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LEGISLATION

ITALY

Decrees

concerning the Temporary Protection of Industrial Property rights at 3 Exhibitions

(Of March 20, 1965) ¹⁾

Single Article

Industrial inventions, utility models, designs and trademarks relating to objects appearing at the following exhibitions:

XXI^o Salone-mercato internazionale dell'abbigliamento (Turin, September 9 to 12, 1965);

III^a Mostra dei trasporti interni e del magazzinaggio TRAMAG e nella *II^a Mostra dei servizi pubblici* (Padova, October 3 to 10, 1965 and October 20 to 26, 1965).

shall enjoy the temporary protection provided by laws No. 1127 of June 29, 1939 ²⁾, No. 1411 of August 25, 1940 ³⁾, No. 929 of June 21, 1942 ⁴⁾, and No. 514 of July 1, 1959 ⁵⁾.

¹⁾ Official communication from the Italian Administration.

²⁾ See *Prop.ind.*, 1939, p. 124; 1940, p. 84.

³⁾ *Ibid.*, 1940, p. 196.

⁴⁾ *Ibid.*, 1942, p. 168.

⁵⁾ *Ibid.*, 1960, p. 23.

NORWAY

I

Act

amending the Patent Act, the Trademark Act, the Designs Act, and the General Civil Code

(Of June 21, 1963)

(Translation) ¹⁾

I

In the Act of July 2, 1910, relating to patents, the following provisions shall read:

§ 1, second paragraph, *litra a*

Inventions, the utilization of which would be contrary to morality or public order.

§ 9, first, second, and third paragraphs

If, after the expiry of three years from the issue of the patent or four years from the filing of the patent application, whichever period last expires, a patentee has not himself or through others in a reasonable degree brought the invention to utilization in the Kingdom, and he cannot show valid excusatory circumstances as ground for his omission to do so,

¹⁾ This translation has been communicated to us by the Norwegian Patent Office.

he is bound on demand to give others permission to use, against a remuneration, the invention for his activity (licence). Such licence does not debar the patentee from giving licences also to others, and it cannot be conveyed except in connection with the activity or that part of this which uses the licence.

Likewise, the holder of an older patent is bound to give, against a remuneration, similar permission to use the patent to anyone who has a later patent for an invention which is of particular importance for industry, but which cannot be utilized without use of the older patent. The holder of the latter has, when such permission is granted, on his side the right to use, against a remuneration, the later patented invention.

Whether the conditions for obtaining access to use another's patent, in conformity with this section, exist, shall be decided by the Second Division of the Patent Office. The person who brings the case before the Patent Office shall for the hearing pay the fee which is at any time stipulated by the King. The decision of the Patent Office may, within a period of three months after it has been made, be brought before the law courts, in so far as it relates to interpretation of the statute on which the decision has been based, cf. § 42.

§ 10, fourth paragraph

If the parties are agreed thereon, the questions involved here concerning remuneration shall be decided with final effect by the Second Division of the Patent Office. The party which brings the case before the Patent Office shall for the hearing pay the fee which is at any time stipulated by the King.

§ 14, first and second paragraphs

For patents, excepting additional patents, there shall be paid the annual fee which is at any time stipulated by the King. The fees can be changed by the King with effect for patents which are granted after September 1, 1953.

The fee is payable at latest on the first day of the year to which it relates. It can, however, be paid later in the course of 6 months, against an increase of one fifth. If the fee has not been paid when due, the Patent Office shall notify the patentee. Omission to do so does not, however, involve any liability.

§ 15, first and second paragraphs

A patent loses its validity if the annual fee has not within 6 months after falling due (cf. § 14) reached the Patent Office, been handed in to an inland post office for dispatch to the Patent Office or at the inland post-giro office been entered for payment to the Patent Office.

If the patentee has done what is necessary for payment of the fee, but without his fault it has not arrived in time, or if extraordinary circumstances which cannot be attributed to him have made it impossible for him to pay the fee in time, the King or the person whom he empowers to do so may determine that the patent shall again enter into force. Application to this effect must be filed by the patentee as soon as possible, and at latest one year after the patent has become invalid. It shall be sent through the Patent Office

and shall contain information as to the circumstance or circumstances which are felt to justify restoration, and be accompanied by the documents which can be procured in support of the correctness of the information. Likewise it shall be accompanied by the annual fee or fees which were lacking, with addition of one fifth, and the fee for restoration which is at any time stipulated by the King. Until the said fees have reached the Patent Office, the application is not deemed to have been filed. The said annual fees with addition and restoration fee will be repaid if the application is not granted.

§ 16, second paragraph

If both the patentee and the person who questions his patent are agreed thereon, request may be made that the question at issue shall be finally decided by the Second Division of the Patent Office. For the hearing shall be paid the fee which is at any time stipulated by the King.

§ 18

The patent application shall comprise and be accompanied by:

1. a request, addressed to the Patent Office, in which notification is given of the subject-matter of the invention, and the applicant's full name and address;
2. a specification of the invention, in triplicate;
3. the drawings necessary for understanding the specification, in triplicate, and models, specimens etc. according to the circumstances;
4. if an agent is designated, a power of attorney accepted by the same;
5. the fee which is at any time stipulated by the King.

§ 25, second paragraph

In the contrary case the application is deemed to be withdrawn, but the applicant may demand that the application be taken up for further consideration within a period of 4 months after the expiry of the time-limit. In connection with the demand for re-examination the fee which is at any time stipulated by the King shall be paid. The demand is not considered to have been made if the fee has not, before the expiry of the time-limit, reached the Patent Office, been handed in at an inland post office for dispatch to the Patent Office or entered at the inland post-giro office for payment to the Patent Office.

§ 26, third and fourth paragraphs

If it is decided that publication shall take place, the applicant shall pay the fee which is at any time stipulated by the King to cover the expenses of the Patent Office in the printing of patent specifications. The fee is payable before the expiry of the period of public inspection. It can be paid later within an extra time-limit of 2 months against such increase of the fee which is at any time stipulated by the King. The application is deemed to be withdrawn if the increased fee has not, before the expiry of the extra time-limit, reached the Patent Office, been handed in at an inland post office for dispatch to the Patent Office or entered at the inland post-giro office for payment to the Patent Office.

The fee will be refunded, if the patent is not granted.

§ 26, the present sixth paragraph, becomes the fifth paragraph.

§ 31, third paragraph

For the consideration of the case shall be paid the fee which is at any time stipulated by the King. The demand is not deemed to have been made, unless the fee before the expiry of the time-limit, has reached the Patent Office, been handed in at an inland post office for dispatch to the Patent Office or entered at the inland post-giro office for payment to the Patent Office.

§ 45

On condition of reciprocity the King can conclude agreements with foreign states, according to which a person who in such states has filed an application for protection of an invention shall be entitled, within a certain period after filing of such application, to file an application for a patent in this Kingdom without intervening circumstances being any hindrance to the grant of the patent.

In order that an application shall form a basis for such priority, it must be the first application which has been filed in one of the states signatory to the agreement. If the person who has filed the first application, or his successors in title, in the same country has filed a subsequent application, this application can be cited as basis for priority, provided that the first application has been decided without having led to a patent and without having been laid open to public inspection, and provided that it does not form a basis for any existing right, or has served as basis for claiming a right of priority. If priority has been obtained on the basis of a such subsequent patent application, the previous application can no longer serve as basis for priority.

The claim of priority pursuant to the rules above, may also apply only to a part of the patent application, or the priority may be based on several different patent applications which have been filed in the same state or in different states which are signatory to the agreement.

The right of utilization pursuant to § 7 does not apply if the utilization or the measures necessary for utilization have been taken subsequent to the date from which the priority right mentioned above is reckoned.

§ 47, second paragraph

Request for a respite or extension of a time-limit in order to rectify defects, make statements, give further grounds etc., which is lodged with the First or Second Division of the Patent Office by the applicant or opponent, shall be accompanied by the fee which is at any time stipulated by the King. This fee will be refunded if the time-limit asked for is not granted.

II

In the Act of July 2, 1910, relating to designs, the following provisions shall read:

§ 7

For registration and prolongation of protection of a design there shall be paid the fee which is at any time stipulated by the King. The fee may be changed by the King with effect

also for prolongation of existing registrations, if the registration has taken place subsequent to September 1, 1953. In case of prolongation of the 3-year protection period, the fee may be paid in the course of 6 months from the expiry of the previous term, against the additional fee which is at any time stipulated by the King. The fee shall be considered duly paid, if it has, within the said time, been handed in to an inland post office for dispatch to the Patent Office or has been entered at the inland post-giro office for payment to the Patent Office. If the fee for a subsequent term has not been received at the expiry of the previous term, the Patent Office shall notify the owner of the design. Omission to do this does not, however, involve any liability.

§ 11, *third paragraph*

If both the owner of a design and the person who questions his right to the design are agreed thereon, the question of the validity of the registration may be brought for final decision before the Second Division of the Patent Office. For the consideration of the case shall be paid the fee which is at any time stipulated by the King. The Second Division can, further, if it finds that the registration is obviously without legal effect, pass decision that the registration is invalid, unless the owner of the design files an objection to this. Such objection must have been received within 3 months at latest after the Patent Office has notified the owner of the design that it intends to pass decision that the registration is invalid, with particulars as to the ground for this.

§ 18, *second paragraph*

In the contrary case the application is deemed to be withdrawn. The applicant may demand to have the application taken up for further consideration within 4 months reckoned from the expiry of the time-limit. In connection with the demand for resumption there shall be paid the fee which is at any time stipulated by the King. The demand is deemed not to have been made if the fee has not, before expiry of the 4 months' time-limit, reached the Patent Office, been handed in to an inland post office for dispatch to the Patent Office or been entered at the inland post-giro office for payment to the Patent Office.

