

# Copyright

Monthly Review of the United  
International Bureaux for the Protection  
of Intellectual Property (BIRPI)

2<sup>nd</sup> year - No. 4

April 1966

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# INTERNATIONAL UNION

## MADAGASCAR

### Declaration of continued adherence to the Berne Convention for the Protection of Literary and Artistic Works, last revised at Brussels on June 26, 1948 (Adherence without interruption since May 22, 1952)<sup>1)</sup>

#### *Notification of the Swiss Government to the Governments of Unionist Countries*

The Embassy of Switzerland has the honour to inform the Ministry of Foreign Affairs that, by note of February 11, 1966, addressed to the Embassy of Switzerland at Tananarive, the Ministry of Foreign Affairs of the Malagasy Republic has transmitted to the Swiss Government a declaration of continued adherence — copy of which is enclosed herewith — regarding the membership of this Republic in the Berne Convention for the Protection of Literary and Artistic Works, of September 9, 1886, last revised at Brussels on June 26, 1948.

This declaration confirms, with regard to Madagascar, a notification which has been earlier effected by the French Government, according to Article 26(1) of the Berne Convention revised at Brussels.

Concerning its participation in the expenses of the International Bureau of the Union, this State is placed, according to its request, in the sixth class of contribution by virtue of Article 23 of the Berne Convention revised at Brussels.

#### ANNEX

#### *Letter of the Minister of Foreign Affairs of the Malagasy Republic to the Embassy of Switzerland at Tananarive, of February 11, 1966*

“ Considérant qu’une Convention relative à la protection des œuvres littéraires et artistiques a été adoptée à Berne le

9 septembre 1886 et révisée en dernier lieu à Bruxelles le 26 juin 1948;

Considérant que l’application de celle-ci avait été étendue à Madagascar le 22 mai 1952 en vertu d’une déclaration faite par la France, conformément à son article 26, alinéa (1);

Considérant que le Gouvernement de la République Malgache a décidé de continuer à appliquer sur son territoire la Convention précitée;

Nous, Albert Sylla, Ministre des Affaires étrangères, dûment autorisé à cet effet, déclarons par les présentes que:

- le Gouvernement de la République Malgache se considère comme lié par la Convention de Berne du 9 septembre 1886 et révisée en dernier lieu à Bruxelles le 26 juin 1948;
- cette adhésion doit courir à partir du 1<sup>er</sup> janvier 1966;
- le Gouvernement de la République Malgache désire être rangé dans la VI<sup>e</sup> classe pour la détermination de sa part contributive.

En foi de quoi, nous avons signé les présentes lettres de déclaration de continuité.

Fait à Tananarive, le 11 février 1966.

(sig.) Albert SYLLA.”

<sup>1)</sup> See in *Le Droit d’Auteur*, 1952, p. 49, the text of the notification made by France on October 23, 1951.

## UNITED KINGDOM

### I

### Application to the territory of Grenada of the Berne Convention for the Protection of Literary and Artistic Works, last revised at Brussels, on June 26, 1948 (with effect from May 1, 1966)

#### *Notification of the Swiss Government to the Governments of Unionist Countries*

Carrying out the instructions issued by the Federal Political Department on April 1, 1966, the Embassy of Switzerland has the honour to inform the Ministry of Foreign Affairs as follows:

By a letter of February 17, 1966, Her Britannic Majesty’s Embassy in Switzerland has notified the Federal Political Department of the application of the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, last revised at Brussels on June 26, 1948, to the territory of Grenada. This declaration refers to Article 26, paragraph (1), of the said Convention.

According to Article 25, paragraph (3) of the Convention, this declaration will take effect on May 1, 1966.

The present notification is made in application of Article 26, paragraph (3), of the above-mentioned Convention.

#### ANNEX

*Letter from the British Embassy at Berne,  
of February 17, 1966*

Monsieur le Conseiller fédéral,

On instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to notify Your Excellency, in accordance with Article 26 (1) of the International Convention for the Protection of Literary and Artistic Works as last revised at Brussels on the 26<sup>th</sup> of June, 1948,

to which revised Convention the United Kingdom acceded on the 15<sup>th</sup> of November, 1957, of the application of the said Convention to the territory of Grenada.

