

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

of October 31, 1958,  
as revised at Stockholm on July 14, 1967,  
and as amended on September 28, 1979  
and

**Regulations**

(as in force on January 1, 2016)  
and

**Administrative Instructions**

(as in force on January 1, 2010)

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Official English Text

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## **PREFACE**

This reprint was prepared on the occasion of the amendment of Rule 23 (Fees) of the Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, as adopted by the Assembly of the Lisbon Union during its thirty-second (21st ordinary) session, which took place in Geneva, from October 5 to 14, 2015.



# **Lisbon Agreement for the Protection of Appellations of Origin and their International Registration**

of October 31, 1958,  
as revised at Stockholm on July 14, 1967,  
and as amended on September 28, 1979

## **Article 1**

[Establishment of a Special Union; Protection of Appellations of Origin  
Registered at the International Bureau]<sup>1</sup>

(1) The countries to which this Agreement applies constitute a Special Union within the framework of the Union for the Protection of Industrial Property.

(2) They undertake to protect on their territories, in accordance with the terms of this Agreement, the appellations of origin of products of the other countries of the Special Union, recognized and protected as such in the country of origin and registered at the International Bureau of Intellectual Property (hereinafter designated as “the International Bureau” or “the Bureau”) referred to in the Convention establishing the World Intellectual Property Organization (hereinafter designated as “the Organization”).

## **Article 2**

[Definition of Notions of Appellation of Origin and Country of Origin]

(1) In this Agreement, “appellation of origin” means the geographical denomination of a country, region, or locality, which serves to designate a product originating therein, the quality or characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors.

(2) The country of origin is the country whose name, or the country in which is situated the region or locality whose name, constitutes the appellation of origin which has given the product its reputation.

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<sup>1</sup> Articles have been given titles to facilitate their identification. There are no titles in the signed French text. The title of Article 6 has been modified, compared to the previous edition.

**Article 3**

[Content of Protection]

Protection shall be ensured against any usurpation or imitation, even if the true origin of the product is indicated or if the appellation is used in translated form or accompanied by terms such as “kind,” “type,” “make,” “imitation”, or the like.

**Article 4**

[Protection by virtue of Other Texts]

The provisions of this Agreement shall in no way exclude the protection already granted to appellations of origin in each of the countries of the Special Union by virtue of other international instruments, such as the Paris Convention of March 20, 1883, for the Protection of Industrial Property and its subsequent revisions, and the Madrid Agreement of April 14, 1891, for the Repression of False or Deceptive Indications of Source on Goods and its subsequent revisions, or by virtue of national legislation or court decisions.

**Article 5**[International Registration; Refusal; Notifications;  
Use Tolerated for a Fixed Period]

(1) The registration of appellations of origin shall be effected with the International Bureau, at the request of the Authorities of the countries of the Special Union, in the name of any natural persons or legal entities, public or private, having, according to their national legislation, the right to use such appellations.

(2) The International Bureau shall, without delay, notify the Authorities of the various countries of the Special Union of such registrations, and shall publish them in a periodical.

(3) The Authority of any country may declare that it cannot ensure the protection of an appellation of origin whose registration has been notified to it, but only in so far as its declaration is notified to the International Bureau, together with an indication of the grounds therefor, within a period of one year from the receipt of the notification of registration, and provided that such declaration is not detrimental, in the country concerned, to the other forms of protection of the appellation which the owner thereof may be entitled to claim under Article 4, above.

(4) Such declaration may not be opposed by the Authorities of the countries of the Union after the expiration of the period of one year provided for in the foregoing paragraph.

(5) The International Bureau shall, as soon as possible, notify the Authority of the country of origin of any declaration made under the terms of paragraph (3) by the Authority of another country. The interested party, when informed by his national Authority of the declaration made by another country, may resort, in that other country, to all the judicial and administrative remedies open to the nationals of that country.

(6) If an appellation which has been granted protection in a given country pursuant to notification of its international registration has already been used by third parties in that country from a date prior to such notification, the competent Authority of the said country shall have the right to grant to such third parties a period not exceeding two years to terminate such use, on condition that it advise the International Bureau accordingly during the three months following the expiration of the period of one year provided for in paragraph (3), above.

### **Article 6**

[Shield Against Becoming Generic]

An appellation which has been granted protection in one of the countries of the Special Union pursuant to the procedure under Article 5 cannot, in that country, be deemed to have become generic, as long as it is protected as an appellation of origin in the country of origin.

### **Article 7**

[Period of Validity of Registration; Fee]

(1) Registration effected with the International Bureau in conformity with Article 5 shall ensure, without renewal, protection for the whole of the period referred to in the foregoing Article.

(2) A single fee shall be paid for the registration of each appellation of origin.



