

Copyright

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

4th year - No. 1

January 1968

Contents

	Pages
INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, 1967	
— Signatory Countries of the Various Texts Adopted by the Conference	2
INTERNATIONAL UNION	
— State of the International Union on January 1, 1968	3
— The International Union on the Threshold of 1968	7
— Senegal. Declaration concerning the Protocol Regarding Developing Countries (Stockholm Act of the Berne Convention)	10
— Interunion Coordination Committee. Fifth Session (Geneva. December 18 to 21, 1967). Report	10
GENERAL STUDIES	
— Article 6 ^{bis} of the Berne Convention (Moral rights) (Pierre Recht)	14
NEWS ITEMS	
— State of Ratifications of and Accessions to the Conventions and Agreements affect- ing Copyright on January 1, 1968	16
BIBLIOGRAPHY	
— Book List	18
CALENDAR	
— Meetings of BIRPI	19
— Meetings of Other International Organizations Concerned with Intellectual Property	20

© BIRPI 1968

Any reproduction of articles and translations of laws, published in this periodical, is authorized only with the prior consent of BIRPI

INTELLECTUAL PROPERTY CONFERENCE OF STOCKHOLM, 1967

Signatory Countries of the Various Texts Adopted by the Conference

Hereinafter are indicated, under each text adopted by the Stockholm Conference, the countries whose plenipotentiaries signed the said texts.

Unless otherwise indicated, the signatures were affixed on July 14, 1967. All signatures affixed are subject to ratification, with the exception of Ireland which signed the WIPO Convention without reservation as to ratification.

I

Convention Establishing the World Intellectual Property Organization (WIPO)

Algeria, Austria, Belgium, Bulgaria (January 11, 1968), Byelorussian Soviet Socialist Republic (November 16, 1967), Cameroon, Central African Republic, Congo-Kinshasa, Denmark, Ecuador, Federal Republic of Germany, Finland, France, Gabon, Greece, Holy See, Hungary (January 12, 1968), Iceland, Indonesia (January 12, 1968), Iran, Ireland (January 12, 1968), Israel, Italy, Ivory Coast, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Mexico, Monaco, Morocco, Niger, Norway, Netherlands, Peru, Philippines, Poland (January 10, 1968), Portugal, Rumania, Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia, Ukrainian Soviet Socialist Republic (November 16, 1967), Union of Soviet Socialist Republics (October 12, 1967), United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia. (51 countries)

II

Berne Convention for the Protection of Literary and Artistic Works — Stockholm Act

Austria, Belgium, Bulgaria (January 11, 1968)^{1) 2)}, Cameroon, Congo-Kinshasa, Denmark, Federal Republic of Germany, Finland, France, Gabon, Greece, Holy See, Hungary (January 12, 1968), Iceland, India, Ireland (January 12, 1968), Israel, Italy, Ivory Coast, Japan, Liechtenstein, Luxembourg, Madagascar, Mexico, Monaco, Morocco, Niger, Norway, Philippines, Poland (January 10, 1968)¹⁾, Portugal, Rumania¹⁾, Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia, Yugoslavia. (39 countries)

¹⁾ This country signed the Stockholm Act subject to the reservation provided for in Article 33(2).

²⁾ Bulgaria declared that it will admit the application of the provisions of the Protocol Regarding Developing Countries to works of which it is the country of origin by developing countries which, by virtue of Article 5(1)(a) of the said Protocol, have made the reservations permitted under this Protocol.

III

Paris Convention for the Protection of Industrial Property Stockholm Act

Algeria³⁾, Austria, Belgium, Bulgaria (January 11, 1968)³⁾, Cameroon, Central African Republic, Cuba (January 12, 1968), Denmark, Federal Republic of Germany, Finland, France, Gabon, Greece, Holy See, Hungary (January 12, 1968), Iceland, Indonesia (January 12, 1968)³⁾, Iran, Ireland (January 12, 1968), Israel, Italy, Ivory Coast, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Monaco, Morocco, Niger, Norway, Netherlands, Philippines, Poland (January 10, 1968)³⁾, Portugal, Rumania³⁾, Senegal, South Africa, Spain, Sweden, Switzerland, Tunisia, Union of Soviet Socialist Republics³⁾, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia. (46 countries)

IV

Madrid Agreement Concerning the International Registration of Marks — Stockholm Act

Austria, Belgium, Federal Republic of Germany, France, Hungary (January 12, 1968), Italy, Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, Portugal, Rumania, Spain, Switzerland, Tunisia, Yugoslavia. (17 countries)

V

Additional Act of Stockholm to the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods

Cuba (January 12, 1968), Federal Republic of Germany, France, Hungary (January 12, 1968), Ireland (January 12, 1968), Israel, Italy, Japan, Liechtenstein, Monaco, Morocco, Poland (January 10, 1968), Portugal, Spain, Sweden, Switzerland, Tunisia, United Kingdom of Great Britain and Northern Ireland. (18 countries)

VI

Complementary Act of Stockholm to the Hague Agreement Concerning the International Deposit of Industrial Designs

Belgium, Federal Republic of Germany, France, Holy See (January 5, 1968), Liechtenstein, Monaco, Morocco, Netherlands, Spain, Switzerland, Tunisia. (11 countries)

³⁾ This country signed the Stockholm Act subject to the reservation provided for in Article 28(2).

VII

Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks — Stockholm Act

Belgium, Denmark, Federal Republic of Germany, France, Hungary (January 12, 1968), Ireland (January 12, 1968), Israel, Italy, Monaco, Morocco, Norway, Netherlands, Poland (January 10, 1968), Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, Yugoslavia. (19 countries)

VIII

Lisbon Agreement for the Protection of Appellations of Origin and their International Registration
Stockholm Act

Cuba (January 12, 1968), France, Hungary (January 12, 1968), Israel, Portugal. (5 countries)

INTERNATIONAL UNION

State of the International Union on January 1, 1968

The Conventional Texts

The Charter of the International Union for the Protection of Literary and Artistic Works is the *Berne Convention* of September 9, 1886, which came into force on December 5, 1887.

This Convention was amended and supplemented in Paris on May 4, 1896, by an *Additional Act* and an *Interpretative Declaration* put into operation on December 9, 1897.

A thorough overhaul took place in Berlin on November 13, 1908. The *Berlin Act*, which bears the title of the *Revised Berne Convention for the Protection of Literary and Artistic Works*, came into force on September 9, 1910. At the time of the revision effected in Berlin, countries were given the right to indicate, by means of reservations, the provisions of the original Convention of 1886, or of the Additional Act of 1896, which they wished to substitute for the corresponding provisions of the Convention of 1908.

On March 20, 1914, an *Additional Protocol* to the revised Berne Convention of 1908 was signed in Berne, in order to enable Union countries to restrict, should they deem fit, the protection given to authors who are nationals of a non-Union country. This Protocol came into force on April 20, 1915.

The Berlin Act, in its turn, underwent revision in Rome. The *Rome Act*, signed on June 2, 1928, has been in force since August 1, 1931. Countries joining the Union by direct accession to this Act could stipulate only one reservation, in respect of the right of translation.

The Berne Convention was again revised in Brussels. The *Brussels Act*, signed on June 26, 1948, has been in force since August 1, 1951. Countries joining the Union by direct accession to this Act may still stipulate the reservation in respect of the right of translation.

The last revision of the Berne Convention took place at Stockholm in 1967. The *Stockholm Act*, signed on July 14, 1967, has not yet entered into force.

Field of application of the various revised texts of the Berne Convention

Union countries, or contracting countries (to the number of 58), and the territories for the external relations of which they are responsible, apply at present either the Act of Berlin or that of Rome, or that of Brussels.

(a) Berlin Act

Thailand, which has acceded neither to the Rome Act nor to that of Brussels, remains bound by the Berlin Act to the other Union countries and to their dependencies.

South West Africa, which is a trust territory of the Republic of South Africa, also remains bound by the Berlin Act.

