or locality in which the product originates;

(f) the products to which the appellation of origin applies;

(g) the quality and characteristics of the said products.

3. — The application shall be accompanied by:

(a) a document attesting to the name of the applicant and the nature of his activity;

(b) a declaration by the competent central authority or, in the case of an organization administered by the National Committee, a declaration by the competent regional National Committee, concerning the appellation of origin and the products to which the appellation relates;

(c) a receipt showing that the administrative fee has been paid.

If the application is filed by a foreign legal entity or natural person, the applicant shall, in lieu of the above-mentioned declaration, submit a certificate whereby the appellation of origin is recognized in the country of origin, issued in the name of the applicant.

4. — An application for the registration of another holder of the right to use an appellation of origin that has already been registered shall be submitted to the Office in writing and shall include, in addition to the particulars and documents referred to in Sections 2 and 3, paragraph (1)(a) and (c), a declaration by the competent central authority or, in the case of an organization administered by the National Committee, a declaration by the competent regional National Committee, concerning the holder of the right to use the appellation of origin in question and its products.

If the application for registration of another holder of the right to use the appellation of origin is filed by a foreign legal entity or natural person, the applicant shall submit with the application, in addition to the documents referred to in Section 3, paragraph (1)(a) and (c), a document attesting that the person or entity in question is another holder of the right to use the appellation of origin in question in the country of origin.

5. — The declaration concerning an appellation of origin or another holder of the right to use an appellation of origin that has already been registered shall include a statement confirming that the products to which the appellation of origin applies fulfill the requirements established by law (Sections 1 and 6 of Law No. 159/1973 Sb.).

6. — The Office shall indicate on the application the exact time (date, hour and minute) at which it received it. It

shall issue to the applicant an acknowledgement of receipt of the application.

The Office shall proceed in the same way in the case of an application for the registration of another holder of the right to use an appellation of origin.

7. — The register of appellations of origin shall record the following:

(a) the registration number of the appellation of origin and the date of the decision by which the Office granted protection;

(b) the name of the appellation of origin;

(c) the date of filing of the application for registration of the appellation of origin;

(d) the country, region or locality in which the product originates;

(e) the trade name and head office or the given name, family name and domicile of the applicant, and his nationality;

(f) the name and head office of the undertaking or factory which produces the products bearing the appellation of origin in the locality whose geographical name constitutes the appellation of origin;

(g) any other holder of the right to use the registered appellation of origin;

(h) the trade name and head office or the given name, family name and domicile of the agent of the applicant and of any other holder of the right to use the appellation;

(i) the nature of the activity of the applicant and of any other holder of the right to use the appellation;

(j) the time from which the protection of the appellation of origin or of another holder of the right to use the appellation of origin runs;

(k) the transfer of the appellation of origin;

(l) the cancellation of the registration of the appellation of origin or of holders.

The specification of the quality and characteristics of the products to which the appellation of origin relates shall constitute part of the registration.

8. — In its certificate of registration of the appellation of origin or of another holder of the right to use the appellation of origin, the Office shall enter all the particulars given in the register. On request, it shall enter in a certificate that has already been issued, any changes and new particulars subsequently entered in the register.

9. — A petition for cancellation of the registration of an appellation of origin or of the registration of another holder of the right to use such an appellation shall be submitted in writing to the Office.

The petition shall be accompanied by a statement of reasons and shall refer to the evidence furnished or proposed.

The petition may only relate to one appellation of origin. A number of copies corresponding to the number of parties to the proceedings shall be submitted. The Office shall send one to each party, and shall set the time limit within which the parties may comment on the petition. Any failure to do so

shall not prevent the Office from taking a decision on the petition.

10. — On the application of a legal entity or natural person that is the registered holder of the right to use an appellation of origin, the Office shall authorize the registration of the appellation of origin abroad, if the appellation is important from the standpoint of the Czechoslovak economy.

11. — An application for the registration abroad of an appellation of origin shall specify the countries in which the appellation is to be registered, the economic justification for the registration abroad, the opinions of the competent central authority or of the National Committee and of the appropriate foreign trade undertaking and the name and head office of the person who will defray the cost of registration of the appellation abroad.

The Office shall take a decision on the application after hearing the opinions of a commission composed, in particular, of representatives of the competent central authorities, the authority responsible for monetary operations abroad, the foreign trade undertaking and the organization authorized to serve as intermediary for the registration of the appellation abroad.