§ 19, *third paragraph*

For the consideration shall be paid the fee which is at any time stipulated by the King. The demand is deemed not to have been made unless the fee has, before expiry of the time-limit, reached the Patent Office, been handed in to an inland post office for dispatch to the Patent Office or been entered at the inland post-giro office for payment to the Patent Office.

§ 32

On condition of reciprocity, the King can conclude agreement with foreign states, according to which a person who in such states has filed an application for protection of a design, shall be entitled, within a certain period after his first filed application in any of the countries signatory to the agreement, to claim the design registered in this Kingdom,

without any intervening circumstances being any hindrance to the effect of the filed application.

§ 34, *second paragraph*

Request for a time-limit or prolongation of a time-limit in order to rectify defects, to make statements, to give further grounds etc., which is sent by the applicant to the First or Second Division of the Patent Office shall be accompanied by the fee which is at any time stipulated by the King. This fee is to be refunded if the time-limit asked for is not granted.

III

In the Act of March 3, 1961, relating to trademarks, the following provision shall read:

§ 30

On condition of reciprocity the King can provide that a person who has filed an application for registration of a trademark in a foreign state shall be entitled, within a certain period to claim the mark registered in this Kingdom with the effect that the claim in relation to marks which other persons have applied to have registered or taken into use, is deemed to have been filed in this Kingdom simultaneously with the filing of the application in the foreign state.

IV

In the General Civil Penal Code of May 22, 1902, § 328, the following amendments are made:

In the *first paragraph* the following is embodied as No. 4 instead of the present Nos. 4-5:

4. without authority uses Norwegian or foreign official coat of arms, mark or seal or any coat of arms, mark or seal which may easily be confused with such.

As new *second paragraph* is embodied the following:

In the same way a person is liable to punishment who without authority uses publicly or for an illegal purpose:

- (a) a designation acknowledged or commonly used in Norway or abroad of an international organization or any mark or seal which is used by an international organization, provided Norway is a member of such organization or by international agreement has undertaken to protect against such misuse;
- (b) any symbol or designation which by international agreement, by which Norway is obligated, is designed for use in connection with aid to the wounded and sick or protection of cultural values in time of war;
- (c) any designation, mark, seal or symbol which may easily be confused with anything mentioned under litra (a)-(b).

The present second paragraph becomes the third paragraph.

V

This act enters into force from the time decided by the King.

By Royal Decree of July 26, 1963, this act came into force on October 1, 1963.

II

Royal Decree

amending some of the Provisions of the existing Patent,
Trademark and Design Regulations

(Of July 26, 1963)

I

(Translation)¹⁾

The Patent Regulations**§ 9, first paragraph**

When in pursuance of the Patent Act, § 26, it is decided that the patent application with accompanying documents shall be laid open to public inspection, there shall be paid, before expiry of the inspection period (cf. the Patent Act, §§ 27 and 28), a basic fee of kr. 130 with the additions for large patent specifications as stated below:

- (a) where there are no drawings, kr. 65 for each printed page or part thereof which by estimation of the Patent Office will be required for the specification in excess of two pages;
- (b) where there are drawings, kr. 65 for each printed page or part thereof which the specification is estimated to require in excess of one page, and kr. 65 for each single page of drawings which the specification is estimated to contain in excess of one.

§ 10

When request is filed pursuant to the Patent Act, § 31, for renewed consideration, there shall be paid a fee of kr. 250, which is not refunded even if the request for renewed consideration is withdrawn.

§ 11

For patents the following annual fee is payable, cf. the Patent Act, § 14:

- (a) for patents granted subsequent to June 30, 1948, and for which the starting point for calculation of the annual fee is subsequent to December 31, 1945 (cf. the Patent Act, § 11, and the Act of May 9, 1947, relating to extension of time-limits under the Patent, Trademark, and Design Acts of July 2, 1910):

for	2 nd	year	. . .	kr.	25
»	3 rd	»	. . .	»	25
»	4 th	»	. . .	»	50
»	5 th	»	. . .	»	50
»	6 th	»	. . .	»	75
»	7 th	»	. . .	»	75
»	8 th	»	. . .	»	100
»	9 th	»	. . .	»	100
»	10 th	»	. . .	»	150
»	11 th	»	. . .	»	150
»	12 th	»	. . .	»	200
»	13 th	»	. . .	»	200
»	14 th	»	. . .	»	275
»	15 th	»	. . .	»	275
»	16 th	»	. . .	»	350
»	17 th	»	. . .	»	350

- (b) for patents which are not comprised in litra (a) and which were granted before September 1, 1953:

for	2 nd	year	. . .	kr.	15
»	3 rd	»	. . .	»	20
»	4 th	»	. . .	»	25
»	5 th	»	. . .	»	30
»	6 th	»	. . .	»	40
»	7 th	»	. . .	»	50
»	8 th	»	. . .	»	60
»	9 th	»	. . .	»	70
»	10 th	»	. . .	»	80
»	11 th	»	. . .	»	110
»	12 th	»	. . .	»	140
»	13 th	»	. . .	»	170
»	14 th	»	. . .	»	200
»	15 th	»	. . .	»	230
»	16 th	»	. . .	»	280
»	17 th	»	. . .	»	330

- (c) for patents granted subsequent to September 1, 1953:

for	2 nd	year	. . .	kr.	50
»	3 rd	»	. . .	»	80
»	4 th	»	. . .	»	110
»	5 th	»	. . .	»	140
»	6 th	»	. . .	»	180
»	7 th	»	. . .	»	220
»	8 th	»	. . .	»	260
»	9 th	»	. . .	»	300
»	10 th	»	. . .	»	340
»	11 th	»	. . .	»	380
»	12 th	»	. . .	»	420
»	13 th	»	. . .	»	460
»	14 th	»	. . .	»	520
»	15 th	»	. . .	»	580
»	16 th	»	. . .	»	640
»	17 th	»	. . .	»	700

For additional patents no annual fee is payable, cf. however, the Patent Act, § 11, paragraph 3.

§ 13, second paragraph

The fee prescribed in § 11 may be paid in the course of 6 months after falling due, with an increase of one-fifth. This respite of six months expires on the day of the month which by its number corresponds to the patent's date of priority, or, if no such corresponding date exists, on the last day of the month.

§ 14, first paragraph

If the fee prescribed in § 11 with addition is not paid within the 6 months' time-limit stated in § 13, second paragraph, the patent becomes void.

§ 15

The annual fee or fees which may accrue before a patent is granted, fall due for payment simultaneously with the first annual fee which accrues after the patent has been granted. The said initial payment is deemed to have been rendered in due time if it is effected within 2 months after the patent has been granted. If the due date according to the provision in

¹⁾ This translation has been communicated to us by the Norwegian Patent Office.

the first and second period is exceeded, an increased fee is charged during the 6 months time-limit, cf. § 13, on the total annual fees which were not paid when due.

§ 18

The following fees are payable for entry in the Patent Register and publication:

- (a) for changes concerning the person holding the patent, kr. 30;
- (b) for changes concerning the person of his agent, kr. 30;
- (c) for notice of acquired right to use the patent (licence), kr. 30.

§ 19

- (a) For certified excerpt from the Patent Register the fee is kr. 15;
- (b) for certification of one copy of the patent application, with or without drawing, the fee is kr. 15;
- (c) for certification of printed Norwegian patent specifications, the fee is kr. 15;
- (d) for filing of written notifications concerning amendments or additions (cf. the Patent Act, § 21), the fee is kr. 10;
- (e) when request is made for resumption of consideration of an application (cf. the Patent Act, § 25), the fee for the initial request is kr. 60;
- (f) when a subsequent request is made for re-examination of the same patent application, the fee is kr. 125;
- (g) when a request is made for a respite or extension of a time-limit, in order to rectify defects, make statements, give further grounds etc. (cf. the Patent Act, § 47), the fee is kr. 10;
- (h) in case of submission to the Patent Office, Second Division, of the question whether the conditions exist for giving the right to use another's patent (cf. the Patent Act, § 9), the fee is kr. 250;
- (i) in case of submission to the Patent Office, Second Division, of the question concerning the amount of remuneration for use of the patent, pursuant to the Patent Act, §§ 8 and 9 (cf. the Patent Act, § 10), the fee is kr. 250;
- (j) when request is made that the question of the validity of the patent shall be finally decided by the Patent Office, Second Division (cf. the Patent Act, § 16), the fee is kr. 250.

The fees stipulated in this section for request for decision by the Second Division of the Patent Office, are not refunded, even if the request is withdrawn.

The Director of the Patent Office may at any time stipulate the price of uncertified photographic and typewritten copies.

The Design Regulations

§ 8

When request for new decision is filed, pursuant to the Designs Act, § 19, the fee is kr. 250, which is not refunded even if the request for new decision is withdrawn.

§ 9, penultimate paragraph

The prolongation fee may be paid in the course of 6 months after it has fallen due, with an increase of kr. 10

(regardless of the amount of the fee which has fallen due). The respite of six months expires on the day of the month which corresponds to the date on which the application for registration was filed, or, if no such corresponding date exists, on the last day of the month.

§ 10, first paragraph

If the increased prolongation fee is not paid within the 6-months' time-limit stated in § 9, penultimate paragraph, the registration of the design becomes void.