**Article 8**  
[Legal Proceedings]

Legal action required for ensuring the protection of appellations of origin may be taken in each of the countries of the Special Union under the provisions of the national legislation:

1. at the instance of the competent Authority or at the request of the public Prosecutor;
2. by any interested party, whether a natural person or a legal entity, whether public or private.

**Article 9**  
[Assembly of the Special Union]

(1) (a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Act.

(b) The Government of each country shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts.

(c) The expenses of each delegation shall be borne by the Government which has appointed it.

(2) (a) The Assembly shall:

(i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement;

(ii) give directions to the International Bureau concerning the preparation for revision conferences, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Act;

(iii) modify the Regulations, including the fixation of the amount of the fee referred to in Article 7(2) and other fees relating to international registration;

(iv) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as “the Director General”) concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;

(v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;

(vi) adopt the financial regulations of the Special Union;

(vii) establish such committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union;

(viii) determine which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;

(ix) adopt amendments to Articles 9 to 12;

(x) take any other appropriate action designed to further the objectives of the Special Union;

(xi) perform such other functions as are appropriate under this Agreement.

(b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.

(3) (a) Each country member of the Assembly shall have one vote.

(b) One-half of the countries members of the Assembly shall constitute a quorum.

(c) Notwithstanding the provisions of subparagraph (b), if, in any session, the number of countries represented is less than one half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.

(d) Subject to the provisions of Article 12(2), the decisions of the Assembly shall require two-thirds of the votes cast.

(e) Abstentions shall not be considered as votes.

(f) A delegate may represent, and vote in the name of, one country only.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

(4) (a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.

(b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of one-fourth of the countries members of the Assembly.

(c) The agenda of each session shall be prepared by the Director General.

(5) The Assembly shall adopt its own rules of procedure.

### **Article 10**

[International Bureau]

(1) (a) International registration and related duties, as well as all other administrative tasks concerning the Special Union, shall be performed by the International Bureau.

(b) In particular, the International Bureau shall prepare the meetings and provide the secretariat of the Assembly and of such committees of experts and working groups as may have been established by the Assembly.

(c) The Director General shall be the chief executive of the Special Union and shall represent the Special Union.

(2) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly and of such committees of experts or working groups as may have been established by the Assembly. The Director General, or a staff member designated by him, shall be *ex officio* secretary of those bodies.

(3) (a) The International Bureau shall, in accordance with the directions of the Assembly, make the preparations for the conferences to revise the provisions of the Agreement other than Articles 9 to 12.

(b) The International Bureau may consult with intergovernmental and international non-governmental organizations concerning preparations for revision conferences.

(c) The Director General and persons designated by him shall take part, without the right to vote, in the discussions at those conferences.

(4) The International Bureau shall carry out any other tasks assigned to it.

## **Article 11**

[Finances]

(1) (a) The Special Union shall have a budget.

(b) The budget of the Special Union shall include the income and expenses specific to the Special Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.

(c) Expenses not attributable exclusively to the Special Union but also to one or more other Unions administered by the Organization shall be considered as expenses common to the Unions. The share of the Special Union in such common expenses shall be in proportion to the interest the Special Union has in them.

(2) The budget of the Special Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.

(3) The budget of the Special Union shall be financed from the following sources:

(i) international registration fees collected under Article 7(2) and fees and charges due for other services rendered by the International Bureau in relation to the Special Union;

(ii) proceeds from the sale of, or royalties on, the publications of the International Bureau concerning the Special Union;

(iii) gifts, bequests, and subventions;

(iv) rents, interest, and other miscellaneous income;

(v) contributions of the countries of the Special Union, if and to the extent to which receipts from the sources indicated in items (i) to (iv) do not suffice to cover the expenses of the Special Union.

(4) (a) The amount of the fee referred to in Article 7(2) shall be fixed by the Assembly on the proposal of the Director General.

(b) The amount of the said fee shall be so fixed that the revenue of the Special Union should, under normal circumstances, be sufficient to cover the expenses of the International Bureau for maintaining the international registration service, without requiring payment of the contributions referred to in paragraph (3)(v), above.

(5) (a) For the purpose of establishing its contribution referred to in paragraph (3)(v), each country of the Special Union shall belong to the same class as it belongs to in the Paris Union for the Protection of Industrial Property, and shall pay its annual contributions on the basis of the same number of units as is fixed for that class in that Union.

(b) The annual contribution of each country of the Special Union shall be an amount in the same proportion to the total sum to be contributed to the annual budget of the Special Union by all countries as the number of the units of the class to which it belongs is to the total of the units of all contributing countries.

(c) The date on which contributions are to be paid shall be fixed by the Assembly.

