

Industrial Property

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for the Protection of Intellectual Property (BIRPI)
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5th Year

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INTERNATIONAL UNIONS

Interunion Coordination Committee

Fourth Session

(Geneva, September 26 to 29, 1966)

Report ¹⁾

Composition and Opening of the Session

The Fourth Ordinary Session of the Interunion Coordination Committee (hereinafter designated as the "Committee") was held at Geneva from September 26 to 29, 1966²⁾.

At the opening of the Session, the Committee had twenty-three members. Eighteen were represented: Belgium, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Netherlands, Rumania, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia. Five were not represented: Brazil, Ceylon, Morocco, Nigeria, Portugal.

In the course of the Session, Mexico, having become a member of the Executive Committee of the International (Paris) Union for the Protection of Industrial Property, has become the twenty-fourth member of the Committee. It was represented.

The following ten States were represented by observers: Algeria, Australia, Austria, Democratic Republic of the Congo, Greece, Poland, San Marino, Thailand, United Arab Republic, Viet-Nam.

The list of participants is attached to this Report.

The meeting was opened by the Chairman of the last Session, Mr. G. Talamo Atenolfi (Italy).

The Committee elected by acclamation the following delegates as Officers: Mr. C. J. de Haan (Netherlands), Chairman, and Messrs. K. Haertel (Germany [Fed. Rep.]) and I. Anghel (Rumania), Vice-Chairmen.

Financial Report for the Year 1965

This Report constituted a supplement to the Management Report of 1965 and gave details concerning the distribution of the common administrative expenses of BIRPI among the various Unions it administers.

The Committee noted and approved this Report.

Proposed Changes in the Budget of BIRPI for 1966

Some minor changes were proposed by the Director of BIRPI in the budget for 1966.

The Committee expressed its unanimous agreement with such suggestions.

¹⁾ The present Report was prepared by BIRPI on the basis of the official documents of the Interunion Coordination Committee.

²⁾ Reports on the first, second and third sessions were published in *Industrial Property*, 1964, pp. 7 and 231, 1965, p. 239, respectively.

Staff Matters

The Committee noted with approval the Director's Report on various staff questions, in particular, the retention of Mr. Magnin, Deputy Director, beyond the end of 1966 but not beyond the end of 1968, and the promotion of Mr. Ross Woodley from Counsellor to Senior Counsellor.

Union for the Protection of New Varieties of Plants

The Convention for the Protection of New Varieties of Plants of December 2, 1961, provides for the possibility of technical and administrative cooperation between the Union created by that Convention and the Unions already administered by BIRPI.

In view of the fact that the said Convention might come into force in 1967, the Committee discussed and agreed on certain principles and procedures concerning the further exploration of the various possibilities of administration of the said Convention.

Report on the Activities of BIRPI

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

- the meeting in May, 1966, of a Second Committee of Governmental Experts to study the structural and administrative reform of BIRPI and the Unions administered by it;
- the issuance of the first working papers for the Intellectual Property Conference of Stockholm, scheduled from June 12 to July 14, 1967;
- the working agreement with the Latin American Free Trade Association;
- the accession of Cyprus and Algeria to the Paris Union, and the filing of a declaration of continued adherence to the Paris Union by Malawi;
- the visit of the Director of BIRPI to Argentina, Chile and Uruguay;
- the contacts of BIRPI with the Joint Parliamentary Committee of India on the Patent Bill 1965, and with the U. S. President's Commission on the Patent System;
- the publication of the Model Law for Developing Countries on Inventions, in English, French and Spanish.
- the preparatory work for the drafting of the Model Law on Marks, Trade Names, Indications of Source, and Unfair Competition;
- the Asian Seminar on Industrial Property held in February 1966 in Ceylon;
- the continuation in 1966 of the training program for trainees from developing countries in the field of industrial property;
- the publication of the first bibliography of the official publications of the national Industrial Property Offices;
- the first BIRPI publications in the Russian language;
- the *Ad Hoc* Conference of Directors of the National Industrial Property Offices in December, 1965, and May, 1966;

— the publication of a "Guide du déposant" for the international registration of trademarks;

— the accession of Yugoslavia to the Nice Union (International Classification of Goods and Services for the Purpose of Trademark Registration);

— the publication by BIRPI and the United Kingdom Patent Office of an English translation of the "Classification of the Nice Agreement);

— the entry into force on September 25, 1966, of the Lisbon Agreement of 1958 concerning the protection of Appellations of Origin and their International Registration between Cuba, Czechoslovakia, France, Haiti, Israel, Mexico and Portugal;

— the filing of a declaration of continued adherence to the Berne Union by the Malagasy Republic;

— the meeting of the Permanent Committee of the Berne Union in Paris in November, 1965;

— the Hispano-American Legal Seminar on Copyright, organized in cooperation with BIRPI;

— BIRPI's contacts with the United Nations and UNESCO.

Program and Budget of BIRPI for 1967

The Director of BIRPI presented in the Committee the program and budget of BIRPI for the year 1967.

It is expected that the main event of 1967 will be the Intellectual Property Conference of Stockholm. The revision of all the Conventions and Agreements administered by BIRPI is on the agenda with a view to modernize their structural, administrative and financial provisions. In addition, the substantive clauses of the Berne Convention will undergo a general revision, while, in the case of the Paris Convention, it is proposed to introduce the notion of inventors' certificates.

Other events contemplated for 1967 include the following:

— a model law for developing countries on marks, trade names, indications of source, and unfair competition will be published;

— meetings will be held on questions of closer international cooperation on the administrative aspects of patents;

— the work on the establishment of a "World Patent Index" will continue;

— BIRPI will continue to offer traineeships in the field of industrial property to developing countries;

— there will be a copyright seminar for East Asian countries in New Delhi, India;

— a copyright training course, mainly intended for participants from developing countries, will be organized.

The Committee unanimously approved the Director's plans.

List of Participants

I. States Members of the Interunion Coordination Committee

Belgium

Mr. Gérard Lambert de San, Director-General, Legal Counsellor to the Ministry of National Education and Culture, Brussels.

Czechoslovakia

Mr. František Křístek, President, Office of Patents and Inventions, Prague.

Mr. Oldřich Fabián, Second Secretary, Ministry of Foreign Affairs, Prague.

Mr. Jiří Kordač, Counsellor, Ministry of Education and Culture, Prague.

Mr. Joseph Conk, Counsellor, Office of Patents and Inventions, Department for Legislation and International Relations, Prague.

Mr. Miloš Všetěčka, Chief of the Legal and International Division, Office of Patents and Inventions, Prague.

Denmark

Mr. Torhen Lund, Professor at the University of Aarhus, President of the Governmental Copyright Committee, Risskov.

France

Mr. François Savignon, Deputy Director of Industrial Property, National Institute of Industrial Property, Paris.

Mr. Roger Lahry, Counsellor of Embassy, Ministry of Foreign Affairs, Paris.

Mr. Charles Rohmer, Head of the Copyright Service, Ministry of Cultural Affairs, Paris.

Germany (Fed. Rep.)

Dr. Kurt Haertel, President, German Patent Office, Munich.

Mr. Albrecht Krieger, Ministerialrat, Federal Ministry of Justice, Bonn.

Mr. Klaus Pfanner, Director, Legal Division, German Patent Office, Munich.

Hungary

Mr. András Kiss, Vice-President, National Office of Inventions, Budapest.

Mr. Róbert Radnóti, Head, International Group, National Office of Inventions, Budapest.

India

Mr. Lalit Mansingh, Third Secretary, Permanent Mission of India to the United Nations Office and to other International Organizations in Geneva, Geneva.

Italy

Mr. Giuseppe Talamo Atenolfi, Ambassador, Ministry of Foreign Affairs, Rome.

Mr. Valerio De Sanctis, Lawyer, Rome.

Mr. Paolo Marchetti, Expert, Patent Office, Ministry of Industry, Rome.

Mr. Giuseppe Trotta, Legal Adviser, Ministry of Foreign Affairs, Rome.

Mr. Alherto Mario Ferrari, Doctor of Law, Milan.

Mr. Roberto Messerotti-Benvenuti, Lawyer, Milan.

Japan

Mr. Benkichi Jinho, Director of the Trial Division, Patent Office, Tokyo.

Mr. Kenshiro Akimoto, Third Secretary, Permanent Delegation of Japan to the United Nations Office and to International Organizations, Geneva.

Mexico

Miss Maria de los Angeles Lopez-Ortega, Second Secretary of Embassy, Permanent Delegation of Mexico to International Organizations in Geneva, Geneva.

Netherlands

Mr. C. J. de Haan, President of the Patent Council, The Hague.

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

Rumania

Mr. Ion Anghel, Chief Legal Adviser, Ministry of Foreign Affairs, Bucharest.

Mr. Lucian Marinete, Technical Director of the State Office of Inventions, Bucharest.

Spain

Mr. Antonio Fernandez-Mazaramhroz y Martín-Rabadan, Chief, Industrial Property Registration Office, Madrid.

Sweden

Mr. Åke von Zweigbergk, Director-General, Patent Office, Stockholm.
Mr. Claës A. Ugglä, Councillor, Patent Office, Stockholm.

Switzerland

Mr. Hans Morf, Former Director of the Federal Office of Intellectual Property, Berne.
Mr. Joseph Voyame, Director of the Federal Office of Intellectual Property, Berne.
Mr. Rodolphe Bühler, Chief of the Diplomatic Section, Federal Political Department, Berne.

Union of Soviet Socialist Republics

Mr. E. J. Artemiev, Vice-President, Committee on Inventions and Discoveries attached to the Council of Ministers of the USSR, Moscow.
Mr. E. P. Gavrilov, Senior Scientific Employee, Institute of Patent Information, Moscow.

United Kingdom of Great Britain and Northern Ireland

Mr. Gordon Grant, C. B., Comptroller-General, Patent Office, London.
Mr. Ronald Bowen, Principal Examiner, Patent Office, London.

United States of America

Mr. Edward J. Brenner, Commissioner of Patents, Washington, D. C.
Mr. Harvey J. Winter, Assistant Chief, International Business Practices Division, Department of State, Washington, D. C.
Mr. Gerald D. O'Brien, Assistant Commissioner of Patents, Washington, D. C.