(b) Rome Act

In accordance with the provisions of the Convention, the Rome Act is applicable to relations between the following 14 countries, which have not yet acceded to the Brussels Act:

Australia	Japan
Bulgaria	Lebanon
Canada	Netherlands
Ceylon	New Zealand
Czechoslovakia	Pakistan
Hungary	Poland
Iceland	Rumania

STATE OF THE INTERNATIONAL UNION ON JANUARY 1, 1968

Country ¹⁾	Class chosen [Art. 23 (4)]	Date of Accession (Art. 25)	Date on which the Convention was declared applicable (Art. 26) ²⁾	Date of Accession to the Rome Act	Date of Accession to the Brussels Act
1. Australia ³⁾ Nauru, New Guinea, Norfolk and Papua	III —	14-IV-1928 —	5-XII-1887 29-VII-1936	18-I-1935 29-VII-1936	— —
2. Argentina	IV	10-VI-1967	—	—	10-VI-1967
3. Austria	VI	1-X-1920	—	1-VII-1936	14-X-1953
4. Belgium	III	5-XII-1887	—	7-X-1934	1-VIII-1951
5. Brazil	III	9-II-1922	—	1-VI-1933	9-VI-1952
6. Bulgaria	V	5-XII-1921	—	1-VIII-1931	—
7. Cameroon	VI	21-IX-1964 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
8. Canada ⁴⁾	II	10-IV-1928	5-XII-1887	1-VIII-1931	—
9. Ceylon	VI	24-VI-1959 ^{a)}	1-X-1931 ^{c)}	1-X-1931 ^{c)}	—
10. Congo (Brazzaville)	VI	8-V-1962 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
11. Congo (Kinshasa)	VI	8-X-1963 ^{a)}	20-XII-1948 ^{c)}	20-XII-1948 ^{c)}	14-II-1952 ^{c)}
12. Cyprus	VI	24-II-1964 ^{a)}	1-X-1931 ^{c)}	1-X-1931 ^{c)}	24-V-1964
13. Czechoslovakia	IV	22-II-1921	—	30-XI-1936	—
14. Dahomey	VI	3-I-1961 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
15. Denmark	IV	1-VII-1903	—	16-IX-1933	19-II-1962
16. Finland	IV	1-IV-1928	—	1-VIII-1931	28-I-1963
17. France Overseas Departments and Territories	I —	5-XII-1887 —	— 26-V-1930	22-XII-1933 ⁵⁾ 22-XII-1933	1-VIII-1951 22-V-1952
18. Gahon	VI	26-III-1962 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	26-III-1962 ^{b)}
19. Germany (Fed. Rep.)	I	5-XII-1887	—	21-X-1933	10-X-1966
20. Greece	VI	9-XI-1920	—	25-II-1932 ⁶⁾	6-I-1957
21. Holy See	VI	12-IX-1935	—	12-IX-1935	1-VIII-1951
22. Hungary	VI	14-II-1922	—	1-VIII-1931	—
23. Iceland	VI	7-IX-1947	—	7-IX-1947 ⁷⁾	—
24. India ⁸⁾	IV	1-IV-1928	5-XII-1887	1-VIII-1931	21-X-1958
25. Ireland ⁹⁾	IV	5-X-1927	5-XII-1887	11-VI-1935 ⁷⁾	5-VII-1959
26. Israel ¹⁰⁾	V	24-III-1950	21-III-1924	24-III-1950	1-VIII-1951
27. Italy	I	5-XII-1887	—	1-VIII-1931	12-VII-1953
28. Ivory Coast	VI	1-I-1962 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	1-I-1962 ^{b)}
29. Japan	III	15-VII-1899	—	1-VIII-1931 ⁷⁾	—

1) Among the newly independent countries to which the Berne Convention was applied, by virtue of Article 26, there are only mentioned those which have so far made a declaration of continued adherence or a formal notification of accession to the Swiss Government under Article 25 of the Convention. This list will be amended as and when declarations of continued adherence or notifications of accession are received by the Swiss Government from other countries.

2) I.e. the date from which the notification made by virtue of Article 26 (1) began to take effect for the application of the Convention on the territory of the country concerned. After the latter's accession to independence, the application was confirmed by a declaration of continued adherence or accession.

3) *Australia* belonged to the Union from the outset as a country for the international relations of which the United Kingdom was responsible. April 14, 1928, is the date on which *Australia* made a declaration of accession, as a contracting country of the Union, in conformity with Article 25.

4) Same observation as in note 3), for *Canada*, which acceded with effect from April 10, 1928.

5) Reservation concerning works of applied art: Article 2 (4) of the Rome Act had been replaced by Article 4 of the original Convention of 1886.

6) Articles 8 and 11 of the Rome Act had been replaced by Articles 5 and 9 of the original Convention of 1886; but, as from January 6, 1957, *Greece* renounced these reservations in favour of all countries of the Union.

7) Reservation concerning the right of translation: Article 8 of the Rome Act or of the Brussels Act has been replaced by Article 5 of the original Convention of 1886, in the version of the Additional Act of 1896.

8) Same observation as in note 3), for *India*, which acceded with effect from April 1, 1928.

9) The new free State of *Ireland*, which was constituted by the Treaty signed with Great Britain on December 6, 1921, acceded, as such, with effect from October 5, 1927.

STATE OF THE INTERNATIONAL UNION ON JANUARY 1, 1968

Country ¹⁾	Class chosen [Art. 23 (4)]	Date of Accession (Art. 25)	Date on which the Convention was declared applicable (Art. 26) ²⁾	Date of Accession to the Rome Act	Date of Accession to the Brussels Act
30. Lebanon	VI	1-VIII-1924	—	24-XII-1933	—
31. Liechtenstein	VI	30-VII-1931	—	30-VIII-1931	1-VIII-1951
32. Luxembourg	VI	20-VI-1888	—	4-II-1932	1-VIII-1951
33. Madagascar	VI	1-I-1966 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
34. Mali	VI	19-III-1962 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
35. Mexico	IV	11-VI-1967	—	—	11-VI-1967 ⁷⁾
36. Monaco	VI	30-V-1889	—	9-VI-1933	1-VIII-1951
37. Morocco	VI	16-VI-1917	—	25-XI-1934	22-V-1952
38. Netherlands Surinam and Netherlands Antilles	III —	1-XI-1912 —	— 1-IV-1913	1-VIII-1931 1-VIII-1931	— —
39. New Zealand ¹¹⁾	IV	24-IV-1928	5-XII-1887	4-XII-1947	—
40. Niger	VI	2-V-1962 ^{a)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	22-V-1952 ^{c)}
41. Norway	IV	13-IV-1896	—	1-VIII-1931	28-I-1963
42. Pakistan ¹²⁾	VI	5-VII-1948	5-XII-1887	5-VII-1948	—
43. Philippines	VI	1-VIII-1951	—	—	1-VIII-1951
44. Poland	V	28-I-1920	—	21-XI-1935	—
45. Portugal ¹³⁾	III	29-III-1911	—	29-VII-1937	1-VIII-1951
46. Rumania	V	1-I-1927	—	6-VIII-1936	—
47. Senegal	VI	25-VIII-1962 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	25-VIII-1962 ^{b)}
48. South Africa ¹⁴⁾ South West Africa ¹⁵⁾	IV —	3-X-1928 28-X-1931	5-XII-1887 5-XII-1887	27-V-1935 —	1-VIII-1951 —
49. Spain	II	5-XII-1887	—	23-IV-1933	1-VIII-1951
50. Sweden	III	1-VIII-1904	—	1-VIII-1931	1-VII-1961
51. Switzerland	III	5-XII-1887	—	1-VIII-1931	2-I-1956
52. Thailand	VI	17-VII-1931	—	—	—
53. Tunisia	VI	5-XII-1887	—	22-XII-1933 ⁵⁾	22-V-1952
54. Turkey	VI	1-I-1952	—	—	1-I-1952 ⁷⁾
55. United Kingdom ¹⁶⁾ Colonies, Possessions and certain Protectorate Territories	I —	5-XII-1887 —	— various dates	1-VIII-1931 various dates	15-XII-1957 various dates ¹⁷⁾
56. Upper Volta	VI	19-VIII-1963 ^{b)}	26-V-1930 ^{c)}	22-XII-1933 ^{c)}	19-VIII-1963 ^{b)}
57. Uruguay	VI	10-VII-1967	—	—	10-VII-1967
58. Yugoslavia	IV	17-VI-1930	—	1-VIII-1931 ⁷⁾	1-VIII-1951 ⁷⁾

¹⁰⁾ The accession of *Palestine*, as a territory under British mandate, took effect from March 21, 1924. After its accession to independence (May 15, 1948), *Israel* acceded with effect from March 24, 1950.

¹¹⁾ Same observation as in note ³⁾, for *New Zealand*, which acceded with effect from April 24, 1928.

¹²⁾ When *Pakistan* formed part of India, it belonged *ipso facto* to the Union as from the outset [see note ⁸⁾]; subsequently, *Pakistan* became a separate State from India and, on July 5, 1948, made a declaration of accession to the Berne Convention as revised at Rome in 1928.

¹³⁾ The former colonies have become "Portuguese Overseas Provinces". The Brussels Act has been applicable to these provinces since August 3, 1956.

¹⁴⁾ Same observation as in note ³⁾, for the *Union of South Africa*, which acceded with effect from October 3, 1928.

¹⁵⁾ The *Union of South Africa* later made a declaration of accession for *South West Africa*, a territory under mandate, and fixed the date of accession at October 28, 1931.

¹⁶⁾ United Kingdom of Great Britain and Northern Ireland.

¹⁷⁾ Application of the Convention to the Isle of Man, Fiji, Gibraltar and Sarawak (see *Le Droit d'Auteur-Copyright*, 1962, p. 32); to Zanzibar, Bermudas and North Borneo (*ibid.*, 1963, p. 8); to Bahamas and Virgin Islands (*ibid.*, 1963, p. 144); to Falkland Islands, Kenya, St. Helena and Seychelles (*ibid.*, 1963, p. 180); to Mauritius (*ibid.*, 1964, p. 192); to Montserrat, Santa-Lucia and Bechuanaland (*Copyright*, 1966, p. 67); to Grenada, the Cayman Islands and British Guiana (*ibid.*, 1966, p. 91); to the British Honduras (*ibid.*, 1966, p. 242); to Saint Vincent (*ibid.*, 1967, p. 208). The Republic of the Philippines, however, reserved its position as regards the application to Sarawak.

