

Industrial Property

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

3rd Year

No. 5

May 1964

Contents

	Pages
GENERAL STUDIES	
The Regulation of Restraint of Trade in the Industrial Property Laws of EFTA States (Fredrik Neumeyer), <i>Fourth and last Part</i>	94
International Aspects of the Protection of Industrial Designs in the United Kingdom and in New Zealand (J. W. Miles)	100
CONGRESSES AND MEETINGS	
Congress of the International League against Unfair Competition (Stresa, May 1 to 5, 1963)	102
IV th Meeting of the Committee of Experts on the International Protection of Type Faces (Geneva, October 7 to 10, 1963)	104
BOOK REVIEWS	
Historical Patent Statistics, 1791 to 1961, by P. J. Federico	113
Protection of the Trademark (Proposals for the Revision of the Federal Trademark Law), by P.-J. Pointet	114
Copyright and Industrial Property Law Review (yearly review), edited by Tassos Ioannou and Victor Mélas	114
NEWS ITEMS	
United States of America. Appointment of new Commissioner of Patents . . .	115
Calendar of BIRPI Meetings	115

GENERAL STUDIES

The Regulation of Restraint of Trade in the Industrial Property Laws of EFTA States

By Dr. Fredrik NEUMEYER, Stockholm

*(Fourth and last Part) **

**International Aspects of the Protection
of Industrial Designs in the United Kingdom
and in New Zealand**

By J. W. MILES, Wellington, New Zealand

CONGRESSES AND MEETINGS

Congress of the International League against Unfair Competition

(Stresa, May 1 to 5, 1963)

The 18th Congress of the International League against Unfair Competition was held at the Conference Building at Stresa from May 1 to 5, 1963.

Mr. Coppola d'Anna, President of the League, presided at the opening meeting which was attended by a number of eminent persons from diplomatic, political, legal, economic and industrial circles, as well as by representatives of various public or private organizations of a national or international character, in particular the Commission and the Court of Justice of the European Economic Community.

The International Bureau for the Protection of Intellectual Property was represented by Mr. Ronga, Counsellor.

The working meetings were presided over in turn by Dr. Michel (Germany), Dr. Schönherr (Austria), Professor Franceschelli (Italy), Professor Plaisant (France), Maître de Caluwé (Belgium), Professor Martin-Achard (Switzerland), Professor Desbois (France) and Maître Ligi (Italy).

After discussion of the various international reports, based on national reports from fourteen countries, the following motions were adopted:

Question No. 1 (continuation)

*Repression of attacks on free competition
Formulation of a code of lawful practices*

The Congress, having heard Professor R. Plaisant and Maître Collin (France),

Reverting to its Dusseldorf resolution,

1. confirms its desire for harmonization of laws concerning the control of competition;
2. notes with interest that fourteen countries have responded to the wish expressed at Dusseldorf for the study of this question to be broadened;
3. notes the divergencies still remaining between the various legislations and, on the other hand, the appearance of supra-national control, considers that it would be premature to formulate a code of lawful practices which nevertheless continues to be a matter of concern to the League;

Considers it nonetheless necessary to continue to examine the most prevalent practices;

Considers, furthermore, that it would be useful to study relations between the repression of unfair competition, on the one hand, and rules guaranteeing free competition, on the other.

Question No. 2 (continuation)

Invocability of exclusivity contracts vis-à-vis third parties

- Study of a mode of publicity which could be adopted by the various countries.

— Harmonization of laws, particularly in the spirit of the Rome and Stockholm Treaties.

The Congress, having heard the report of Maître Benaventani (Italy) and statements by participants;

considering the interest of the economic sector in the exclusivity contract as a mode of distributing goods and services;

considering developments which have taken place in national and international legislation and jurisprudence since the Dusseldorf Congress,

decides:

1. to retain on its agenda the study of this contract, its scope, its effects and any publishing thereof;
2. to amend the title of the question, which shall become: "validity and scope of exclusivity contracts".

Question No. 3 (continuation)

Means of intervention to ensure respect for general interests in matters of unfair competition

The Congress, having heard the statement by Maître De Caluwé (Belgium), affirms, in the spirit of Article 10^{ter} of the Paris Convention, the value of admitting competent professional and interprofessional associations having legal competence to apply to a court of law, in the event of any act of unfair, fraudulent or prohibited competition adversely affecting the collective interests within their charge, for a stay leading at least to an interlocutory measure, without prejudice to other legal remedies relating to such acts.

Question No. 4 (continuation)

Sales regulations in the EEC and various other countries

The Congress, having heard the reports presented by Dr. Greifelt, Professor Hefermehl and Dr. Spengler (Germany), and having taken cognizance of the conclusions of the International Symposium on European Law, held at Brussels from October 12 to 14, 1961, regarding the problem of premium sales;

considering, on the one hand, that there is already fairly extensive concordance between the laws of most European countries regarding premiums and sales on special terms; that, on the other hand, only some of those States have laid down rules limiting the granting of consumer rebates,

is of opinion that it is not urgent to pursue the harmonization of municipal law but that having regard, in particular, to the Common Market, it appears desirable to tend towards the adoption of uniform solutions which reconcile the requirements of effective trade promotion with the interests of the consumer;

decides, accordingly, to pursue the study of this question and to retain it on its agenda.

New Question No. 1

Formulation of a theoretical definition of a commercial act which is unfair or fraudulent under present-day rules governing competition (civil, penal and administrative sanctions)

The Congress, having heard the report of Maître Ligi (Italy);

taking account of the evolution of facts and laws since the Paris Congress, decides

1. to continue to seek a definition of an act of unfair or fraudulent competition;
2. to study relations between the act of unfair or fraudulent competition and restrictive practices.

New Question No. 2

Conflicting legislation in matters of unfair competition

The Congress, having heard the statement by Maître Mosing (Austria),

notes that hitherto no agreement has been reached in the various countries for determining the law applicable to acts of unfair competition extending over several countries;

notes furthermore that the tendency of the courts to apply their national laws frequently leads to decisions which are not suited to the nature of the unfair competition;

and decides:

1. to continue the work undertaken:
 - (a) by examining the civil and penal regulations concerning conflicting legislation in matters of unfair competition. It is desirable to compare such regulations with the principles applicable in cases of infringement of laws on industrial property;
 - (b) by examining the criteria arising out of jurisprudence and doctrine and which tend towards a determination of the *locus delicti*;
 - (c) by seeking, particularly with respect to certain categories of acts of unfair competition, general principles for the determination of the applicable law whose selection can be recommended and which, should the case arise, could be the subject of an international convention;
2. to draw up a list of international conventions on the recognition and enforcement of judicial decisions, to the extent that such conventions are applicable to decisions handed down in matters of unfair competition.