Yugoslavia

Mr. Vladimir Savić, Director, Patent Office, Belgrade.

Algeria

Mr. Salah Bouzidi, Head of the Trademarks Office, Algiers.

Australia

Mr. Warwick Eduard Weemaes, Third Secretary, Permanent Mission of Australia to the United Nations Office in Geneva, Geneva.

Austria

Mr. Thomas Lorenz, Ratssekretär, Patent Office, Federal Ministry for Commerce, Crafts and Industry, Vienna.

Democratic Republic of the Congo

Mr. Victor Nkoinzale, Deputy Director, Ministry of Cultural Affairs, Kinshasa-Kalina.
Mr. Christophe Katuku, Secretary to the Direction of Cultural Affairs, Permanent Representative of the Congolese Government to the Congolese Copyright Society, Kinshasa-Kalina.

Greece

Mr. Anastassios Ioannou, Advocate at the Court of Cassation, Athens.

Poland

Mr. Ignacy Czerwinski, President of the Patent Office, Warsaw.
Mrs. Natalie Lissowska, Counsellor, Patent Office, Warsaw.

San Marino

Mr. Jean-Charles Munger, Chancellor, Permanent Delegation of the Republic of San Marino to the United Nations Office, Geneva.

Thailand

Mr. Pradeep Sochiratna, Secretary, Embassy of Thailand, Berne.

United Arab Republic

Mr. Mohamed Ibrahim Shaker, Second Secretary, Permanent Mission of the United Arab Republic to the United Nations Office and Specialized Agencies, Geneva.

Viet-Nam

Mr. Nguyen Quoc Dinh, Permanent Delegate of the Republic of Viet-Nam to Unesco, Paris.

III. BIRPI

Professor G. H. C. Bodenhausen, Director.
Dr. Arpad Bogsch, Deputy Director.
Mr. Ch.-L. Magnin, Deputy Director.
Mr. B. A. Armstrong, Counsellor.

IV. Officers of the Session

Chairman: Mr. C. J. de Haan (Netherlands).
Vice-Chairman: Dr. Kurt Haertel (Federal Republic of Germany).
Vice-Chairman: Mr. Ion Anghel (Rumania).
Secretary: Dr. Arpad Bogsch (Deputy Director, BIRPI).

Executive Committee of the Conference of Representatives of the International Union for the Protection of Industrial Property

Second Session

(Geneva, September 26 to 29, 1966)

Report ¹⁾**Composition and Opening of the Session**

The Second Ordinary Session of the Executive Committee of the Conference of Representatives of the International (Paris) Union for the Protection of Industrial Property (hereinafter designated as "the Committee") was held at Geneva from September 26 to 29, 1966²⁾.

At the opening of the Session, the Committee had eighteen members. Fourteen of them were represented: Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Japan, Netherlands, Spain, Sweden, Switzerland (*ex officio*), Union of Soviet Socialist Republics, United Kingdom, United States of America, Yugoslavia. Four were not represented: Ceylon, Morocco, Nigeria, Portugal.

In the course of the Session, Mexico was co-opted as member. It was represented.

The following fourteen States were represented by observers: Algeria, Australia, Austria, Belgium, Democratic Republic of the Congo, Denmark, Greece, India, Poland, Rumania, San Marino, Thailand, United Arab Republic, Viet-Nam.

The International Patent Institute was represented by observers.

The list of participants is attached to this Report.

The meeting was opened by the Chairman of the last Session, Mr. E. J. Brenner (United States of America).

Dr. Arpad Bogsch (Deputy Director, BIRPI) was designated as Secretary of the Committee.

The Committee elected by acclamation the following delegates as officers: Mr. F. Savignon (France), Chairman, and Messrs. Artemiev (Soviet Union) and Jinbo (Japan), Vice-Chairmen.

¹⁾ The present Report was prepared by BIRPI on the basis of the official documents of the Executive Committee.

²⁾ The Report of the First Session was published in *Industrial Property*, 1965, p. 242.

**Report on the Activities of BIRPI since October 1965
as far as the Paris Union is concerned**

See page 226, above.

Plan for the "World Patent Index"

BIRPI reported to the Committee on the results of a survey, which it has conducted in cooperation with the International Patent Institute, and the possible usefulness of the planned World Patent Index (see *Industrial Property*, March, 1966, p. 58).

The results of the survey were encouraging as they showed that possible subscriptions, mainly by interested industries, patent lawyers and agents, would exceed one million US dollars per annum. It was, however, to be seen whether money could be raised for the capital needed for the initial investment. The Committee asked BIRPI to get in touch with the Patent Offices of the countries which seemed to show the greatest interest to see whether they were ready to contribute either directly or by organizing a fund raising campaign in the interested private circles of their respective countries, or by both means, towards defraying this initial investment.

It was noted that BIRPI would go ahead with the plan only if the coverage of this initial investment were secured.

International Classification of Industrial Designs

On the basis of the recommendations of the majority of a Committee of Experts, which met in May, 1966 (see *Industrial Property*, 1966, p. 103), the Committee decided that it would be desirable to have a diplomatic conference for the

Note:

AIDE-MEMOIRE

During the past two decades there has been unprecedented technological development and a great expansion of international trade. This has resulted in large increases of applications for patents by nationals of industrialized countries both at home and abroad. It is estimated that in 1965 about 650,000 applications were filed world-wide, representing an increase of more than fifty percent in ten years.

As a result of these developments, certain critical patent problems have emerged, especially for industrialized countries. One of the most important of these problems is that of the large backlogs of patent applications confronting countries which have an examination system. Duplication of effort contributes heavily to these backlogs in that about half of the estimated 650,000 applications filed world-wide last year were duplicates or substantial duplicates of applications filed elsewhere.

The United States Government notes that in the present difficult world-wide patent situation, numerous efforts are under way and others are being considered to resolve the pressing patent problems of both developed and developing nations. A resolution of these problems could result in cheaper, faster and more secure protection for inventions throughout the world with concomitant benefits to the inventors and the general public as well as to governments.

Further, the United States Government notes that there could be better coordination with respect to these efforts, both national and international, in order to avoid duplication of effort on the one hand and, on the other, to insure that vital subjects are considered.

The Paris Union being universal in scope realistically seems to be an appropriate forum to review these efforts with a view to overall coordination. This Government therefore would favor action by the Executive Committee authorizing the United International Bureaux for the Protection of Intellectual Property (BIRPI) to convene a "working party" of interested examining patent offices. Paris Union countries who do not have examination systems could, of course, attend. This "working party" would (a) review the present efforts being undertaken nationally and internationally; (b) consider what are the most important topics to be dealt with in the light of existing patent problems; and (c) establish a list of priorities for further consideration of these topics in order to move forward toward possible solutions to the problems of examining patent offices and for further action.

United States Mission, Geneva, June 30, 1966.

purpose of adopting a treaty on the classification of goods for the purposes of registration of industrial designs, to have such conference held at BIRPI, and to ask the Swiss Government to host the conference if convocation by the Government was considered necessary.

Work Plan for Possible Future Action in the Patent Field

This item of the agenda was discussed on the basis of an aide-memoire by the Government of the United States of America, addressed to the Director of BIRPI, the text of which is quoted in a footnote.

The aide-memoire was supplemented, in the course of the meeting, by a draft resolution, equally presented by the delegation of the United States of America. The suggestions contained in these two documents drew favorable comments, in particular, from the delegations of the Federal Republic of Germany, the Soviet Union, the United Kingdom, Sweden, Rumania, the Netherlands, the International Patent Institute, France, Italy and Hungary. (The above enumeration follows the order in which the interventions were made.)

The proposed resolution was unanimously adopted by the Committee. It reads as follows:

"The Executive Committee of the International (Paris) Union for the Protection of Industrial Property (Second Session, Geneva, September 29, 1966),

"Having noted:

"that all countries issuing patents, and particularly the countries having a preliminary novelty examination system, have to deal with very substantial and constantly growing volumes of applications of increasing complexity,

"that in any one country a considerable number of applications duplicate or substantially duplicate applications concerning the same inventions in other countries thereby increasing further the same volume of applications to be processed, and

"that a resolution of the difficulties attendant upon duplications in filings and examination would result in more economical, quicker, and more effective protection for inventions throughout the world thus benefiting inventors, the general public and Governments,

"Recommends:

"that the Director of BIRPI undertake urgently a study on solutions tending to reduce the duplication of effort both for applicants and national patent offices, in consultation with outside experts to be invited by him, and giving due regard to the efforts of other international organizations and groups of States to solve similar problems, with a view to making specific recommendations for further action, including the conclusion of special agreements within the framework of the Paris Union."

**Program and Budget of BIRPI as far as the Paris Union
is concerned**

See page 227, above.

List of Participants

I. States Members of the Committee

Czechoslovakia

- Mr. František Křístek, President, Office of Patents and Inventions, Prague.
 Mr. Oldřich Fabián, Second Secretary, Ministry of Foreign Affairs, Prague.
 Mr. Jiri Kordač, Counsellor, Ministry of Education and Culture, Prague.
 Mr. Joseph Conk, Counsellor, Office of Patents and Inventions, Department for Legislation and International Relations, Prague.
 Mr. Miloš Všečka, Chief of the Legal and International Division, Office of Patents and Inventions, Prague.

France

- Mr. François Savignon, Deputy Director of Industrial Property, National Institute of Industrial Property, Paris.
 Mr. Roger Labry, Counsellor of Embassy, Ministry of Foreign Affairs, Paris.
 Mr. Charles Robmer, Head, Copyright Service, Ministry of Cultural Affairs, Paris.

Germany (Fed. Rep.)

- Dr. Kurt Haertel, President, German Patent Office, Munich.
 Mr. Albrecht Krieger, Ministerialrat, Federal Ministry of Justice, Bonn.
 Mr. Klaus Pfanner, Director, Legal Division, German Patent Office, Munich.

Hungary

- Mr. András Kiss, Vice-President, National Office of Inventions, Budapest.
 Mr. Róbert Radnóti, Head, International Group, National Office of Inventions, Budapest.