(d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs of the Special Union if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. However, such a country may be allowed to continue to exercise its right to vote in that organ if, and as long as, the latter is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(e) If the budget is not adopted before the beginning of a new financial period, it shall be at the same level as the budget of the previous year, as provided in the financial regulations.

(6) Subject to the provisions of paragraph (4)(a), the amount of fees and charges due for other services rendered by the International Bureau in relation to the Special Union shall be established, and shall be reported to the Assembly, by the Director General.

(7) (a) The Special Union shall have a working capital fund which shall be constituted by a single payment made by each country of the Special Union. If the fund becomes insufficient, the Assembly shall decide to increase it.

(b) The amount of the initial payment of each country to the said fund or of its participation in the increase thereof shall be a proportion of the contribution of that country as a member of the Paris Union for the Protection of Industrial Property to the budget of the said Union for the year in which the fund is established or the decision to increase it is made.

(c) The proportion and the terms of payment shall be fixed by the Assembly on the proposal of the Director General and after it has heard the advice of the Coordination Committee of the Organization.

(8) (a) In the headquarters agreement concluded with the country on the territory of which the Organization has its headquarters, it shall be provided that, whenever the working capital fund is insufficient, such country shall grant advances. The amount of those advances and the conditions on which they are granted shall be the subject of separate agreements, in each case, between such country and the Organization.

(b) The country referred to in subparagraph (a) and the Organization shall each have the right to denounce the obligation to grant advances, by written notification. Denunciation shall take effect three years after the end of the year in which it has been notified.

(9) The auditing of the accounts shall be effected by one or more of the countries of the Special Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

### **Article 12**

[Amendment of Articles 9 to 12]

(1) Proposals for the amendment of Articles 9, 10, 11, and the present Article, may be initiated by any country member of the Assembly, or by the Director General. Such proposals shall be communicated by the Director General to the member countries of the Assembly at least six months in advance of their consideration by the Assembly.

(2) Amendments to the Articles referred to in paragraph (1) shall be adopted by the Assembly. Adoption shall require three-fourths of the votes cast, provided that any amendment to Article 9, and to the present paragraph, shall require four-fifths of the votes cast.

(3) Any amendment to the Articles referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the Assembly at the time it adopted the amendment. Any amendment to the said Articles thus accepted shall bind all the countries which are members of the Assembly at the time the amendment enters into force, or which become members thereof at a subsequent date, provided that any amendment increasing the financial obligations of countries of the Special Union shall bind only those countries which have notified their acceptance of such amendment.

### **Article 13**

[Regulations; Revision]

(1) The details for carrying out this Agreement are fixed in the Regulations.

(2) This Agreement may be revised by conferences held between the delegates of the countries of the Special Union.

### Article 14

[Ratification and Accession; Entry into Force; Reference to Article 24 of Paris Convention (Territories); Accession to the Act of 1958]

(1) Any country of the Special Union which has signed this Act may ratify it, and, if it has not signed it, may accede to it.

(2) (a) Any country outside the Special Union, which is party to the Paris Convention for the Protection of Industrial Property, may accede to this Act and thereby become a member of the Special Union.

(b) Notification of accession shall, of itself, ensure, in the territory of the acceding country, the benefits of the foregoing provisions to appellations of origin which, at the time of accession, are the subject of international registration.

(c) However, any country acceding to this Agreement may, within a period of one year, declare in regard to which appellations of origin, already registered at the International Bureau, it wishes to exercise the right provided for in Article 5(3).

(3) Instruments of ratification and accession shall be deposited with the Director General.

(4) The provisions of Article 24 of the Paris Convention for the Protection of Industrial Property shall apply to this Agreement.

(5) (a) With respect to the first five countries which have deposited their instruments of ratification or accession, this Act shall enter into force three months after the deposit of the fifth such instrument.

(b) With respect to any other country, this Act shall enter into force three months after the date on which its ratification or accession has been notified by the Director General, unless a subsequent date has been indicated in the instrument of ratification or accession. In the latter case, this Act shall enter into force with respect to that country on the date thus indicated.

(6) Ratification or accession shall automatically entail acceptance of all the clauses and admission to all the advantages of this Act.

(7) After the entry into force of this Act, a country may accede to the original Act of October 31, 1958, of this Agreement only in conjunction with ratification of, or accession to, this Act.



**Article 15**

[Duration of the Agreement; Denunciation]

(1) This Agreement shall remain in force as long as five countries at least are party to it.

(2) Any country may denounce this Act by notification addressed to the Director General. Such denunciation shall constitute also denunciation of the original Act of October 31, 1958, of this Agreement and shall affect only the country making it, the Agreement remaining in full force and effect as regards the other countries of the Special Union.

(3) Denunciation shall take effect one year after the day on which the Director General has received the notification.

(4) The right of denunciation provided for by this Article shall not be exercised by any country before the expiration of five years from the date upon which it becomes a member of the Special Union.