^{a)} Date of the despatch of the declaration of continued adherence after the accession of this country to independence.

^{b)} Date of the entry into force of the accession, by virtue of Article 25 (3) of the Convention.

^{c)} As a colony (date of the application resulting from the notice made by the colonising power or the power exercising trusteeship or being responsible for the international relations of a country, by virtue of Article 26 (1) of the Convention).

The Rome Act is also applicable to relations between the 14 above-mentioned countries and the 26 following countries which, *after having acceded to this Act*, have ratified the Brussels Act or have acceded to it:

Austria	Liechtenstein
Belgium	Luxembourg
Brazil	Monaco
Denmark	Morocco
Finland	Norway
France ¹⁾	Portugal
Germany [*])	South Africa
Greece	Spain
Holy See	Sweden
India	Switzerland
Ireland	Tunisia
Israel	United Kingdom ²⁾
Italy	Yugoslavia

Lastly, the Rome Act is applicable to relations between the 14 above-mentioned countries and the 17 countries which have acceded to the Brussels Act only, or which have made declarations of continued application of the latter, i.e.:

Argentina	Mali
Cameroon	Mexico
Congo (Brazzaville)	Niger
Congo (Kinshasa)	Philippines
Cyprus	Senegal
Dahomey	Turkey
Gabon	Upper Volta
Ivory Coast	Uruguay
Madagascar	

^{*}) With regard to East Germany or the German Democratic Republic, see *Le Droit d'Auteur*, 1955, p. 149.

¹⁾ Overseas departments and territories included.

²⁾ United Kingdom of Great Britain and Northern Ireland.

(c) *Brussels Act*

Forty-three contracting countries apply the Brussels Act in their mutual relations; they are:

Argentina	Luxembourg
Austria	Madagascar
Belgium ³⁾	Mali
Brazil	Mexico
Cameroon	Monaco
Congo (Brazzaville)	Morocco
Congo (Kinshasa)	Niger
Cyprus	Norway
Dahomey	Philippines
Denmark	Portugal ⁵⁾
Finland	Senegal
France ⁴⁾	South Africa
Gabon	Spain
Germany (Fed. Rep.)	Sweden
Greece	Switzerland
Holy See	Tunisia
India	Turkey
Ireland	United Kingdom ²⁾
Israel	Upper Volta
Italy	Uruguay
Ivory Coast	Yugoslavia
Liechtenstein	

Fifteen countries of the Union have not yet acceded to the Brussels Act (i. e. the 14 countries between which the Rome Act is applicable and Thailand).

The only reservations applicable to the Unionist relations between the 43 above-mentioned countries are those formulated by Mexico, Turkey and Yugoslavia in respect of the right of translation.

³⁾ Belgium acceded to the Brussels Text for *Rwanda Urundi*.

⁴⁾ France acceded to the Brussels Text for its overseas and trust territories.

⁵⁾ Portugal acceded to the Brussels Text for its overseas provinces.

The International Union on the Threshold of 1968

As we have done in the past, we shall make a brief survey of the events, occurring in 1967, of interest to the Berne Union. The most significant of these is, of course, the Intellectual Property Conference of Stockholm, held from June 11 to July 14, 1967, which resulted in a general revision of the Berne Convention and involved both the substantive provisions and the administrative and final clauses. In connection with the latter clauses, the task accomplished at the Swedish capital also included the drawing up of a new international instrument establishing the World Intellectual Property Organization (WIPO). The achievements — both in the area of copyright and in that of administrative and structural reform with respect to the various Unions — of the plenipotentiaries assembled for five weeks at Stockholm will no doubt give rise to numerous comments, some of which will be reproduced in the columns of this publication. For the time being, however, we shall merely set forth the facts, under the usual headings, so as to give an overall view of the life of the Berne Union and of the activities of its International Bureau during the past year. We would simply add — and everyone will agree — that 1967 should prove to be an important stage in the development of the Berne Union and in the history of intellectual property in general. In the road travelled by any international agreement through the changes of time, Stockholm will mark a turning point for intellectual property conventions and especially for the Berne Convention: the trends shown over recent years have led to that point and from it those conventions, modernized and rejuvenated, will go forth to a more secure future.

I. Member States

In 1967, the Berne Union was augmented by the addition of three new member States, *Argentina, Mexico and Uruguay*, thus bringing the total number of States belonging to the Union to 58¹⁾.

Argentina deposited its instrument of accession to the Berne Convention (Brussels text) on May 5, 1967, with effect from June 10, 1967, and chose the fourth class for the determination of its contribution to the expenses of the International Bureau²⁾. *Mexico* did likewise on May 9, 1967, with effect from June 11, 1967³⁾. Subsequently, the Mexican Government indicated that it intended to substitute, at least provisionally, Article 5 of the 1896 version for Article 8 of the Brussels text of the Convention. That Government thus made use of the possibility, expressly provided for in Article 25 (3) of the 1948 text for the benefit of countries outside the Union wishing to adhere to it, of making a reservation in regard to the right of translation. It should be stressed that, according to the declaration deposited by the Mexican Government, this

reservation is being made provisionally; it can consequently be expected that Mexico will give it up in the more or less distant future. Finally, *Mexico* also selected the fourth class of contributions⁴⁾. As to *Uruguay*, the accession was made on June 7, 1967, with effect from July 10, 1967, and the class of contributions chosen was the sixth class⁵⁾.

It is particularly significant that these three new member States all belong to the same geographical area, namely Latin America. Of course, the dates on which their instruments of accession were deposited would lead one to believe that their Governments wished to participate as full members, and not simply as observers, in Stockholm Conference's work of revising the Berne Convention. Nevertheless, apart from that special circumstance, these three accessions should mark the beginning of a rallying of Latin America to the Berne Union. Since 1922, Brazil alone had been "representing," as it were, that vast portion of the globe. Efforts to extend the sphere of application of the Berne Convention have not been lacking, and quite recently, in 1966, the Hispano-American Legal Seminar, held at Madrid under the auspices of BIRPI, recommended the entry of the Hispano-American countries into the Berne Union⁶⁾, as did the Inter-American Meeting of Rio de Janeiro, also held in 1966⁷⁾. The recommendations adopted stressed the worldwide vocation of the Berne Convention: they were followed by Argentina, Mexico and Uruguay. There is every reason to hope that there will be further accessions; in any case, this territorial expansion of the Berne Union in Latin America is, in itself, a very important event.

Under the heading "Member States," we should further mention that the United Kingdom, under the provisions of Article 26 (1) of the Berne Convention, has declared that the Convention is applicable to the *territory of Saint Vincent*, with effect from November 1, 1967⁸⁾.

Lastly, according to information which has reached BIRPI, the Convention is still being applied in the territory of *Rhodesia*, but on the basis of the Rome text of 1928⁹⁾.

II. BIRPI Meetings

As has been emphasized above, it is quite obvious that the most important meeting of 1967 was the Stockholm Conference. It was not, however, the only one. If we keep to chronological order, the meetings organized by BIRPI can be summed up as follows.

1. East Asian Seminar on Copyright (New Delhi, January 23 to 30, 1967)

Convened by BIRPI, this Seminar met, at the kind invitation of the Government of India, at New Delhi from January

1) Or 59, if East Germany or the German Democratic Republic is also considered as a party to the Berne Convention. Member States disagree on this question (see *Le Droit d'Auteur*, 1956, pp. 105, 117, 169).

2) *Copyright*, 1967, p. 90.

3) *Ibid.*, 1967, p. 90.

4) *Ibid.*, 1967, p. 111.

5) *Ibid.*, 1967, p. 131.

6) *Ibid.*, 1966, p. 181.

7) *Ibid.*, 1966, p. 268.

8) *Ibid.*, 1967, p. 208.

9) *Ibid.*, 1967, p. 232.

23 to 30, 1967. Fourteen East Asian States were represented. The Seminar looked into the situation regarding copyright in that part of the world and, in addition, expressed its opinion on a draft model copyright law for developing countries. Inasmuch as it was held just shortly before the Stockholm Conference, the Seminar also exchanged views at length on the proposals for the revision of the Berne Convention that were to be submitted to that Conference for the benefit of developing countries. Finally, there was a discussion of the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, and of the problems it involved. The report adopted by the Seminar reflected the ideas that were developed on these four items of the agenda¹⁰⁾ and was sent to the member States of the Berne Union and to the participants. The New Delhi debates permitted viewpoints to be compared and ideas to be exchanged in the matter of the special needs of developing countries, a subject which was to hold the attention of the Stockholm Conference a few months later.