Italy

- Mr. Giuseppe Talamo Atenolfi, Ambassador, Ministry of Foreign Affairs, Rome.
 Mr. Valerio De Sanctis, Lawyer, Rome.
 Mr. Paul Marchetti, Expert, Ministry of Industry, Patent Office, Rome.
 Mr. Giuseppe Trotta, Legal Adviser, Ministry of Foreign Affairs, Rome.
 Mr. Alberto Mario Ferrari, Doctor of Law, Milan.
 Mr. Roherto Messerotti-Benvenuti, Lawyer, Milan.

Japan

- Mr. Benkichiro Jinbo, Director of the Trial Division, Patent Office, Tokyo.
 Mr. Kenshiro Akimoto, Third Secretary, Permanent Delegation of Japan to the United Nations Office and to International Organizations, Geneva.

Mexico

- Miss Maria de los Angeles Lopez-Ortega, Second Secretary of Embassy, Permanent Delegation of Mexico to International Organizations in Geneva, Geneva.

Netherlands

- Mr. C. J. de Haan, President of the Patent Council, The Hague.
 Mr. Willem M. J. C. Phaf, Director of the Legal Section, Ministry of Economic Affairs, The Hague.

Spain

- Mr. Antonio Fernandez-Mazarambroz y Martín-Rabadan, Chief, Industrial Property Registration Office, Madrid.

Sweden

- Mr. Åke von Zweigbergk, Director-General, Patent Office, Stockholm.
 Mr. Claës A. Uggla, Counsellor, Patent Office, Stockholm.

Switzerland

- Mr. Hans Morf, Former Director of the Federal Office of Intellectual Property, Berne.

Mr. Joseph Voyame, Director, Federal Office of Intellectual Property, Berne.

Mr. Rodolphe Bühler, Chief of the Diplomatic Section, Federal Political Department, Berne.

Union of Soviet Socialist Republics

- Mr. E. J. Artemiev, Vice-President, Committee on Inventions and Discoveries attached to the Council of Ministers of the USSR, Moscow.
 Mr. E. P. Gavrilov, Senior Scientific Employee, Institute of Patent Information, Moscow.

United Kingdom of Great Britain and Northern Ireland

- Mr. Gordon Grant, C. B., Comptroller-General, Patent Office, London.
 Mr. Ronald Bowen, Principal Examiner, Patent Office, London.

United States of America

- Mr. Edward J. Brenner, Commissioner of Patents, Washington, D. C.
 Mr. Harvey J. Winter, Assistant Chief, International Business Practices Division, Department of State, Washington, D. C.
 Mr. Gerald D. O'Brien, Assistant Commissioner of Patents, Washington, D. C.

Yugoslavia

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

II. Observers

Algeria

- Mr. Salah Bonzidi, Head of the Trademarks Office, Algiers.

Australia

- Mr. Warwick Eduard Weemaes, Third Secretary, Permanent Mission of Australia to the United Nations Office in Geneva.

Austria

- Mr. Thomas Lorenz, Ratssekretär, Patent Office, Federal Ministry for Commerce, Crafts and Industry, Vienna.

Belgium

- Mr. Gérard Lambert de San, Director General, Legal Counsellor to the Ministry of National Education and Culture, Brussels.

Democratic Republic of the Congo

- Mr. Victor Nkoinzale, Deputy Director, Ministry of Cultural Affairs, Kinshasa-Kalina.
 Mr. Christophe Katuku, Secretary to the Direction of Cultural Affairs, Permanent Representative of the Congolese Government to the Congolese Copyright Society, Kinshasa-Kalina.

Denmark

- Mr. Torben Lund, Professor at the University of Aarhus, President of the Governmental Copyright Committee, Risskov.

Greece

- Mr. Anastassios Ioannou, Advocate at the Court of Cassation, Athens.

India

- Mr. Lalit Mansingh, Third Secretary, Permanent Mission of India to the United Nations Office and to other International Organizations in Geneva, Geneva.

Poland

- Mr. Ignacy Czerwinski, President of the Patent Office, Warsaw.
 Mrs. Natalie Lissowska, Counsellor, Patent Office, Warsaw.

Rumania

- Mr. Ion Anghel, Chief Legal Adviser, Ministry of Foreign Affairs, Bucharest.
 Mr. Lucien Marinete, Technical Director of the State Office of Inventions, Bucharest.

San Marino

Mr. Jean-Charles Mungler, Chancellor, Permanent Delegation of the Republic of San Marino to the United Nations Office, Geneva.

Thailand

Mr. Pradeep Sochiratna, Secretary, Embassy of Thailand, Berne.

United Arab Republic

Mr. Mohamed Ibrahim Shaker, Second Secretary, Permanent Mission of the United Arab Republic to the United Nations Office and Specialized Agencies, Geneva.

Viet-Nam

Mr. Nguyen Quoc Dinh, Permanent Delegate of the Republic of Viet-Nam to Unesco, Paris.

III. Observers for Item 8 of the Agenda**International Patent Institute**

Mr. Guillaume M. Finnis, Director General of the International Patent Institute, The Hague.

Mr. L. Feyereisen, Assistant Director, International Patent Institute, The Hague.

IV. BIRPI

Professor G. H. C. Bodenhausen, Director.

Dr. Arpad Bogsch, Deputy Director.

Mr. R. Woodley, Counsellor.

Mr. B. A. Armstrong, Counsellor.

V. Officers of the Session

Chairman: Mr. François Savignon (France).

Vice-Chairman: Mr. E. J. Artemiev (USSR).

Vice-Chairman: Mr. Benkichi Jinbo (Japan).

Secretary: Dr. Arpad Bogsch (BIRPI).

Council of the Lisbon Union for the Protection of Appellations of Origin and their International Registration

First Session

(Geneva, September 29, 1966)

Report ¹⁾**Lisbon Agreement**

The Lisbon Agreement for the Protection of Appellations of Origin and their International Registration was adopted on October 31, 1958, by a Diplomatic Conference held in Lisbon and signed by the Plenipotentiaries of the twelve following States: Cuba, Czechoslovakia, France, Greece, Hungary, Israel, Italy, Morocco, Portugal, Rumania, Spain and Turkey.

Its purpose is to ensure, on the territory of each Member State, the protection of appellations of origin of products of the other States Members, recognized and protected as such in the country of origin and registered with BIRPI (Article 1 of the Agreement).

According to the Lisbon Agreement, an appellation of origin is considered as the geographical name of a country,

¹⁾ The present Report was prepared by BIRPI on the basis of the official documents of the Council.

region or locality which serves to designate a product originating therein, the quality and characteristics of which are due exclusively or essentially to the geographical area, including natural and human factors (Article 2). Thus, an appellation of origin may designate not only an agricultural product but also a product of industry or commerce or extractive industries (see Article 1 of the Paris Convention).

The practical application of the principle of protection is as follows:

- each Administration communicates to BIRPI those appellations of origin which it desires to have protected;
- BIRPI registers and notifies such appellations of origin to the other Administrations and publishes them;
- the other Administrations may take note of such notifications, in which case the appellations will be fully protected against any usurpation or imitation; the Administrations may also grant to such third parties which are using the appellation a period not exceeding two years to terminate such use; the Administrations may declare that they cannot ensure the protection of certain appellations, subject to notifying BIRPI together with an indication of the reasons within a period of one year from the receipt of notification from BIRPI (Article 5).

The term of protection is unlimited so long as the appellation is protected in the country of origin (Article 6). Legal action for ensuring the protection of appellations of origin may be taken by the competent authorities (Administrations or the Public Prosecutor), or by any interested party (Article 8).

The role of BIRPI consists in:

- registering appellations of origin and establishing certificates of registration;
- recording in the registers notifications of refusal, declarations granting a period for terminating previous use, and cancellations of registrations requested by the country of origin;
- notifying such operations to the Administrations;
- publishing such operations in its periodical review *Appellations of Origin*.

A Council of the representatives of the Member States meets once a year. The Council fixes the amount of the registration fee and examines a management report on the Service for the International Registration (Article 7 of the Agreement; Article 7 of the Regulations).

Entry into Force

The Lisbon Agreement provides that the Agreement shall come into force one month after the deposit of the fifth ratification has been notified to the States by the Government of the Swiss Confederation (Article 13).

On August 25, 1966, the Swiss Government notified the States of the deposit of the instrument of ratification of Portugal, which followed the ratifications of France, Czechoslovakia, Israel and Cuba.

The Lisbon Agreement has, therefore, come into force on September 25, 1966, and binds not only the five countries which ratified it — Cuba, Czechoslovakia, France, Israel and

Portugal — but also Haiti and Mexico which acceded to it. It is expected that further instruments of ratification or accession will be deposited by other States in the near future.

First Session of the Council of the Special Union

The Council of the Special Union established by the Lisbon Agreement held its first session on September 29, 1966. It included representatives from Cuba, Czechoslovakia, France, Israel, Mexico and Portugal, and observers from Australia, the Democratic Republic of the Congo, the Federal Republic of Germany, Italy, Poland and Switzerland.

The work of the Council may be summarized as follows:

(1) It adopted its own Statutes and Rules of procedure, similar to the Internal Regulations of the other Unions administered by BIRPI.

(2) It examined and expressed a favourable opinion on the draft budget of the Service for the International Registration.

(3) In view of the fact that the Diplomatic Conference which is to take place in Stockholm in June and July 1967 has on its Agenda the question of the administrative and structural reform of the various Unions administered by BIRPI, the Council declared that it had no objection to the Conference examining such reforms in relation to the Lisbon Union and thanked the Swedish Government for having accepted to act as the Host country of this Conference.

(4) Finally, the Council approved the forms which BIRPI plans to use for the Service for the International Registration of Appellations of Origin (requests for certificates of registration; declarations for granting use; notifications of refusal of protection; pages for the register, etc.).

These forms are now at the disposal of the Member countries and the international registration of appellations of origin with BIRPI can begin.

I. States Members of the Council

Cuba

Mr. José Santiesteban Torres, Head, Department of Legal Affairs, Ministry of Industry, Havana.

Czechoslovakia

Dr. Miloslav Špunda, Head of the Trademark Service, Office of Patents and Inventions, Prague.
Mr. Oldřich Fahián, Second Secretary, Ministry of Foreign Affairs, Prague.