§ 14

- (a) For certified excerpt from the Register of Designs, the fee is kr. 15;
- (b) for certified copy of the design application (cf. the Designs Act, § 24), the fee is kr. 15;
- (c) when request is filed for resumption of consideration of the application (cf. the Designs Act, § 18), the fee is kr. 10;
- (d) when request is made for a respite or for extension of a time-limit, in order to rectify defects, make statements, give further grounds etc. (cf. the Designs Act, § 34), the fee is kr. 10;
- (e) when request is made that the question of the validity of the registration shall be finally decided by the Patent Office, Second Division (cf. the Designs Act, § 11), the fee is kr. 250, which is not refunded even if the request for decision by the Second Division is withdrawn.

Trademark and Collective Mark Regulations

§ 30

The following fees are payable:

- (a) for certified excerpt from the Register of Trademarks, kr. 15;
- (b) for certified copy of the trademark application, with published supplementary documents (cf. the Trademark Act, § 42), kr. 15;
- (c) when request is filed for respite or for extension of time-limit, in order to rectify defects, make statements, give further grounds etc., kr. 10;
- (d) when request is filed for resumption of consideration of the application, kr. 50;
- (e) when request is made that the question of validity of the registration shall be finally decided by the Patent Office, Second Division (cf. the Trademark Act, § 26), kr. 250.

§ 31

In case of appeal to the Second Division of the Patent Office (cf. the Trademark Act, §§ 19, 20, 23, 33 and 34), the fee is kr. 250. If there are several appellants, each of them shall pay this fee. The time-limit for appeal is 2 months from the date when notification of the decision was sent by the Patent Office to the parties entitled to appeal. Unless the contrary is established, the date of dispatch is deemed to be the date of the notification. The appeal must be made in writing, and must be submitted in quadruplicate if there is an opponent in the case, cf. the Trademark Act, § 20, third paragraph. The appeal must be addressed to the Second Division of the Patent Office. It shall contain a statement of

those parts of the decision which are held to be incorrect, and the grounds for this. If there are two or more parties to the case, the appeal with supplementary documents are sent by the Patent Office to the other party, with a request for a statement within the time-limit set by the Patent Office.

II

The Act of June 21, 1963, relating to amendments of the Patent Act, the Trademark Act, the Designs Act, and the Penal Code enters into force on October 1, 1963.

The amendments to the regulations enter into force on October 1, 1963. The increases of the fees in conformity with the Patent Act, §§ 25 and 31, do not apply to applications in which the time-limits according to the sections' second paragraph, expire before October 1, 1963. The increase of the fees pursuant to the said Act, § 26, shall apply to applications which are laid open to public inspection by decision made after September 30, 1963. The increase of the fees pursuant to § 31 of the Trademark regulations, does not apply to applications for which the time-limit for appeal expires before October 1, 1963.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Plant Varieties and Seeds Act 1964

CHAPTER 14

(Third and last part)¹⁾

PART III

Control of Imports and Prevention of Cross-Pollination

Control of imports of potentially deleterious seeds

32. — (1) If it appears to the Ministers that it is necessary or expedient that they should be able to exercise the powers conferred by this section for the purpose of preventing the importation into the United Kingdom:

(a) of seeds which, if used as reproductive material in the United Kingdom, will or may cause deterioration of domestic types or varieties of plants by cross-pollination, physical admixture or other means, or

(b) of seeds which are unsuitable for use in the United Kingdom because they are of a type or variety which has been developed in countries with different climates, different hours of daylight or other different conditions,

they may by order apply this section to seeds of any type or variety specified in the order.

(2) An order under this section may provide for excepting from a type or variety so specified any description of seeds defined in any manner and, in particular, any description of seeds defined by reference to the country or territory where they were grown or from which they have been consigned to the United Kingdom.

(3) Without prejudice to the powers of exemption conferred by the last foregoing subsection, where it is shown to the satisfaction of the Commissioners of Customs and Excise that any seeds are being imported into the United Kingdom solely with a view to their re-exportation after transit through any part of the United Kingdom, or by way of trans-shipment, the Commissioners may, subject to such conditions as they think fit to impose for securing the re-exportation of the seeds, allow those seeds to be imported as if this section did not apply to them.

(4) Subject to any exceptions prescribed under subsection (2) of this section and to the last foregoing subsection, all seeds to which this section applies are prohibited to be imported into the United Kingdom except under the authority, and in accordance with the terms, of a licence granted by the Minister of Agriculture, Fisheries and Food.

(5) A licence under this section may be, to any degree, general or specific and may be modified or revoked by the Minister of Agriculture, Fisheries and Food at any time.

(6) An officer of Customs and Excise may require any person possessing or having control of any seeds to which this section applies which are being or have been imported to furnish proof that the importation of the seeds is or was not unlawful by virtue of this section; and if such proof is not furnished to the satisfaction of the Commissioners of Customs and Excise, then, unless the contrary is proved, the goods shall be deemed to be prohibited goods and shall be liable to forfeiture under the Customs and Excise Act 1952.

(7) An order under this section:

(a) may include provision as to the methods by which importers may be required to prove whether consignments of seeds fall within any exception specified in such an order,

(b) may prescribe the form and manner in which applications are to be made for licences and the form of licences,

(c) may contain such other transitional, supplemental and incidental provisions as appear to the Ministers to be expedient, and

(d) may be varied or revoked by a subsequent order under this section;

and any order under this section shall be made by statutory instrument after consultation with representatives of such interests as appear to the Ministers to be concerned, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(8) In this section "the Ministers" means the Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State concerned with agriculture in Northern Ireland, acting jointly.

(9) This section shall extend to Northern Ireland and be construed as one with the Customs and Excise Act 1952.

Measures to prevent injurious cross-pollination affecting crops of seeds

33. — (1) This section shall have effect for the purpose of maintaining the purity of seed of any types and varieties of plants of any species of the genus *Allium*, *Beta* or *Brassica*.

¹⁾ See *Industrial Property*, 1965, pp. 103, 123.

(2) The Minister may by order bring this section into force in an area in any part of Great Britain in which persons are engaged in growing crops of seeds of any type or variety of plant mentioned in subsection (1) of this section if he is satisfied that in that area satisfactory arrangements (whether legally enforceable or not) have been made for locating such crops so as to isolate them from crops or plants which might cause injurious cross-pollination.

(3) An order under this section:

(a) shall be made after consultation with the persons responsible for the arrangements mentioned in subsection (2) of this section, and with persons representative of such other interests as appear to the Minister to be concerned, and

(b) shall be made by statutory instrument and may be varied or revoked by a subsequent order so made.

(4) An order under this section:

(a) shall state which of the types and varieties of plants mentioned in subsection (1) of this section are protected by the order, and

(b) shall specify the kinds of crops and plants which are to be controlled in the area to which the order relates, and

(c) may relate to more than one area and, if so, may make different provision under paragraphs (a) and (b) of this subsection in respect of the different areas to which it relates;

and in this section, in relation to an area to which an order under this section relates:

(i) "protected crop" means a crop of a type or variety of plant which is protected by the order in that area, being a crop grown for the purpose of producing seeds, and

(ii) "controlled crops or plants" means crops, grown for any purpose, of the types or varieties of plants which are protected by the order in that area, and such additional kinds of crops or plants, whether grown or self-sown and whether of those or any other types or varieties, as may be specified in the order for the purposes of this definition in that area.

(5) If in an area where this section is in force controlled crops or plants are growing and, on an application made in accordance with Schedule 7 to this Act, the Minister is satisfied:

(a) that they are causing or may cause injurious cross-pollination in a protected crop which is being grown in the area, and

(b) in the case of controlled crops or plants which are not self-sown, that the person growing them did not give to the persons responsible for the arrangements mentioned in subsection (2) of this section such notice of his intention to grow those crops or plants to the flowering stage as would have enabled them to take any appropriate steps for altering the arrangements,

the Minister may serve a notice on the occupier of the land where the controlled crops or plants are growing requiring him to take such steps as may be specified in the notice for the purpose of preventing any of the controlled crops or plants from causing or continuing to cause injurious cross-pollination in the protected crop.

(6) If the person served with a notice under this section does not comply with any requirement in the notice, the Minister may enter and do what that person has failed to do or, if in the opinion of the Minister that would no longer serve the purpose for which the notice was served, may take such other action as appears to the Minister appropriate for that purpose; and where, when the default occurs, further obligations remain under the notice, the Minister may also take such action as appears to him appropriate to meet the purposes for which those further obligations were imposed.

The Minister may recover from the person on whom the notice was served a sum equal to the reasonable cost incurred by the Minister in taking any action under this subsection.

(7) Without prejudice to the power of proceeding under the last foregoing subsection, a person who unreasonably fails to comply with any requirement in a notice under this section shall be liable on summary conviction:

(a) in the case of a first offence under this subsection, to a fine not exceeding twenty pounds, and

(b) in the case of a second or subsequent offence under this subsection, to a fine not exceeding fifty pounds.

(8) A person duly authorised by the Minister may, on production if so required of his authority, at all reasonable hours enter on any land (but not into any dwellinghouse) in an area where this section is in force for the purpose of ascertaining whether controlled crops or plants are growing on the land or of inspecting and taking samples of any controlled crops or plants growing on the land.

(9) A notice under this section or Schedule 7 to this Act may be served by leaving it at, or sending it by post addressed to, the last known address of the person on whom it is to be served, and if it is not practicable after reasonable inquiry to ascertain his name and address, the notice may be served by addressing it to him as "the occupier" of the land and affixing it or a copy of it to some conspicuous object on the land.

(10) A person who obstructs or impedes a person acting in the exercise of the powers conferred by subsection (6) or subsection (8) of this section shall be liable on summary conviction to a fine not exceeding twenty pounds.