New Question No. 3

Unfair competition resulting from press reports giving a critical appraisal of a product or service

The Congress, having heard the report of Professor Sordelli (Italy),

notes that the discussion has led to the definition of several topics which have been mentioned in connexion with this question, namely:

1. the responsibility of the commercial or industrial undertaking on account of publications which it disseminates or causes to be disseminated:
 - (a) where such publications consist of advertisements or other presentations, whatever the medium used;
 - (b) where the undertaking causes to be published or gives rise to information whose advertising character is not apparent;
2. the responsibility of the press and of radio-broadcasting and television organisms on account of:

- (a) publications which they disseminate and cause to be disseminated at the request of certain undertaking;
- (b) publications for which they bear the initiative,

decides:

1. to retain new question No. 3, thus defined, on the agenda, with the following title: "Responsibility of undertakings and information media on account of advertisements concerning products and services as well as undertakings";
2. to extend the study to information disseminated by whatever means, and through whatever media.

New Question No. 4

Abnormal price reduction as a means of unfair competition

The Congress, having heard the report of Dr. Greifelt (Germany),

affirming that in principle every trader or manufacturer is at liberty to determine his own prices,

notes that, in numerous countries, abnormal price reduction is sanctioned when it is contrary to honest practice or when it is designed to suppress or distort competition;

decides to continue the study of this question with a view to determining the right of each trader having regard to the requirements of sound competition, such study to include in particular the distinction of the various instances of abnormal price reduction.

Brussels Symposium, March 5 and 6, 1963

We shall also mention that, under the auspices of the International League against Unfair Competition and its Vice-President, Maître Franck, and with the participation in particular of the Belgian Association for European Law, a Symposium was held at the Conference Building in Brussels on March 5 and 6, 1963, the subject for consideration being "*Competition between the public sector and the private sector within the framework of the European Economic Community*".

A number of eminent persons took part in the Symposium, including Mr. Hans von der Groeben, member of the EEC Commission, as well as members of the EEC Department of Competition, and Mr. Deringer, Rapporteur of the Internal Market Committee of the European Parliamentary Assembly. The International Bureau for the Protection of Intellectual Property was represented by Mr. Paul Van Reepingen.

Six questions were examined, the discussion being presided over, in turn, by Professor Grassetti (Italy), Professor Desbois (France), Professor J. Basijn, former Minister (Belgium), and Professor Arendt (Luxemburg).

The topics considered were as follows:

Question No. 1

"Inventory of undertakings subordinate to the public authorities (whatever their level) which might be in competition with the private sector. Definition of their economic activity and indication of special treatment applied to them in fact and in law."

International Rapporteur: Mr. Branger, Director-General of the National Fund of State Markets (France).

Question No. 2

"Inventory of laws, doctrine and judicial and administrative jurisprudence concerning the concepts covered by the general topic of the symposium."

International Rapporteurs: Maîtres Beneventani, Ligi and Ribolzi, lawyers (Italy).

Question No. 3

"Procedure pertaining to disputes brought before the European Commission and before the Court of Justice."

International Rapporteur: Mr. Van Reepingen, *Bâtonnier*, Royal Commissioner on the reform of judicial procedure, Professor at the University of Louvain (Belgium).

Question No. 4

"Definition of the concept of 'public undertaking'."

International Rapporteur: Mr. Buttgenbach, Professor at the University of Liege (Belgium).

Question No. 5

"Definition of the concept of 'service of general economic interest'."

International Rapporteur: Maître Franceschelli, Professor at the University of Milan and lawyer (Italy).

Question No. 6

"Definition of the concept of 'interest of the community'."

International Rapporteur: Baron Snoy et d'Oppuers, Honorary Secretary-General of the Ministry of Economic Affairs of Belgium (Belgium).

IVth Meeting of the Committee of Experts on the International Protection of Type Faces

(Geneva, October 7 to 10, 1963)

Report

by Th. Lorenz and J.-L. Marro

I

The IVth Meeting of the Committee of Experts charged with studying the international protection of type faces was held in Geneva from October 7 to 10, 1963. The Committee's task was to re-examine the texts of the drafts elaborated during the meeting of November 1962, taking into account the observations formulated by the States consulted since the last meeting. In addition, it had to decide on the form of the international instrument to be adopted for the international protection of type faces. Finally, it had to express its view as to how the work could be carried on in the light of what they had achieved.

Professor G. H. C. Bodenhausen, Director of the United International Bureaux for the Protection of Intellectual Property, welcomed the assembled experts and observers. Mr. J.-N. de Bavinchove, the French expert, was unanimously elected President. He gave an address which is attached to the present report (Annex I)¹).

The Committee of Experts was composed as follows:

Austria

Mr. Th. Lorenz (Rapporteur), Ratssekretär des Patentamtes, Bundesministerium für Handel und Wiederaufbau, Referat Gewerblicher Rechtsschutz, Vienna.

Czechoslovakia

Mr. J. Rodr, Technical Expert, The Graphic Arts Industries Association, Prague.

Mr. M. Spůnda, Head of Section, Office for Patents and Inventions, Prague.

France

Mr. J.-N. de Bavinchove (President), Civil Administrator, Ministry of Industry (Institut national de la propriété industrielle), Paris.

Mr. R. Labry, Counsellor of Embassy, Ministry of Foreign Affairs, Paris.

Germany (Fed. Rep.)

Mr. E. Born, Verbands-Geschäftsführer, Offenbach/Main.

Mr. G. Schneider, Regierungsdirektor, Bundesjustizministerium, Bonn.

Hungary

Mrs. I. Bognar, Jurist, National Office for Patents and Inventions.

Italy

Mr. Paul Marchetti, Central Patent Office (Ministry of Industry and Commerce), Rome.

Netherlands

Professor G. W. Ovink, Amsterdam.

Mr. W. M. J. C. Phaf, Head of the Legal Section of the Ministry of Economic Affairs, The Hague.

Mr. E. van Weel, Member of the Patent Council, The Hague.

Spain

Mr. E. Rua Benito, Jurist, Head of Section, Registry of Industrial Property, Madrid.

Sweden

Mr. G. Sterner, Assistant Judge of the City Court of Stockholm, Ministry of Justice, Stockholm.

Switzerland

Mr. A. Hoffmann, Vice-Director, Fonderie de caractères Haas S. A., Münchenstein (Bâle-Campagne).

Mr. J.-L. Marro (Rapporteur), Assistant to the Federal Bureau of Intellectual Property, Berne.

United Kingdom

Mr. J. G. Dreyfus, Typographical Adviser to the University Press, Cambridge, and to the Monotype Corporation, London.