I request that the 1<sup>st</sup> of May, 1966, be considered the effective date for the application of the revised Convention to Grenada if the notification by the Government of the Swiss Confederation provided for in Article 25 (3) of the Convention is made earlier than the 1<sup>st</sup> of April.

I should be grateful if Your Excellency will confirm in due course the date of application in accordance with the provisions of paragraph (3) of Article 25 of the Convention.

I have the honour to be, with the highest respect, Monsieur le Conseiller fédéral, your obedient Servant,

(R. S. ISAACSON)

## II

### **Application to the Cayman Islands of the Berne Convention for the Protection of Literary and Artistic Works, last revised at Brussels on June 26, 1948 (with effect from June 4, 1966)**

#### *Notification of the Swiss Government to the Governments of Unionist Countries*

Carrying out the instructions issued by the Federal Political Department on April 1, 1966, the Embassy of Switzerland has the honour to inform the Ministry of Foreign Affairs as follows:

By a letter of March 10, 1966, Her Britannic Majesty's Embassy in Switzerland has notified the Federal Political Department of the application of the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, last revised at Brussels on June 26, 1948, to the Cayman Islands. This declaration refers to Article 26, paragraph (1), of the said Convention.

According to Article 25, paragraph (3) of the Convention, and upon the express request of the Government of the United Kingdom, this declaration will take effect on June 4, 1966.

The present notification is made in application of Article 26, paragraph (3), of the above-mentioned Convention.

#### ANNEX

*Letter from the British Embassy at Berne,  
of March 10, 1966*

Monsieur le Conseiller fédéral,

On instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to notify you, in accordance with Article 26 (1) of the International Convention for the Protection of Literary and Artistic Works as last revised at Brussels on 26<sup>th</sup> of June, 1948, to which revised Convention the United Kingdom acceded on 15<sup>th</sup> of November, 1957, of the application of the said Convention to the territory of the Cayman Islands.

I request that the date of 4<sup>th</sup> of June, 1966, be considered the effective date for the application of the revised Convention to the Cayman Islands if the notification by the Government of the Swiss Confederation provided for in Article 25 (3) of the Convention is made earlier than 4<sup>th</sup> of May.

I should be grateful if Your Excellency would confirm in due course the date of application in accordance with the provisions of paragraph (3) of Article 25 of the Convention.

I have the honour to be, with the highest respect, Monsieur le Conseiller fédéral, your obedient Servant,

(R. S. ISAACSON)

## III

**Application to the British Guiana of the Berne Convention  
for the Protection of Literary and Artistic Works, last revised at Brussels on June 26, 1948  
(with effect from June 5, 1966)**

*Notification of the Swiss Government to the Governments  
of Unionist Countries*

Carrying out the instructions issued by the Federal Political Department on April 1, 1966, the Embassy of Switzerland has the honour to inform the Ministry of Foreign Affairs as follows:

By a letter of March 16, 1966, Her Britannic Majesty's Embassy in Switzerland has notified the Federal Political Department of the application of the Berne Convention for the Protection of Literary and Artistic Works of September 9, 1886, last revised at Brussels on June 26, 1948, to the British Guiana. This declaration refers to Article 26, paragraph (1), of the said Convention.

According to Article 25, paragraph (3), of the Convention, and upon the express request of the Government of the United Kingdom, this declaration will take effect on June 5, 1966.

The present notification is made in application of Article 26, paragraph (3), of the above-mentioned Convention.

ANNEX

*Letter from the British Embassy at Berne,  
of March 16, 1966*

Monsieur le Conseiller fédéral,

On instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to notify you, in accordance with Article 26 (1) of the International Convention for the Protection of Literary and Artistic Works, 1886, as last revised at Brussels on the 26<sup>th</sup> of June, 1948, to which revised Convention the United Kingdom acceded on the 15<sup>th</sup> of November, 1957, of the application of the said Convention to British Guiana.