(11) In this section, and in the said Schedule:

"the occupier" means, in the case of unoccupied land, the person entitled to occupy the land;

"protected crop" and "controlled crops or plants" have the meanings respectively assigned by subsection (4) of this section.

PART IV

General

The Gazette

34. — (1) The Ministers shall from time to time publish a gazette (in this Act referred to as "the *Gazette*"), and shall use the gazette as one of the means of publishing notice of matters to be published under this Act.

(2) It shall be no defence in civil or criminal proceedings to show that at any time a person did not know of an entry in the register under section 5 of this Act, or in the Index under Part II, or did not know that a section of the Index

had come into force, if before that time notice of that entry or fact had been published in the *Gazette*.

General provisions as to offences

35. — (1) Where an offence punishable under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Proceedings for any offence punishable under this Act may (without prejudice to any jurisdiction exercisable apart from this subsection) be taken against a person before the appropriate court in Great Britain having jurisdiction in the place where that person is for the time being.

Supplemental provisions as to regulations

36. — Regulations under this Act:

- (a) may make different provision for different types or classes of plant varieties, for different seasons of the year and for other different circumstances, and
- (b) may contain such supplemental, incidental and transitional provisions as may appear to the Minister or Ministers making the regulations to be expedient.

Departmental expenses and payments into Exchequer

37. — (1) There shall be paid out of moneys provided by Parliament:

- (a) the remuneration and allowances of the Controller and other officers and servants appointed under section 11 of this Act,
- (b) the remuneration and allowances of members of the Tribunal and of the officers and servants of the Tribunal appointed by the Ministers, and such other expenses of the Tribunal as the Treasury may determine,
- (c) to such extent as the Treasury may approve, any expenses incurred by the Controller in the discharge of his functions under this Act (including any sums paid by way of fees or grants under section 11 (4) of this Act), and any other expenses incurred in the operation of the Plant Variety Rights Office,
- (d) (so far as not falling under the foregoing paragraphs) any expenses incurred by a Minister in the execution of this Act, and
- (e) any increase attributable to this Act in the sums payable out of money so provided under the Superannuation Acts 1834 to 1960.

(2) Any fees received by virtue of this Act by a Minister or the Controller or the Tribunal shall be paid into the Exchequer.

Interpretation

38. — (1) In this Act:

“the Controller” means the Controller of Plant Variety Rights;

“the Minister” means, as respects England and Wales, the Minister of Agriculture, Fisheries and Food and, as respects Scotland, the Secretary of State; and “the Ministers” means, except as otherwise expressly provided, the said two Ministers acting jointly;

“plant variety” means any clone, line, hybrid or genetic variant;

“the Tribunal” means the Tribunal established under Part I of this Act;

“variety”, unless the context otherwise requires, means a plant variety.

(2) References in this Act to seeds are references to seeds for sowing.

(3) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended or applied by or under any other enactment, including this Act.

Extension of Act to Northern Ireland

39. — (1) This Act, so far as not expressly extended to Northern Ireland by any provision contained in this Act or by any Order in Council under the next following subsection, shall not extend to Northern Ireland; but no limitation on the powers of the Parliament of Northern Ireland imposed by the Government of Ireland Act 1920 shall apply in relation to legislation for purposes similar to the purposes of Part II or this Part of this Act so as to preclude that Parliament from enacting a provision similar to some provision in those Parts of this Act.

(2) Her Majesty may, by an Order in Council made under this subsection in pursuance of resolutions passed by the two Houses of the Parliament of Northern Ireland, direct that:

- (a) the provisions of Part I of this Act, and
- (b) any of the provisions of Part II or this Part of this Act specified in the Order,

shall (whether as originally enacted or as they have effect by virtue of any Order in Council under the next following section) extend to Northern Ireland; and any such Order in Council may be varied or revoked by a subsequent Order in Council made under this subsection in pursuance of such resolutions as aforesaid.

(3) While any of the provisions of this Act extend to Northern Ireland by virtue of an Order in Council under subsection (2) of this section, they shall (without prejudice to the validity of anything previously done under this Act):

- (a) have effect as if:
 - (i) any reference to Great Britain were a reference to the United Kingdom; and
 - (ii) any reference to “the Ministers” included the Secretary of State concerned with agriculture in Northern Ireland; and

(b) in their application to Northern Ireland, have effect as if:

- (i) references to sections 9 and 32 of the Arbitration Act 1950 were respectively references to sections 12 and 30 of the Arbitration Act (Northern Ireland) 1937;

- (ii) references to section 104 of the Magistrates' Courts Act 1952 were references to any corresponding provision of the law of Northern Ireland;
- (iii) in section 10 (6), for the reference to England and Wales there were substituted a reference to Northern Ireland;
- (iv) after paragraph 3 of Schedule 4 there were inserted the following paragraph:

“ 3A. In relation to proceedings before the Tribunal in Northern Ireland:

- (a) paragraphs 1 and 2 of this Schedule shall have effect as if for the references to the Lord Chancellor there were substituted references to the Lord Chief Justice of Northern Ireland, and
- (b) references in paragraphs 5 and 8 of this Schedule to the chairman or deputy chairman shall be construed respectively as references to the chairman or deputy chairman appointed for such proceedings”;

and

- (v) in paragraph 9 (1) of Schedule 4, for the words from “ in the county court ” to the end of that subparagraph there were substituted the words “ by the taxing master of the Supreme Court of Judicature of Northern Ireland according to such of the scales provided for equity suits or proceedings in the county courts under the County Courts Act (Northern Ireland) 1959 as may be directed by the order or, if the order gives no direction, by the taxing master ”.

(4) While any provisions of this Act extend to Northern Ireland by virtue of an Order in Council under subsection (2) of this section, they shall have effect subject to such exceptions, adaptations and modifications as may be specified in the Order; and in the application of those provisions to Northern Ireland any reference to any enactment of the Parliament of Northern Ireland shall be construed as a reference to that enactment as amended by any Act of that Parliament, whether passed before or after this Act, and to any enactment of that Parliament passed after this Act and re-enacting the said enactment with or without modification.

(5) If the Parliament of Northern Ireland pass legislation amending or repealing the Seeds Act 1920, Her Majesty may by Order in Council made under this subsection direct that that legislation (and any related enactments forming part of the law of Northern Ireland), and any provisions in Part II or this Part of this Act, shall have effect subject to such exceptions, adaptations and modifications as may appear to Her Majesty to be expedient for the purpose of securing that the two systems of legislation operate, to such extent as may be specified, as a single system; and any such Order in Council may be varied or revoked by a subsequent Order in Council under this subsection.

(6) An Order in Council under subsection (2) or subsection (5) of this section may contain such transitional and other consequential provisions as appear to Her Majesty to be expedient.

Extension of Act to Isle of Man and Channel Islands

40. — Her Majesty may by Order in Council direct that any of the provisions of this Act specified in the Order shall (whether as originally enacted or as they have effect by virtue of any Order in Council under the last foregoing section) extend, subject to such exceptions, adaptations and modifications as may be specified in the Order, to the Isle of Man or any of the Channel Islands; and any such Order in Council may contain such transitional and other consequential provisions as appear to Her Majesty to be expedient, and may be varied or revoked by a subsequent Order in Council.

Short title and commencement

41. — (1) This Act may be cited as the Plant Varieties and Seeds Act 1964.

(2) Parts II and III of this Act shall come into force on such day as the Minister of Agriculture, Fisheries and Food and the Secretary of State may by order contained in a statutory instrument appoint, and orders under this subsection may appoint different dates for different provisions or different purposes.

SCHEDULES

SCHEDULE 1

(Section 1)

Protection of Applicant for Rights while Application is pending

1. — (1) An applicant for the grant of plant breeders' rights shall in his application state whether he is also applying for a direction by the Controller under this Schedule (in this Schedule referred to as “ a protective direction ”) as respects the plant variety to which the application relates.

(2) An applicant applying for a protective direction shall include in the application an undertaking to the effect that, subject to the exceptions in the next following sub-paragraph, in the period between the making of the application and the time when the question whether the application is to be allowed or refused is finally determined (or, if the undertaking is discharged under this Schedule at an earlier time, until that earlier time) no plants of the plant variety, and no material forming part of, or derived from, plants of that variety, will be offered or exposed for sale or sold in the United Kingdom by the applicant or with his consent.

(3) An undertaking under this paragraph shall not prevent the applicant from making any offer for sale or sale which in the period before the application would be permitted by sub-paragraphs (3), (4) or (5) of paragraph 2 of Part II of Schedule 2 to this Act, or the exposure for sale of material where an offer for sale of that material would be so permitted.

(4) If the Controller is satisfied that the applicant has duly given the undertaking, and that he has furnished to the Controller all such information, facilities and material as the Controller may require for the purposes of the application for the grant of plant breeders' rights, the Controller may, if he thinks fit, give a protective direction.

(5) The Controller shall not give a protective direction if there is any evidence before him which tends to show that the applicant, or the person whose successor in title the applicant claims to be, is not the person who bred or discovered the plant variety to which the application relates.

(6) An appeal shall lie to the Tribunal against a decision to give or refuse a protective direction.

2. — (1) While a protective direction is in force, anything which, if the plant breeders' rights to which the application in question relates had been granted, would have constituted an infringement of those rights, or would under section 5 (6) of this Act have been actionable in proceedings by the holder of those rights, may be the subject of proceedings under this paragraph.

(2) Proceedings may be brought under this paragraph by the applicant in whose favour the protective direction is made against any person for an injunction or interdict requiring that person, while the protective direction is in force, not to do any of the things which may be the subject of proceedings under this paragraph, and the court may if it thinks fit grant an injunction or interdict accordingly on such terms as appear to the court to be just.