2. *Extraordinary Session of the Permanent Committee of the Berne Union (Geneva, March 14 to 16, 1967)*

A resolution passed by the General Conference of Unesco (14th Session - 1966) contemplating a revision of the Universal Copyright Convention which would affect the conditions governing the application of Article XVII of that Convention and the Appendix Declaration relating thereto led the Director of BIRPI to call for an extraordinary session of the Permanent Committee so as to learn of its opinions on the problems thus raised. As a matter of fact, since the contemplated revision primarily concerned the so-called Berne Union safeguard clause, the development and general functioning of the Union was involved and hence the Permanent Committee was entitled to voice an opinion. The report, with annexes, of the extraordinary session was reproduced in this publication¹¹⁾ and was sent to the member States of the Union. In view of the proximity of the Stockholm Conference, the Permanent Committee felt that it was too early to take a definitive position on the matter and decided to reconsider it at the ordinary session of December 1967.

3. *Intellectual Property Conference of Stockholm (June 11 to July 14, 1967)*

We shall make no attempt to give an account here of this Diplomatic Conference. BIRPI, while waiting for the Acts of the Conference to be printed, has published in its periodicals the principal instruments adopted at Stockholm¹²⁾. The Convention Establishing the World Intellectual Property Organization¹³⁾ and the revised text of the Berne Convention¹⁴⁾ have appeared in *Copyright, Industrial Property* has also published the WIPO Convention as well as the texts, as revised at Stockholm, of the Paris Convention and the various special Agreements concluded within the framework of the Paris Union.

¹⁰⁾ *Ibid.*, 1967, pp. 42 to 53.

¹¹⁾ *Ibid.*, 1967, pp. 66 to 73.

¹²⁾ *Ibid.*, 1967, p. 153.

¹³⁾ *Ibid.*, 1967, pp. 146 to 152.

¹⁴⁾ *Ibid.*, 1967, pp. 165 to 178.

Moreover, the reports on the work of the Main Committees of the Conference have also been published¹⁵⁾, for they represent a valuable source of information on the origin of the new provisions and include useful explanations regarding the occurrences or consequences of such provisions.

4. *Permanent Committee of the Berne Union (13th Session, Geneva, December 12 to 15, 1967)*

In accordance with its Rules of Procedure, providing for an ordinary session once every two years, the Permanent Committee held its 13th session at Geneva in December 1967. There were numerous items on the agenda, certain of which were considered at meetings held jointly with the Intergovernmental Copyright Committee (set up by the Universal Copyright Convention) because of the fact that they were of common interest to the two Committees. The final report and the various resolutions adopted will be published subsequently.

5. *Interunion Coordination Committee (5th Session, Geneva, December 18 to 21, 1967)*

So as to be able to hear the report of the Director on the activities of BIRPI since the preceding session and to voice an opinion on the program and budget of BIRPI for 1968, as well as on certain other matters appearing on its agenda, the Interunion Coordination Committee held its 5th session at Geneva in December 1967. The final report will be published subsequently. It should be noted that, for reasons of convenience and economy, the session of this Committee, the session of the Permanent Committee of the Berne Union, and other meetings concerning the Paris Union, were convened and organized by BIRPI for the same period of the year. This was also the case with the Intergovernmental Committee set up by the Rome Convention on neighboring rights, in conformity with the desire expressed by certain member States.

III. Other Meetings

In 1967, BIRPI was represented at a number of meetings held by international governmental or non-governmental organizations and dealing with matters pertaining to copyright or neighboring rights.

Unesco:

- Meeting of Governmental Experts to review the application of the Agreements on the Importation of Educational, Scientific and Cultural Materials, Geneva, November 20 to 29, 1967.

International Literary and Artistic Association (ALAI):

- Executive Committee and Annual General Assembly, Paris, February 17, 1967.
- 52nd Congress, Basle, March 29 to April 4, 1967¹⁶⁾.
- Executive Committee and Extraordinary General Assembly, Paris, November 8, 1967.

¹⁵⁾ *Ibid.*, 1967, pp. 183 to 207 for Committee No. I, pp. 222 to 224 for Committee No. II, pp. 225 to 230 for Committee No. IV, pp. 154 to 164 for Committee No. V. See *Industrial Property*, 1967, pp. 217 and 218 for Committee No. III.

¹⁶⁾ *Ibid.*, 1967, p. 123.

International Federation of Actors (IFA):

— 7th Congress, Prague, October 2 to 8, 1967¹⁷⁾.

International Secretariat of Entertainment Trade Unions:

— 2nd Congress, London, September 26 to 29, 1967¹⁸⁾.

IV. Legislative Developments

As in the past, legislative texts promulgated in respect of copyright in countries both members and non-members of the Berne Union have been reproduced in this publication, either in the original version or in translation. There has been quite a lot of material under this heading and it is to be expected that this will continue to be the case in the coming years, since certain legislators must adapt their national legislation to the new text of the Convention drawn up at Stockholm.

Three Union countries have completely recast their national copyright laws: these countries are *Pakistan*¹⁹⁾, *Portugal*²⁰⁾ and *Tunisia*²¹⁾. It should be noted that the Pakistani law was drafted as far back as 1962 but entered into force only on February 27, 1967. As to the Tunisian law, passed in 1966, an amendment to it was promulgated in January 1967.

Other countries, *Rhodesia*, *Sierra Leone*, *Tanzania*, have also passed legislation in this field; the respective texts will be published during the course of 1968.

Moreover, complementary legislation to the basic copyright laws has been enacted in *France*²²⁾, *Germany (Federal Republic)*²³⁾, *Spain*²⁴⁾, *United Kingdom*²⁵⁾ and *Yugoslavia*²⁶⁾.

Finally, the publication of excerpts from the Civil Code dealing with copyright, of the *Byelorussian Soviet Socialist Republic*, was thought to be of interest²⁷⁾.

In regard to legislative activity, it should not be forgotten that the Copyright Act of the *United States of America* is still in course of revision. Congressional work is in progress, and

it is quite possible that this important reform will be enacted some time in 1968.

V. Neighboring Rights

In 1967, there were no further ratifications of or accessions to the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, signed in 1961 and in force since May 18, 1964. There are still ten contracting States.

However, availing itself of the possibility provided for in Article 27 of the Convention, the United Kingdom extended the application of the latter to *Gibraltar*, subject to certain reservations specified in the declaration²⁸⁾.

On the other hand, referring to the ratification made by the Federal Republic of Germany extending the Convention to the *Land Berlin*, three States (Byelorussia, Czechoslovakia, USSR) contested such extension²⁹⁾.

The Intergovernmental Committee, set up by Article 32 of the Rome Convention, held its first session at the headquarters of the International Labour Office, Geneva, on December 18 and 19, 1967. The report concerning that session will be published subsequently.

VI. Conclusion

In 1967, these were the main events of interest to the Berne Union, now on the threshold of its 82nd year. There is one conclusion in particular which may be drawn from them: the special problems of developing countries have been foremost in the minds of Governments and interested circles, and it can easily be expected that they will continue to be their major preoccupation in the years to come. This can be seen in the application of the Protocol Regarding Developing Countries, added to the Stockholm Act of the Berne Convention, as well as in the contemplated revision of the Universal Copyright Convention. Future debates taking place on either the national or the international level will no doubt demonstrate that it is in the interest of all to extend the territorial scope of the protection of copyright throughout the world without overly lowering the quality of such protection.

Claude MASOUYÉ
Counsellor

17) *Ibid.*, 1967, p. 327.

18) *Ibid.*, 1967, p. 326.

19) *Ibid.*, 1967, pp. 91 to 97 and 112 to 121.

20) *Ibid.*, 1967, pp. 300 to 321.

21) *Ibid.*, 1967, pp. 23 to 27.

22) *Ibid.*, 1967, p. 209.

23) *Ibid.*, 1967, p. 53.

24) *Ibid.*, 1967, p. 74.

25) *Ibid.*, 1967, p. 134.

26) *Ibid.*, 1967, p. 122.

27) *Ibid.*, 1967, pp. 9 to 13.

28) *Ibid.*, 1967, p. 36.

29) *Ibid.*, 1967, p. 86.

SENEGAL

**Declaration concerning the Protocol Regarding Developing Countries
(Stockholm Act of the Berne Convention)**

*Notification of the Director of BIRPI to the Governments
of Union Countries*

The Director of the United International Bureaux for the Protection of Intellectual Property (BIRPI) presents his compliments to the Minister for Foreign Affairs of and, in conformity with the provisions of the Stockholm Act of the Berne Convention for the Protection of Literary and Artistic Works, has the honor to notify him of the declaration deposited by the Republic of Senegal and whose operative part is couched in the following terms:

(Original)

“ . . . Se référant aux articles 1 et 5 du Protocole relatif aux pays en voie de développement, formant partie intégrante de l'Acte de Stockholm de la Convention de Berne pour la protection des œuvres littéraires et artistiques, le Gouvernement du Sénégal entend appliquer les dispositions de ce Protocole aux œuvres dont le pays d'origine est un pays membre de l'Union de Berne qui sera devenu lié par les articles 1 à 21 dudit Acte et par le Protocole ou qui admettra une telle application, conformément à l'article 5 précité . . . ”.