France

Mr. Roger Labry, Counsellor of Embassy, Ministry of Foreign Affairs, Paris.
Mr. A. Toubeau, Inspector General, Ministry of Agriculture, Paris.
Mr. A. Devlétian, Ingénieur agricole, Head of the Foreign Service, National Institute of Appellations of Origin, Paris.
Mr. Maurice Bierry, Civil Administrator, Ministry of Industry, Paris.

Israel

Mr. Ze'ev Sher, Registrar of Patents, Designs and Trademarks, Jerusalem.

Mexico

Miss Maria de los Angeles Lopez-Ortega, Second Secretary of Embassy, Permanent Delegation of Mexico, Geneva.

Portugal

Mr. Jorge Van Zeller-Garin, Assistant to the Direction of Commerce, Lisbon.

II. Observers

Australia

Mr. Warwick Eduard Weemaes, Third Secretary, Permanent Mission of Australia, Geneva.

Democratic Republic of the Congo

Mr. Victor Nkoinzale, Assistant Director, Ministry of Cultural Affairs, Kinshasa-Kalina.
Mr. Christophe Katuku, Secretary, Direction of Cultural Affairs, Kinshasa-Kalina.

Germany (Fed. Rep.)

Mr. Albrecht Krieger, Ministerialrat, Federal Ministry of Justice, Bonn.

Italy

Mr. Paul Marchetti, Ministry of Industry, Central Patent Office, Rome.
Mr. Giuseppe Trotta, Ministry of Foreign Affairs, Rome.

Poland

Mr. Ignacy Czerwinski, President of the Patent Office, Warsaw.
Mrs. Natalie Lissowska, Counsellor, Patent Office, Warsaw.

Switzerland

Mr. Joseph Voyame, Director, Federal Office of Intellectual Property, Berne.

III. BIRPI

Professor G. H. C. Bodenhausen, Director.
Mr. G. R. Wipf, Counsellor.

IV. Officers of the Session

Chairman: Mr. Ze'ev Sher (Israel).
Vice-Chairman: Mr. M. Špunda (Czechoslovakia).

LEGISLATION

ALGERIA

I

Ordinance

Relating to Inventors' Certificates and Patents for Inventions

(No. 66-54, of March 3, 1966)¹⁾

The Head of the Government, President of the Council of Ministers,

Upon the report of the Minister of Industry and Power, Considering Ordinance No. 65-182 of July 10, 1965, constituting the Government;

Considering Ordinance No. 66-48 of February 25, 1966, effecting the adhesion of the Democratic and Popular Republic

¹⁾ See *Journal officiel* of March 8, 1966, p. 190, of the Democratic and Popular Republic of Algeria. — BIRPI translation.

lic of Algeria to the Paris Convention for the Protection of Industrial Property, of March 20, 1883;

Having heard the Council of Ministers;

Ordains:

CHAPTER I General Provisions

Article 1

Inventions which are new, which result from inventive activity, and which are capable of industrial application, may be protected by an inventor's certificate or by a patent.

Principles and discoveries of a scientific character are not considered as inventions.

Article 2

An invention is new if it is not included in the state of the art, the latter being constituted by everything which has been made accessible to the public by a written or oral description, by use, or by any other means, before the date of the deposit of the application for patent, or of the priority date validly claimed in respect thereof.

An invention is not considered to have been made accessible to the public by the sole fact that, in the six months preceding the application for patent, the inventor or his successor in title exhibited it at an official or officially-recognised international exhibition.

Article 3

An invention is considered as resulting from inventive activity if it does not arise in a manner which is obvious, having regard to the state of the art.

Article 4

An invention is considered to be capable of industrial application if the subject of the invention can be manufactured or utilised in any field of industry, including agriculture.

Article 5

Patents or inventors' certificates cannot be validly obtained for:

- vegetable varieties, or kinds of animals, or for essentially biological processes for obtaining vegetables or animals: this provision does not apply to micro-biological processes or to products obtained from such processes;
- inventions, of which the publication or the putting into effect would be contrary to good conduct or public order.

Article 6

The duration of certificates and of patents is 20 years, calculated from the application date. Each certificate or patent gives rise to the payment:

- (1) of a fee for the deposit and a publication fee;
- (2) of an annual fee.

CHAPTER II

Inventor's Certificate and Patent

SECTION I

Inventor's Certificate

Article 7

An inventor's certificate is granted by the competent authority to the Algerian inventor who is the author of an invention as defined in Articles 1 to 4 above, or to his successor in title.

If two or more persons have made an invention jointly, the right to the inventor's certificate belongs to them or to their successors in title.

These provisions are applicable to foreign nationals who comply with them.

Article 8

An inventor's certificate confers upon its owner:

- the right to be regarded as inventor;
- the right to make the invention public;
- the right to the mention of his name and given names on the inventor's certificate;
- the right to a reward, the amount of which is calculated on the basis of the economic and social effects which result from the application of the invention;
- the right to participate actively in the examination, the putting into operation and the ultimate development of the invention in the country.

The inventor may participate, where necessary, in any operation in connection with his invention.

Article 9

As regards the State, the inventor's certificate involves:

- the obligation to examine the possibilities of exploiting the invention forming the subject of an inventor's certificate within the public services or public enterprises, and of exploiting it or causing it to be exploited there to the fullest possible extent;
- the obligation to calculate and to pay, within the proper period, the amount of any sum due to the inventor, if the exploitation is effective;
- the obligation to lend its support to inventors, to furnish them with all useful information within the technical and legal fields, and to assist them in the work of elaboration and experimentation of inventions;
- the obligation to pay the prescribed fees.

Article 10

The rights arising from a certificate do not extend to acts relating to the article covered by the certificate after such article has been lawfully distributed in the course of trade.

Article 11

Any person who, at the time of an application for a certificate or at the date of a priority validly claimed for it, was, in good faith, manufacturing the article or using the process forming the subject of the invention protected shall, despite the certificate, be entitled to continue his activity.

SECTION II

Patents

Article 12

The right to a patent belongs to the foreign inventor or to his foreign successor in title.

If two or more persons have made an invention jointly, the right to the patent belongs jointly to them or to their successors in title.

The person who has first deposited an application for a patent for an invention, or who has first validly claimed priority for an application in respect of that inventions is, in the absence of proof to the contrary, considered as the inventor, or the successor in title to the inventor.

Article 13

A patent confers upon its owner the right:

- to manufacture, to utilise, to distribute in the course of trade, and to hold for these purposes, the article covered by the patent;
- to employ and to put into commercial use the process forming the subject of the patented invention, as well as to utilise, to distribute in the course of trade, and to hold for these purposes, the article in the form in which it directly results from the putting into operation of the process, subject to the provisions of Article 5.

Article 14

The rights arising under a patent do not extend to acts concerning the article covered by the patent after such article has been lawfully distributed in the course of trade.

Article 15

Any person who, at the time of an application for patent or at the date of a priority validly claimed therefor, was in good faith manufacturing the article or using the process covered by the patent forming the subject of the patented invention shall, despite the patent, be entitled to continue his activity.

SECTION III

Certificate of Addition

Article 16

The patentee or his successors in title, or the grantee of a certificate or his successors in title have, during the entire duration of the patent or of the certificate, the right to make changes, improvements or additions to the invention, subject to compliance, in respect of any such application, with the formalities prescribed by Articles 26, 27, 30 and 31.

Any such changes, improvements or additions will be recorded by means of certificates delivered in the same form as the principal patent or certificate, and will have the same effects as the said principal patent or inventor's certificate.

Each application for a certificate of addition gives rise to the payment of deposit and publication fees.

Certificates of addition taken out by a successor in title shall enjoy all benefits.

Article 17

Certificates of addition will terminate with the principal patent or certificate. However, the annulment of the principal patent or certificate does not automatically involve the annulment of the corresponding certificate or certificates of addition, and even in cases where annulment has been pronounced, the certificate or certificates of addition will survive the principal patent or certificate until the expiration of the normal term of the latter, subject to the continuation of the payment of fees which would have been due if the patent or certificate had not been annulled.

Article 18

In so far as a certificate of addition has not been granted, the applicant can obtain the conversion of his application for a certificate of addition into an application for patent or for an inventor's certificate. In such a case, the application date will be that of the deposit of the application for the certificate of addition.

An application for a patent or for an inventor's certificate, and any patent or inventor's certificate ultimately granted, will give rise to the payment of fees as from such date.

Article 19

Any patentee or any owner of a certificate who, in respect of any change, improvement or addition, wishes to obtain a principal patent or inventor's certificate, instead of a certificate of addition expiring with the basic patent or certificate, must comply with the formalities prescribed by Articles 24, 25, 26 and 29.

SECTION IV

Inventions within an Enterprise

Article 20

An invention is considered to have been made within an enterprise:

- (1) if it has been made in the course of the term of service of the inventor within the enterprise, and if it is in keeping with the professional activity of the inventor within the enterprise;
- (2) if it has been made within the framework of the tasks entrusted to the inventor by the enterprise, and with the assistance of means belonging to the enterprise.

Article 21

Every invention made within an enterprise must be notified to the enterprise in writing and particulars must be given of the essential technical characteristics. The enterprise must give the inventor an acknowledgment, immediately and in writing.

The inventor and the enterprise must keep the invention secret until the deposit of the application.

Article 22

In the absence of special agreement between the enterprise and the inventor concerning the right to the grant of a certificate or a patent, the right shall belong to the enter-

prise; if the enterprise renounces it, the right shall belong to the inventor.

The enterprise must pronounce upon its right to the invention within a period of three months from the date of the receipt of the notification given by the inventor; if the inventor fails to inform the enterprise, the aforesaid period will run from the day when the enterprise acquired knowledge of the invention.

In any case in which the enterprise has failed to deposit the application for patent within a period of six months from the day upon which it was declared to be the beneficiary of the right to the grant, the inventor may claim the benefit thereof.

Article 23

The enterprise, having obtained the certificate or the patent, is required to pay an indemnity to the inventor, even in the case where it has renounced using the invention before the grant of the certificate or the patent.