**Article 16**

[Applicable Acts]

(1) (a) This Act shall, as regards the relations between the countries of the Special Union by which it has been ratified or acceded to, replace the original Act of October 31, 1958.

(b) However, any country of the Special Union which has ratified or acceded to this Act shall be bound by the original Act of October 31, 1958, as regards its relations with countries of the Special Union which have not ratified or acceded to this Act.

(2) Countries outside the Special Union which become party to this Act shall apply it to international registrations of appellations of origin effected at the International Bureau at the request of the Authority of any country of the Special Union not party to this Act, provided that such registrations satisfy, with respect to the said countries, the requirements of this Act. With regard to international registrations effected at the International Bureau at the request of the Authorities of the said countries outside the Special Union which become party to this Act, such countries recognize that the aforesaid country of the Special Union may demand compliance with the requirements of the original Act of October 31, 1958.

**Article 17**

[Signature, Languages, Depository Functions]

(1) (a) This Act shall be signed in a single copy in the French language and shall be deposited with the Government of Sweden.

(b) Official texts shall be established by the Director General, after consultation with the interested Governments, in such other languages as the Assembly may designate.

(2) This Act shall remain open for signature at Stockholm until January 13, 1968.

(3) The Director General shall transmit two copies, certified by the Government of Sweden, of the signed text of this Act to the Governments of all countries of the Special Union and, on request, to the Government of any other country.

(4) The Director General shall register this Act with the Secretariat of the United Nations.

(5) The Director General shall notify the Governments of all countries of the Special Union of signatures, deposits of instruments of ratification or accession, entry into force of any provisions of this Act, denunciations, and declarations pursuant to Article 14(2)(c) and (4).

**Article 18**

[Transitional Provisions]

(1) Until the first Director General assumes office, references in this Act to the International Bureau of the Organization or to the Director General shall be construed as references to the Bureau of the Union established by the Paris Convention for the Protection of Industrial Property or its Director, respectively.

(2) Countries of the Special Union not having ratified or acceded to this Act may, until five years after the entry into force of the Convention establishing the Organization, exercise, if they so desire, the rights provided for under Articles 9 to 12 of this Act as if they were bound by those Articles. Any country desiring to exercise such rights shall give written notification to that effect to the Director General; such notification shall be effective from the date of its receipt. Such countries shall be deemed to be members of the Assembly until the expiration of the said period.



**Regulations under the Lisbon Agreement for the  
Protection of Appellations of Origin and  
their International Registration**

(as in force on January 1, 2016)

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## Chapter 1 General Provisions

### *Rule 1* *Abbreviated Expressions*

For the purposes of these Regulations,

(i) “Agreement” means the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration of October 31, 1958, as revised in Stockholm on July 14, 1967, and modified on September 28, 1979;

(ii) “appellation of origin” means an appellation of origin as defined in Article 2(1) of the Agreement;

(iii) “international registration” means the international registration of an appellation of origin effected under the Agreement;

(iv) “international application” means an application for international registration;

(v) “International Register” means the official collection of data concerning international registrations maintained by the International Bureau, whose entry is provided for in the Agreement or these Regulations, whatever the medium on which such data are kept;

(vi) “contracting country” means a country party to the Agreement;

(vii) “country of origin” means the contracting country as defined in Article 2(2) of the Agreement;

(viii) “International Bureau” means the International Bureau of the World Intellectual Property Organization;

(ix) “official form” means a form drawn up by the International Bureau;

(x) “competent authority” means the authority referred to in Rule 4(1)(a), (b) or (c) of these Regulations;

(xi) “holder of the right to use the appellation of origin” means any natural person or legal entity referred to in Article 5(1) of the Agreement;

(xii) “declaration of refusal” means the declaration referred to in Article 5(3) of the Agreement;

(xiii) “Bulletin” means the periodical referred to in Article 5(2) of the Agreement, whatever the medium used for its publication;

(xiv) “Administrative Instructions” means the Administrative Instructions referred to in Rule 23*bis*.

*Rule 2*  
*Calculation of Time Limits*

(1) *[Periods Expressed in Years]* A period expressed in years shall expire, in the relevant subsequent year, in the month having the same name and on the day having the same number as the month and the day of the event from which the period starts to run, except that, where the event occurred on February 29 and in the relevant subsequent year February ends on the 28th, the period shall expire on February 28.

(2) *[Periods Expressed in Months]* A period expressed in months shall expire, in the relevant subsequent month, on the day which has the same number as the day of the event from which the period starts to run, except that, where the relevant subsequent month has no day with the same number, the period shall expire on the last day of that month.