I request that the 5<sup>th</sup> of June, 1966, be considered the effective date for the application of the revised Convention to British Guiana, if the notification by the Government of the Swiss Confederation provided for in Article 25 (3) of the Convention is made earlier than the 5<sup>th</sup> of May, 1966.

I should be grateful if Your Excellency would confirm in due course the date of application in accordance with the provisions of paragraph (3) of Article 25 of the Convention.

I have the honour to be, with the highest respect, Monsieur le Conseiller fédéral, your obedient Servant,

(R. S. ISAACSON)

**NATIONAL LEGISLATION**

UNITED KINGDOM

I

**Copyright Orders 1965**

(Nos. 2009 [Bechuanaland], of November 29, 1965, and 2010 [Cayman Islands], of November 23, 1965, coming into force on December 4, 1965; No. 2158 [Grenada], of December 22, 1965, coming into force on January 1, 1966)

These Orders extend the provisions of the Copyright Act 1956 with certain exceptions and modifications to form part of the respective laws of Bechuanaland, the Cayman Islands and Grenada.

These Orders also extend three Orders in Council made under Part V of the Act. The extension of these Orders will afford protection in Bechuanaland, the Cayman Islands and Grenada to works originating in countries party to Interna-

tional Copyright Conventions, to works produced by certain international organisations and to lawfully authorised broadcasts originating in other Commonwealth countries to which the 1956 Act has already been extended.

The copyright protection afforded in the respective laws of Bechuanaland, the Cayman Islands and Grenada will be similar to that afforded in the law of the United Kingdom.

## II

**The Copyright (International Conventions) (Amendment No. 3) Order 1965**

(No. 2159, of December 22, 1965, coming into force on January 1, 1966)

Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority conferred upon Her by sections 31, 32 and 47 of the Copyright Act 1956, and of all other powers enabling Her in that behalf, is pleased to order, and it is hereby ordered, as follows:

1. — The Copyright (International Conventions) Order 1964<sup>1)</sup> (hereinafter called “the principal Order”) as amended<sup>2)</sup> shall be further amended by omitting the reference to South Africa in Schedule 3 (which names the countries in the case of which copyright in sound recordings includes the exclusive right to perform in public and to broadcast).

2. — The provisions of this Order shall extend to all the countries mentioned in column 1 of Part 1 of Schedule 4 to the principal Order and to Bechuanaland, the Cayman Islands,

<sup>1)</sup> See *Le Droit d'Auteur (Copyright)*, 1964, p. 150.

<sup>2)</sup> *Ibid.*, 1964, p. 184; *Copyright*, 1965, pp. 40, 240 and 241.

Montserrat and St. Lucia (being the countries to which that Order has been extended).

3. — (1) The Interpretation Act 1889 shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Copyright (International Conventions) (Amendment No. 3) Order 1965 and shall come into operation on January 1, 1966.

## EXPLANATORY NOTE

(This Note is not part of the Order)

This Order further amends the Copyright (International Conventions) Order 1964 by restricting the copyright in sound recordings originating in South Africa so that it no longer includes the exclusive right to perform in public or to broadcast. Article 2 of the Order extends its provisions to those dependent countries of the Commonwealth where the Copyright Act 1956 is law.

## III

**The Copyright (British Guiana) Order 1966**

(Of January 31, 1966, coming into force on February 5, 1966)

This Order extends the provisions of the Copyright Act 1956 with certain exceptions and modifications to form part of the law of British Guiana.

The Order also extends three Orders in Council made under Part V of that Act. The extension of these Orders will afford protection in British Guiana to works originating in countries party to International Copyright Conventions, to

works produced by certain international organisations and to lawfully authorised broadcasts originating in other Commonwealth countries to which the 1956 Act has already been extended.

The copyright protection afforded in the law of British Guiana will be similar to that afforded in the law of the United Kingdom.

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*GENERAL STUDIES*

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**The United States Copyright Law and the Berne Convention:  
the Implications of the Prospective Revision of Each \*)**





















































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Melville B. NIMMER  
Professor of Law  
University of California, Los Angeles



that this tenth edition was finished and prefaced by E. P. Skone James alone, because of the death of his father.