(BIRPI translation)

“ . . . With reference to Articles 1 and 5 of the Protocol Regarding Developing Countries which forms an integral part of the Stockholm Act of the Berne Convention for the Protection of Literary and Artistic Works, the Government of Senegal intends to apply the provisions of that Protocol to works whose country of origin is a country of the Berne Union which will become bound by Articles 1 to 21 of the said Act and by the Protocol, or which will admit such application in conformity with the aforesaid Article 5 . . . ”

By virtue of Article 5(2) of the Protocol Regarding Developing Countries, this declaration becomes effective from the date it is deposited, i. e., November 14, 1967. However, it will be applicable only in respect of countries members of the Berne Union which have admitted the application of the reservations permitted under the said Protocol.

It should be noted that, to date, no declaration by any country admitting such application has been made in pursuance of Article 5(1)(b) of the Protocol, and no instrument of ratification or accession relating to Articles 1 to 21 of the Stockholm Act of the Berne Convention and to the Protocol has been deposited with the Director of BIRPI.

Geneva, December 5, 1967.

Interunion Coordination Committee

Fifth Session

(Geneva, December 18 to 21, 1967)

Report ¹⁾

Composition of the Session; Officers

The Fifth ²⁾ Ordinary Session of the Interunion Coordination Committee (hereinafter designated as “ the Committee ”) was held at Geneva from December 18 to 21, 1967.

At the opening of the Session, the Committee had twenty-four members. Twenty-two were represented: Belgium, Brazil, Czechoslovakia, Denmark, France, Germany (Federal Republic), Hungary, India, Italy, Japan, Mexico, Morocco, Netherlands, Portugal, Rumania, Spain, Sweden, Switzerland,

Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia. Two were not represented: Ceylon and Nigeria.

The following 23 States were represented by observers: Algeria, Argentina, Australia, Austria, Bulgaria, Cameroon, Canada, Democratic Republic of the Congo, Finland, Greece, Iran, Ireland, Israel, Kenya, Lebanon, Luxembourg, Malta, Monaco, Norway, Poland, San Marino, Turkey, United Arab Republic.

The list of participants is attached to this report.

The following new Officers were unanimously elected: Mr. A. Krieger (Germany [Federal Republic]), Chairman, and Messrs. J. C. Ribeiro (Brazil), and F. Kristek (Czechoslovakia), Vice-Chairmen.

¹⁾ This Report was prepared by BIRPI on the basis of the official documents of the session.

²⁾ Reports on the first, second, third and fourth sessions were published in *Le Droit d'Auteur (Copyright)*, 1964, pp. 23 and 177; *Copyright*, 1965, p. 238, and 1966, p. 254, respectively.

Reports on the Activities of BIRPI

Professor G. H. C. Bodenhausen, Director of BIRPI, presented Reports on the activities of BIRPI since the last session of the Committee, that is, in respect of a period of some fourteen months. Among other events the Reports mentioned the following:

- the Intellectual Property Conference of Stockholm (June 11 to July 14, 1967) which: adopted a new convention establishing the World Intellectual Property Organization; revised the Paris Convention for the Protection of Industrial Property, the Berne Convention for the Protection of Literary and Artistic Works, the Madrid Agreement concerning the International Registration of Marks, the Nice Agreement concerning the Classification of Goods and Services for the Purposes of the Registration of Marks, and the Lisbon Agreement concerning the Protection of Appellations of Origin; adopted an Additional Act to the Madrid Agreement on the Repression of False or Misleading Indications of Source on Goods and a Complementary Act to the Hague Agreement concerning the International Deposit of Industrial Designs;
- the preparation and publication of a BIRPI Model Law for Developing Countries on Marks, Trade Names and Acts of Unfair Competition;
- the BIRPI East-West Industrial Property Symposium in Budapest, Hungary;
- the progress made in respect of the BIRPI plan for a Patent Cooperation Treaty;
- the continued cooperation between BIRPI and the United Nations;
- the training program of BIRPI for government officials of developing countries;
- the two sessions of the Permanent Committee of the Berne Union held in March and December 1967;
- BIRPI's East Asian Seminar on Copyright in New Delhi, India.

These Reports were noted with approval by the Committee.

Financial Reports for the Year 1966

These Reports, including the Management Report for 1966, were noted with approval by the Committee.

Program and Budget of BIRPI for the Year 1968

The Director of BIRPI presented to the Committee the program and budget of BIRPI for the year 1968.

Among the activities contemplated are the following:

- continuation of the preparatory work, including the convocation of working groups and a committee of experts and the drawing up of a new draft, for the proposed Patent Cooperation Treaty,
- convocation, by the Swiss Government, of a Diplomatic Conference in Locarno in October 1968 for the adoption of an Agreement on the international classification of industrial designs;

- continuation of the technical assistance program to developing countries, particularly through fellowships and the preparation of a draft model law on industrial designs;
- examination of the situation created by the adoption, by the Stockholm Conference, of the Protocol — attached to the Berne Copyright Convention — Regarding Developing Countries and, by Unesco's General Conference, of a resolution concerning the possible revision of the Universal Copyright Convention;
- convocation of a committee of experts to examine the possibilities of establishing an international classification of the figurative elements of marks;
- starting the publication of a new BIRPI periodical in the Spanish language, under the title "*La Propiedad intelectual*;"
- drawing up of plans for a possible extension of the headquarters building of BIRPI.

The proposed program and budget were noted with approval by the Committee.

New Composition of the Committee

In view of the new composition of the Executive Committee of the Paris Union and the unchanged composition of the Permanent Committee of the Berne Union, the composition of the Internunion Coordination Committee as from December 21, 1967, is as follows: Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Denmark, France, Germany (Federal Republic), Hungary, India, Iran, Italy, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Portugal, Rumania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America (27 States).

List of Participants

Member States of the Committee

Belgium

Mr. J. C. Verlinden, Secretary of Administration, Industrial and Commercial Property Service, Ministry of Economic Affairs, Brussels.

Brazil

Mr. J. C. Riheiro, Secretary of Embassy, Permanent Delegation of Brazil, Geneva.

Czechoslovakia

Mr. F. Křístek, Chairman, Office for Patents and Inventions, Prague.
Mr. O. Fabian, Second Secretary, Ministry of Foreign Affairs, Prague.
Mr. J. Conk, Legal Advisor, Office for Patents and Inventions, Prague.

Denmark

Mr. W. Weincke, Head of Department, Ministry of Cultural Affairs, Copenhagen.
Mr. T. Lund, Professor at the University of Aarhus, Aarhus.
Mr. G. Jensen, Ministry of Commerce, Copenhagen.

France

Mr. F. Savignon, Director, National Institute of Industrial Property, Paris.
Mr. R. Labry, Counsellor of Embassy, Ministry of Foreign Affairs, Paris.
Mr. C. Rohmer, Head, Copyright Office, Ministry of State for Cultural Affairs, Paris.

Germany (Federal Republic)

- Mr. A. Krieger, Ministerialrat, Ministry of Justice, Bonn.
 Mr. H. Mast, Regierungsdirektor, Ministry of Justice, Bonn.
 Mr. R. Singer, Regierungsdirektor, German Patent Office, Munich.
 Mrs. Elisabeth Steup, Regierungsdirektorin, Ministry of Justice, Bonn.
 Mr. P. Schönfeld, First Secretary, Permanent Delegation of the Federal Republic of Germany, Geneva.

Hungary

- Mr. E. Tasnádi, President, National Office for Inventions, Budapest.
 Mr. I. Sándor, Attaché, Ministry of Foreign Affairs, Budapest.

India

- Mr. R. S. Gae, Secretary to the Government of India, Ministry of Law, New Delhi.
 Mr. T. S. Krishnamurti, Registrar of Copyrights and Deputy Secretary to the Government of India, Ministry of Education, New Delhi.

Italy

- Mr. G. Galtieri, Inspector General, Presidency of the Council of Ministers, Rome.
 Mr. G. Trotta, Counsellor at the Court of Appeal, Italian Delegation for Intellectual Property Treaties, Rome.
 Mr. A. Pelizza, Inspector General, Ministry of Industry, Rome.
 Mr. A. Angel, Inspector General, Ministry of Industry, Rome.
 Mr. G. Giglioli, Official, Presidency of the Council of Ministers, Rome.

Japan

- Mr. T. Sakai, First Secretary, Permanent Delegation of Japan, Geneva.

Mexico

- Mr. H. Cardenas-Rodriguez, Third Secretary, Permanent Delegation of Mexico, Geneva.

Morocco

- Mr. A. H'ssaine, Director General, Copyright Office, Rabat.

Netherlands

- Mr. C. J. de Haan, President of the Patent Board, The Hague.
 Mr. W. M. J. C. Phaf, Head of the Division of Legislation and Legal Affairs, Ministry of Economic Affairs, The Hague.
 Mr. H. J. A. M. Vrouwenvelder, Head of the Accounts Division, Ministry of Economic Affairs, The Hague.