(3) *[Expiry on a Day Which Is Not a Working Day for the International Bureau or a Competent Authority]* If a period expires on a day which is not a working day for the International Bureau or a competent authority, the period shall expire, notwithstanding paragraphs (1) and (2), on the first subsequent working day.

*Rule 3*  
*Working Languages*

(1) *[International Application]* The international application shall be in English, French or Spanish.

(2) *[Communications Subsequent to the International Application]* Any communication concerning an international application or an international registration exchanged between the International Bureau and a competent authority shall be in English, French or Spanish, at the choice of the authority concerned.

(3) *[Entries in the International Register and Publications]* Entries in the International Register and publications in the Bulletin shall be in English, French and Spanish. The translations needed for those purposes shall be done by the International Bureau. However, the International Bureau shall not translate the appellation of origin.

(4) [*Transliteration and Translations of the Appellation of Origin*] Where the competent authority gives a transliteration of the appellation of origin in accordance with Rule 5(2)(c) or one or more translations of the appellation of origin, in accordance with Rule 5(3)(ii), the International Bureau shall not check that they are correct.

*Rule 4*  
*Competent Authority*

(1) [*Notification to the International Bureau*] Each contracting country shall notify to the International Bureau the name and address, as well as any change concerning the name or address,

(a) of its authority competent

(i) to submit an international application in accordance with Rule 5, to remedy an irregularity contained in the international application in accordance with Rule 6(1), to request the entry in the International Register of a modification to an international registration in accordance with Rule 13(2), to notify the International Bureau that it renounces protection in one or more contracting countries in accordance with Rule 14(1), to request the International Bureau to cancel an international registration in accordance with Rule 15(1), to request correction of the International Register in accordance with Rule 17(1) and to communicate to the International Bureau, in accordance with Rule 19(2)(b), the documents referred to in Rule 5(3)(v), and

(ii) to receive the notifications of the International Bureau referred to in Rules 9(3), 10(1) and (2), 11(3), 12(2) and 16(2),

(b) of its authority competent

(i) to notify a declaration of refusal, to notify the withdrawal of a declaration of refusal in accordance with Rule 11, to send a statement of grant of protection in accordance with Rule 11*bis*<sup>2</sup>, to notify an invalidation in accordance with Rule 16(1), to request correction of the International Register in accordance with Rule 17(1) and to declare, in accordance with Rule 17(3), that it cannot ensure the protection of a corrected international registration and

(ii) to receive the notifications of the International Bureau referred to in Rules 7(1), 13(3), 14(2), 15(2) and 17(2), and

(c) of its authority competent to give notice to the International Bureau that a period, which may not exceed two years, has been granted to third parties in accordance with Article 5(6) of the Agreement.

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<sup>2</sup> When the Lisbon Union Assembly adopted Rule 11*bis*, it understood that, with respect to contracting countries already party to the Agreement, no new declaration is required to the extent that the competent authority for sending a statement of grant of protection is the same as that already notified under Rule 4(1)(b) before the entry into force of Rule 11*bis*.



(2) [*One Authority or Different Authorities*] The notification referred to in paragraph (1) may indicate a single authority or different authorities. However, only one authority may be designated with respect to each of subparagraphs (a) to (c).

## **Chapter 2** **International Applications**

### *Rule 5*

#### *Requirements Concerning the International Application*

(1) [*Presentation*] An international application shall be presented to the International Bureau by the competent authority of the country of origin on the official form provided to that end and shall be signed by that authority.

(2) [*Mandatory Contents of the International Application*] (a) The international application shall indicate:

(i) the country of origin;

(ii) the holder or holders of the right to use the appellation of origin, designated collectively or, where collective designation is not possible, by name;

(iii) the appellation of origin for which registration is sought, in the official language of the country of origin or, where the country of origin has more than one official language, in one or more of those official languages;

(iv) the product to which the appellation applies;

(v) the area of production of the product;

(vi) the title and date of the legislative or administrative provisions, the judicial decisions or the date and number of the registration by virtue of which the appellation of origin is protected in the country of origin.

(b) Where the names of the holder or holders of the right to use the appellation of origin or the area of production are in characters other than Latin characters, they must be indicated in the form of a transliteration into Latin characters; the transliteration shall use the phonetics of the language of the international application.

(c) Where the appellation of origin is in characters other than Latin characters, the indication referred to in subparagraph (a)(iii) must be accompanied by a transliteration into Latin characters; the transliteration shall use the phonetics of the language of the international application.

(d) The international application shall be accompanied by a registration fee the amount of which is specified in Rule 23.

(3) [*Optional Contents of the International Application*] The international application may indicate or contain:

(i) the addresses of the holders of the right to use the appellation of origin;

(ii) one or more translations of the appellation of origin, in as many languages as the competent authority of the country of origin wishes;

(iii) a statement to the effect that protection is not claimed for certain elements of the appellation of origin;

(iv) a declaration that protection is renounced in one or more contracting countries, designated by name;

(v) a copy in the original language of the provisions, decisions or registration referred to in paragraph (2)(a)(vi).