Mr. W. E. C. Richards, H. M. Patent Office, London.

Observers

International Typographical Association

Mr. Ch. Peignot, President.

Maître G. Poulin, Legal Adviser.

International Association for the Protection of Industrial Property

International Chamber of Commerce

International Law Association

Professor E. Martin-Achard.

International League for the Prevention of Unfair Competition

Maître J. Guyet.

Professor E. Martin-Achard.

International Union of Lawyers

Maître J. Guyet.

International Literary and Artistic Association

Maître T. Limperg.

International Federation of Patents Agents

Mr. G. Jacobacci.

The *International Bureau* was represented by:

Mr. G. H. C. Bodenhausen, Director.

Mr. G. Ronga, Counsellor, in charge of Legal Affairs.

Mrs. I. Soutter, Assistant.

The members of the Committee were experts designated by their Governments. However, they acted in their personal capacity, as indicated in the invitation to the meeting of the said Committee which had been addressed to the States.

II

The Committee examined the draft Agreement concerning the protection of type faces and their international deposit. The following modifications were made in the text elaborated during the IIIrd Meeting:

Preamble

Certain particulars of the Preamble submitted to the Committee were omitted. It no longer refers to the desire expressed by the Diplomatic Conference of The Hague, seeing that the mandate thereby given was rather restricted. Similarly, it omits mention of systems of national protection currently in force.

Article 3

The terms "additional signs for reading purposes" of letter (b) were considered too vague, and were replaced by the terms "figurative signs". This envisages symbols, such as those used, for example, in railway time-tables to indicate sleeping cars, restaurant cars, etc.

Article 3 was completed by adding to the last sentence the words "destined to be inserted or used in typographical, typewritten or any other analogous compositions".

This addition was prompted, on the one hand, by the wish to restrict the meaning of the term "ornaments" to only those ornaments which are being used as accessories to typographical compositions.

¹) Annex omitted. (Ed.)

On the other hand, on the initiative of the Italian expert, it was thought necessary to explicitly include typewritten compositions within the definition of internationally protected subjects. This term aims primarily to cover type faces for typewriters.

The addition of the words "any other analogous compositions" covers the possibility of developments in printing technique.

This restriction, placed at the end of Article 3, also extends to the signs listed in (a) and (b), all of which serve the same purpose.

Article 4

Article 4 has been shortened and now only comprises one paragraph. The Berne Convention on the Protection of Literary and Artistic Works is no longer mentioned, since the present instrument is a Special Agreement within the meaning of Article 15 of the Paris Convention for the Protection of Industrial Property. The provision no longer stipulates the obligation for the Contracting States to adapt their legislation to the Agreement, since this requirement is considered obvious.

Article 5

The previous Article 5 gave rise to several objections.

The Committee of Experts considers that national legislation ought to be free to decide whether national protection shall be acquired by means of a deposit or by virtue of the provisions on copyright; it is also up to national legislation to stipulate which organ shall be competent to judge as to the validity of the deposits. Moreover, certain legislations admit the protection of a second deposit, if its holder has created type faces identical or similar to those of the first depositor, provided, however, that the contents of the first deposit were not known to him. Therefore, the Contracting States ought not to be held by the Agreement to consider that the existence of a previous deposit invalidated the subsequent deposit. Also, account has to be taken of certain legislations under which designs and models are protected only if they respond to two criteria, namely novelty and originality.

The new text consists of only one paragraph; it leaves the States free to make protection dependent either on the criterion of novelty, or on the criterion of originality, or on both criteria. The provision concerns protection acquired by means of the deposit as well as that obtained under the provisions on copyright. However, the experts are of the opinion that the application of the criterion of novelty is conceivable only if the protection is based on the system of deposit.

Article 6

The concept of novelty varies from one country to another. A conventional definition of novelty would compel a certain number of States to modify the principles of their legislation. This consequence might constitute an obstacle to several of them acceding to the present Agreement. Therefore, the definition of novelty contained in the previous text was omitted. The States are thus free to apply, on this point, their own legislation. Certain experts, among them particu-

larly those from the Netherlands, expressed regret that the draft did not contain at least a minimum definition of novelty.

Article 6 limits itself to defining the criteria of judging the novelty of type faces on the basis of their characteristic elements. The text of the provision implies the necessity for the tribunals to call upon the knowledge of professional circles qualified for such judgment.

The discussions at the meeting of the Committee of Experts clearly showed that the elements indicated under (d) and (e) should also form part of the designs deposited in order that they can be invoked subsequently for the judgment of novelty.

Article 7

Paragraph (1) contains two additions.

The first one explicitly states that protection entitles the owner of the right to prohibit any reproduction "for any use whatsoever". This provision concerns, for example, the reproduction of certain letters on watch faces. The Austrian expert opposed this provision since, in his view, it excessively broadens the field of protection. The Swiss expert associated himself with this reservation.

The second addition points out that a reproduction is illegal even if its author had no knowledge of the type faces deposited.

Paragraph (2) gave rise to detailed discussions. The text adopted is in accordance with the views expressed by the majority of the experts. According to these views, a reproduction of type faces obtained by purely technical means (particularly by photography, using processes of distortion) shall be prohibited, whatever the aspect of the type faces obtained by such method of reproduction. It appeared justified to protect the owner of the deposit against the illegal operation of a third party, who obtains a new type face, without a creative effort, on the basis of the deposited type face.

The Austrian expert declared that, in his view, the owner of the right ought not to be entitled to prohibit such a reproduction, unless there still remained a resemblance between the subject deposited and that obtained by distortion, that is to say, if the latter presented the same elements of style and general aspect as the type face deposited.

The Italian expert made an analogous reservation.

In the new paragraph (3), the term "imitation" has been replaced by a more explicit expression: this clearly states that the States where protection is based on the criterion of originality — whether or not such protection was subject to the requirement of a deposit — can provide for enabling a third party to use identical type faces to those deposited, if he has created them without prior knowledge of those deposited.

Paragraph (4) deals with the exceptions from protection. The suggestion for them is taken from the Rome Convention of October 26, 1961, concerning the protection of performers, producers of phonograms and broadcasting organisations. It shall be permitted to reproduce deposited type faces in publications exclusively serving purposes of instruction or scientific research, or for purposes of quotation. This applies, for example, to type faces reproduced in a historical work on the development of type faces or in a newspaper article pub-

lished on the occasion of an exposition of typographical material.

Paragraph (5) has been added in order to dispell the fears of users of not being able to use the type faces purchased according to professional practice. These principles are also expressed in a decision taken on the occasion of the Congress of the International Federation of Printers in Vienna in June, 1963, and is set out in Annex II attached to this report²⁾.