12. — The foregoing provisions shall apply *mutatis mutandis* where the application for registration of the appellation of origin abroad is withdrawn or protection renounced.

13. — Applications for the registration of appellations of origin pursuant to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration of October 31, 1958, must be submitted through the Office.

14. — A list of attorneys' offices and organizations authorized to act as agents pursuant to Section 15 of Law No. 159/1973 Sb. concerning the Protection of Appellations of Origin of Products shall be published in the Bulletin of the Office by the President of the Office in agreement with the competent central authorities.

15. — This Order shall enter into force on February 1, 1974.

ITALY

Decrees concerning the Temporary Protection of Industrial Property Rights at Exhibitions

Sole Section

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

MIAS — Mercato internazionale dell'articolo sportivo (Milan, March 9 to 12, 1975);

LXXVII^a Fiera internazionale dell'agricoltura e della zootecnica, XXVIII^b Salone della macchina agricola and I^c Salone delle tecniche nuove (Verona, March 12 to 19, 1975);

V^d EXPOSORT LEVANTE — Fiera internazionale dello sport e del tempo libero (Bari, March 15 to 23, 1975);

VI^e Esposizione internazionale del regalo-novità, VI^f Rassegna mondiale dei viaggi e delle vacanze and XIV^g Esposizione internazionale caravan camping (Genoa, March 15 to 23, 1975);

II^h SIOGO — Salone italiano dell'oreficeria, gioielleria e orologeria (Naples, May 28 to June 3, 1975);

VIⁱ Mostra internazionale della saldatura e delle costruzioni saldate (Genoa, May 31 to June 8, 1975);

XXXV^j Fiera di Ancona — Mostra-mercato internazionale della pesca, degli sports nautici ed attività affini (Ancona, June 21 to 29, 1975);

VII^k SIRTE — Salone italiano radio-TV ed elettrodomestici (Naples, June 24 to July 6, 1975);

VI^l TECHNEDIL — Salone delle attrezzature per l'edilizia sociale e le opere pubbliche (Naples, June 24 to July 6, 1975);

Mostra nazionale delle sementi ed attrezzature sementiere (Vicenza, September 5 to 7, 1975);

MODAMAGLIA — Salone della maglieria italiana and MODAINTIMA — Salone dell'abbigliamento intimo (Bologna, September 18 to 21, 1975);

XI^m SUDPEL — Salone italiano della pelletteria, del guanto, pellami, macchine, accessori e prodotti finiti (Naples, September 19 to 25, 1975);

XXXⁿ Mostra internazionale delle industrie per le conserve alimentari — conserve, imballaggi, impianti ed attrezzature industriali (Parma, September 20 to 28, 1975);

MIAS — Mercato internazionale dell'articolo sportivo (Milan, September 30 to October 2, 1975);

XIII^o Mostra internazionale trasporti interni, containerizzazione, magazzinaggio e manutenzione — TRAMAG'75 (Padua, October 1 to 5, 1975);

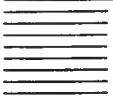
XI^p SAIE — Salone internazionale dell'industrializzazione edilizia (Bologna, October 11 to 19, 1975);

IV^q OPTICA — Salone internazionale dell'ottica, oftalmologia, ingegneria (strumenti), fotografia e cinematografia (Naples, October 31 to November 4, 1975);

Mostra nazionale specializzata della conceria, pelli e cuoio (Vicenza, November 28 to 30, 1975)

shall enjoy the temporary protection established by the decrees mentioned in the preamble¹.

¹ Royal Decrees No. 1127 of June 29, 1939, No. 1411 of August 25, 1940, No. 929 of June 21, 1942 and Law No. 514 of July 1, 1959. (See *La Propriété industrielle*, 1939, p. 124; 1940, pp. 84 and 196; 1942, p. 168; 1960, p. 23.)



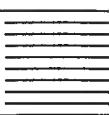
GENERAL STUDIES

**The Paris Convention
and the Latin American Countries**

By Ernesto D. ARACAMA-ZORRAQUÍN *

**The Protection of Appellations of Origin
in Czechoslovakia**

By Jaroslav PROŠEK * and Miluše VILÍMSKÁ **



LETTERS FROM CORRESPONDENTS

Letter from the Federal Republic of Germany

By Friedrich-Karl BEIER * and Paul KATZENBERGER **

ACTIVITIES OF OTHER ORGANIZATIONS

International League Against Unfair Competition

Twenty-Third Congress
(Rome, October 6 to 10, 1974)

The 23rd Congress of the International League Against Unfair Competition (LICCD) was held in Rome under the chairmanship of Professor Remo Franceschelli, President of both the Italian Association Against Unfair Competition and the LICCD.