Portugal

- Mr. J. de Oliveira Ascensao, Professor, Faculty of Law, University of Lisbon, Lisbon.
 Mr. J. Van Zeller Garin, Assistant to the Department of Trade, Industrial Property Office, Lisbon.
 Mr. J. Mota Maia, Head of the Inventions Service, Industrial Property Office, Lisbon.

Rumania

- H. E. Constantiu Stanescu, Ambassador, Ministry of Foreign Affairs, Bucarest.
 Mr. Lucian Marinete, Director, State Office for Inventions, Bucarest.

Spain

- Mr. A. F. Mazarambroz, Director, Industrial Property Registration Office, Madrid.
 Mr. J. Raya Mario, Secretary-General of Archives and Libraries, Madrid.

Sweden

- Mr. T. Hesser, Justice of the Supreme Court, Stockholm.
 Mr. C. A. Ugglä, Legal Advisor to the Board of Appeal, Swedish Patent and Registration Office, Stockholm.

Switzerland

- Mr. H. Morf, Former Director, Federal Bureau of Intellectual Property, Berne.
 Mr. J. Voyame, Director, Federal Bureau of Intellectual Property, Berne.
 Mr. C. F. Pochon, Head of Section, Federal Department of Finance, Berne.
 Mr. Paul Ruedin, Consular Advisor to the Federal Political Department, Berne.

Union of Soviet Socialist Republics

- Mr. Y. E. Maksarev, Chairman of the Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR, Moscow.
 Mr. I. Tcherviakov, Lawyer, Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR, Expert on International Affairs, Moscow.
 Mr. V. Pertchik, Secretary of Embassy, Permanent Mission of the USSR, Geneva.

United Kingdom

- Mr. W. Wallace, C. M. G., Assistant Comptroller, Industrial Property and Copyright Department, Board of Trade, London.
 Mr. R. Bowen, Principal Examiner, Industrial Property and Copyright Department, Board of Trade, London.

United States of America

- Mr. E. J. Brenner, Commissioner of Patents, Patent Office, Washington.
 Mr. A. L. Kaminstein, Registrar of Copyrights, Library of Congress, Washington.
 Mr. G. D. O'Brien, Assistant Commissioner, Patent Office, Washington.
 Mr. H. J. Winter, Assistant Chief, Business Practices Division, Department of State, Washington.
 Mr. W. E. Hewitt, Attaché, Permanent Mission of the United States of America, Geneva.

Yugoslavia

- Mr. V. Savić, Director, Patent Office, Belgrade.

Observers*Algeria*

- Mr. A. Bendiab, Head of the Industrial Property Division, Ministry of National Economy, Algiers.

Argentina

- Mr. L. M. Laurelli, Secretary of Embassy, Permanent Delegation of Argentina, Geneva.

Australia

- Mr. P. C. J. Curtis, Chargé d'Affaires a. i., Permanent Mission of Australia, Geneva.
 Miss June H. Barnett, First Secretary, Permanent Mission of Australia, Geneva.
 Mr. W. E. Weemaes, Third Secretary, Permanent Mission of Australia, Geneva.

Austria

- Mr. T. Lorenz, Ratssekretär, Patent Office, Vienna.

Bulgaria

- Mr. D. Stamboliev, Counsellor, Permanent Delegation of Bulgaria, Geneva.

Cameroon

- Mr. G. Dieng, Head of the Trademarks and Designs Service, African and Malagasy Industrial Property Office, Yaoundé.

Canada

- Mr. F. W. Simons, Assistant Commissioner of Patents, Patent Office, Ottawa.
 Mr. R. McKinnon, First Secretary, Permanent Mission of Canada, Geneva.
 Mr. J. Corbeil, Third Secretary, Permanent Mission of Canada, Geneva.

Congo (Democratic Republic)

- Mr. E. Witahkenge, Director, Head of the Literary Property Section, Ministry of Culture and Tourism, Kinshasa-Kalina.
 Mr. G. Mulenda, First Secretary, Embassy of the Democratic Republic of the Congo, Berne.

Finland

- Mr. Berndt Godenhjelm, Professor of Law, University of Helsinki, Helsinki.

Greece

- Mr. G. Pilavachi, Legal Advisor, Permanent Delegation of Greece, Geneva.

Iran

- Mr. M. Naraghi, Head of Department of Registration of Companies and Industrial Property, Teheran.

Ireland

- Mr. M. J. Quinn, Controller of Patents, Industrial and Commercial Property Registration Office, Dublin.

Israel

- Mr. Z. Sher, Registrar of Patents, Designs and Trade Marks, Office of the Registrar of Patents, Designs and Trade Marks, Jerusalem.
 Mr. R. Cohn, Patent Attorney, Tel Aviv.

Kenya

- Mr. M. K. Mwendwa, Solicitor-General, Office of the Attorney General, Nairobi.
 Mr. D. J. Coward, C. M. G., Registrar-General, Department of the Registrar-General, Nairobi.

Lebanon

- Mrs. R. Homsy, First Secretary, Permanent Delegation of Lebanon, Geneva.

Luxembourg

- Mr. J.-P. Hoffmann, Head of the Industrial Property Service, Luxembourg.

Malta

- Mr. O. Grech, Higher Executive Officer, Department of Trade, Valletta.

Monaco

- Mr. J. M. Notari, Director of the Industrial Property Service, Monaco.

Norway

- Mr. L. Nordstrand, Director, Patent Office, Oslo.

Poland

- Mr. T. Jarno, Vice-Chairman, Patent Office, Warsaw.
 Mr. J. Dalewski, Head of Legal Section, Patent Office, Warsaw.
 Mrs. N. Lissowska, Counsellor, Patent Office, Warsaw.

San Marino

- Mr. J. Munger, Chancellor of Embassy, Permanent Delegation of San Marino, Geneva.

Turkey

- Mr. M. Sirman, Deputy Permanent Representative, Permanent Delegation of Turkey, Geneva.

United Arab Republic

- Mr. M. I. Shaker, Second Secretary, Permanent Mission of the UAR, Geneva.
 Mr. O. A. Amer, Third Secretary, Permanent Mission of the UAR, Geneva.

Officers

- Chairman: Mr. A. Krieger (Germany [Federal Republic])
 Vice-Chairmen: Mr. J. C. Ribeiro (Brazil)
 Mr. F. Křístek (Czechoslovakia)
 Secretary: Dr. Arpad Bogsch (BIRPI)

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

- Professor G. H. C. Bodenhausen, Director.
 Dr. Arpad Bogsch, Deputy Director.
 Mr. Ch.-L. Magnin, Deputy Director.
 Mr. B. A. Armstrong, Counsellor; Head, Division of Finance, Personnel and General Administration.
 Mr. C. Masouyé, Counsellor; Head, Copyright Division.
 Mr. K. Pfanner, Counsellor; Head, Industrial Property Division.

GENERAL STUDIES

Article 6^{bis} of the Berne Convention (Moral rights)

NEWS ITEMS

State of Ratifications of and Accessions to the Conventions and Agreements affecting Copyright on January 1, 1968

1. International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, October 26, 1961)

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R) or Accession (A)
Brazil	June 29, 1965	September 29, 1965	R
Congo (Brazzaville) *)	June 29, 1962	May 18, 1964	A
Czechoslovakia *)	May 13, 1964	August 14, 1964	A
Denmark *)	June 23, 1965	September 23, 1965	R
Ecuador	December 19, 1963	May 18, 1964	R
Germany (Fed. Rep.) *)	July 21, 1966	October 21, 1966	R
Mexico	February 17, 1964	May 18, 1964	R
Niger *)	April 5, 1963	May 18, 1964	A
Sweden *)	July 13, 1962	May 18, 1964	R
United Kingdom *)	October 30, 1963	May 18, 1964	R

*) The instruments of ratification or accession deposited with the Secretary-General of the United Nations were accompanied by "declarations". As to Congo (Brazzaville), see *Le Droit d'Auteur (Copyright)*, 1964, p. 127; as to Czechoslovakia, see *ibid.*, 1964, p. 110; as to Denmark, see *Copyright*, 1965, p. 214; as to Germany (Fed. Rep.), see *ibid.*, 1966, p. 237; as to Niger, see *Le Droit d'Auteur (Copyright)*, 1963, p. 155; as to Sweden, see *ibid.*, 1962, p. 138; as to United Kingdom, see *ibid.*, 1963, p. 244.

