

Where more than two Member States are parties to a dispute, two of the arbitrators shall be appointed by agreement among the States concerned. If the States concerned have not appointed the arbitrator within a period of two months from the date on which the request for convening the tribunal was notified to them by the Office of the Union, any of the Member States concerned may ask the President of the International Court of Justice to make the necessary appointments.

In all cases the third arbitrator shall be appointed by the President of the International Court of Justice.

If the President is a national of one of the Member States parties to the dispute, the Vice-President shall make the appointments referred to above, unless he is himself also a national of one of the Member States parties to the disputes. In this last case, the appointments shall be made by the member of the Court who is not a national of one of the Member States parties to the dispute and who is selected by the President to make the appointments.

(4) The arbitration decision shall be final and binding on the Member States concerned.

(5) The tribunal shall determine its own procedure, unless the Member States concerned agree otherwise.

(6) Each of the Member States parties to the dispute shall bear its own costs of representation before the arbitration tribunal; other costs shall be borne in equal parts by each of the States.

Article 39

Signature, ratification and accession to the Convention shall be without reservation.

Article 40

(1) The present Convention shall be of unlimited duration.

(2) Subject to the provisions of paragraph 4 of Article 27, if a Member State of the Union denounces the Convention such denunciation shall take effect one year after the day on which notification of denunciation is made by the Government of the Swiss Confederation to the other Member States of the Union.

(3) Any Member State may at any time declare that the Convention shall cease to apply to certain of its territories or to States or territories in respect of which it has made a declaration in accordance with the provisions of Article 34. Such declaration shall take effect one year after the day on which notification of it is made by the Government of the Swiss Confederation to the other Member States of the Union.

(4) Such denunciations and declarations shall not prejudice rights acquired by reason of the present Convention prior to the expiry of the time limit laid down in paragraphs (2) and (3) of the present Article.

Article 41

(1) The present Convention shall be drawn up in one copy in the French language to be deposited in the archives of the Government of the French Republic.

(2) A certified true copy shall be forwarded by that Government to the Governments of all signatory States.

(3) Official translations of the present Convention shall be established in the English, Dutch, German, Italian and Spanish languages.

In witness whereof, the plenipotentiaries authorised thereto, having presented their Full Powers, found to be in good and due form, have signed the present Convention and have affixed thereto their seals.

Done at Paris, this second day of December, 1961.

For the German Federal Republic

signed: G. v. HAEFTEN
Joseph MURMANN
Hans SCHADE

For Belgium

signed: A. BAYOT

For France

signed: Henri FERRU

For Italy

In my quality of Plenipotentiary, I declare that the Government of the Italian Republic, by virtue of the power granted by paragraph (5) of Article 4 of the present Convention, decides to apply Articles 2 and 3 of the Convention of Paris for the Protection of Industrial Property with regard to the protection of plant varieties.

signed: TALAMO

For the Netherlands

signed: F. E. NIJDAM

ANNEX

List referred to in Article 4, paragraph (3)

Species to be protected in each genus

1 — Wheat	— Triticum aestivum L. ssp. vulgare (VILL, HOST) MAC KAY Triticum durum DESF.
2 — Barley	— Hordeum vulgare L. s. lat.
3 — Oats	— Avena sativa L. Avena byzantina C. KOCH or Rice - Oryza sativa L.
4 — Maize	— Zea Mays L.
5 — Potato	— Solanum tuberosum L.
6 — Peas	— Pisum sativum L.
7 — Beans	— Phaseolus vulgaris L. Phaseolus coccineus L.
8 — Lucerne	— Medicago sativa L. Medicago varia MARTYN
9 — Red Clover	— Trifolium pratense L.
10 — Ryegrass	— Lolium sp.
11 — Lettuce	— Lactuca sativa L.
12 — Apples	— Malus domestica BORKH
13 — Roses	— Rosa hort or Carnations - Dianthus caryophyllus L.

If two optional genera are chosen — numbers 3 or 13 above — they shall be counted as one genus only.