Article 10

Upon the request of the professionals, the period of secrecy of sealed deposits has been reduced from three years to one year [paragraph (2)], in consideration of the objections raised by certain experts, particularly those from Czechoslovakia.

It is provided that a sealed deposit shall be published after its opening [Art. 12, paragraph (2)]. A depositor wishing to avoid publication of type faces under sealed deposit — the opening of which has been requested by a tribunal or any other competent authority — will have the possibility of withdrawing the deposit before it is opened, provided he has knowledge of the request for the opening addressed to the International Bureau by the competent authority. To this end, it is provided that the decision of opening the deposit at the request of the competent authority shall be communicated to the depositor.

The words “and without prejudice to the provisions governing the term of protection” at the end of paragraph (3) were cancelled, since the meaning of this passage did not appear sufficiently clear. As a result of this cancellation that in the States availing themselves of the option of Article 10, paragraph (3), the minimum term of protection of 25 years provided by Article 8 shall be counted from the opening, or, according to the national provisions, the publication of the sealed deposit.

The previous paragraphs (4) and (5) of the draft were omitted, since the possibility of subsequently completing a deposit is liable to create a situation which, from the legal point of view, may give rise to ambiguities.

Article 12

In paragraph (2) the words “on the date of” have been replaced by “after”, in view of the fact that in practice the publication of the sealed deposits cannot be made on the very day of the opening of the deposit.

Article 14

The text of paragraph (1) has been slightly altered so as to bring it in harmony with the provision of Article 8 (term of protection).

Article 15

The terms “renounce the effects of their deposit” have been replaced by “renounce their deposit”, since in the case of an open deposit withdrawal cannot bring about the suppression of all effects resulting from the deposit.

Article 17

The terms “change in rights arising from a deposit” were considered too broad and too vague. They have been replaced

by the terms “change affecting the property of a design of a type face covered by a deposit”. Moreover, influenced by Article 12 of The Hague Agreement concerning the International Deposit of Industrial Designs, as revised in 1960 at The Hague, the Committee added the word “valid”.

Article 19

Paragraph (1) has been brought into agreement with Article 18 of the above-mentioned Agreement of The Hague.

Article 20

This Article literally reproduces the provisions of Article 21 of the above-mentioned Agreement, with the only difference that the powers and duties of the Committee, as listed in paragraph (2), number (3), also extend to the fixing of the ceiling of the reserve fund.

Article 28 (new)

This Article provides for the establishment of Regulations concerning the implementation of this Agreement.

Article 29

The new wording of paragraph (2) leaves the future Diplomatic Conference free to decide into which languages official translations shall have to be established, taking into account which States shall sign the Agreement.

Modifications of terminology or purely formal ones were made to Articles 1, 2, 9, paragraphs (1) and (4), and Article 13.

III

The working programme of the IVth Meeting of the Committee of Experts included examination of the proposal of the German experts concerning an additional protocol to The Hague Agreement on Industrial Designs, as well as the form to be given to the new international instrument for the protection of type faces.

In view of the modifications made to the draft Agreement, the German expert declared that the text adopted enabled him to withdraw his proposal for an additional protocol. This has, therefore, become immaterial.

IV

In regard to the Implementing Regulations, several amendments and additions have been proposed. In view of the nature and the number of modifications to be made to this text, it was decided to entrust a restricted committee with the task of resuming the examination of these Regulations as well as of the Table of Fees, on the basis of a text elaborated by the International Bureau.

V

The special provisions set out after the draft Table of Fees have been omitted.

The Committee considers that the deposits of type faces made on the basis of The Hague Agreement concerning the International Deposit of Industrial Designs, which are not very numerous, do not justify the adoption of special rules of a transitory nature.

²⁾ Annex omitted. (Ed.)

VI

The Committee of Experts considers that it is now for the Governments to decide on the appropriateness or otherwise of convening a Diplomatic Conference for the adoption of an Agreement concerning the International Protection of Type Faces.

It requests BIRPI

- to transmit to the States of the Paris Union the draft Agreement and the present report;
- to consult the countries of the Union who have shown, or who will show, an interest for the protection of type faces, on the question as to whether they desire the convocation of a Diplomatic Conference.

Geneva, October 10, 1963.

Annexes

- I. Text of Address given by the President, Mr. J.-N. de Bavinchove.
- II. Resolution adopted at the Congress of the International Federation of Printers (Vienna, June, 1963) by the Founding Committee of A.TYP.I. (PJ/12/Exp.Typ./No. 37)³⁾.

Texts adopted

Draft Agreement of for the Protection of Type Faces and the International Deposit thereof of, 1960 .

The Contracting States,

Moved by the desire to assure an adequate protection of type faces on an international basis;

Conscious of the special requirements to which such protection has to conform;

Considering, moreover, that certain systems of protection make such protection subject to a deposit;

Considering, therefore, that rules of substantive law should be drawn up to that end, and, on the other hand, that an International Deposit should be established;

Referring to Article 15 of the Paris Convention for the Protection of Industrial Property, of March 20, 1883, revised at Brussels on December 14, 1900, at Washington on June 2, 1911, at The Hague on November 6, 1925, at London on June 2, 1934, and at Lisbon on October 31, 1958,

Have agreed as follows:

Article 1

The States parties to the present Agreement shall constitute a Separate Union for the International Protection of Type Faces within the framework of the International Union of Paris for the Protection of Industrial Property.

Article 2

For the purposes of the present Agreement, the term "Separate Union" shall be understood to mean the International Union constituted by this Agreement; the term "Regulations", to mean the Rules governing the execution of the said Agreement;

the term "International Bureau", to mean the "International Bureau for the Protection of Industrial Property"; the term "International Deposit", the deposit of type faces with the said International Bureau.

Article 3

For the purposes of the present Agreement, the term "Type Faces" shall mean the designs of:

- (a) letters and alphabets as such with their accessories (such as accents, numerals and punctuation marks);
- (b) additional figurative signs;
- (c) ornaments (borders, fleurons, vignettes), intended to be inserted or used in typographical, typewritten or any other analogous compositions.

Article 4

The Contracting States shall undertake to ensure the protection of type faces in conformity with the provisions of the present Agreement, either by means of a special national deposit, or by the extension of the deposit already provided for designs and models by their national legislation, or by copyright provisions.

Article 5

The protection shall be subject to the condition that the type faces respond to at least one of the following two criteria:

- (a) novelty,
- (b) originality.

Article 6

The novelty of type faces shall be judged in relation to their general aspect and style, taking into account technical and aesthetic criteria recognized by qualified professional circles, in particular hereunder enumerated:

- (a) the relative proportion of the height and the width of the letters;
- (b) the relative proportions between the thick and thin strokes;
- (c) the particular shapes of the serifs and the terminals;
- (d) the spacing between the letters;
- (e) the alignment of type.