The meeting was held in the presence of the Italian Minister of Justice and the President of the General Confederation of Italian Industry. It was attended by participants from 16 countries and representatives of a number of public or private international bodies. WIPO was represented by Mr. Wipf, Counsellor, Industrial Property Division.

The agenda of the Congress included general reports as well as various reports on questions submitted for continued discussion and on new questions. Propositions relating to these reports could be moved after the reports had been discussed.

As a result, the Congress adopted a Code of Ethics¹ in Direct Commerce, and the following motions:

Infringement of Trade Secrets in the field of Competition

The Congress expresses the wish:

- that the legislature and the courts provide that the injured party be awarded monetary compensation at a fixed rate in cases where traditional concepts relating to

damages and unjust enrichment do not allow sufficient compensation to be awarded;

- that the courts make effective use of the powers conferred on them to determine, *ex aequo et bono*, the amount of damages;
- that the courts also take into account, in determining such amount, the profit derived by the party responsible from the act of unfair competition;
- that the courts award effective compensation for the moral prejudice suffered by the injured party;
- that the legislature and the courts determine the amount of damages or unjust enrichment by the examination of accounts or other means, according to the rules of practice in the country concerned, while protecting the just interests of the party responsible for the condemned actions against disclosure of his trade secrets;

and considers that with a view to the proper execution of a decision ordering the cessation of acts of unfair competition, it is desirable to punish violation of it by providing for a fine or even a severer criminal penalty.

Cooperation Between Undertakings and Competition

The Congress decides:

- to proceed with the study of the question;
- to include in that study an examination of the means of implementing cooperation between undertakings: joint subsidiary and European cooperation group.

Distribution of Trademarked Goods and Community Law

The Congress decides that this question would be included in the agenda of the next Congress, in order that a continuation report be prepared.

¹ The Code of Ethics is not published here.