(vi) any further information the competent authority of the country of origin wishes to provide concerning the protection granted to the appellation of origin in that country, such as additional particulars of the area of production of the product and a description of the connection between the quality or characteristics of the product and its geographical environment.

#### *Rule 6* *Irregular Applications*

(1) [*Examination of the Application and Correction of Irregularities*] (a) Subject to paragraph (2), if the International Bureau finds that an international application does not satisfy the conditions set out in Rule 3(1) or Rule 5(1) and (2), it shall defer registration and invite the competent authority to remedy the irregularity found within a period of three months from the date of such invitation.

(b) If the competent authority has not corrected the irregularity found within two months of the date of the invitation referred to in subparagraph (a), the International Bureau shall address to that authority a reminder of its invitation. The sending of such a reminder shall have no effect on the three-month period referred to in subparagraph (a).

(c) If the correction of the irregularity is not received by the International Bureau within the three-month period referred to in subparagraph (a), the international application shall be rejected by the International Bureau which shall inform the competent authority of the country of origin thereof.

(d) Where, in accordance with subparagraph (c), the international application is rejected, the International Bureau shall refund the fees paid in respect of the application, after deduction of an amount corresponding to half the registration fee referred to in Rule 23.

(2) [*International Applications Not Considered as Such*] If the international application is not presented to the International Bureau by the competent authority of the country of origin, it shall not be considered as such by the International Bureau and shall be returned to the sender.

### **Chapter 3**

#### **International Registration**

##### *Rule 7*

##### *Entry of the Appellation of Origin in the International Register*

(1) [*Registration, Certificate and Notification*] Where the International Bureau finds that an international application satisfies the conditions set out in Rules 3(1) and 5, it shall enter the appellation of origin in the International Register, shall send a certificate of international registration to the authority that requested the registration and shall notify the international registration to the competent authority of those other contracting countries in respect of which protection has not been renounced.

(2) [*Contents of the Registration*] An international registration shall contain or indicate:

- (i) all the particulars given in the international application;
- (ii) the language in which the International Bureau received the international application;
- (iii) the number of the international registration;
- (iv) the date of the international registration.

##### *Rule 8*

##### *Date of the International Registration and of its Effects*

(1) [*Irregularities Affecting the Date of the International Registration*] Where an international application does not contain all the following particulars:

- (i) the country of origin,
- (ii) the holders of the right to use the appellation of origin,
- (iii) the appellation of origin for which registration is sought,
- (iv) the product to which the appellation applies,

the international registration shall bear the date on which the last of the missing particulars is received by the International Bureau.

(2) [*Date of the International Registration in All Other Cases*] In all other cases, the international registration shall bear the date on which the international application was received by the International Bureau.

(3) [*Date of Effect of International Registration*] (a) An appellation of origin that is the subject of an international registration shall, in each contracting country that has not declared in accordance with Article 5(3) that it cannot ensure the protection of the appellation, or that has sent to the International Bureau a statement of grant of protection in accordance with Rule 11*bis*, be protected from the date of the international registration or, where a contracting country has made a declaration in accordance with subparagraph (b), from the date mentioned in that declaration.

(b) A contracting country may, in a declaration, notify the Director General that, in accordance with the law of that country, an appellation of origin that is the subject of an international registration is protected from a date that is mentioned in the declaration, which date shall however not be later than the date of expiry of the period of one year referred to in Article 5(3) of the Agreement.

## **Chapter 4**

### **Declarations of Refusal of Protection; Optional Statements of Grant of Protection**

#### *Rule 9*

#### *Declaration of Refusal*

(1) [*Notification to the International Bureau*] A declaration of refusal shall be notified to the International Bureau by the competent authority of the contracting country for which the refusal is issued and shall be signed by that authority.

(2) [*Contents of a Declaration of Refusal*] A declaration of refusal shall relate to a single international registration and shall indicate or contain:

(i) the number of the international registration concerned, preferably accompanied by further information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin;

(ii) the grounds on which the refusal is based;

(iii) where the refusal is based on the existence of a prior right, the essential particulars of that prior right and, in particular, if it is constituted by a national, regional or international trademark application or registration, the date and filing number, the priority date (where appropriate), the date and registration

number (if available), the name and address of the holder, a reproduction of the trademark, together with the list of relevant goods and services given in the trademark application or registration, it being understood that the list may be submitted in the language of the said application or registration;

(iv) where the refusal concerns only certain elements of the appellation of origin, those elements that it concerns;

(v) the judicial or administrative remedies that may be exercised against the refusal together with the applicable time limits.

