

For Offices or other relevant authorities that have submitted their responses to the questionnaire.

CONTRACTING PARTY

AUSTRIA

III. OFFICE PRACTICE OR ASSUMED OFFICE PRACTICE

6. (redrafted on June 23, 2008)

(a) In case it has been requested to take note, under Article 4*bis*(2), of the international registration, does your Office permit the coexistence of the national registration and the international registration that has replaced it?

YES

YES, but only for the remainder of the current term of protection of the national registration (i.e., the national registration may not be renewed)

NO, the Office *ex officio* cancels the national registration

NO, the holder needs to renounce the national registration

(b) In case your Office has not been requested to take note, under Article 4*bis*(2), of the international registration, but is nevertheless aware that the conditions under Article 4*bis*(1) are met, does it permit the coexistence of the national registration and the international registration that has replaced it?

YES

YES, but only for the remainder of the current term of protection of the national registration (i.e., the national registration may not be renewed)

NO, the Office *ex officio* cancels the national registration

NO, the holder needs to renounce the national registration

IV. MISCELLANEOUS

1. (redrafted on June 23, 2008)

Where the conditions under Article 4*bis*(1) are met and, in addition, the national mark has lapsed, is reliance on any rights acquired by virtue of the national registration permitted in legal and administrative proceedings?

YES, even if the international registration has not been noted in the national register

YES, but only if the international registration has been noted in the national register

NO

Do not know