(3) An undertaking not to institute or prosecute proceedings under this paragraph, whether or not any consideration is given for the undertaking, shall be void, and if the Controller is satisfied that an applicant in whose favour a protective direction is made has given such an undertaking, whether or not the undertaking is enforceable at law, he shall withdraw the protective direction.

(4) A protective direction shall cease to be in force when the question whether the application for the grant of plant breeders' rights is to be allowed or refused is finally determined, or at such earlier time as is provided under the following provisions of this Schedule.

3. — (1) The Controller may at any time, if in all the circumstances it appears to him to be just, withdraw a protective direction, and shall withdraw a protective direction if he is satisfied that there has been a breach of the undertaking given under paragraph 1 of this Schedule by the applicant.

(2) An appeal shall lie to the Tribunal against a decision to withdraw a protective direction.

(3) The undertaking given by the applicant under paragraph 1 of this Schedule shall cease to be binding when the protective direction is withdrawn.

4. — (1) If at any time the Controller is satisfied that there has been a breach of the undertaking given under paragraph 1 of this Schedule, he may refuse the application for the grant of plant breeders' rights or, as the case may be, may terminate the period for which plant breeders' rights are exercisable.

(2) If there is a breach of an undertaking under paragraph 1 of this Schedule given by an applicant, the applicant shall be guilty of an offence and shall be liable on summary conviction:

- (a) in the case of a first offence under this sub-paragraph, to a fine not exceeding fifty pounds, and
- (b) in the case of a second or subsequent offence under this sub-paragraph, to a fine not exceeding one hundred pounds.

SCHEDULE 2

(Section 2)

PART I

Priorities between Applicants for Rights

1. — (1) If the variety was independently bred or discovered by two or more persons, the first of those persons who makes an application relating to the variety in the form prescribed for the purposes of this Schedule by regulations under section 9 of this Act shall be the person entitled to a grant of plant breeders' rights.

(2) As between two persons making applications on the same date, the one who was first in a position to make a valid application for the grant of plant breeders' rights (or would have been first in that position if Part I of this Act and the relevant scheme had always been in force) shall be the person entitled to a grant of plant breeders' rights.

2. — (1) For the purposes of the foregoing paragraph an application duly made in a country to which this paragraph applies when the application is made shall be treated as if duly made under this Act if the conditions in this paragraph are satisfied.

(2) No account shall be taken under this paragraph of an application made in a country outside the United Kingdom at a time when the plant variety to which the application relates was not one falling within a species or group prescribed by a scheme under this Act as a species or group in respect of which plant breeders' rights may be granted.

(3) Not more than 12 months after the application duly made in that country the applicant must make his application under this Act in the form prescribed for the purposes of this Schedule by regulations under section 9 of this Act, being a form which includes a claim in respect of the priority of the application in the said country.

(4) Within 3 months of the application under this Act a copy of the documents constituting the application in the said country, certified as correct by the authority in that country to whom the application is made, must be submitted to the Controller.

(5) If applications have been made in more than one country to which this paragraph applies, and have been so made at different dates, the period of 12 months mentioned in sub-paragraph (3) of this paragraph shall be taken from the earlier or earliest of those applications, and sub-paragraph (4) of this paragraph shall be construed accordingly.

(6) If priority is established for an application by virtue of this paragraph after a grant of plant breeders' rights has been made in pursuance of an application against which priority is established, the Controller shall terminate the period for which the rights under the grant are exercisable.

An appeal shall lie to the Tribunal against a decision of the Controller to act under this sub-paragraph.

(7) The Ministers may by order contained in a statutory instrument from time to time designate any country or territory outside the United Kingdom as a country to which this paragraph applies, and from time to time vary or revoke any such order, but not so as to prejudice applications already made in the United Kingdom or elsewhere.

3. — Regulations under section 9 of this Act may provide for the forfeiture of any priority obtained under the foregoing provisions of this Schedule if the person making the application does not within a period prescribed by the regulations satisfy all the requirements which are to be satisfied by an applicant before a grant of plant breeders' rights can be made.

PART II

Rules for Grant of Rights

Distinctness

1. — (1) The variety must be clearly distinguishable by one or more important morphological, physiological or other characteristics from any other variety whose existence is a matter of common knowledge at the time of the application.

(2) For the purposes of the foregoing sub-paragraph common knowledge may be established by reference to plant varieties already in cultivation or exploited for commercial purposes, or those included in a recognised commercial or botanical reference collection, or those of which there are precise descriptions in any publication.

Previous commercialisation

2. — (1) Subject to this Schedule, in the period before the scheme by virtue of which the application is made came into force, no plants of the variety, and no material forming part of, or derived from, plants of the variety may have been offered for sale or sold by any person in the United Kingdom or elsewhere.

(2) Subject to this Schedule, in the period beginning with the date when the said scheme came into force and ending with the date of the application no plants of the variety, and no material forming part of, or derived from, plants of the variety, may have been offered for sale or sold by or with the consent of the applicant in the United Kingdom or elsewhere:

Provided that the restriction imposed by this sub-paragraph shall not apply to sales or offers made outside the United Kingdom during the period of four years ending with the date of the application.

(3) Sub-paragraphs (1) and (2) of this paragraph shall not apply:

- (a) to an offer for sale of a stock of material of any plant variety in connection with an offer for sale of the title to apply for the grant of plant breeders' rights in respect of that plant variety, or
- (b) to any sale of material of any plant variety if at the time of the sale or subsequently the purchaser becomes the

person entitled to make an application for the grant of plant breeders' rights in respect of that plant variety.

(4) Where an applicant makes, or proposes to make, arrangements under which some other person uses reproductive material of the plant variety under the control of the applicant for the purpose of increasing the applicant's stock, or of carrying out tests or trials, and under which the whole of the material produced, directly or indirectly, from that reproductive material, and any unused reproductive material, becomes or remains the property of the applicant, the said sub-paragraphs (1) and (2) shall not apply:

- (a) to a sale or offer for sale of the reproductive material by the applicant to any such other person as part of such arrangements, or
- (b) to a sale by the other person to the applicant of the material produced, directly or indirectly, from that reproductive material.

(5) The said sub-paragraphs (1) and (2) shall not apply to an offer for sale or sale of material, not being reproductive material, which, having been produced in the course of:

- (a) the breeding of the plant variety, or
- (b) increasing the applicant's stock of material of the plant variety, or carrying out tests or trials of the plant variety, has been found to be in excess of what was required for those purposes.

3. — (1) Where an application in the form prescribed for the purposes of this Schedule by regulations under section 9 of this Act is made at a time not later than 11th May, 1965, and the applicant does not ask for a protective direction, sub-paragraphs (1) and (2) of the last foregoing paragraph shall not apply to any offer for sale or sale in the period beginning with 12th November, 1963, and ending with that time if the Controller is satisfied that the applicant took all steps reasonably open to him to ensure that any person to whom material of the plant variety has been offered or sold during the said period has been informed in writing that an application for a grant of plant breeders' rights may be made in respect of the variety.

(2) Where an application is allowed by virtue of this paragraph, section 7 (2) of this Act shall not apply to any compulsory licence granted as respects the plant variety to which the application relates.

Uniformity

4. — The variety must be sufficiently uniform or homogeneous having regard to the particular features of its sexual reproduction or vegetative propagation.

Stability

5. — The variety must be stable in its essential characteristics, that is to say, it must remain true to its description after repeated reproduction or propagation or, where the application prescribes a particular cycle of reproduction or multiplication, at the end of each cycle.

SCHEDULE 3

Plant Breeders' Rights in Special Cases

Sale of cut blooms, fruit, etc.

1. — (1) If it appears to the Ministers that, in the case of any species or group of plant varieties, plant breeders will not receive adequate remuneration unless they have control over the production or propagation of the plant variety in Great Britain for the purpose of sales of cut blooms, fruit or some other part or product of plants of the variety, and that the control will be of substantial benefit to the plant breeders, they may by a scheme under Part I of this Act provide that, as respects any plant variety of the species or group prescribed by the scheme, plant breeders' rights shall include the exclusive right to do, and to authorise others to do as follows, that is to produce or propagate the variety for the purpose of selling such parts or products of the variety as may be prescribed by the scheme.

(2) A scheme conferring any such rights may also provide that plant breeders' rights shall include the exclusive right to do, and to authorise others to do, as follows, that is to sell the parts or products of the variety in relation to which the rights are extended in so far as they are obtained by the seller from plants of the variety which the seller has himself produced or propagated.

(3) References in this paragraph to parts or products of a plant variety include references to whole plants of that plant variety.

Use of reproductive material for production of certain other plant varieties

2. — Plant breeders' rights shall include the exclusive right to do, and to authorise others to do, as follows, that is to use the reproductive material of the plant variety to which the rights relate for the purpose of producing, in order to sell it, the reproductive material of another plant variety if (but only if) the nature of that other variety is such that repeated production of the reproductive material of that other variety is not possible without the repeated use of reproductive material of the plant variety to which the rights relate.

SCHEDULE 4

The Plant Variety Rights Tribunal

The Chairman

1. — (1) The Lord Chancellor shall appoint a chairman for the Tribunal, who shall be a barrister or solicitor of not less than seven years' standing.

(2) The appointment of the chairman shall be for such term as may be determined by the Lord Chancellor before his appointment, and a person who ceases to hold office as chairman of the Tribunal shall be eligible for re-appointment.

(3) The Chairman may resign his office by notice in writing to the Lord Chancellor.