(3) [*Entry in the International Register and Notification to the Competent Authority of the Country of Origin*] Subject to Rule 10(1), the International Bureau shall enter in the International Register any refusal, together with the date on which the declaration of refusal was sent to the International Bureau, and shall notify a copy of the declaration to the competent authority of the country of origin.

*Rule 10*  
*Irregular Declaration of Refusal*

(1) [*Declaration of Refusal Not Considered as Such*] (a) A declaration of refusal shall not be considered as such by the International Bureau:

(i) if it does not indicate the number of the international registration concerned, unless other information given in the declaration enables the registration to be identified without ambiguity;

(ii) if it does not indicate any grounds for refusal;

(iii) if it is sent to the International Bureau after the expiry of the one-year period referred to in Article 5(3) of the Agreement;

(iv) if it is not notified to the International Bureau by the competent authority.

(b) Where subparagraph (a) applies, the International Bureau shall, unless it is unable to identify the international registration concerned, notify a copy of the declaration of refusal to the competent authority of the country of origin and shall inform the authority that notified the declaration of refusal that the latter is not considered as such by the International Bureau and that the refusal has not been entered in the International Register, and shall state the reasons therefor.

(2) *[Irregular Declaration]* If the declaration of refusal contains an irregularity other than those referred to in paragraph (1), the International Bureau shall nevertheless enter the refusal in the International Register and shall notify a copy of the declaration of refusal to the competent authority of the country of origin. At the request of that authority, the International Bureau shall invite the authority that notified the declaration of refusal to regularize its declaration without delay.

#### *Rule 11*

##### *Withdrawal of a Declaration of Refusal*

(1) *[Notification to the International Bureau]* Any declaration of refusal may be withdrawn, in part or in whole, at any time by the authority that notified it. The withdrawal of a declaration of refusal shall be notified to the International Bureau by the competent authority and shall be signed by such authority.

(2) *[Contents of the Notification]* The notification of withdrawal of a declaration of refusal shall indicate:

(i) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin;

(ii) the date on which the declaration of refusal was withdrawn.

(3) *[Entry in the International Register and Notification to the Competent Authority of the Country of Origin]* The International Bureau shall enter in the International Register any withdrawal referred to in paragraph (1) and shall notify a copy of the notification of withdrawal to the competent authority of the country of origin.

#### *Rule 11bis*

##### *Optional Statements of Grant of Protection*

(1) *[Statement of Grant of Protection Where No Declaration of Refusal Has Been Notified]* (a) The competent authority of a contracting country which has not notified a declaration of refusal to the International Bureau may, within the one-year period referred to in Article 5(3) of the Agreement, send to the International Bureau a statement to the effect that protection is granted to the appellation of origin that is the subject of an international registration in the contracting country concerned.

(b) The statement shall indicate:

(i) the competent authority of the contracting country making the statement,

(ii) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin, and

(iii) the date of the statement.

(2) [*Statement of Grant of Protection Following a Refusal*] (a) The competent authority of a contracting country which has notified a declaration of refusal to the International Bureau may, instead of notifying a withdrawal of refusal in accordance with Rule 11(1), send to the International Bureau a statement to the effect that protection is granted to the appellation of origin that is the subject of an international registration in the contracting country concerned.

(b) The statement shall indicate:

(i) the competent authority of the contracting country making the statement,

(ii) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin, and

(iii) the date on which protection was granted.

(3) [*Entry in the International Register and Notification to the Competent Authority of the Country of Origin*] The International Bureau shall enter in the International Register any statement referred to in paragraphs (1) or (2) and notify such statement to the competent authority of the country of origin.

## **Chapter 5**

### **Other Entries Concerning an International Registration**

#### *Rule 12*

##### *Period Granted to Third Parties*

(1) *[Notification to the International Bureau]* Where the competent authority of a contracting country gives notice to the International Bureau that a period has been granted to third parties in that country to terminate the use of an appellation of origin in that country in accordance with Article 5(6) of the Agreement, such notice shall be signed by that authority and shall indicate:

(i) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin;

(ii) the identity of the third parties concerned;

(iii) the period granted to the third parties;

(iv) the date from which the time limit begins, it being understood that this date may not be later than the date on which the three-month period referred to in Article 5(6) of the Agreement expires.

(2) *[Entry in the International Register and Notification to the Competent Authority of the Country of Origin]* Subject to the notice referred to in paragraph (1) being sent by the competent authority to the International Bureau within three months from expiry of the period of one year laid down in Article 5(3) of the Agreement, the International Bureau shall enter such notice in the International Register together with the particulars shown therein and shall notify a copy of the notice to the competent authority of the country of origin.

