

BUREAUX INTERNATIONAUX
RÉUNIS POUR LA PROTECTION DE LA
PROPRIÉTÉ INTELLECTUELLE



UNITED INTERNATIONAL
BUREAUX FOR THE PROTECTION OF
INTELLECTUAL PROPERTY

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Circular No. 645

December 5, 1966

Dear Sir,

As you are aware, under the terms of Article 6^{ter}(1) of the Paris Convention for the Protection of Industrial Property, as last revised at Lisbon on October 31, 1958 (Lisbon Act),

"the countries of the Union agree to refuse or invalidate the registration, and to prohibit by appropriate measures the use, without authorization by the competent authorities, either as trademarks or as elements of trademarks, of armorial bearings, flags and other State emblems of the countries of the Union, official signs and hall-marks indicating control and warranty adopted by them and all imitations thereof from a heraldic point of view."

These provisions

"apply equally to armorial bearings, flags and other emblems, abbreviations or titles of international intergovernmental organizations of which one or more countries of the Union are members....."

Paragraph (3) further provides that

"for the application of these provisions, the countries of the Union agree to communicate reciprocally, through the International Bureau, the list of State emblems and official signs and hall-marks indicating control and warranty which they desire, or may hereafter desire, to place wholly or within certain limits under the protection of the present Article and all subsequent modifications of this list. Each country of the Union shall in due course make available to the public the lists so communicated.

Nevertheless, this communication is not obligatory so far as the flags of States are concerned."

The above provisions

"shall only apply to armorial bearings, flags and other emblems, abbreviations or titles of international inter-governmental organizations that the latter have communicated to the countries of the Union through the International Bureau."

Paragraph (9) finally provides that

"the countries of the Union undertake to prohibit the unauthorized use in trade of the State armorial bearings of the other countries of the Union, when the use is of such a nature as to be misleading as to the origin of the goods."

Communications addressed to the International Bureau, in pursuance of Article 6ter of the Lisbon Act, by countries of the Paris Union or by international intergovernmental organizations have been notified by the International Bureau, as and when they were received, to the countries which, at the time of the notification, were already members of the Paris Union.

Since that time, however, other countries have become members of the Paris Union. Furthermore, the list of official signs which are entitled to protection under Article 6ter of the Lisbon Act and which have been communicated to you from time to time, has had to be entirely revised, with the assistance of the countries concerned, in order to bring it up to date.

I am sending you now, pursuant to Article 6ter(3)(b) of the Lisbon Act, a complete list of the armorial bearings, flags and other emblems, abbreviations or titles of international intergovernmental organizations which the latter have so far requested the International Bureau to communicate to countries of the Union.

The list of armorial bearings, flags and other State emblems of the countries of the Union, and of official signs and hallmarks indicating control and warranty adopted by them, will be sent to you later, when it has been brought up to date.

This letter is being addressed to all the countries of the Union, including those which may already have received earlier communications relating to armorial bearings, flags and other emblems, abbreviations or titles of international intergovernmental organizations, to be protected under Article 6ter of the Lisbon Act. Each country will thus be sure of having all

the relevant documentation, which can subsequently be brought up to date on receipt of any further communications which other international intergovernmental organizations may ask to be transmitted.

It should be understood, of course, that for countries which have already received earlier communications, this letter does not mark the start of a new 12-month period in which to submit, in conformity with Article 6^{ter}(4) of the Lisbon Act, their objections, if any, to armorial bearings, flags and other emblems, abbreviations or titles, which have been notified to them before; this period has, in fact, begun to run as from the earlier communication.

This letter is also being addressed to member countries of the Paris Union which are not bound by the Lisbon Act. It is understood, of course, that only countries bound by the Lisbon Act are obliged, under Article 6^{ter} of the Paris Convention itself, to grant protection to armorial bearings, flags and other emblems, abbreviations and titles of international intergovernmental organizations. However, other member countries of the Paris Union may be in a position to grant the same protection, and may be willing to do so, by virtue of their domestic law and independently of any requirement of the Paris Convention.

Yours faithfully,



G.H.C. Bodenhausen
Director

Annex:

List of earlier communications
concerning Intergovernmental Organizations

Bordereau des Communications antérieures
concernant les Organisations intergouvernementales

List of Earlier Communications
concerning Intergovernmental Organizations

	Circulaire Circular No.	Date	Annexes
CONSEIL OLEICOLE INTERNATIONAL (COI) INTERNATIONAL OLIVE OIL COUNCIL	411	9. 4.62	4
AGENCE INTERNATIONALE DE L'ENERGIE ATOMIQUE (AIEA) INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA)	421 429	14. 8.62 26.10.62	1 1
ORGANISATION MONDIALE DE LA SANTE (OMS) WORLD HEALTH ORGANIZATION (WHO)	422	24. 8.62	2
ORGANISATION INTERNATIONALE DU TRAVAIL (OIT) INTERNATIONAL LABOUR ORGANIZATION (ILO)	430	26.10.62	1
FONDS MONETAIRE INTERNATIONAL INTERNATIONAL MONETARY FUND (INTERFUND)	432	8.11.62	1
COMMUNAUTE EUROPEENNE DE L'ENERGIE ATOMIQUE (EURATOM)	477	18.12.63	2
ORGANISATION DES NATIONS UNIES (ONU) UNITED NATIONS ORGANIZATION (UNO)	478	20.12.63	3
BUREAUX INTERNATIONAUX REUNIS POUR LA PROTECTION DE LA PROPRIETE INTELLECTUELLE (BIRPI) UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF INTELLECTUAL PROPERTY (BIRPI)	482	14.12.64	1
ORGANISATION METEOROLOGIQUE MONDIALE (OMM) WORLD METEOROLOGICAL ORGANIZATION (WMO)	518	29. 5.64	2

	Circulaire Circular No.	Date	Annexes
ORGANISATION DE L'AVIATION CIVILE INTERNATIONALE (OACI) INTERNATIONAL CIVIL AVIATION ORGAN- IZATION (ICAO)	519	25. 6.64	1
ORGANISATION DES NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE (OAA) FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)	520	7. 7.64.	1
ORGANISATION EUROPEENNE POUR LA MISE AU POINT DE LA CONSTRUCTION DE LANCEURS D'ENGINS SPATIAUX (CECLES) EUROPEAN SPACE VEHICLE LAUNCHER DEVELOP- MENT ORGANIZATION (ELDO)	540	24.11.64	1
ORGANISATION DES NATIONS UNIES POUR L'EDUCATION, LA SCIENCE ET LA CULTURE (UNESCO) UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)	553	2. 2.65	2
BANQUE INTERNATIONALE POUR LA RECONS- TRUCTION ET LE DEVELOPPEMENT (BIRD) INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT	561	26. 3.65	1
OFFICE AFRICAIN ET MALGACHE DE LA PROPRIETE INDUSTRIELLE (OAMPI)	569	25. 5.65	1
BANQUE DES REGLEMENTS INTERNATIONAUX (BRI) BANK FOR INTERNATIONAL SETTLEMENTS (BIS)	583	17. 8.65	1
ASSOCIATION LATINO-AMERICAINE DE LIBRE ECHANGE (ALALE) LATIN-AMERICAN FREE TRADE ASSOCIATION (ALALC)	636	10. 8.66	1