CALENDAR



WIPO Meetings

- March 17 to 21, 1975 (Geneva) — WIPO Permanent Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property — Permanent Committee (2nd Session)
- April 7 to 11, 1975 (Geneva) — International Classification of Goods and Services for the Purposes of the Registration of Marks — Temporary Working Group
- April 7 to 11, 1975 (Geneva) — ICIREPAT — Technical Committee for Search Systems (TCSS)
- April 14 to 18, 1975 (Geneva) — ICIREPAT — Technical Committee for Standardization (TCST)
- April 14 to 25, 1975 (Rijswijk) — International Patent Classification (IPC) — Working Group III of the Joint ad hoc Committee
- April 22 to 29, 1975 (Geneva) — Inventions relating to Microorganisms — Committee of Experts
- May 5 to 9, 1975 (Geneva) — International Patent Classification (IPC) — Training Course for Developing Countries
- May 12 to 23, 1975 (Washington) — International Patent Classification (IPC) — Working Group I of the Joint ad hoc Committee
- May 26 to 30, 1975 (Geneva) — Revision of the Model Law on Inventions — Working Group (2nd session)
- June 4 to 6, 1975 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)
- June 9 to 13, 1975 (Geneva) — International Patent Classification (IPC) — Working Group V of the Joint ad hoc Committee
- June 16 to 21, 1975 (Washington) — Sub-Committee on Reprographic Reproduction of the Executive Committee of the Berne Union
(Meeting held jointly with the Sub-Committee of the Intergovernmental Copyright Committee established by the Universal Copyright Convention)
- June 16 to 27, 1975 (Rijswijk) — International Patent Classification (IPC) — Working Group IV of the Joint ad hoc Committee
- June 23 to 27, 1975 (Geneva) — Protection of Computer Programs — Advisory Group
- August 28 and 29, 1975 (Geneva) — Hague Union — Conference of Plenipotentiaries
- September 8 to 12, 1975 (Geneva) — International Classification of Goods and Services for the Purposes of the Registration of Marks — Preparatory Committee and Committee of Experts
- September 17 to 19, 1975 (Geneva) — ICIREPAT — Plenary Committee (PLC)
- September 22 and 23, 1975 (Geneva) — Trademark Registration Treaty (TRT) — Interim Advisory Committee
- September 23 to 30, 1975 (Geneva) — WIPO Coordination Committee and Executive Committees of the Paris and Berne Unions — Ordinary Sessions
- October 1 to 3, 1975 (Geneva) — Scientific Discoveries — Committee of Experts
- October 1 to 3, 1975 (Geneva) — International Patent Classification (IPC) — Bureau
- October 6, 1975 (Geneva) — International Patent Classification (IPC) — Joint ad hoc Committee
- October 7 to 9, 1975 (Geneva) — International Patent Classification (IPC) — Assembly and Committee of Experts
- October 13 to 17, 1975 (Geneva) — ICIREPAT — Technical Committee for Search Systems (TCSS)
- October 20 to 24, 1975 (Washington) — ICIREPAT — Technical Committee for Standardization (TCST)
- October 27 to 31, 1975 (Mexico City) — Latin American and Caribbean Seminar on the Rights of Performers, Producers of Phonograms and Broadcasting Organizations
(Meeting organized jointly with ILO and Unesco)
- November 3 to November 3, 1975 (Geneva) — Patent Cooperation Treaty (PCT) — Interim Committees
- November 3 to 14, 1975 (Berne) — International Patent Classification (IPC) — Working Group II
- November 10 to 14, 1975 (Geneva) — Revision of the Model Law on Inventions — Working Group (3rd session)
- December 1 to 5, 1975 (Geneva) — International Protection of Appellations of Origin and Other Indications of Source — Committee of Experts
- December 1 to 12, 1975 (Munich) — International Patent Classification (IPC) — Working Group III
- December 8, 9 and 16, 1975 (Geneva) — International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations — Intergovernmental Committee — Ordinary Session (jointly organized with the International Labour Organisation and Unesco)
- December 10 to 12, 1975 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)
- December 10 to 16, 1975 (Geneva) — Executive Committee of the Berne Union (Extraordinary Session)
- December 15 to 19, 1975 (Geneva) — International Classification of the Figurative Elements of Marks — Provisional Committee of Experts

UPOV Meetings in 1975

Council: October 7 to 10 — Consultative Committee: March 5 and 6; October 6 and 10 — Technical Steering Committee: April 17 and 18; November 6 and 7 — Committee of Experts on International Cooperation in Examination: April 14 to 16; November 3 to 5 — Committee of Experts on the Interpretation and Revision of the Convention: December 2 to 5.

Note: All these meetings will take place in Geneva at the headquarters of UPOV

Technical Working Parties: (i) for Vegetables: May 28 to 30 (Lund - Sweden); (ii) for Agricultural Crops: June 4 to 6 (Cambridge - United Kingdom); (iii) for Fruit Crops: June 17 to 19 (Bordeaux - France); (iv) for Forest Trees: August 19 and 20 (Hannover - Federal Republic of Germany); (v) for Ornamental Plants: September 9 to 11 (Hornum - Denmark)

Meetings of Other International Organizations concerned with Intellectual Property

April 21 to 25, 1975 (Hamburg) — International Confederation of Societies of Authors and Composers — Congress

May 3 to 10, 1975 (San Francisco) — International Association for the Protection of Industrial Property — Congress

June 2 and 3, 1975 (Paris) — United Nations Educational, Scientific and Cultural Organization (UNESCO) — Intergovernmental Copyright Committee established by the Universal Copyright Convention (as revised at Paris in 1971)

June 12 and 13, 1975 (Stockholm) — Union of European Professional Patent Representatives — Executive Committee

June 15 to 22, 1975 (Madrid) — International Chamber of Commerce — Congress

June 18 to 20, 1975 (Rijswijk) — International Patent Institute — Administrative Board

September 16 to 19, 1975 (Budapest) — International Federation of Musicians — Executive Committee

September 17 to 20, 1975 (London) — Union of European Professional Patent Representatives — General Assembly

October 1 to 3, 1975 (Berlin) — International Literary and Artistic Association — Working Session

November 17 to 26, 1975 (Paris) — United Nations Educational, Scientific and Cultural Organization (UNESCO) — Committee of Governmental Experts on the Double Taxation of Copyright Royalties

May 25 to June 1, 1976 (Tokyo) — International Publishers Association — Congress