Article 7

(1) The protection entitles the owner of the right to prohibit any reproduction, whether identical or slightly modified, for any use whatsoever, of the type faces covered by the said protection, without his consent, whether the type faces had been known by the author of the reproduction or not, by any means, form or medium whatsoever.

(2) The protection shall also enable the owner to prohibit all reproduction obtained by the distortion of the said type faces by any purely technical means, whatever the results of such distortion.

(3) The Contracting States basing the protection on the criterion of originality may have the faculty to provide that the right defined in paragraph (1) of the present Article shall apply only in the case where the type faces were known to the author of the reproduction.

³⁾ Annexes omitted. (Ed.)

(4) The provisions of paragraphs (1), (2), (3) shall not apply to reproduction by a third party for his private use, nor to reproduction obtained exclusively for purposes of instruction, scientific research or quotation.

(5) The provisions of the present Article shall not prevent a person having legitimately acquired the rights of reproduction from using these rights in conformity with current professional practice, unless otherwise stipulated in the contract.

Article 8

The term of protection granted shall not be less than twenty-five years.

Article 9

(1) The nationals of the Contracting States or persons who are not nationals of one of the said States, but who are domiciled or who possess a real and effective industrial or commercial establishment in the territory of any one of the said States, shall be entitled to make an international deposit of type faces with the International Bureau in conformity with the provisions of the present Agreement.

(2) This international deposit shall enjoy protection identical with that provided by the national deposits referred to in Article 4 in all States members of the present Agreement.

(3) International deposits can be made with the International Bureau either:

- (a) directly, or
- (b) through the intermediary of the national Administration of a Contracting State providing that the laws of the said State so permit.

(4) The national legislation of each Contracting State may require that all international deposits, in respect of which the said State is held to be the country of origin, be dealt with through the channel of its national Administration. Non-observance of such regulations shall not, however, prejudice the effects of international deposit in the other Contracting States.

(5) Within the meaning of the present Article, the term country of origin shall denote the Contracting State wherein the depositor possesses a real and effective industrial or commercial establishment, or in the event of the possession by the said depositor of similar establishments in more than one of the Contracting States, the Contracting State he shall have designated in his application; if the said depositor has no domicile in any of the Contracting States, then the Contracting State of which he is a national.

Article 10

(1) The international deposit of type faces shall be made with the International Bureau under open or sealed deposit.

(2) Sealed deposits shall be opened at the end of a period of one year, or earlier at the request of the depositor or pursuant to the decision of a competent tribunal or any other competent authority, of which the depositor has been notified.

(3) Each Contracting State may declare at the time of the signature of the Agreement or of the deposit of its instrument of ratification or of accession, that a sealed deposit

shall be recognized as having legal effect in respect of the said State only as from the date of the opening thereof.

Article 11

(1) The deposit shall be accompanied by an application for international registration in triplicate, together with the fees, and the documents and declarations, in English or French, as required by the Regulations.

(2) An international deposit shall be considered valid from the date on which the International Bureau receives the application made in proper form together with the fees and all other documentation prescribed by the Regulations; if these are not received simultaneously, the said deposit shall only be valid from the date on which the last formality has been fulfilled.

(3) Upon receipt of an application for a deposit, whether open or sealed, the International Bureau shall immediately record the said application on a special register and shall publish it in the *Bulletin international des caractères typographiques*, copies of which shall be sent free of charge to the national Administrations of each of the Contracting States.

Article 12

(1) Each international deposit of type faces shall be published in the *Bulletin international des caractères typographiques* as soon as possible, and shall include in particular the following items:

- (a) the full reproduction in black and white, or, at the express request of the depositor, in colour, of the type faces;
- (b) the date of the international deposit;
- (c) whatever information shall have been prescribed by the Regulations.

(2) Sealed deposits shall only be published after the date of the opening thereof.

Article 13

Should an international deposit of type faces be effected within the six months following the prior deposit of the same type faces either in one of the States of the Union of Paris or in conformity with the provisions of The Hague Agreement, and should priority be subsequently claimed for the international deposit provided for by the present Agreement, the date of priority shall be the first of the aforesaid deposits.

Article 14

(1) The international deposit is effected for an initial period of fifteen years, with the possibility of renewal for further periods of ten years.

(2) During the first six months of the last year of each period the International Bureau shall send the depositor an unofficial warning of the date of expiry.

(3) Each depositor has the right to prolong the period of deposit of ten years by the payment of the fees prescribed by the Regulations and effected during the last year preceding the expiry of each period.

(4) Six months grace shall be granted in respect of renewals of international deposits upon payment of a surtax provided for by the Regulations.

Article 15

Depositors may, at any time, renounce their deposit by making a declaration addressed to the International Bureau which shall publish it in accordance with Article 11 above.

Article 16

The fees charged by the International Bureau shall be allotted:

- (a) to meeting the cost of the International Service of Type Faces;
- (b) to the establishment and maintenance of a reserve fund the amount of which shall be fixed and revised by the International Committee on Type Faces set up under Article 20 of the present Agreement.

Article 17

(1) The International Bureau shall enter in its registers and publish any change affecting the property of a design of a type face covered by a valid international deposit.

(2) These changes in registration shall be subject to a fee fixed by the Regulations.

Article 18

(1) The International Bureau shall deliver to any person, upon application and payment of a special fee, a certified copy of the entries on the Register opened in accordance with Article 11 (3) above.

(2) The information shall be accompanied by a certified copy, or, if required, by a reproduction of the type face certified as being in conformity with the open deposit.

Article 19

(1) The provisions of the present Agreement shall not impede the granting of rights wider in scope, that might eventually be enacted by the national legislation of a Contracting State and shall not in any way affect the protection extended to artistic works and works of applied art by the international Conventions and Treaties on Copyright.

(2) The Contracting States which have already granted special protection to type faces shall have the option of stipulating that the benefit of protection already covering designs or models shall not extend, within their territory, to type faces.

Article 20

(1) There shall be established an International Committee on Type Faces consisting of representatives of all the Contracting States.

(2) The Committee shall have the following duties and powers:

- 1. to establish its own rules of procedure;
- 2. to amend the Regulations;
- 3. to fix and to modify the ceiling of the reserve fund referred to in Article 16 (b);

4. to study matters concerning the application and possible revision of the present Agreement and all other problems concerning the international protection of type faces;

5. to comment on the yearly administrative reports of the International Bureau and to give general directives to the International Bureau concerning the discharge of the duties entrusted to it by virtue of this Agreement;

6. to draw up a report on the foreseeable expenditure of the International Bureau for each three-year period to come.