This edition includes all the important developments after the publication of the ninth edition (several Orders extending the Copyright Act of 1956 to different parts of the Commonwealth and to other countries,

the European Agreement on the Protection of Television Broadcasts, and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations).

There are also some more or less technical changes made in this edition; they concern both the text itself and the Appendices. M. S.

## CALENDAR

### Meetings of BIRPI

Date and Place	Title	Object	Invitations to Participate	Observers Invited
May 2 to 5, 1966 Geneva	Committee of Experts Designs Classification	To establish a Draft Agreement	All Member States of the Paris Union	Unesco; Council of Europe; International Association for the Protection of Industrial Property; International Chamber of Commerce; International Literary and Artistic Association; International Federation of Patent Agents; Inter-American Association of Industrial Property
May 6 and 7, 1966 Geneva	<i>Ad hoc</i> Conference of the Directors of National Industrial Property Offices of the countries members of the Madrid Union	Adaptation of the Regulations of the Madrid Agreement, Nice Act (Trade-marks)	All Member States of the Madrid Agreement (Trade-marks)	Same observers as at the meeting in December, 1965
May 16 to 27, 1966 Geneva	Second Committee of Governmental Experts on Administration and Structure	To study drafts in view of the Stockholm Conference of 1967	All Member States of the Paris and Berne Unions	United Nations; World Health Organization; International Labour Organization; Unesco; International Patent Institute; Council of Europe; Organization of American States; European Economic Community; European Free Trade Association; Latin American Free Trade Association; International Association for the Protection of Industrial Property; International Chamber of Commerce; Inter-American Association of Industrial Property; International Federation of Patent Agents; International Literary and Artistic Association; International Bureau for Mechanical Reproduction; International Confederation of Societies of Authors and Composers; International Writers Guild
May 30 to June 6, 1966 Madrid	Hispano-American Meeting on Copyright: Session on Legal Studies, convened by the Institute of Hispanic Culture, under the auspices and in collaboration with BIRPI	The study of legal and administrative problems for the protection of copyright in Hispano-American countries	Experts invited in their personal capacity from the following countries: Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Peru, Spain, Venezuela	Unesco; International Confederation of Societies of Authors and Composers; Inter-American Institute of International Legal Studies
September 26 to 29, 1966 Geneva	Interunion Coordination Committee	Program and Budget of BIRPI	Belgium, Brazil, Ceylon, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Morocco, Netherlands, Nigeria, Portugal, Rumania, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union or of the Berne Union; United Nations
September 26 to 29, 1966 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (2nd Session)	Program and Budget (Paris Union)	Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Japan, Morocco, Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union; United Nations

Date and Place	Title	Object	Invitations to Participate	Observers Invited
October 30 to November 4, 1966 Budapest	East/West Industrial Property Symposium	Discussion of practical questions of industrial property		Open. Registration required
November 7 to 11, 1966 Geneva	Committee of Experts on a model law for developing countries concerning trademarks, trade names, indications of source, and unfair competition	To draft a Model Law on Trademarks for developing countries	List to be announced later	List to be announced later
December 13 to 16, 1966 Geneva	<i>Ad hoc</i> Conference of the Directors of National Industrial Property Offices and Committee of Directors of the Madrid Union	Adoption of the Transitional Regulations of the Madrid Agreement (Trademarks)	All Member States of the Madrid Agreement (Trademarks)	All other Member States of the Paris Union

### Meetings of Other International Organizations concerned with Intellectual Property

Place	Date	Organization	Title
Stresa	May 3 to 7, 1966	International Federation of Musicians (FIM)	6th Ordinary Congress
Prague	June 9 to 18, 1966	International Confederation of Societies of Authors and Composers (CISAC)	Congress
The Hague	October 10 to 21, 1966	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT)	6th Annual Meeting

### VACANCY FOR A POST IN BIRPI

Applications are invited for the post of Head of Division of Registrations in BIRPI which will become vacant towards the end of 1966.