Article 24

Other enterprises may exploit the invention forming the subject of an application for a certificate or for a patent, or in respect of which a patent or a certificate has been granted:

- (1) if the invention is insufficiently exploited;
- (2) if the exploitation of the invention by another enterprise is of special interest to the economy;
- (3) if the enterprise which owns a certificate or a patent is not able to exploit the invention without using another invention created within another enterprise and protected by a certificate or a patent.

Article 25

The indemnity due to the owner of an inventor's certificate may be increased in relation to any extended exploitation of the invention.

CHAPTER III

Formalities of Application and Grant

SECTION I

Application Formalities

Article 26

Any person who wishes to obtain a patent or an inventor's certificate must deliver, or send by post, with a request for acknowledgment of receipt:

- (1) an application addressed to the Minister in charge of industrial property;
- (2) evidence of the payment of application and publication fees;
- (3) a power of attorney, under seal, if the inventor is represented by an agent;
- (4) a sealed package containing, in duplicate:
 - (a) a specification of the invention forming the subject of the patent applied for,
 - (b) the drawings necessary for the specification to be understood.

In the absence of any reciprocal agreement, applicants domiciled abroad must appoint an Algerian agent, domiciled in Algeria.

Article 27

The application must be limited to a single principal subject, including the matters of detail making it up, and such applications of the invention as are indicated. It must not contain restrictions, conditions or reservations (limitation or attribution of rights). It shall have a title constituting a summary and precise designation of the subject of the invention.

The specification must set out the invention in a sufficiently clear and complete manner as to enable any person skilled in the art to carry it into effect.

The specification and the drawings serve to interpret the claims. The specification must be written in Arabic and translated into French, or written in French and translated into Arabic, and must be free of alterations or additions. Any words struck out as cancellations must be counted and recorded, and the pages and cross-references initialled. It must not contain any denominations of weights and measures other than those which are considered legal.

The specification must end with a summary which, in one or several numbered paragraphs, must set out the fundamental principle of the invention and, if appropriate, the secondary points which characterise it.

The drawings must be executed in ink and based on a metric scale.

All the documents must be signed by the applicant or by the agent, whose authorization will remain annexed to the application.

Article 28

Any person who wishes to avail himself of the priority of an earlier application is required to join to his application for a patent or for an inventor's certificate, or to send to the competent authorities in a registered postal package, with a request for acknowledgment of receipt, at the latest within a period of three months from the deposit of the application:

- (1) a written declaration indicating the date and the number of the earlier deposit, the country in which it was effected and the name of the depositor;
- (2) a certified copy of the said earlier application;
- (3) and, if he is not the author of the earlier application, a written authorization from the applicant, or his successors in title, entitling him to avail himself of the priority in question.

Article 29

Any person who has displayed an invention at an official or officially-recognised exhibition may, within a period of six months calculated from the date of the closing of the exhibition, apply for the protection of such invention, and claim a right of priority as from the date when the subject of the invention was displayed.

Article 30

Any applicant who, in respect of the same application, wishes to avail himself of several rights of priority must, as regards each of such rights, observe the same requirements

as those set out above; further, he must pay as many fees as there are rights of priority invoked, and must produce evidence of their payment within the same period of three months referred to above.

Failure to supply any of the documents within the required time automatically involves, for the application under consideration, loss of the benefit of the right of priority invoked.

The date taken into consideration in calculating the period of three months is, in the case of transmission by post, the date of receipt by the competent authority.

Article 31

No application for a patent will be recorded unless it is accompanied by a certificate or other evidence of payment of the requisite fees.

A written statement, drawn up by the competent authority, will verify the day and hour of the application. In the case of applications transmitted by post, the date and hour of application are those of their receipt by the competent authority. In any case in which the payment of the fees is effected later, the application date is the date of such payment, and the hour of application is the hour of the closing of the Office of the competent services on that day. A copy of the written statement will be delivered or sent to the applicant.

SECTION II

Grant of Inventors' Certificates and Patents

Article 32

The competent authority will proceed to open the packages, to record the applications and to grant patents in order of the receipt of the said applications.

Article 33

Patents, in respect of which the applications were formally in order, will be granted without preliminary examination, at the risk of the applicants, and without guarantee as to the reality, novelty or merit of the invention, or of the fidelity or accuracy of the specification.

A decision of the Minister concerned, recording and verifying the regularity of the application, will be delivered to the applicant, and will constitute the patent or the inventor's certificate. Attached to this decision will be a copy of the description and drawings, after conformity with the original copy has, if necessary, been verified and established.

Article 34

Every application which has as its object an invention which is not capable of being patented by reason of Article 5 will be rejected. Every application which does not satisfy the requirements of Article 27 (1), may, within a period of six months calculated from the notification to the interested party that his application cannot be accepted because it does not apply to only one main object, be refused or divided into a certain number of applications benefiting from the date of the initial application.

Every application in which the requirements of Article 26 have not been observed, apart from those of the second para-

graph, and those of Article 27, will be returned to the applicant or his agent, with an invitation to regularize the documents within a period of two months. This period can be increased in any case of established necessity, at the request of the applicant or of his agent. An application so regularized within the said period retains the date of the initial application.

In any case in which the regularized documents are not produced within the period allowed, the application will be rejected.

Before the grant of patents or of certificates of addition, the interested parties may withdraw applications that have been submitted.

Article 35

The competent authority will publish patents in the order of their grant, giving their number, the name of their owner, the dates of application and of grant and, where necessary, of any priority which has been recognized.

Granted patents containing, in addition to the indications mentioned in the preceding paragraph, the specification and, where necessary, the drawings of the application may be consulted at the Office of the competent services; any person may, at his own expense, obtain a copy thereof.

SECTION III

Communication of Specifications and Drawings

Article 36

The specifications and drawings of certificates, patents and certificates of addition granted are retained by the competent services, where, after publication of the grant in the catalogue referred to in Article 37 below, they will be made available on request.

After that date, any person may obtain an official copy of the specification and drawings.

The provisions of the two preceding paragraphs apply to official copies produced by applicants who wish to avail themselves of the priority of an earlier deposit, and to documents enabling certain applicants to claim such priority.

The owner of an application for patent or of a certificate of addition who wishes to avail himself abroad of the priority of his application before the grant of the patent or the certificate of addition has occurred, may obtain an official copy of his application.

Article 37

A catalogue will be published of patents, inventors' certificates and certificates of addition granted.

CHAPTER IV

Transfer and Licences

SECTION I

Transfer

Article 38

The rights attaching to an application for patent or to a patent or to an inventor's certificate are transferable in whole or in part.

Agreements the effect of which is a transfer of ownership, the grant of the right of exploitation or cessation of such right, a mortgage or cancellation of mortgage in respect of an application for patent or a patent must, under penalty of nullity, be drawn up in writing and recorded in the special register of patents.

Article 39

The competent authority may deliver to all persons so requesting a copy of entries made in the register of patents, as well as particulars of entries in respect of patents forming the subject of mortgage, or a certificate verifying that no such entries exist.

Article 40

Any persons who have acquired from a patentee or his successors in title the right to exploit an invention shall automatically benefit from any certificates of addition which may subsequently be granted to the patentee or his successors in title. Reciprocally, the patentee or his successors in title shall benefit from any certificates of addition which may subsequently be granted to persons who have acquired the right to exploit the invention.

Any persons who are entitled to benefit from certificates of addition may obtain a copy thereof from the competent services.

SECTION II

Contractual Licences

Article 41

The applicant for or the owner of the patent may, by contract, grant to another person a licence to exploit his invention.

The licence contract must be drawn up in writing and requires the signature of the contracting parties.

Each licence contract must be recorded with the competent services, subject to the payment of a fee; a licence will not be effective against third parties until after such recording.

Article 42

Unless the licence contract provides otherwise, the grant of a licence does not preclude the possibility of granting other persons other licences for the exploitation of the same invention, nor preclude the exploitation of the same invention by the owner of the patent.

Article 43

A decree by the Minister concerned may provide that licence contracts, or certain categories of them, concluded with a foreign national or a foreign enterprise, and renewals or modifications of such contracts, shall be submitted to the preliminary approval of the Minister of Finance and Planning.

SECTION III

Compulsory Licences

Article 44

Any person interested may, at any time after the expiration of a period of four years calculated from the date of deposit of an application for patent, or three years calculated from the date of grant of the patent, make application,

under the conditions fixed by Article 52, for a compulsory licence in any case of non-exploitation or insufficient exploitation, and particularly where:

- (1) the patented invention, being capable of exploitation within the country, has not been exploited there in a sufficient manner;
- (2) the demand for the patented article is not being satisfied within the country on reasonable conditions;
- (3) exploitation of the invention within the country is being prevented or hindered by importation of the patented article;
- (4) the patentee has refused to grant licences under reasonable conditions;
- (5) a substantial export market for the patented article, manufactured within the country, is not being supplied;
- (6) the establishment or development of commercial or industrial activities within the country is being substantially hindered;
- (7) the conditions imposed by the patentee upon the grant of licences, or upon the purchase, hire or use of the patented article or process, substantially prejudice the manufacture, use or sale of materials protected by the patent, or where the establishment or development of commercial or industrial activities in the country is substantially prejudiced.

A compulsory licence will not be granted if the patentee justifies himself by legitimate reasons. Importation does not constitute a legitimate reason.

For the purposes of the present Article, exploitation of a patented invention means the manufacture of a patented article, the use of a patented process or the utilization, for purposes of manufacture, of a machine patented by an establishment existing within the country, to an appropriate and reasonable extent, having regard to the circumstances.

A compulsory licence shall be non-exclusive.

Article 45

If an invention protected by a patent within the country cannot be exploited without the risk of infringing rights attaching to an earlier patent, a compulsory licence may be granted upon application, under the conditions specified in Article 52, to the owner of the later patent, to the extent necessary for the exploitation of his invention, in so far as can be applied to different industrial objectives from those of the invention forming the subject of the earlier patent, or involves special technical progress.

If the two inventions have application to the same industrial objectives, such compulsory licence will only be granted subject to the reservation of the grant of a licence under the later patent to the owner of the earlier patent, if he so requests.

Article 46

Every applicant for a compulsory licence under the provisions of Articles 44 and 45 must produce evidence that he has previously approached the owner of the patent and has not been able to obtain a contractual licence from him under reasonable conditions.