(3) The decisions of the Committee shall be taken by a majority of four fifths of its members present or represented and voting in the case of numbers 1, 2 and 3 of paragraph (2), and by a simple majority in all other cases. Abstentions shall not be considered as votes.

(4) The Committee shall be convened by the Director of the International Bureau:

- 1. at least once every three years;
- 2. at any time on request of one third of the Contracting States, or, if deemed necessary, at the initiative of the Director of the International Bureau or the Government of the Swiss Confederation.

(5) The travel expenses and subsistence allowances of the members of the Committee shall be borne by their respective Governments.

Article 21

The present Agreement shall be submitted to revision on the proposal of the International Committee on Type Faces.

Article 22

(1) Two or more Contracting States shall have the option at any time of notifying the Government of the Swiss Confederation that a common Administration has been substituted for their separate national Administrations and that, consequently, the whole of their territories shall be treated as a single State for the purpose of application of the provisions for international deposit.

(2) This notification shall only take effect after six months from the date of the communication thereof by the Government of the Swiss Confederation to the other Contracting States.

Article 23

(1) The present Agreement shall remain open for signature until

(2) It shall be ratified and the Instruments of Ratification shall be deposited with the Government

Article 24

(1) States members of the International Union for the Protection of Industrial Property which have not signed the present Agreement shall be permitted to accede thereto.

(2) This accession shall be notified to the Government of the Swiss Confederation through diplomatic channels, and notified by the said Government to the Governments of all the Contracting States.

Article 25

(1) The present Agreement shall come into force after the expiration of a period of one month from the date on which the Government of the Swiss Confederation shall have despatched a notification to the Contracting States of the deposit of three Instruments of Ratification or of Accession.

(2) Thereafter, the Government of the Swiss Confederation shall notify to the Contracting States all further deposits of instruments of ratification or of accession. Such ratifications and accessions shall become effective after the expiration of a period of one month from the date of the despatch of such notification, unless, in the case of accession, a later date shall have been indicated in the instrument of accession.

Article 26

The provisions of Article 16^{bis} of the Paris Convention for the Protection of Industrial Property shall be applicable to the present Agreement.

Article 27

In the event of the denunciation of the present Agreement, Article 17^{bis} of the Paris Convention for the Protection of Industrial Property will apply.

Article 28

The Regulations shall govern the details concerning the implementation of this Agreement.

Article 29

(1) The present Act shall be signed in a singly copy and deposited in the archives of the Government of

A certified copy thereof shall be forwarded to the Governments of each of the States signatories to, or having acceded to, the present Agreement.

(2) Official translations of the present Agreement shall be established in

**Draft Regulations for the Application of the Agreement
of for the International Protection
of Type Faces⁴⁾**

Article 1

(1) Every application referred to in Article 11 of the Agreement shall be worded in English or French, and submitted in triplicate on forms issued by the International Bureau.

(2) Each application shall contain:

- (a) the surname, name, or the business name, and address of the applicant; should there be an agent, the latter's name and address (it must be stated to which of the several addresses given the International Bureau is to send all correspondence);

⁴⁾ This draft regulation has been submitted to the members of a restricted Working Group and has led to certain observations on the part of some of the experts so far as the fees proposed are concerned, while the draft has been rejected by the International Typographical Association. The draft is nevertheless published for information.

- (b) a statement setting forth the details required under Article 9 (1) of the Agreement;
- (c) the nature of the deposit, namely, whether open or sealed;
- (d) a list of the documents and reproductions accompanying the application, together with a statement of the fees paid to the International Bureau;
- (e) if the applicant wishes to claim the priority referred to in Article 13 of the Agreement, a statement of the date and number of the deposit which gives rise to the right of priority, and, in the case of a national deposit, the name of the State;
- (f) the signature of the applicant or of his agent.

(3) The application may be accompanied by:

- (a) an application for publication in colour;
- (b) documents supporting any priority claim;
- (c) a statement revealing the name of the true inventor of the type faces which have been deposited.

Article 2

(1) For publication in black and white, a photograph or other fac-simile of the type faces shall be attached to each of the triplicate forms of application.

(2) For publication in colour, one positive film in colour with colour prints in triplicate of the type faces shall accompany the application.

(3) The documents mentioned in paragraphs (1) and (2) above shall not exceed 20 by 25 centimetres.

(4) Publication shall be identical in size to the deposited documents.

Article 3

(1) Where an agent intervenes, the documents shall be accompanied by a power of attorney. No legalisation is required.

(2) Any interested party, who, by virtue of the provisions of Article 17 (1) of the Agreement, requests the registration of changes affecting the ownership of a design of a type face, the subject of an international deposit in force, must provide the necessary documentary proofs to the International Bureau.

Article 4

(1) Six months before the date from which each period for which an international deposit may be prolonged, the International Bureau shall send a reminder to the owner of the deposit or to his agent if the name of the agent is recorded in the Register. The failure to despatch this notification will not have any legal effect.

(2) (a) The prolongation will take effect merely on payment, during the last year of each period before expiry, of the prolongation fee.

(b) If the prolongation has not been effected during the period prescribed by (a) above, the applicant may effect it during the six months grace provided for by Article 14 (4) of the Agreement, if, in addition to the prolongation fee, he pays the surtax fixed for this purpose. The prolongation fees and the surtax must be paid simultaneously.

(c) When the prolongation fee is paid, the number of the international deposit shall be indicated.

Article 5

When a court or any other competent authority shall order the communication to it of type faces deposited under seal, the International Bureau, when properly required, shall proceed to the opening of the deposited package, and extract and remit the contents thereof to the authority requiring it. The documentation thus communicated shall be returned in the shortest possible time.

Article 6

(1) The schedule of fees herewith attached forms an integral part of the present Regulations.

(2) Every depositor shall pay:

(a) at the time of filing his application for deposit, the basic fee and the international publication fee;

(b) subsequently, the prolongation fee.

(3) All fees shall be payable in Swiss francs.

Article 7

(1) As soon as the International Bureau shall have received the application for deposit in good and due form together with the total fees payable and the photographs or other fac-simile designs of the type faces, the date of the international deposit, the number of the deposit and the seal of the International Bureau shall be affixed to the three copies of the application and on each of the reproductions, or, in the case of a sealed deposit, on the latter. Each copy of the application shall be signed by the Director of the International Bureau or by the representative he shall have designated for the purpose. One of the copies shall be incorporated in the Register, and shall constitute the official act of registration; the second copy, which shall constitute the registration certificate, shall be returned to the depositor; the third copy shall be transmitted on loan by the International Bureau to any national Administration of a State member of the Agreement which shall request it.