2. Universal Copyright Convention (Geneva, September 6, 1952)

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R) or Accession (A)	Protocols adopted
Andorra	31 XII 1952 ¹⁾ 22 I 1953 ²⁾	16 IX 1955	R	2, 3 1, 2, 3
Argentina	13 XI 1957	13 II 1958	R	1, 2
Austria	2 IV 1957	2 VII 1957	R	1, 2, 3
Belgium ³⁾	31 V 1960	31 VIII 1960	R	1, 2, 3
Brazil	13 X 1959	13 I 1960	R	1, 2, 3
Cambodia	3 VIII 1953	16 IX 1955	A	1, 2, 3
Canada	10 V 1962	10 VIII 1962	R	3
Chile	18 I 1955	16 IX 1955	R	2
Costa Rica	7 XII 1954	16 IX 1955	A	1, 2, 3
Cuba	18 III 1957	18 VI 1957	R	1, 2
Czechoslovakia	6 X 1959	6 I 1960	A	2, 3
Denmark	9 XI 1961	9 II 1962	R	1, 2, 3
Ecuador	5 III 1957	5 VI 1957	A	1, 2
Finland	16 I 1963	16 IV 1963	R	1, 2, 3
France ⁴⁾	14 X 1955	14 I 1956	R	1, 2, 3
Germany (Fed. Rep.) ⁵⁾	3 VI 1955	16 IX 1955	R	1, 2, 3
Ghana	22 V 1962	22 VIII 1962	A	1, 2, 3
Greece	24 V 1963	24 VIII 1963	A	1, 2, 3
Guatemala	28 VII 1964	28 X 1964	R	1, 2, 3
Haiti	1 X 1954	16 IX 1955	R	1, 2, 3
Holy See	5 VII 1955	5 X 1955	R	1, 2, 3
Iceland	18 IX 1956	18 XII 1956	A	

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R) or Accession (A)	Protocols adopted
India	21 X 1957 21 X 1957	21 I 1958 21 I 1958	R A	1, 2 3
Ireland	20 X 1958	20 I 1959	R	1, 2, 3
Israel	6 IV 1955	16 IX 1955	R	1, 2, 3
Italy	24 X 1956 19 XII 1966	24 I 1957 19 XII 1966	R R	2, 3 1
Japan	28 I 1956	28 IV 1956	R	1, 2, 3
Kenya	7 VI 1966	7 IX 1966	A	1, 2, 3
Laos	19 VIII 1954	16 IX 1955	A	1, 2, 3
Lebanon	17 VII 1959	17 X 1959	A	1, 2, 3
Liberia	27 IV 1956	27 VII 1956	R	1, 2
Liechtenstein	22 X 1958	22 I 1959	A	1, 2
Luxembourg	15 VII 1955	15 X 1955	R	1, 2, 3
Malawi	26 VII 1965	26 X 1965	A	
Mexico	12 II 1957	12 V 1957	R	2
Monaco	16 VI 1955 22 III 1967 22 III 1967 22 III 1967	16 IX 1955 22 VI 1967 22 III 1967 22 VI 1967	R R R A	1, 2 3 1, 2
Netherlands	11 VI 1964	11 IX 1964	A	1, 2, 3
Nicaragua	16 V 1961	16 VIII 1961	R	1, 2, 3
Nigeria	14 XI 1961	14 II 1962	A	
Norway	23 X 1962	23 I 1963	R	1, 2, 3
Pakistan	28 IV 1954	16 IX 1955	A	1, 2, 3
Panama	17 VII 1962	17 X 1962	A	1, 2, 3
Paraguay	11 XII 1961	11 III 1962	A	1, 2, 3
Peru	16 VII 1963	16 X 1963	R	1, 2, 3
Philippines ⁶⁾	19 VIII 1955	19 XI 1955	A	1, 2, 3
Portugal	25 IX 1956	25 XII 1956	R	1, 2, 3
Spain ⁷⁾	27 X 1954	16 IX 1955	R	2
Sweden	1 IV 1961	1 VII 1961	R	1, 2, 3
Switzerland	30 XII 1955	30 III 1956	R	1, 2
United Kingdom ⁸⁾	27 VI 1957	27 IX 1957	R	1, 2, 3
United States of America ⁹⁾	6 XII 1954	16 IX 1955	R	1, 2, 3
Venezuela	30 VI 1966	30 IX 1966	A	1, 2, 3
Yugoslavia	11 II 1966	11 V 1966	R	1, 2, 3
Zambia	1 III 1965	1 VI 1965	A	

1) Date upon which an instrument of ratification of the Convention and of Protocols 2 and 3 was deposited on behalf of the Bishop of Urgel, co-Prince of Andorra.

2) Date upon which an instrument of ratification of the Convention and of Protocols 1, 2 and 3 was deposited on behalf of the President of the French Republic, co-Prince of Andorra.

3) The Director-General of Unesco received from the Belgian Government a notification of application of the Convention and Protocols 1, 2 and 3 to the Trust Territory of Rwanda-Urundi, effective from April 24, 1961.

4) On November 16, 1955, France notified the Director-General of Unesco that the Convention and the three Protocols apply, as from the date of their entry into force in respect of France, to Metropolitan France and to the Departments of Algeria, Guadeloupe, Martinique, Guiana and Réunion.

5) Following the deposit of the instrument of ratification, a statement was made on June 3, 1955, on behalf of the Federal Republic of Germany: "The Government of the Federal Republic of Germany reserves the right, after complying with the preliminary formalities, to make a statement regarding the implementation of the Universal Copyright Con-

vention and the additional Protocols 1, 2 and 3 so far as the *Land of Berlin* is concerned". On September 12, 1955, the Director-General of Unesco received the following declaration made on behalf of the Federal Republic of Germany on September 8, 1955: "The Universal Copyright Convention and Protocols 1, 2 and 3 annexed shall likewise be applied in *Land Berlin* as soon as the Convention and the annexed Protocols come into force in respect of the Federal Republic of Germany".

6) On November 14, 1955, the following communication was addressed to the Director-General of Unesco on behalf of the Republic of the Philippines: "... His Excellency the President of the Republic of the Philippines has directed the withdrawal of the instrument of accession of the Republic of the Philippines to the Universal Copyright Convention prior to the date of November 19, 1955, at which the Convention would become effective in respect of the Philippines". This communication was received on November 16, 1955. By circular letter of January 11, 1956, the Director-General of Unesco transmitted it to the Contracting States of the Convention as well as to the Signatory States. Observations received from Governments were communicated to the Republic of the Philippines and to other States concerned by circular letter of April 16, 1957.

7) The instrument of ratification deposited on behalf of Spain on October 27, 1954, related to the Convention and the three Protocols. Since Protocols 1 and 3 had not been signed on behalf of Spain, the Director-General of Unesco, by letter of November 12, 1954, drew the attention of the Government of Spain to this fact. In reply, the following communication was addressed to the Director-General of Unesco on January 27, 1955: "I am ... instructed by the Minister of Foreign Affairs to inform you that the Spanish ratification of the Universal Copyright Convention applies solely to the documents in fact signed, viz., the Convention and Protocol No 2 ...". The States concerned were informed of this communication by circular letter of March 25, 1955.

8) The Director-General of Unesco received notifications from the Government of the United Kingdom concerning the application of the Convention to the Isle of Man, Fiji Islands, Gibraltar and Sarawak (coming into force on March 1, 1962), to Zanzibar, to the Bermudas and North Borneo (coming into force on May 4, 1963), to the Bahamas and the Virgin Islands (coming into force on July 24, 1963), to the Falkland Islands, Kenya, St. Helena and Seychelles (coming into force on January 29, 1964), to Mauritius (coming into force on January 6, 1965), to Bechuanaland, Montserrat and Santa-Lucia (coming into force on May 8, 1966), to Grenada (coming into force on May 15, 1966), to the Cayman Islands (coming into force on June 11, 1966), to British Guiana (coming into force on June 15, 1966), to British Honduras (coming into force on October 19, 1966).

9) On December 6, 1954, the United States of America notified the Director-General of Unesco that the Convention shall apply, in addition to continental United States, to Alaska, Hawaii, the Panama Canal Zone, Puerto Rico and the Virgin Islands. On May 14, 1957, the United States of America further notified the Director-General of Unesco that the Convention shall apply to Guam. Notification was received on May 17, 1957.

By letter of November 21, 1957, the Government of Panama contested the right of the Government of the United States of America to extend the application of the Convention to the Panama Canal Zone. By letter of January 31, 1958, the Government of the United States of America asserted that such extension of the Convention was proper under Article 3 of its 1903 treaty with Panama. Copies of the two letters have been communicated by the Director-General to all States concerned.

3. European Agreement concerning Programme Exchanges by Means of Television Films

(Paris, December 15, 1958)

Contracting States	Deposit of Instrument	Coming into Force	Signature without Reservation in respect of Ratification (S) or Ratification (R)
Belgium	March 9, 1962	April 8, 1962	R
Denmark	October 26, 1961	November 25, 1961	R
France	December 15, 1958	July 1, 1961	S
Greece	January 10, 1962	February 9, 1962	R
Ireland	March 5, 1965	April 4, 1965	S
Luxembourg	October 1, 1963	October 31, 1963	R
Netherlands	February 3, 1967	March 5, 1967	R
Norway	February 13, 1963	March 15, 1963	R
Sweden	May 31, 1961	July 1, 1961	R
Turkey	February 27, 1964	March 28, 1964	R
United Kingdom	December 15, 1958	July 1, 1961	S

4. European Agreement on the Protection of Television Broadcasts

(Strasbourg, June 22, 1960)

Contracting States	Deposit of Instrument	Coming into Force	Signature without Reservation in respect of Ratification (S) or Ratification (R)
Denmark *)	October 26, 1961	November 27, 1961	R
France	June 22, 1960	July 1, 1961	S
Germany (Fed. Rep.) *)	September 8, 1967	October 9, 1967	R
Sweden	May 31, 1961	July 1, 1961	R
United Kingdom *)	March 9, 1961	July 1, 1961	R

*) The instruments of ratification were accompanied by "options" in accordance with Article 3, paragraph 1, of the Agreement. As to Denmark, see *Le Droit d'Auteur*, 1961, p. 360; as to United Kingdom, see *ibid.*, 1961, p. 152; as to Germany (Fed. Rep.), see *Copyright*, 1967, p. 217.