(4) If the Lord Chancellor is satisfied that the chairman is unfit to continue in office or incapable of discharging his duties, he may revoke the appointment of the chairman.

2. — In the case of the temporary absence or inability to act of the chairman, the Lord Chancellor may appoint any other person who is a barrister or solicitor of not less than seven years' standing to act as deputy for the chairman, and the person so appointed shall, when so acting, have all the functions of the chairman.

3. — In relation to proceedings before the Tribunal in Scotland:

(a) paragraphs 1 and 2 of this Schedule shall have effect as if for the references to the Lord Chancellor and to a barrister there were substituted respectively references to the Lord President of the Court of Session and to an advocate; and

(b) references in paragraphs 5 and 8 of this Schedule to the chairman or deputy chairman shall be construed respectively as references to the chairman or deputy chairman appointed for such proceedings.

4. — (1) Part III of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies offices the holders of which are disqualified under that Act) shall have effect as if the words "Any Chairman of the Plant Variety Rights Tribunal" were inserted:

(a) in the said Part III as it applies to the House of Commons of the Parliament of the United Kingdom, after the entry "Chairman or Deputy Chairman of the National Parks Commission"; and

(b) in the said Part III as it applies to the Senate and the House of Commons of Northern Ireland, before the entry "Clerk of Assize".

(2) This paragraph shall extend to Northern Ireland.

The two panels

5. — (1) The Ministers shall draw up and from time to time revise:

(a) a panel of persons who have wide general knowledge in the field of agriculture, of horticulture or of forestry; and

(b) a panel of persons who have specialised knowledge of particular species or groups of plants, and the members of the Tribunal (other than the chairman and deputy chairman) shall be selected from those panels in accordance with this Schedule.

(2) The power to revise the said panels shall include power to terminate a person's membership of either of them, and shall accordingly to that extent be subject to section 5 of the Tribunals and Inquiries Act 1958 (which makes it necessary to obtain the concurrence of the Lord Chancellor and of certain judicial officers in Scotland and Northern Ireland to dismissals in certain cases).

Remuneration of members of Tribunal

6. — The Ministers may pay to members of the Tribunal such remuneration and such allowances as the Ministers may with the approval of the Treasury determine.

Officers and servants

7. — (1) The Ministers may appoint such officers and servants of the Tribunal as the Ministers may with the approval of the Treasury determine.

(2) There shall be paid to the officers and servants appointed under this paragraph such remuneration and allowances as the Treasury may determine.

Procedure

8. — (1) The jurisdiction of the Tribunal shall be exercised by three members consisting of the chairman and a member selected from each of the two panels; and references in this Act to the Tribunal shall be construed accordingly.

(2) The member from the panel of those with specialised knowledge shall be selected for his knowledge of the subject matter of a particular case or class or group of cases.

(3) The members of the panels who are to deal with any case shall be selected as follows:

(a) the Ministers may select a member or members to deal with that particular case or class or group of cases, or

(b) the Ministers may select for a class or group of cases members from amongst whom members to deal with any particular case shall be selected, and the selection from amongst those members of a member or members to deal with the particular case shall then be made either by the Ministers, or, if they so direct, by the chairman.

(4) Any decision of the Tribunal in exercise of their jurisdiction shall be taken, in the event of a difference between members dealing with the case, by the votes of the majority.

(5) If, after the commencement of the hearing of any proceedings before the Tribunal, one of the three members of the Tribunal becomes incapable of continuing to hear the proceedings on account of sickness or for any other reason, the proceedings may, with the consent of all parties to the proceedings, be continued before the remaining two members of the Tribunal and heard and determined accordingly, but if the two members differ in opinion the case shall, on the application of any party to the proceedings, be re-argued and determined by the Tribunal as ordinarily constituted.

(6) A decision of the Tribunal shall not be questioned on the ground that a member was not validly appointed or selected.

(7) The Tribunal may sit to hear any proceedings in any place in Great Britain.

9. — (1) The Tribunal in exercising their statutory jurisdiction may order any party to the proceedings to pay to any other party to the proceedings either a specified sum in respect of the costs incurred by the second-mentioned party in the proceedings, or the taxed amount of those costs; and any

costs required by an order under this sub-paragraph to be taxed may be taxed in the county court according to such of the scales prescribed by county court rules for proceedings in the county court as may be directed by the order or, if the order gives no direction, by the county court.

(2) The Lord Chancellor may by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make rules as to the procedure in connection with proceedings brought before the Tribunal in exercise of their statutory jurisdiction and, subject to the approval of the Treasury, as to the fees chargeable in respect of those proceedings, and the rules may in particular make provision:

(a) as to the circumstances in which the Tribunal need not sit, or is not to sit, in public,

(b) as to the form of any decision of the Tribunal,

(c) as to the time within which any proceedings are to be instituted,

(d) as to the evidence which may be required or admitted in any proceedings,

(e) as to the examination of the parties, and of witnesses, on oath or affirmation in any proceedings,

(f) as to the procedure for securing the attendance of witnesses and the production of documents in any proceedings.

(3) In this paragraph "statutory jurisdiction" means any jurisdiction of the Tribunal exercisable by or under this Act, except for their jurisdiction in any reference under an arbitration agreement.

(4) In relation to proceedings in Scotland this paragraph shall have effect as if for sub-paragraph (1) there were substituted the following:

"(1) The Tribunal in exercising their statutory jurisdiction may order that the expenses of any proceedings before it incurred by any party shall be paid by any other party, and may tax or settle the amount of any expenses to be paid under any such order or direct in what manner they are to be taxed."

SCHEDULE 5

Procedure for Compiling and Amending Index

1. — (1) As a first step in compiling a section of the Index, the Ministers shall, after consultation with representatives of such interests as appear to them to be concerned, prepare a provisional list of plant varieties which are within the class of plant varieties to which the section of the Index will relate, and the seeds of which are in commercial use as reproductive material in Great Britain.

(2) The Ministers shall publish the list in the *Gazette* to be issued under this Act and in such other manner as appears to them appropriate for ensuring that the persons particularly concerned have their attention drawn to the list, and shall publish with the list a notice giving the necessary information as to the manner in which and time within which ap-

plications seeking additions, corrections or erasures in the list may be made to the Ministers.

(3) The Ministers may bring a section of the Index into force notwithstanding that the section is incomplete because the Ministers have not come to a determination as respects any particular plant varieties.

2. — The Ministers may at any time after a section of the Index comes into force entertain applications from persons seeking additions, corrections or erasures in a section of the Index, and may make such additions, corrections or erasures as appear to them to be called for of their own initiative, and without receiving representations.

3. — (1) If at the time when a name, or more than one name, is being selected for a plant variety for the purposes of the Index, there are one or more names which are for the time being in use for that plant variety, that name, or names from among those names, shall be preferred unless the Ministers are satisfied that there are special circumstances calling for the choice of a name or names not in use as aforesaid.

(2) The Ministers may require a person making an application for the inclusion of a plant variety in a provisional list, or in a section of the Index after the section has come into force, to submit a name for the plant variety.

(3) If it appears to the Ministers that no name in use or submitted to them is suitable, they may refuse to include the plant variety in the Index until a name has been submitted to them which is in their opinion suitable.

4. — The Ministers may require persons making applications which involve the question whether two or more plant varieties are distinct to supply the Ministers with information, and with material for carrying out examinations, trials and tests.

5. — (1) The Ministers, after consultation with representatives of such interests as appear to them to be concerned, may by statutory instrument make regulations:

- (a) governing the form and manner in which applications may be made under this Schedule,
- (b) prescribing the period within which a person making applications under this Schedule is to supply material or information in support of the representations,
- (c) prescribing the quantity and kind of material to be supplied in support of an application under this Schedule, and
- (d) providing for the manner of making applications as respects any matter connected with the alteration of the Index and for the information to be afforded, and the materials to be submitted, by the applicant in connection with any such application.

(2) Regulations under this paragraph made with the approval of the Treasury may prescribe the fees to be charged by the Ministers for carrying out examinations, tests and trials and the fees to be charged by the Ministers to persons making searches in the Index.

SCHEDULE 6

Repeals of Seeds Enactments

Chapter	Short Title	Extent of Repeal
32 & 33 Vict. c. 112	The Adulteration of Seeds Act 1869	The whole Act
41 & 42 Vict. c. 17	The Adulteration of Seeds Act 1878	The whole Act
10 & 11 Geo. 5 c. 54	The Seeds Act 1920	The whole Act
15 & 16 Geo. 5 c. 66	The Seeds (Amendment) Act 1925	The whole Act
2 & 3 Eliz. 2 c. 39	The Agriculture (Miscellaneous Provisions) Act 1954	Section 12
1963 c. 11	The Agriculture (Miscellaneous Provisions) Act 1963	Section 24

SCHEDULE 7

Cross-Pollination Injuring Protected Crops

1. — An application under section 33 of this Act seeking the issue of a notice under that section shall be in writing.

2. — Before deciding whether to issue a notice in accordance with the application the Minister shall serve a notice on the occupier of the land giving him particulars of the application, and of his right to make representations in accordance with the next following paragraph.

3. — The Minister shall, if requested within such time as may be specified in the notice under paragraph 2 above, afford to the applicant, and to the occupier of the land, an opportunity of appearing before and making representations to a person appointed by the Minister for the purpose.