(2) All prolongations, changes affecting the ownership of a design of a type face, the subject of an international deposit in force, changes in the name or address of the owner of the deposit or his agent, and declarations of renunciation effected under the provisions of Article 15 of the Agreement, shall be recorded and published by the International Bureau.

Article 8

(1) The International Bureau shall publish a periodical bulletin entitled the *Bulletin international des caractères typographiques*.

(2) The *Bulletin* shall contain for each deposit registered: reproductions of type faces deposited; the date and number

of the international deposit, the name or business name and the address of the depositor, the name of the State of origin of the deposit, the date and number of the deposit on which a claim of a right of priority is based and all other necessary information.

(3) The *Bulletin* shall also contain any information relating to registrations referred to in Article 7 (2) above.

(4) The *Bulletin* may contain indexes, statistics and other information of general interest.

(5) Information on selected registrations shall be published in French and English. All information of a general nature shall also be published in French and English.

(6) The International Bureau shall transmit, as soon as possible, a free copy of the *Bulletin* to the national Administration of each of the Contracting States.

Every national Administration shall receive, upon request, a maximum of five free copies, and ten copies at one third of the normal subscription rates.

Article 9

The present Regulations shall come into force at the same date as the Agreement.

Schedule of Fees

Deposit fee for the first period (15 years):

100 francs, plus 5 francs per letter, sign or ornament.

Publication fee:

— for publication in black and white:

100 francs per standard space (20 × 25 centimetres) used.

— for publication in colour:

400 francs per standard space (20 × 25 centimetres) used.

Prolongation fee:

for each period of ten years: 500 francs;

surtax [Art. 14 (4) of the Agreement]: 100 francs.

For the registration and publication of changes affecting ownership [Art. 17 (1) of the Agreement] or changes of names and addresses: 100 francs.

For supplying a copy of the certificate of deposit: 25 francs.

For supplying information contained in the Register:

25 francs per hour or fraction thereof required for the furnishing of the information.

For the certification of a photograph or graphic representation by any person requesting such certification:

25 francs.

BOOK REVIEWS

Historical Patent Statistics, 1791 to 1961, by *P. J. Federico*, Examiner-in-Chief of the United States Patent Office.

Eighty-two of the 84 pages of the February 1964 issue of the *Journal of the Patent Office Society* of Washington D. C., U. S. A., are devoted to a statistical survey of the number of patents applied for and/or granted in a number of countries between the period 1791 and 1961, i. e., during *one hundred and seventy one years*.

These statistics have been compiled with the care and accuracy which characterize all the works of Mr. P. J. Federico, Examiner-in-Chief of the United States Patent Office.

The statistical tables are preceded by an explanation of the source used and a thumb-nail sketch of the patent laws of the 44 countries included in the tables.

The tables are broken down in four series:

- (1) The first series covers the period 1791-1900 and gives the number of patents issued annually by some countries, by decades, in eleven tables.
- (2) The second series covers the period 1901-1950. The tables are arranged by countries and in most cases not only the number of patents issued but also the number of applications filed is indicated; in some instances the division between domestic and foreign origin is also indicated. Forty-three countries are dealt with in this series.
- (3) The third series covers the period 1951-1961 applying the same principles as the second series. It deals with twenty-two countries.
- (4) The fourth series deals with 21 countries and gives the number of applications filed or patents issued, or both, *subdivided according to the countries of origin of the applicants* for the ten years 1951-1961.

This series is, of course, of particular interest to all those who try to forecast the savings which the establishment of regional patent offices or increased cooperation between national patent offices could yield in terms of avoiding duplication of effort.

* * *

The following tables do not appear in Mr. Federico's survey but the data on which they are based were taken from his survey. They serve to illustrate some of the many interesting uses to which the data of the survey may be put.

A) Progression of number of patents granted

	Year	1800	1850	1900	1961
U. S. A.		41	883	24,644	48,476
France		16	2,272	12,400	33,150
Great Britain - United Kingdom		96	523	13,710	28,871
Canada		—	35	4,522	21,631
German States - Germany		—	308	8,784	20,550
Japan		—	—	586	20,946
Russia - U. S. S. R.		—	8	1,711	9,098

B) Number of patent applications in the year 1961¹⁾

1. U. S. A.	83,396	11. Belgium	13,443
2. Germany	58,188	12. Sweden	13,186
3. U. S. S. R. (1960)	53,896	13. Australia	12,898
4. Japan	48,417	14. Austria	9,892
5. United Kingdom	46,811	15. Spain	9,652
6. France	37,435	16. Brazil (1958)	8,069
7. Canada	25,447	17. Czechoslovakia	7,742
8. Italy	23,606	18. South Africa	5,312
9. Switzerland ²⁾	15,175	19. India	5,289
10. Netherlands	13,461	20. Denmark	5,265

¹⁾ Unless another year date is indicated after the name of the country.

²⁾ Including Liechtenstein.

21. Mexico	4,477	31. Portugal	1,214
22. Norway	4,049	32. Ireland	1,084
23. New Zealand	2,893	33. Rumania	961
24. Poland	2,525	34. Bulgaria	547
25. Finland	2,312	35. Turkey	475
26. Yugoslavia	1,834	36. Morocco	372
27. Israel	1,696	37. Tunis (1960)	227
28. Luxemburg	1,426	38. Syria	158
29. Egypt	1,383	39. Lebanon	133 ³⁾ 4)
30. Greece	1,379		

C) Proportion of Applications of Foreign Origin in 1961

(100 % = Total applications)

Canada	94 %	Australia	67 %
Belgium	85 % ⁵⁾	France	61 % ⁵⁾
Netherlands	83 %	United Kingdom	52 %
Sweden	71 %	Germany	38 %
Italy	68 %	Japan	28 %
Switzerland	68 %	U. S. A.	20 % ⁶⁾

D) Proportion of Patents granted to Foreign Applicants in 1961

(100 % = Total of patents granted)

Canada	94 %	Italy	63 %
Belgium	85 %	France	61 %
Netherlands	83 %	Germany	36 %
Sweden	71 %	Japan	35 %
Switzerland	66 %	U. S. A.	17 % ⁷⁾

E) Origin of Applications in 1961

	U. S. A.	Germany	United Kingdom
Total number of applications	83,396	58,188	46 811 ⁸⁾
Domestic	66,335 (80%)	35,895 (62%)	22,683 (48%)
Foreign	17,061 (20%)	22,293 (38%)	24,128 (52%)
Canada	1,646 (10%) [*]	195 (1%) [*]	446 (2%) [*]
France	1,774 (10%) [*]	2,440 (11%) [*]	1,968 (8%) [*]
Germany	4,175 (25%) [*]	See - Domestic -	5,677 (24%) [*]
Japan	1,082 (6%) [*]	639 (3%) [*]	604 (2%) [*]
Netherlands	594 (4%) [*]	1,212 (5%) [*]	783 (3%) [*]
Switzerland	1,248 (7%) [*]	2,174 (10%) [*]	1,476 (6%) [*]
United Kingdom	3,739 (22%) [*]	3,409 (15%) [*]	See - Domestic -
U. S. A.	See - Domestic -	8,073 (36%) [*]	9,574 (40%) [*]
Other foreign	2,803 (16%) [*]	4,151 (19%) [*]	3,600 (15%) [*]

It is interesting to note that *in the United States* 47 % of the foreign applications come from Germany and the United Kingdom; that *in Germany* 51 % of the foreign applications come from the United States and the United Kingdom; and that *in the United Kingdom* 64 % of the foreign applications come from the United States and Germany. A. B.