The person appointed will be responsible for

- (a) the work of the Trademark Registration Service established under the Madrid Agreement;
- (b) the work of the Design Registration Service established under The Hague Agreement;
- (c) the registrations to be effected under Article 6<sup>ter</sup> of the Paris Convention and under the Lisbon Agreement;
- (d) the tasks deriving from the Nice Agreement concerning the International Classification of Goods and Services for the purposes of trademark registration;
- (e) the preparations for an international classification of goods for the purposes of industrial design registration.

Candidates should have a university degree in law (or comparable legal education) and wide experience in the registration of trademarks. They should have an excellent knowledge of French. A knowledge of English and German would be an advantage.

Candidates must be nationals of one of the member States of the Paris Union or of the Berne Union. Preference will be given to candidates who are nationals of States of which no national is on the staff of BIRPI. An age limit of 50 will apply.

Application forms and full information regarding the conditions of employment may be obtained from the Head of Personnel, BIRPI, 32, chemin des Colombettes, Geneva, Switzerland. Application forms duly completed should reach BIRPI not later than June 30, 1966.

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May 6 and 7, 1966 Geneva	<i>Ad hoc</i> Conference of the Directors of National In- dustrial Property Offices of the countries members of the Madrid Union	Adaptation of the Regula- tions of the Madrid Agree- ment, Nice Act (Trade- marks)	All Member States of the Madrid Agreement (Trade- marks)	Same observers as at the meeting in December, 1965
May 16 to 27, 1966 Geneva	Second Committee of Gov- ernmental Experts on Ad- ministration and Structre	To study drafts in view of the Stockholm Conference of 1967	All Member States of the Paris and Berne Unions	United Nations; World Health Organiza- tion; International Labour Organization; Unesco; International Patent Institute; Council of Europe; Organization of American States; European Economic Community; European Free Trade Asso- ciation; Latine American Free Trade Association; International Association for the Protection of Industrial Prop- erty; International Chamber of Com- merce; Inter-American Association of Industrial Property; International Fed- eration of Patent Agents; International Literary and Artistic Association; Inter- national Bureau for Mechanical Repro- duction; International Confederation of Societies of Authors and Composers; International Writers Guild
May 30 to June 6, 1966 Madrid	Hispano-American Meeting on Copyright: Session on Legal Studies, convened by the Institute of Hispanic Culture, under the auspices and in collaboration with BIRPI	The study of legal and ad- ministrative problems for the protection of copyright in Hispano-American coun- tries	Experts invited in their personal capacity from the following countries: Argen- tina, Brazil, Chile, Colom- bia, Ecuador, Mexico, Peru, Spain, Venezuela	Unesco; International Confederation of Societies of Authors and Composers; Inter-American Institute of International Legal Studies
September 26 to 29, 1966 Geneva	Interunion Coordination Committee	Program and Budget of BIRPI	Belgium, Brazil, Ceylon, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Morocco, Nether- lands, Nigeria, Portugal, Rumania, Spain, Sweden, Switzerland, Union of So- viet Socialist Republics, United Kingdom of Great Britain and Northern Ire- land, United States of America, Yugoslavia	All other Member States of the Paris Union or of the Berne Union; United Nations
September 26 to 29, 1966 Geneva	Executive Committee of the Conference of Representa- tives of the Paris Union (2nd Session)	Program and Budget (Paris Union)	Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Ja- pan, Morocco, Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland, Union of Soviet Socialist Repub- lics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union; United Nations

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## Meetings of Other International Organizations concerned with Intellectual Property

Place	Date	Organization	Title
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Prague	June 9 to 18, 1966	International Confederation of Societies of Authors and Composers (CISAC)	Congress
The Hague	October 10 to 21, 1966	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT)	6 <sup>th</sup> Annual Meeting

### VACANCY FOR A POST IN BIRPI

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- (d) the tasks deriving from the Nice Agreement concerning the International Classification of Goods and Services for the purposes of trademark registration;
- (e) the preparations for an international classification of goods for the purposes of industrial design registration.

Candidates should have a university degree in law (or comparable legal education) and wide experience in the registration of trademarks. They should have an excellent knowledge of French. A knowledge of English and German would be an advantage.

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