4. — In deciding whether to issue a notice in accordance with the application, and in deciding the terms of any such notice, the Minister shall have regard:

- (a) to the need to maintain, in the interests of the public, the purity of the seed in question,
- (b) to the degree to which the injurious cross-pollination will or may diminish the value of the protected crop or disturb arrangements made for the purpose of maintaining the purity of the seed in question, and
- (c) to the value, if any, of the controlled crops or plants and the inconvenience or disturbance involved in complying with a notice.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Arbitration (Scotland) Act 1894	57 & 58 Vict. c. 13
Seeds Act 1920	10 & 11 Geo. 5. c. 54
Government of Ireland Act 1920	10 & 11 Geo. 5. c. 67
Crown Proceedings Act 1947	10 & 11 Geo. 6. c. 44
Arbitration Act 1950	14 Geo. 6. c. 27
Customs and Excise Act 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 44
Magistrates' Courts Act 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 55
Merchandise Marks Act 1953	1 & 2 Eliz. 2. c. 48
Summary Jurisdiction (Scotland) Act 1954	2 & 3 Eliz. 2. c. 48
Restrictive Trade Practices Act 1956	4 & 5 Eliz. 2. c. 68
House of Commons Disqualification Act 1957	5 & 6 Eliz. 2. c. 20
Tribunals and Inquiries Act 1958	6 & 7 Eliz. 2. c. 66

UNITED STATES OF AMERICA

Presidential Documents

Title 3 — The President

Executive Order 11215

establishing the President's Commission on the Patent System

Whereas the patent system established under the Constitution of the United States has contributed materially to the development of this country by furthering increased productivity, economic growth, and an enhanced standard of living and has strengthened the competitiveness of our products in world markets; and

Whereas we have experienced vast technological advances, particularly in recent decades, and industrial development continues to depend increasingly upon scientific and inventive endeavors; and

Whereas other industrial nations may be expected to exert vigorous efforts to obtain the greatest economic and social benefit from inventive activity; and

Whereas we and other nations are concerned with improving systems for the protection of industrial property to promote the beneficial exchange of products and services across national boundaries; and

Whereas the extensive international economic interests of the United States require that this Government take a leading role in international cooperation for the protection of industrial property; and

Whereas the patent system of the United States has developed a continuing backlog of patent applications and the cost of processing such applications increases constantly; and

Whereas the general character of our patent system has undergone no substantial change since 1836; and

Whereas it is now necessary to evaluate our patent system and to identify possible improvements in it:

Now, therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

Section 1

Commission established

(a) There is hereby established the President's Commission on the Patent System, hereinafter referred to as the Commission. The President shall designate the Chairman of the Commission from among its members.

(b) The Commission shall be composed of the Secretary of Commerce, the Secretary of Defense, the Administrator of the Small Business Administration, and the Director of the National Science Foundation, or their respective designees, and not to exceed ten other members appointed by the President from the public at large.

(c) The Secretary of State and the Director of the Office of Science and Technology, or their designees, may sit with the Commission as observers.

Section 2

Functions of the Commission

The Commission shall recommend to the President steps to ensure that the patent system will be more effective in serving the public interest in view of the complex and rapidly changing technology of our time. Specifically, it shall direct its efforts toward (1) ascertaining the degree to which our patent system currently serves our national needs and international goals, (2) identifying any aspects of the system which may need change, (3) devising possible improvements in the system, and (4) recommending any legislation deemed essential to strengthen the United States patent system. In carrying out its evaluation, and in achieving these objectives, the Commission shall make an independent study of the existing patent system of the United States including its relationship to international and foreign patent systems, inventive activity and the administration of the system.

Section 3

Administrative arrangements

(a) Each member of the Commission who does not concurrently hold other compensated office or employment under the United States shall receive such compensation as shall be fixed in accordance with the standards and procedures of the Classification Act of 1949, as amended, or such other laws or procedures as may be applicable, and may also receive travel expenses and *per diem* in lieu of subsistence as authorized by law (5 U. S. C. 73 b-2) for persons in the Government service employed intermittently.

(b) The Department of Commerce is hereby designated as the agency which principally shall provide the Commission with necessary administrative facilities and services, including such advice as may be necessary to aid the Commission in the performance of its functions hereunder.

(c) Each Federal department or agency the head of which is referred to in Section 1 (b) of this order shall, as may be necessary, furnish assistance to the Commission to accomplish the purposes of this order, in accordance with the provisions of Section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U. S. C. 691). Such assistance may include the detailing of employees to the Commission, one of whom may serve as its Executive Secretary, to perform such functions consistent with the purposes of this order as the Commission may assign to them.

(d) Each Federal department or agency shall, consonant with law and within the limits of available funds, cooperate with the Commission in carrying out its functions under this order. Such cooperation shall include, as may be appropriate, (1) furnishing relevant available information, (2) preparing reports or studies pursuant to requests by the Chairman, and (3) advising the Commission on its work pursuant to requests by the Chairman.

(e) The Commission shall have access to the records of the Patent Office and to other records of the Department of Commerce relating to patents, insofar as is not inconsistent with law.

Section 4

Reports; termination of Commission

(a) The Commission shall transmit to the President a preliminary report within one year after the date of this order and such interim reports as it shall deem appropriate. It shall submit its final report and recommendations to the President not later than 18 months after the date of this order.

(b) The Commission shall terminate not later than thirty days after date of transmittal of its final report to the President.

Section 5

Revocation

Executive Order No 8977 of December 12, 1941, entitled "Establishing the National Patent Planning Commission", is hereby revoked.

LYNDON B. JOHNSON

THE WHITE HOUSE, April 8, 1965

[F. R. Doc. 65-3853; Filed, Apr. 9, 1965; 11:40 a. m.]

GENERAL STUDIES**Requirements for Filing
Trademark Applications by Foreigners
in the United States of America**

By Eric D. OFFNER, New York

BOOK REVIEWS

Books Received

- BOCK** (Hans-Dieter). *Grenzen der Superlativreklame im deutschen, schweizerischen, französischen und angloamerikanischen Recht (Die)*. Cologne, O. Schmidt, 1963 - 21 cm., XX-171 p.
- BÜNING** (Hermann). *Verjährung der Ansprüche aus unerlaubten Handlungen (Die). Eine systematische Darstellung, zugleich eine Einführung in das Wesen der deliktischen Haftung und der ihr zugrundeliegenden Handlungen, für Rechtsprechung und Lehre geschrieben*. Cologne, Berlin, Munich, C. Heymann, 1964. - 21 cm., XIX-168 p.
- BURMANN** (H. Fr.). *Recht der Wertreklame (Das). Werbegeschenke und Werbegaben, Werbelieferungen, Werbepremien, Waren- und Leistungsproben, Zugaben*. Berlin, E. Schmidt, 1965. - 21 cm., XV-[214] p. Grundlagen und Praxis des Wirtschaftsrechts, Volume 2.
- DUSOLIER** (Raymond) and **SAINT-GAL** (Yves). *Protection et défense des dessins et Modèles*. Paris, J. Delmas, 1964. - 27 cm., 191 p.
- ERMECKE** (Gustav). *Soziale Bedeutung des geistigen Eigentums (Die). - Social Significance of Intellectual Property (The). - Signification sociale de la propriété intellectuelle (La). - Importancia social de la propiedad Intelectual (La)*. Berlin/Francfort, F. Vahleu, 1963. - 23 cm., 116 p. Internationale Gesellschaft für Urheberrecht E. V. Schriftenreihe, Volume 30.
- UNITED STATES. OFFICE OF THE FEDERAL REGISTER**. *Code of Federal Regulations*. Washington, Government Printing Office. - 23,5 cm. In the Library: Titles 16 (Commercial Practices) and 37 (Patents, Trade-Marks and Copyrights).
- FRANCESCHELLI** (Remo). *Sui Marchi d'Impresa*. Milan, A. Giuffrè, 1964. - 25 cm., VIII-207 p.
- GAMM** (Otto-Friedrich v.). *Wettbewerbsrecht, Ein allgemein verständliches Handbuch*. Cologne/Berlin/Munich, C. Heymann, 1964. - XVI-459 p.
- GODENHJELM** (Berndt). *Patenträtten i stöpformen*. Helsingfors, J. Simelii, 1964. - 22 cm., [16] p. Extr. Tidskrift, utgiven av Juridiska Föreningen i Finland, 1964, Fascicule 1, pp. 97-112.
- HÄCKL** (Bohuš) and **ŠPUNDA** (Miloslav). *Ochranné Znamky a Znacky Chránené Vzory*. Brno, Úřad pro patenty a vynálezy. 1964. - 20,5 cm., 196 p. Fig. Preface Arnošt Wenig-Malovsky.
- HAMATA** (Miroslav), **PUŽMAN** (Josef), **TUSEK** (Jaroslav) and **SPUNDA** (Miloslav). *Pojmy z Oboru Ochranných Známeč Prumyslových Vzoru Oznacení Puvodu a Nekalé Souteze*. [Brno], Úřad pro patenty a vynálezy, 1963. - 20 cm., 164 p. Preface Jaroslav Chlum.
- HANES** (Dalibor). *Právo Ochranných Známeč*. Bratislava, Vydavateľstvo Slovenskej Akadémie Vied, 1963. - 20,5 cm., 380 p. Fig.
- HEIDELBERG** (Franz C.). *Was ist was im Gemeinsamen Markt? Ein Nachschlagebuch zur europäischen Integration*. Cologne/Berlin/Munich, C. Heymann, 1964. - 127 p. Collab. Dieter Schnitzius.
- INSTITUT DE SCIENCE ÉCONOMIQUE APPLIQUÉE**. *Les brevets d'invention dans l'économie. I. Caractères institutionnels et problématique économique*. Paris, ISEA, 1961. - 22 cm., 164 p.
- ISAY** (Rudolf). *Aus meinem Leben*. Weinheim, Verlag Chemie, 1960. - 21 cm., 184 p.
- KEETON** (George W.) and **SCHWARZENBERGER** (Georg). *English Law and the Common Market*. London, Stevens, 1963. - 21,5 cm., VIII-231 p.