³⁾ The last data for Argentine are for 1950 (7039 applications).

⁴⁾ The total of these forty countries is 478,914.

⁵⁾ Proportion of patents granted to (rather than applications filed by) foreign applicants.

⁶⁾ No data published as to the U. S. S. R.

⁷⁾ No data published for Australia, the United Kingdom and the U. S. S. R.

⁸⁾ Includes provisional applications, not all of which are necessarily completed; when a convention priority is claimed, a complete specification *must* be filed.

* Percentages calculated on the basis that the total of foreign applications is considered as 100 %.

* * *

The Protection of the Trademark (Proposals for the Revision of the Federal Trademark Law) (in French). Report presented by *Pierre-Jean Pointet*, Professor of Neuchâtel University, Secretary to the « Vorort de l'Union suisse du commerce et de l'industrie ». 1 Volume, 134 pages, 22 × 14 cm. Published by Helbing & Lichtenhahn, Basel, 1963. Price: SFr. 7.50.

In a report presented to the Swiss Society of Jurists, in September, 1963, which has since been reprinted in various reviews devoted to industrial property matters, Professor P.-J. Pointet has considered all the important questions in trademark law with a view to making a contribution to the revision of the Swiss Law of September 26, 1890, on trademarks.

Professor Pointet's study deserves special attention; instead of presenting compromise solutions which tend, as is so often the case with reports established by different groups which attempt to present an apparently unanimous opinion but whose theoretical basis remains weak for that very reason, it offers the fruits of the personal reflections of a man accustomed to legal analysis and the results of a practitioner's experience.

What characterises this study is, not merely a search for improvements of secondary importance, however necessary these may be either in national or international texts, but rather an attempt at a fundamental harmonization of the rules in the special field of trademarks with the general trends of the development of law and the structure of modern economy.

Far from being piecemeal, the solutions proposed by Professor Pointet form an entity which is not a mere codification of case law, but rather a reflection of basic considerations which no one can afford to overlook today.

The progressive development of industrial and commercial integration, arising from present day requirements, its intensification in spite of efforts to regulate agreements, mass production, the increasingly important role played by trademarks in modern economy, sometimes to the detriment of patents, the multiplicity and diversity of the forms of trademarks, their extension on an international level by means of radio and television publicity of which they are a primary element, are all factors which contribute to the transformation of trademark law and which cannot remain static in a developing world. Here, indeed, are ample subjects for lawyers to think about.

In his clear and concise work, Professor Pointet invites the reader to reflect upon the principal problems of today presented by the national

and international regulation of trademarks; the solutions proposed are always worth careful consideration even though they may not always lead to full agreement. At least, such solutions invite a detailed study of the problems by enabling the reader to appreciate more fully their complexity thanks to the many references to text-books and accompanying notes by the author which present a very valuable documentary of comparative law.

It is not our purpose here to go into the detail of the questions covered by Professor Pointet, whether these deal with the nature and the scope of trademark law or with the conditions under which they may be acquired and maintained, their transfer or their expiry. It is sufficient to say that the opinions of the author have been adapted to the most recent work in the field and take into account the exchange of views expressed at the Lishon Conference for the revision of the Paris Convention and in the course of subsequent international meetings. This will, I believe, suffice to emphasize the value of Professor Pointet's work.

Ch.-L. M.

* * *

Copyright and Industrial Property Law Review (yearly review), Volume I, 25 × 18 cm. (1963). Edited by *Tassos Ioannou* and *Victor Mélas*. Athens (Akadimias 37).

In the field of copyright and industrial property a new annual review in Greek with a summary in English has made its appearance. To our knowledge, this is the first of its kind published in Greece and credit should be given to its promoters, Messrs. Tassos Ioannou and Victor Mélas.

This publication is in two parts, one devoted to copyright and the other to industrial property. In the first volume, apart from general studies such as the "Latest developments in Greek Copyright Legislation", by George Michaelidis-Nouaros, Professor at Athens University, and "Prevention of Competition in the Transfer of a Business", by Pan. Papapanayotou, Attorney-at-Law, there are published the principal legal decisions dealing with the subject matter in Greece in 1962.

The special interest of this new review should be emphasized. The efforts of its editorial board will certainly be rewarded by a wide distribution in interested circles; such distribution would no doubt be increased if the summary in English were accompanied by a summary in French.

C. M.

NEWS ITEMS

UNITED STATES OF AMERICA

Appointment of new Commissioner of Patents

We are informed that the nomination of Mr. Edward J. Brenner as Commissioner of Patents of the United States has now been confirmed by the United States Senate. He succeeds Mr. David L. Ladd.

We take this opportunity of congratulating the Commissioner on his appointment.

Calendar of BIRPI Meetings

Place	Date	Title	Object	Invitations to participate	Observers
Bogotá	July 6 to 11, 1964	Latin American Industrial Property Congress	Discussion of industrial property questions of interest to Latin American States	All the States of Latin America	All Member States of the Paris Union outside Latin America
Geneva	September 28 to October 2, 1964	Interunion Coordination Committee	Program and budget of BIRPI	Belgium, Brazil, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Morocco, Netherlands, Portugal, Rumania, Spain, Sweden, Switzerland, 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
Geneva	September 30 and October 1, 1964	Consultative Committee and Conference of Representatives (Paris Union)	Triennial budget of the Paris Union	All Member States of the Paris Union	—
Geneva	October 12 to 16, 1964	Committee of Experts concerning the international classification of industrial designs	Study of an international classification of industrial designs	All Member States of the Paris Union	—
Geneva	November 2 to 5, 1964	Committee of Experts for the study of a model law concerning inventions and technical improvements for developing countries	Study of a model law concerning inventions and technical improvements for developing countries	List of countries yet to be established	—