Article 47

A compulsory licence as envisaged in Article 44 will only be granted to an applicant who is able to provide the necessary guarantees of exploitation capable of remedying the deficiencies which have given rise to the licence being granted.

Article 48

A compulsory licence can only be granted subject to payment.

Article 49

Each compulsory licence must be recorded with the competent services, subject to the payment of a fee.

Article 50

A compulsory licence can only be transmitted with the authorization of the authority which granted it.

Article 51

Upon application by the owner of the patent, a compulsory licence can be withdrawn by the authority which granted it:

- (a) if the conditions which justified the grant of the compulsory licence have ceased to exist. In this event, a reasonable period is allowed to the beneficiary of the compulsory licence to discontinue all exploitation, if immediate discontinuance would involve serious prejudice to him;
- (b) if the beneficiary of the compulsory licence does not comply with the conditions which have been fixed.

Upon the request of the owner of the patent or of the beneficiary of the compulsory licence, the conditions of the grant of the licence can be modified by the authority which granted it when new facts so justify — particularly, the grant of contractual licences under more favorable conditions by the owner of the patent.

Articles 49 and 52 apply to the withdrawal and to any modification of a compulsory licence.

Article 52

An application for a compulsory licence under a patent, together with the evidence required by Article 46, must be submitted to the competent Court.

The Court shall summon and hear the applicant and the patentee, or their representatives. It may request the advice of the Minister concerned.

If the Court grants the compulsory licence, it must fix the conditions thereof and, in particular, specify its duration and, in the absence of agreement between the parties, the amount of payment due to the patentee.

The provisions of the present Article apply in the case of the transmission of a compulsory licence under a patent.

SECTION IV

Licences of Right

Article 53

Every applicant for or owner of a patent may require the competent services to enter in the register, in respect of his

patent, the endorsement "licences of right"; this shall also be published.

The entry of such an endorsement in the register confers upon all persons the right to obtain, at any time, a licence for the exploitation of the said patent on such terms as, failing agreement, may be fixed by the competent Court.

The amount of fees applying to patents will be reduced by one half for patents in respect of which the endorsement "licences of right" is entered in the register.

The patentee may, at any time, request the competent authority to cancel the endorsement "licences of right".

The competent services may cancel the said endorsement after payment of the whole of the fees that would have been payable if the endorsement had not been made.

The provisions of Articles 41, paragraphs (2) and (3), 42 and 43 apply equally to licences of right.

CHAPTER V

Renunciation and Nullity

Article 54

A patent can form the subject of renunciation on the part of its owner by means of a declaration, made to the competent services.

The renunciation will be recorded and published immediately.

Article 55

If a contractual licence has been recorded, renunciation will only be recorded upon the presentation of a declaration by which the recorded beneficiary consents to this action.

Article 56

The nullity of a patent will be pronounced by the Court, at the request of any interested person:

- (a) if the subject of the patent was not patentable within the terms of Articles 1 to 5 of the present Ordinance;
- (b) if the specification of the invention fails to satisfy the requirements of Article 27 or if the claims of the patent fail to define the protection applied for;
- (c) if the same invention has been the subject of a patent within the country in consequence of an earlier application, or of an application benefiting from an earlier priority.

Article 57

When a decision as to nullity has become definitive, the Public Prosecutor (*Procureur de la République*) will notify it to the competent authority, who will record and publish it.

CHAPTER VI

Infringement of Rights Arising under an Inventor's Certificate or a Patent

Article 58

Every injury to the rights attaching to a patent or to a certificate, whether by the manufacture of articles or by the use of means which are the subject thereof, constitutes the offence of infringement, punishable by a fine of from, 2,000

to 20,000 dinars, and by imprisonment of from one to six months, or by one only of these penalties.

Article 59

Any person who has knowingly received, sold or exposed for sale, or who has introduced on to national territory, one or more infringing objects, shall be punishable by the same penalties as infringers.

Article 60

The penalties prescribed by the present Ordinance cannot be cumulated; the maximum penalty is only pronounced in respect of all acts prior to the first proceedings.

Article 61

Recidivism is deemed to occur when, in the course of the preceding five years, a first conviction of the accused has occurred for one of the offences specified in the present Ordinance.

In such a case, the penalties will be doubled.

Article 62

The provisions relating to attenuating circumstances and to stay of execution are applicable to the offences specified in the present Ordinance.

Article 63

Acts prior to the grant of a certificate or a patent are not considered as prejudicial to the rights attaching to the certificate or to the patent, and cannot constitute grounds for conviction, even in civil proceedings, except in the case of acts subsequent to a communication to a presumed infringer of an official copy of the specification of the invention, as attached to the application for certificate or for patent.

Article 64

The owners of a certificate or of a patent may, by virtue of an Order of the president of the Court of the locality in which action should be taken, proceed, through any sworn agent, with the assistance, if necessary, of an expert, to a detailed inventory, with or without seizure, of the objects which he contends are infringements.

The Order will be made upon request and upon production of the patent.

When seizure is involved, the said Order can require the claimant to furnish security, which he is required to deposit before proceeding.

Article 65

If the claimant fails to take proceedings before the competent authority within a period of one month, the seizure or inventory shall automatically become null, without prejudice to any damages that may be claimed.

Article 66

Confiscation of objects recognized as infringements and, where necessary, of instruments or appliances specially intended for their manufacture may, even in cases of acquittal, be ordered against the infringer, the receiver, the introducer or the debtor.

The objects confiscated may be handed over to the owner of the patent, without prejudice to more extensive damages and to the posting of the judgment, if appropriate.

Article 67

The penalties may be doubled when damage is caused to the rights of self-controlling and State enterprises.

CHAPTER VII

Secret Inventions

Article 68

Inventions made by Algerian nationals, which are of interest in connection with national defence, will be considered to be secret, unless the Minister of National Defence decides otherwise.

Article 69

If the Minister of National Defence decides that there is no need to consider such an invention as secret, the certificate will be granted in accordance with normal procedure.

Article 70

Inventions of Algerian nationals which are of such a nature as to be of special importance in the national interest may also be declared secret.

The certificate will only be issued subject to the agreement of the Minister concerned.

CHAPTER VIII

Patents of Confirmation

Article 71

Any patent granted in a foreign country prior to January 1, 1966, may form the subject of a patent of confirmation granted by the competent authority, subject to the provisions of Article 73.

Article 72

The fact that the official bulletin of a foreign country where the patent has been applied for and which publishes inventions in accordance with its laws and regulations relating to industrial property has, before the date of the application for confirmation, been made available to the public in the country where the patent of confirmation is applied for, will not be considered as disclosure of the invention in that country.

Article 73

A patent of confirmation will only be granted if the importance of the invention, the industrial or agricultural advantages, and the public usefulness of its exploitation, as well as the amount of capital which will be invested, justify the grant. The decision will be taken by the Minister in charge of industrial property, in the light of the advice of a committee, the composition of which shall be fixed by decree.

Article 74

The following Articles are applicable to patents of confirmation: Article 1 (paragraph 2), Articles 2 to 5, 12 to 14,

26 to 28, 30 to 43, 44 (last paragraph), 45, 46, 49 to 52, 54, 55, 57, 58 and 59.

Complementary to the provisions of Article 27 above, the applicant for a patent of confirmation must also indicate in his application the number, the date and the country of grant of the foreign patent which forms the basis of the application.

In derogation of the provisions of Article 13 above, the owner of a patent of confirmation, whilst retaining his exclusive right of importation *vis-à-vis* third parties, will not be entitled to import, or cause to be imported, the article forming the subject of the patent, or which results directly from the putting into operation of the patented process, apart from specimen or trial articles for purposes other than trade.

Article 75

The patent of confirmation produces its effects, subject to the reservation of Articles 74 and 76, for a period of ten years, calculated from the date of deposit of the application, and subject to the payment of the annual fees.

Article 76

The annulment of a patent of confirmation will be pronounced by the Court at the request of any interested party:

- if the subject of the patent was not patentable within the terms of Articles 1 to 5 of the present Ordinance;
- if the specification of the invention does not satisfy the requirements of Article 27, or if the claims of the patent do not define the protection applied for;
- if the same invention has formed the subject of a patent within the country as the result of an earlier application, or an application benefiting from an earlier priority;
- if the foreign patent upon which the patent of confirmation is based has been annulled or has lapsed;
- if exploitation of the invention which forms the subject of the patent of confirmation is not effective at the expiration of a period of one year, calculated from the date of grant of the patent, or if it subsequently ceases for a period in excess of one year;
- if the owner of the patent of confirmation violates the provisions of the third paragraph of Article 74.

CHAPTER IX

Transitional Provisions

Article 77

Patents which formed the subject of protection in Algeria prior to July 3, 1962, will only have this protection confirmed provided they have been exploited in a continuous and effective manner since that date, either by the owner or his successor in title, or by his assignee or licensee, in which event proof of the regularity of the contract of assignment or of the licence must be produced.

Article 78

Patents exploited subsequently to July 3, 1962, either within the framework of a State enterprise, or of a self-controlling enterprise, constitute, by this fact, elements of the enterprise.

Article 79

Decrees will determine the measures for carrying out the present Ordinance, particularly as regards the amount of the fees for which it makes provision.

Article 80

All provisions contrary to the present Ordinance are repealed.

Article 81

The present Ordinance will be published in the *Journal officiel* of the Democratic and Popular Republic of Algeria.

II

Ordinance

Relating to Trademarks

No. 66-57, of March 19, 1966)

The Head of the Government, President of the Council of Ministers:

Upon the report of the Minister of Industry and Power, Considering Ordinance No. 65-182 of July 10, 1965, constituting the Government;

Considering Ordinance No. 66-48 of February 25, 1966, effecting the adhesion of the Democratic and Popular Republic of Algeria to the Paris Convention for the Protection of Industrial Property, of March 20, 1883;

Ordains:

CHAPTER I

Right to Ownership of Marks

Article 1

A trademark is obligatory, even in cases where the producer does not himself trade in his products. A service mark is optional; nevertheless, decrees may declare it to be obligatory in respect of such products as they may specify.