- KOHOUT (Jaroslav), RYSKA (Jiří) and WAGNER (Richard). *Czechoslovakia and the UN Conference on Trade and Development*. Prague, RAPID, 1964. - 20,5 cm., 176 p.
- LICHTENSTEIN (Erich). *Patentlizenz nach amerikanischem Recht (Die)*. Tübingen, J. C. B. Mohr (Paul Siebeck), 1965. - IX-249 p. Tübinger Rechtswissenschaftliche Abhandlungen, Volume 13.
- MAGEN (Alhrecht). *Lizenzverträge und Kartellrecht*. Heidelberg, Vg. «Recht und Wirtschaft», 1963. - 21 cm., 214 p.
- MANGINI (Vito). *Marchio non registrato (II)*. Padoue, CEDAM, 1964. - 25 cm., XI-143 p.
- MÜLLER-ARENDS (Hans-Joachim). *Ich erwerbe und verwerte ein Patent. Der Weg von der Erfindung zum Patent und zum Gebrauchsmusterschutz*. Olten, Fackelverlag, 1963. - 18 cm., 159 p.
- POINTET (Pierre-Jean). *Protection des inventions (La)*. Neuchâtel, Centre électronique horloger, 1965. - 24 cm., 63 p.
— *Schutz der Erfindungen (Der)*. Neuchâtel, Centre électronique horloger, 1965. - 24 cm., 71 p.
- RONDON DE SANZO (Hildegard). *Cesión de la Marca (La)*. Caracas, s. n., 1963. - 23,5 cm., 69 p.
- SANTOS (Antero) and VETTER (Roberto). *Propriedade Industrial no Brasil, Legislação Vigente*. Rio de Janeiro, s. n., 1963. - 23,5 cm., 240 p.
- SEIDMAN (Irving) and HORWITZ (Lester). *Patent Office Rules and Practice*. New York, M. Bender and C. Boardman, 1962. - 24 cm., VI-1683 p.
- SIECH (Werner). *Lizenzfertigung im Ausland. Ein praktischer Ratgeber für den Abschluss von Lizenzverträgen mit ausländischen Partnern*. Munich, Vg. moderne Industrie, 1961. - 21 cm., 180 p.
- SEIDEL (Arthur H.), DUBROFF (Stanley) and GONDA (Edward C.). *Trademark Law and Practice*. New York, C. Boardman et M. Bender, 1963. - 24 cm., 2 vol., VII-741 + 843 p.
- STUMPF (Herbert). *Lizenzvertrag (Der)*. Francfort, Maschinenbau-Vg., 1963. - 21 cm., 322 p.
- THOMAS (Edward) and AUSLANDER (Arthur). *Chemical inventions and chemical patents*. New York, C. Boardman, 1964. - 24 cm., XVIII-1972 p.
- TROLLER (Alois). *Zwiespältiges und mannigfaltiges Immaterialgüterrecht*. Bâle, Helbing & Lichtenhahn, 1964. - 23,5 cm., [24] p. Extr. Festschrift herausgegeben vom Schweizerischen Juristenverein zur Schweizerischen Landesausstellung, Lausanne 1964, pp. 257-280.
- VIDA (Alexandre). *Contrats de licence en droit international privé (Les)*. Paris, Sirey, 1964. - 24 cm., 25 p.
- ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT. *Restrictive Business Practices. Comparative Summary of Legislation in Europe and North America*. Paris, OCDE, 1964. - 29 cm., 134 p.

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How to Exploit Patents and Know-How in Europe, by *Worth Wade* and *Louis Chereau*. One volume of 192 pages, 28 × 21 cm. Published by Advance House, Ardmore (Pennsylvania), 1962.

In spite of the fact that the value of the European market is well known to most American firms, there are still many which hesitate to exploit their patents and know-how in Europe, mainly because of the diversity of the legal systems governing the protection of industrial property on this continent.

The purpose of this book therefore is primarily to facilitate the exploiting by such firms of their patents, trademarks and know-how in Western Europe.

Conceived as a basic practical guide for inventors, commercial and industrial firms, banks and investment institutions and their attorneys, this study is divided into two main sections. The first section, consisting of sixteen chapters, aims at clarifying the differences existing between Western Europe and America with respect to the exploitation of patents and know-how (markets, sources of economic information, business financing, organization of firms, employee inventions, anti-trust legislation, arbitration etc.). The second section contains concise summaries on the systems for protecting patents for inventions in eighteen European countries. The book also contains appendices listing the main treaties on industrial property, check lists for negotiating and concluding licence contracts, and an extensive bibliography of studies and books dealing with the subject matter.

The authors of this book are two specialists on the working of industrial property rights in Europe; it is written in a clear and concise manner and will no doubt fulfil its aim which is to assist attorneys and their clients desiring to exploit their inventions and know-how in Western Europe, and at the same time, avoid the many pitfalls which are due to the variety of legislation and economic systems prevailing in Europe.

G. R. W.

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Die Warenzeichenlizenz (Trademark License), by *Friedrich-Karl Beier*, *Erwin Deutsch* and *Wolfgang Fikentscher*. Munich, Cologne, Bonn, published by C. Heymanns, 1963. XV-655 pages, 21 × 15 cm. Price: DM 83. (In German)

This book is dedicated to Professor Eugen Ulmer, the eminent Director of the Institute of Munich University for the study of foreign and international law in the patent, copyright and trademark field, by his students and assistants, on the occasion of his sixtieth anniversary. It contains studies of comparative law on the subject of the common use of trademarks.

The first part consists of reports by various authors on the regulations in force on trademark licensing in the following countries: Germany, France, Belgium (the Benelux common law on trademarks is also briefly discussed, p.142), Netherlands, Italy, Austria, Switzerland, the Scandinavian countries, Great Britain and the United States of America.

The second part contains reports on the following specific subjects: the license to use a trademark from the legal point of view in connection with restrictions on competition (reference is also made to the regulations provided for in the framework of the Common Market, p.459); the license to use trademarks from the point of view of the regulations in connection with trademark conflicts; registration and assignment of trademarks in the case of enterprises having economic ties; practical advice for drafting trademark licensing contracts.

These several reports are followed by a study by F. K. Beier who devotes particular attention to the question of the use of a mark from the point of view of conventional rules. As the author himself observes, the granting of trademark licenses and the use of marks in common by different enterprises of the same "konzern" has become common practice and indispensable in commercial affairs.

The problem assumes an importance which goes beyond the national level, and it is therefore important that the solution should not be left to the legislator of each country but should rather be solved on the international level.

The author explains in detail the origin and scope of Article 5 C (3) of the Paris Convention for the Protection of Industrial Property. He concludes by observing that it is mainly due to the International Association for the Protection of Industrial Property (IAPIP), the International Chamber of Commerce (ICC) and the International Law Association (ILA), that the problem discussed has been solved to a considerable degree and that there is good reason to believe that an agreement will be reached on this important question at the next Conference of Revision.

R. W.

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CALENDAR

Meetings of BIRPI

Date and Place	Title	Object	Invitations to Participate	Observers Invited
July 5 to 14, 1965 Geneva	Committee of Governmental Experts preparatory to the Revision Conference of Stockholm (Copyright)	Examination of the amendments proposed by the Swedish/BIRPI Study Group for the revision of the Berne Convention	All Member States of the Berne Union	Certain Non-Member States of the Berne Union; interested international intergovernmental and non-governmental organizations
September 28 to October 1, 1965 Geneva	Interunion Coordination Committee (3 rd Session)	Program and budget of BIRPI	Belgium, Brazil, Ceylon, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Morocco, Netherlands, Nigeria, Portugal, Rumania, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union or of the Berne Union; United Nations
September 29 to October 1, 1965 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (1 st Session)	Program and activities of the International Bureau of the Paris Union	Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Japan, Morocco, Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union; United Nations
November 15 to 19, 1965 Paris	Twelfth Ordinary Session of the Permanent Committee of the Berne Union	Consideration of various questions concerning Copyright	Belgium, Brazil, Denmark, France, Germany (Fed. Rep.), India, Italy, Portugal, Rumania, Spain, Switzerland, United Kingdom of Great Britain and Northern Ireland	All other Member States of the Berne Union; interested international intergovernmental and non-governmental organizations
December 13 to 18, 1965 Geneva	<i>Ad hoc</i> Conference of the Directors of National Industrial Property Offices	Adaptation of the Regulations of the Madrid Agreement, Nice Text (Trademarks)	All Member States of the Madrid Agreement (Trademarks)	All other Member States of the Paris Union

Meetings of Other International Organizations concerned with Intellectual Property

Place	Date	Organization	Title
Stockholm	August 23 to 28, 1965	International Literary and Artistic Association (ALAI)	Congress
London	August 31 to September 10, 1965	Committee for International Cooperation in Information Retrieval among Examining Patent Offices (ICIREPAT)	Fifth Annual Meeting
Paris	October 25 to 30, 1965	International Confederation of Societies of Authors and Composers (CISAC)	Federal Bureaux, Legislative Committee and Confederal Council
Buenos Aires	November 6 to 11, 1965	Inter-American Association of Industrial Property (ASIPI)	Congress
Tokyo	April 11 to 16, 1966	International Association for the Protection of Industrial Property (IAPIP)	Congress
Prague	June 13 to 18, 1966	International Confederation of Societies of Authors and Composers (CISAC)	Congress