Protocol to the said Agreement

(Strasbourg, January 22, 1965)

Contracting States	Deposit of Instrument	Coming into Force	Signature without Reservation in respect of Ratification (S) or Ratification (R)
Denmark	January 22, 1965	March 24, 1965	S
France	January 22, 1965	March 24, 1965	S
Germany (Fed. Rep.)	September 8, 1967	October 9, 1967	R
Sweden	January 22, 1965	March 24, 1965	S
United Kingdom	February 23, 1965	March 24, 1965	S

5. European Agreement for the Prevention of Broadcasts Transmitted from Stations Outside National Territories

(Strasbourg, January 22, 1965)

Contracting States	Deposit of Instrument	Coming into Force	Ratification (R)
Belgium	September 18, 1967	October 19, 1967	R
Denmark	September 22, 1965	October 19, 1967	R
Sweden	June 15, 1966	October 19, 1967	R
United Kingdom	November 2, 1967	December 2, 1967	R

BIBLIOGRAPHY

Book List

From July 1 to December 31, 1967, the BIRPI Library has entered in its catalogue a number of works or publications on copyright, among which mention should be made of the following most recent or most important:

BENZ (Karl). *UR - Urheberrecht. Deutsches und internationales Recht* [Copyright - German and international]. Munich, W. Goldmann, 1966. - 253 p.

BUCHHOLZ (Ernst). *Kunst, Recht und Freiheit. Reden und Aufsätze* [Art. Law and Liberty. Lectures and articles]. Munich and Esslingen, Bechtle, 1966. - 204 p.

DRUCKER (W. H.) and BODENHAUSEN (G. H. C.). *Kort Begrip van het Recht betreffende de industriele en intellectuele Eigendom* [Outline of industrial and intellectual property law]. Zwolle, W. Tjeenk Willink, 1966. - [XI]-236 p. 4th ed.

GAMBIER DE LA FORTERIE (Jacques). *Le cinéma, la télévision et les droits de la personnalité* [Cinema, television and rights of the personality]. Paris, Faculté de droit, 1964. - [III]-557 p.

INDIA. MINISTRY OF EDUCATION. *International Copyright - Needs of Developing Countries (Symposium)*¹⁾. New Delhi, 1967. - [V]-113 p.

INDIA. COPYRIGHT OFFICE. *Copyright International Conventions Handbook*²⁾. New Delhi, 1967. - [IV]-105 p.

KNAP (Karel). *Smluvní vztahy v právu autorském* [Contractual relations in the field of copyright]. Prague, Orbis, 1967. - 369 p.

LOEBER (Dietrich A.). *Urheberrecht der Sowjetunion - Einführung und Quellen*³⁾ [Copyright Law in the Soviet Union - Introduction and sources]. Frankfurt and Berlin, A. Metzner, 1966. - [IX]-212 p.

LUND (Torben). *Bernerkonventionen* [Berne Convention]. Stockholm, Marcus, 1966. - [29] p. Extr. NIR, 1966, pp. 261-289.

RINGER (Barbara A.) and GITLIN (Paul). *Copyrights*. S. I., Practising Law Institute, 1965. - 187 p. Revised edition.

ROEBER (Horst) and ALBERDING (Hans Jochen). *Recht der Presse. Sammlung der geltenden Pressegesetze mit Kurzerläuterungen* [Press law. A collection of effective press laws, with brief comments]. Cologne, Berlin, Bonn and Munich, C. Heymann, [1966]. - Vol. I, [XVI]-20 p.

ROUART (Nicolas). *Le contrat d'édition musicale*⁴⁾ [The music publishing agreement]. Paris, 1967. - 311 p. Thesis.

ULMER (Eugen). *Der Urheberschutz wissenschaftlicher Werke unter besonderer Berücksichtigung der Programme elektronischer Rechenanlagen* [Copyright protection of scientific works, with special regard to electronic computer programs]. Munich, Verlag der Bayerischen Akademie der Wissenschaften, 1967. - 19 p.

UNITED STATES. HOUSE OF REPRESENTATIVES. *Copyright Law Revision. Report to accompany H.R. 2512. Submitted by Mr. Kastenmeier, from the Committee on the Judiciary, March 8, 1967.* 90th Congress, 1st Session, Report No. 83. Washington, Government Printing Office, 1967. - 254 p.

¹⁾ See *Copyright*, 1967, p. 106.

²⁾ *Ibid.*, 1967, p. 107.

³⁾ *Ibid.*, 1967, p. 293.

⁴⁾ *Ibid.*, 1967, p. 293.

CALENDAR

Meetings of BIRPI

Date and Place	Title	Object	Invitations to Participate	Observers Invited
1968				
March 25 to 29 Geneva	Working Group — Patent Cooperation Treaty (PCT)	Questions concerning Searching, etc.	<i>Countries in which over 5000 patent applications were filed in a year according to latest statistics:</i> Argentina, Australia, Austria, Belgium, Brazil, Canada, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), India, Italy, Japan, Mexico, Netherlands, Norway, Poland, South Africa, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America	<i>Intergovernmental Organizations:</i> United Nations; United Nations Industrial Development Organization; United Nations Conference on Trade and Development; International Patent Institute; Organization of American States; Permanent Secretariat of the General Treaty for Central American Economic Integration; Latin-American Free Trade Association; Council of Europe; European Atomic Energy Community; European Economic Community; European Free Trade Association; African and Malagasy Industrial Property Office <i>Non-Governmental Organizations:</i> Committee of National Institutes of Patent Agents; Council of European Industrial Federations; European Industrial Research Management Association; Inter-American Association of Industrial Property; International Association for the Protection of Industrial Property; International Chamber of Commerce; International Federation of Patent Agents; Japan Patent Association; National Association of Manufacturers (U. S. A.); Union of European Patent Agents; Union des industries de la Communauté européenne
May 27 to 29 Geneva	Committee of Experts	Classification of Figurative Elements of Marks	All Member States of the Paris Union	To be announced later
July 1 to 5 *) Geneva	Working Group — Patent Cooperation Treaty (PCT)	Questions concerning Formalities, etc.	States invited to the March 1968 Meeting	Observers invited to the March 1968 meeting
September 24 to 27 Geneva	Interunion Coordination Committee (6th Session)	Program and Budget of BIRPI	Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Denmark, France, Germany (Fed. Rep.), Hungary, India, Iran, Italy, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Portugal, Rumania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America	—
September 24 to 27 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (4th Session)	Program and Budget (Paris Union) for 1969	Argentina, Australia, Austria, Cameroon, France, Germany (Fed. Rep.), Hungary, Iran, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America All Member States of the Paris Union	United Nations; International Patent Institute; Council of Europe
October 2 to 8 Locarno	Diplomatic Conference	Adoption of a Special Agreement concerning the International Classification of Industrial Designs	All Member States of the Paris Union	To be announced later

*) Changed from June 17 to 21

Date and Place	Title	Object	Invitations to Participate	Observers Invited
November 4 to 12 Geneva	Committee of Experts — Patent Cooperation Treaty (PCT)	New Draft Treaty	To be announced later	Observers invited to the March 1968 meeting

Meetings of Other International Organizations Concerned with Intellectual Property

Place	Date	Organization	Title
1968			
The Hague	March 6 and 7	International Patent Institute (IIB)	95 th Session of the Administrative Council
Buenos Aires	April 15 to 19	International Association for the Protection of Industrial Property (IAPIP)	Presidents' Conference
Munich	April 22 to 26	Committee for International Cooperation in Informa- tion Retrieval among Examining Patent Offices (ICIREPAT)	Advisory Board for Cooperative Systems — Standing Committees I and II
Paris	April 29 and 30	International Patent Institute (IIB)	96 th Session of the Administrative Council
Strasbourg	May 13 to 17	Council of Europe	Working Party of the Committee of Experts on Patents
Amsterdam	June 9 to 15	International Publishers Association (IPA)	Congress
Vienna	June 24 to 29	International Confederation of Societies of Authors and Composers (CISAC)	Congress
Tokyo	October 21 to November 1	Committee for International Cooperation in Informa- tion Retrieval among Examining Patent Offices (ICIREPAT)	8 th Annual Meeting
Lima	December 2 to 6	Inter-American Association of Industrial Property (ASIPI)	Congress