Article 2

The following are considered as trademarks or service marks: family names or pseudonyms, special, arbitrary or fanciful names, the characteristic form of the product or its get-up, labels, envelopes, emblems, prints, stamps, seals, vignettes, selvages, borders and edgings, combinations or arrangements of colors, designs, reliefs, letters, figures, devices and, in general, all material signs serving to distinguish the products, objects or services of any enterprise.

A slogan can constitute a mark if it is registered for that purpose.

Article 3

The use of a mark which is a family name, by a person having the same name, does not constitute an infringement of the rights of the owner of the mark if such use occurs in a form and subject to conditions of such a nature as to avoid any risk of confusion.

The use of the family name of a deceased person implies the agreement of the legal successors of such person.

Article 4

Signs, the use of which would be contrary to public order, morality and proper conduct, may not constitute a mark or form a part thereof. The same applies to the following: armorial bearings, flags and other State emblems, red crosses and crescents, official signs and stamps of control and guarantee, as well as any imitation of heraldic signs.

Article 5

Subject to the reservations specified in the transitional provisions, the ownership of a mark belongs to the person who first applied for its registration.

The applicant is required to utilize his mark within the year following registration, except in exceptional cases and where justified by the interested party. In the case of non-utilization of the mark, once the above-mentioned period has expired, the deposit will no longer be effective.

Article 6

The owner of a mark may call for the cancellation of the registration of a mark capable of creating confusion with his own mark; this action cannot be instituted after the expiration of a period of five years, calculated from the date of the application.

Article 7

Foreign nationals may enjoy the benefits of the present Ordinance by complying with the formalities which it prescribes.

CHAPTER II

Collective Marks

Article 8

Every duly constituted organization or collectivity, in which the members are mutually bound by common business interests, may protect a given sign as a collective mark, with a view to procuring for its members the right to employ it upon their products, or in connection with their services, in the course of trade.

Article 9

The organization or the collectivity which applies for the protection of a collective mark is required to have a set of regulations.

Regulations in respect of a collective mark must contain:

- (1) the name or trading name of the collectivity;
- (2) its address, or an indication of its headquarters;
- (3) the name of the persons authorized to represent it;
- (4) the list of members authorized to use the mark;
- (5) the conditions governing its use, particularly as regards the quality of the goods or services;
- (6) the rights and obligations of the members, as well as the sanctions which would be applied to them in the event of improper use of the mark.

Article 10

All goods intended for export must, in addition to the trademark, bear a mark guaranteeing their appellation of origin or indication of source.

Article 11

Collective marks to be applied to products shall be submitted to the prior approval of the competent services.

Article 12

A collective mark is not transferable.

CHAPTER III

Application, Registration and Publication

Article 13

Any person who wishes to apply for registration of a mark must deliver or send to the competent services, by registered post, with a request for acknowledgment of receipt:

- (1) an application for registration, including a replica of the mark, an enumeration of the products or services to which the mark applies, and of the corresponding Classes;
- (2) a printing-block of the mark;
- (3) evidence of payment of the fees;
- (4) a power of attorney, under seal, if the depositor is represented by an agent.

Article 14

Applicants who are domiciled abroad must be represented by an Algerian agent, domiciled in Algeria.

Article 15

The right of priority attached to an earlier foreign application must, under penalty of lapsing, be claimed at the time of application for the registration of the mark.

Every priority right claimed must be accompanied by evidence of payment of the necessary fee.

Article 16

A written statement shall record each application, giving the day and hour of the delivery of the documents or of the receipt of the postal package containing them.

A copy of the written statement will be delivered or sent to the applicant.

Article 17

The registration and publication of a mark which has been validly applied for will be effected by the competent services. The registration date is the application date.

Article 18

Rejection of the application in accordance with the provisions of Article 4, for some formal irregularity, or for failure to pay fees, will be pronounced by the competent authority.

Article 19

An Algerian national may not apply for the protection of a mark abroad unless he has previously registered it in Algeria.

Article 20

The registration of a mark is effective for ten years, unless renewed.

No person may, during a period of six months calculated from the date of cessation of the effects of the registration of a mark, validly deposit that mark, with the exception of the original depositor or his successors in title.

Article 21

The owner of a mark may renounce it in respect of all or part of the products to which it applies, by means of a declaration addressed to the competent services by registered post, with a request for acknowledgment of receipt.

Such renunciation shall be recorded in the register of marks and published.

It shall take effect as from the date of its receipt.

CHAPTER IV

Nullity

Article 22

Marks lacking distinctive character, particularly due to the fact that they consist exclusively of signs or indications constituting an essential or generic designation of the product or services, are null and of no effect. The same applies to marks consisting of indications liable to deceive the public or to signs prohibited by Article 4.

Article 23

Annulment of the deposit of a mark will be pronounced by the Court of the locality of the headquarters or domicile of the owner of the mark, or his agent.

CHAPTER V

Transfer of Marks

Article 24

The rights attaching to a mark are transferable in whole or in part, independently, or concurrently with other elements of goodwill.

Article 25

Agreements the effect of which is a transfer or ownership, an assignment or licence of the right of exploitation, a mortgage or cancellation of mortgage must, under penalty of nullity, be submitted for the preliminary approval of the Minister concerned: they must be drawn up in writing and entered in the register of marks.

Transfer of ownership and grants of the right of exploitation may be effected for all or part of the products to which the mark applies.

Grants of the right of exploitation may include a territorial limitation.

Article 26

The competent service will deliver to any person so requiring a copy of the entries appearing in the register of marks, a statement of entries subsisting in respect of marks forming the subject of mortgages or a certificate verifying that none exists. Certificates of identity reproducing details of the application for registration of the mark may be supplied to the owner.

Article 27

Every definitive legal decision pronouncing the annulment of the deposit of a mark must be recorded in the register of marks upon notification to the registrar (greffier).

The annulment will be published.

CHAPTER VI

Penalties

Article 28

The following are punishable by a fine of from 1,000 to 20,000 DA¹⁾ and by imprisonment of from three months to three years, or by one only of these penalties:

- (1) persons who counterfeit a mark or who make use of a counterfeit mark;
- (2) persons who apply to their products, or to the objects in which they trade, a mark which belongs to other persons;
- (3) persons who have knowingly sold or placed on sale one or more products bearing a counterfeit mark or a mark fraudulently applied.

Article 29

The following are punishable by a fine of from 1,000 to 15,000 DA, and by imprisonment of from one month to one year, or by one only of these penalties:

- (1) persons who, without counterfeiting a mark, have made a fraudulent imitation of a kind liable to deceive a purchaser, or have made use of a fraudulent imitation of a mark;
- (2) persons who have made use of a mark bearing indications which are liable to deceive the purchaser as to the nature of the product;
- (3) persons who have knowingly sold or placed on sale one or more products bearing a fraudulent imitation of a mark, or bearing indications liable to deceive the purchaser as to the nature of the right involved.

Article 30

The following are punishable by a fine of from 500 to 7,500 DA and by imprisonment of from 15 days to six months, or by one only of these penalties:

- (1) persons who have not applied to their products a mark which has been declared obligatory;
- (2) persons who have knowingly sold or placed on sale one or more products which do not bear the mark which has been declared obligatory for this kind of product;
- (3) persons who have contravened the provisions of Articles 9 and 10.

Article 31

The penalties prescribed by the present Ordinance cannot be cumulative.

The maximum penalty is only pronounced in respect of all acts prior to the first proceedings.

Article 32

The penalties prescribed in Articles 28, 29 and 30 may be doubled in the event of recidivism, or when damage is caused to the rights of self-controlling and State enterprises.

Recidivism is deemed to occur when, in the course of the preceding five years, conviction of the accused has occurred for one of the offences specified in the present Ordinance.

¹⁾ Algerian dinars. (Ed.)

Article 33

The provisions relating to attenuating circumstances and to stay of execution are applicable to the offences specified in the present Ordinance.

Article 34

In addition, delinquents may be deprived, temporarily, of the electoral rights related to their profession.

The Court may order the posting of the judgment in such places as it may determine and its insertion, in full or in extract form, in such newspapers as it may designate, all at the expense of the person condemned.

Article 35

In addition to the penalties specified in Articles 28, 29 and 30, the Court may order, even in cases of acquittal, the confiscation of goods and of instruments forming the subject of the offence.

It shall, in all cases, order the destruction of printing-blocks and replicas of the mark concerned.

Article 36

In the case specified in Article 30, the Court shall always order marks declared to be obligatory to be applied to the products concerned.

The Court may require the confiscation of products if the accused has, within the preceding five years, been convicted for one of the offences specified in Article 30 above.

CHAPTER VII

Jurisdiction

Article 37

Civil actions relating to marks are taken before the Courts.

In the case of penal actions, the competent jurisdiction will pronounce upon the exception relating to the ownership of the mark.

Article 38

By virtue of an Order of the President of the Court, the owner of a mark may proceed, with the assistance, if necessary, of an expert, to an inventory, with or without seizure, of the products which he contends are marked to this detriment.

An Order will be made upon request, and upon evidence of the registration of the mark.

When seizure is requested, the judge may require security to be deposited by the person making the request. However, such security will always be required from a foreign national, who will be required to deposit the same.

Copy of the Order will be served upon the holders of the objects mentioned in the inventory or seized and, where necessary, of the deed establishing the deposit of security, all subject to the penalty of nullity and damages.

Article 39

If the claimant fails to proceed, either by civil action or through a court of petty sessions, within a period of one

month, the inventory or seizure shall automatically become null, without prejudice to any damages that may be claimed.

CHAPTER VIII

Transitional Provisions

Article 40

Rights resulting from marks validly registered in Algeria on July 3, 1962, shall continue to produce their effects there within the limits of the provisions of the present Ordinance.

Article 41

The duration of protection attaching to these registrations remains fixed at 15 years, calculated from the date of registration, and subject to the owner submitting a declaration in which he states, upon his honour, that there has been no cessation in the use of the mark.

Article 42

Within a period of six months calculated from the publication of the present Ordinance, every owner of rights acquired by registration of a mark prior to July 3, 1962, shall, under penalty of lapsing, address to the competent service:

- an application for the maintenance in force of the mark including a replica of the mark, enumeration of the products or services to which the mark applies, and of the corresponding classes;
- a printing-block of the mark;
- evidence of payment of the fees;
- a certificate identifying the mark;
- a power of attorney, under seal, if the owner is represented by an agent.

Article 43

Registered marks referred to in Article 40, and whose term of protection of 15 years ended between July 3, 1962, and the date of publication of the present Ordinance in the *Journal officiel* of the Democratic and Popular Republic of Algeria, may be validly renewed within a period of three months, calculated from the date of the said publication.

Article 44

The periods specified in the present Ordinance run from date to date; when the last day is an official public holiday, the period is extended until the next working day.

Article 45

Decrees will determine the measures for carrying out the present Ordinance, particularly as regards the amount of the fees for which it makes provision.

Article 46

All provisions contrary to the present Ordinance are repealed.

Article 47

The present Ordinance will be published in the *Journal officiel* of the Democratic and Popular Republic of Algeria.

GENERAL STUDIES

Achievements in the Cooperation of COMECON Countries in the Field of Trademarks and Industrial Designs

By Mrs. István BOGNAR, Budapest ¹⁾

BOOK REVIEWS

Books Received

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- DAN (Jenő). *Védjegyjog (A) elvi kérdései*. Budapest, 1963. - 7 p. Extr. Jogtudományi közlöny, 1963, No. 5, pp. 276-282.
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- KLOOSTER (John W.). *Granting (The) of Inventive Rights*. Minneapolis, Intel-Lex, 1965. - 152 p. Preface: W. Brown Morton, Jr.
- LEE (Yoon Mo). *Guide book on patents and trade marks in Korea*. 1965 edition. Séoul, 1965. - 8 p.
- MÖHRING (Philipp). *Festschrift für Philipp Möhring zum 65. Geburtstag 4. September 1965, herausgegeben von Wolfgang Hefermehl und Hans Carl Nipperdey*. Munich/Berlin, C. H. Beck, 1965. - 550 p.
- POINTET (Pierre-Jean). *Propriété intellectuelle*. - 10 p. Extract from: *Lexique de l'économie suisse*.
- POLLZIEN (Götz M.) and BRONFEN (George B.). *International licensing agreements*. New York, Bobbs-Merrill, 1965. - 426 p. Preface by Charles S. Rhyne.
- PROCÈS-VERBAL de la réunion tenue à Bruxelles les 12 et 13 février 1959 par les directeurs des services de propriété industrielle des pays du Marché commun. - 5 p.
- 4^e SALON D'INVENTEURS. *Projet de convention internationale sur les brevets d'importation*. Brussels, 1955. - 24 p.
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NEWS ITEMS

RUMANIA

Appointment of a new Director of the Industrial Property Office

We have been informed that Doctor Bela Amhrus, Director of the Industrial Property Office of the Socialist Republic of Rumania, has retired and has been succeeded by Mr. Nicolas Gheorghiu, Engineer.

We take this opportunity of congratulating the new Director and wishing Mr. Amhrus a happy retirement.

CALENDAR

Meetings of BIRPI

Date and Place	Title	Object	Invitations to Participate	Observers Invited
October 30 to November 4, 1966 Budapest	East/West Industrial Property Symposium	Discussion of practical questions of industrial property	Open. Registration required	
November 7 to 11, 1966 Geneva	Committee of Experts on a model law for developing countries on marks, trade names, indications of source, and unfair competition	To draft a Model Law on Trademarks for developing countries	<p><i>Africa:</i> Algeria, Burundi, Congo (Kinshasa), Ethiopia, Gambia, Ghana, Guinea, Kenya, Liberia, Libya, Malawi, Mali, Morocco, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Tanzania, Togo, Tunisia, United Arab Republic, Uganda, Zambia</p> <p><i>America:</i> Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Trinidad and Tobago, Uruguay, Venezuela</p> <p><i>Asia:</i> Afghanistan, Burma, Cambodia, Ceylon, China (Taiwan), India, Indonesia, Iraq, Iran, Jordan, Korea, Kuwait, Laos, Lebanon, Malaysia, Maldives Islands, Mongolia, Nepal, Pakistan, Philippines, Saudi Arabia, Singapore, Syrian Arab Republic, Thailand, Viet Nam, Yemen</p> <p><i>Others:</i> Cyprus, Malta, Western Samoa</p>	United Nations; Council of Europe; European Economic Community; Latin American Free Trade Association; African and Malagasy Industrial Property Office; International Association for the Protection of Industrial Property; International Chamber of Commerce; Inter-American Association of Industrial Property; International Federation of Patent Agents; International League against Unfair Competition
December 13 to 16, 1966 Geneva	<i>Ad hoc</i> Conference of the Directors of National Industrial Property Offices and Committee of Directors of the Madrid Union	Adoption of the Transitional Regulations of the Madrid Agreement (Trade-marks)	All Member States of the Madrid Agreement (Trade-marks)	All other Member States of the Paris Union
1967				
January 23 to 30, 1967 New Delhi	East Asian Seminar on Copyright	Discussion of general principles of special interest to East Asian countries in the field of copyright and related rights	All East Asian States Members of the United Nations or of any United Nations Specialized Agency	All other Member States of the Berne Union; United Nations; Unesco; various interested non-governmental Organizations
April 18 to 21, 1967 Geneva	Committee of Experts for the Classification of Goods and Services	To bring up to date the international classification	All Member States of the Nice Union	—
June 12 to July 14, 1967 Stockholm	Intellectual Property Conference of Stockholm, 1967	<p>(a) General Revision of the Berne Convention (Copyright)</p> <p>(b) Revision of the Paris Convention (Industrial Property) on the question of inventors' certificates</p> <p>(c) Revision of the administrative and final clauses of the Berne and Paris Conventions and of the Special Agreements concluded under the latter</p> <p>(d) Establishment of a new Organization</p>	<p><i>For (a), (b) and (c):</i> Member States of the various Unions</p> <p><i>For (d):</i> States Members of the United Nations or any of the UN Specialized Agencies</p>	<p><i>States:</i> States not members of the Unions [for (a), (b) and (c)]</p> <p><i>Intergovernmental Organizations:</i> United Nations; International Labour Organization; World Health Organization; United Nations Educational, Scientific and Cultural Organization; General Agreement of Tariffs and Trade; International Institute for the Unification of Private Law; International Olive Oil Council; International Patent Institute; International Vine and Wine Office; African and Malagasy Industrial Property Office; Council of Europe; Latin American Free Trade Association; Organization of American States</p> <p><i>Interested Non-Governmental Organizations</i></p>
December 18 to 21, 1967 Geneva	Interunion Coordination Committee (5th Session)	Program and Budget of BIRPI	Belgium, Brazil, Ceylon, Czechoslovakia, Denmark, France, Germany (Fed. Rep.), Hungary, India, Italy, Japan, Mexico, Morocco, Netherlands, Nigeria, Portugal, Rumania, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union or of the Berne Union

Date and Place	Title	Object	Invitations to Participate	Observers Invited
December 18 to 21, 1967 Geneva	Conference of Representatives of the International Union for the Protection of Industrial Property (2nd Session)	Program and Budget for the next three-year period	All Member States of the Paris Union	—
December 18 to 21, 1967 Geneva	Executive Committee of the Conference of Representatives of the Paris Union (3rd Session)	Program and Budget (Paris Union)	Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), Hungary, Italy, Japan, Mexico, Morocco, Netherlands, Nigeria, Portugal, Spain, Sweden, Switzerland, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia	All other Member States of the Paris Union
December 18 to 21, 1967 Geneva	Council of the Lisbon Union for the Protection of Appellations of Origin and their International Registration	Annual Meeting	All Member States of the Lisbon Union	All other Member States of the Paris Union

Meetings of Other International Organizations concerned with Intellectual Property

Place	Date	Organization	Title
Paris	October 24 to 28, 1966	International Confederation of Societies of Authors and Composers (CISAC)	International Councils of Authors Administrative Board Executive Bureau
Luxembourg	October 25 and 26, 1966	International Patent Institute (IPI)	Governing Board
Paris	October 27 and 28, 1966	International Chamber of Commerce (ICC)	Commission on the International Protection of Industrial Property
Brussels	November 17 to 19, 1966	International Literary and Artistic Association (ALAI)	Executive Committee
1967			
Paris	January 13 to 15, 1967	International Association for the Protection of Industrial Property (IAPIP)	Conference of Presidents
Basle	March 29 to April 4, 1967	International Literary and Artistic Association (ALAI)	52nd Congress

VACANCY FOR TWO POSTS IN BIRPI

Applications are invited for two posts of administrative assistant — one for Personnel (Post A) and one for Finance (Post B) — in the Personnel and Finance Division of BIRPI.

Principal Duties (Post A):

Participating in the application, elaboration and amendment of the Staff Rules as set out in the Administrative Manual. Drafting reports on personnel matters for internal purposes. Participating in recruitment duties. Participating in the administration of the BIRPI Intellectual Property Training Scheme.

Principal Duties (Post B):

I. Assisting the Head of the Finance Section in preparing accounts and statistics for the annual Management Report; in preparing data for budget and periodical statements on budgetary matters, and supervising the accounting and disbursing activities of the section.

II. Supervising

- (a) the preparation of the staff payroll and pension fund contributions accounts, and
- (b) the budgetary control accounts.

III. Checking and certifying for payment staff claims for overtime, travel expenses, etc.

Qualifications required (Posts A and B):

- (1) University degree or diploma in a relevant field or successful completion of a full secondary school course plus at least five years experience in the administrative field (preferably personnel duties [Post A] or finance [Post B]) in a national administration, an international organization or an organization employing preferably an international staff.
- (2) Excellent knowledge of one of the official languages (English and French) of BIRPI and at least a good knowledge of the other.

Candidates must be nationals of one of the member States of the Berne or Paris Unions. Preference will be given to candidates who are nationals of States of which no national is on the staff of BIRPI.

Preferred age: about 30 years.

Appointment will be in grade P.1 of the United Nations "Common System."

Application forms and full particulars regarding the conditions of employment may be obtained from the Head of Personnel, BIRPI, 32, chemin des Colombettes, Geneva, Switzerland. Latest date for receipt of completed application forms: November 30, 1966.