#### *Rule 13*

##### *Modifications*

(1) *[Permissible Modifications]* The competent authority of the country of origin may request the International Bureau to enter in the International Register:

(i) a change in the holder of the right to use the appellation of origin;

(ii) a modification to the names or addresses of the holders of the right to use the appellation of origin;

(iii) a modification to the limits of the area of production of the product to which the appellation of origin applies;



(iv) a modification relating to the legislative or administrative provisions, the judicial decisions or the registration referred to in Rule 5(2)(a)(vi);

(v) a modification relating to the country of origin that does not affect the area of production of the product to which the appellation of origin applies.

(2) *[Procedure]* A request for entry of a modification referred to in paragraph (1) shall be presented to the International Bureau by the competent authority, shall be signed by that authority and shall be accompanied by a fee the amount of which is specified in Rule 23.

(3) *[Entry in the International Register and Notification to the Competent Authorities]* The International Bureau shall enter in the International Register a modification requested in accordance with paragraphs (1) and (2) and shall notify it to the competent authority of the other contracting countries.

#### *Rule 14 Renunciation of Protection*

(1) *[Notification to the International Bureau]* The competent authority of the country of origin may at any time notify the International Bureau that it renounces protection in one or more contracting countries, designated by name. The notification of renunciation of protection shall state the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin, and shall be signed by the competent authority.

(2) *[Entry in the International Register and Notification to the Competent Authorities]* The International Bureau shall enter in the International Register the renunciation of protection referred to in paragraph (1) and shall notify it to the competent authority of each contracting country with respect to which the renunciation has effect.

*Rule 15*  
*Cancellation of an International Registration*

(1) [*Request for Cancellation*] The competent authority of the country of origin may at any time request the International Bureau to cancel an international registration that it has requested. A request for cancellation shall state the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin, and shall be signed by the competent authority of the country of origin.

(2) [*Entry in the International Register and Notification to the Competent Authorities*] The International Bureau shall enter in the International Register any cancellation together with the particulars given in the request and shall notify such cancellation to the competent authority of the other contracting countries.

*Rule 16*  
*Invalidation*

(1) [*Notification of Invalidation to the International Bureau*] Where the effects of an international registration are invalidated in a contracting country and the invalidation is no longer subject to appeal, the invalidation shall be notified to the International Bureau by the competent authority of that contracting country. The notification shall indicate or contain:

(i) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin;

(ii) the authority that pronounced the invalidation;

(iii) the date on which the invalidation was pronounced;

(iv) where the invalidation concerns certain elements only of the appellation of origin, the elements concerned;

(v) the grounds on the basis of which the invalidation was pronounced;

(vi) a copy of the decision that invalidated the effects of the international registration.

(2) *[Entry in the International Register and Notification to the Competent Authority of the Country of Origin]* The International Bureau shall enter the invalidation in the International Register together with the particulars, referred to in items (i) to (iv) of paragraph (1), which are given in the notification of invalidation, and shall notify a copy of the notification to the competent authority of the country of origin.

*Rule 17*

*Corrections Made to the International Register*

(1) *[Procedure]* If the International Bureau, acting *ex officio* or at the request of the competent authority of the country of origin, finds that the International Register contains an error with respect to an international registration, it shall modify the Register accordingly.

(2) *[Notification of Corrections to the Competent Authorities]* The International Bureau shall notify such fact to the competent authority of each contracting country.

(3) *[Application of Rules 9 to 11bis]* Where the correction of the error concerns the appellation of origin or the product to which the appellation of origin applies, the competent authority of a contracting country has the right to declare that it cannot ensure the protection of the international registration so corrected. The declaration shall be addressed to the International Bureau by such competent authority within a period of one year from the date of notification by the International Bureau of the correction. Rules 9 to 11*bis* shall apply *mutatis mutandis*.

## Chapter 6 Miscellaneous Provisions and Fees

### *Rule 18 Publication*

The International Bureau shall publish in the Bulletin all entries made in the International Register.

### *Rule 19 Extracts From the International Register and Other Information Provided by the International Bureau*

(1) [*Information on the Contents of the International Register*] Extracts from the International Register or any other information on the contents of the Register shall be provided by the International Bureau to any person so requesting, on payment of a fee the amount of which is specified in Rule 23.

(2) [*Communication of Provisions, Decisions or the Registration Under Which an Appellation of Origin is Protected*] (a) Any person may request the International Bureau for a copy in the original language of the provisions, the decisions or the registration referred to in Rule 5(2)(a)(vi) on payment of a fee the amount of which is specified in Rule 23.

(b) Where such documents have already been communicated to the International Bureau, the latter shall transmit without delay a copy to the person who has made the request.

(c) If the documents have never been communicated to the International Bureau, the latter shall request a copy of them from the competent authority of the country of origin and shall transmit them, on receipt, to the person who has made the request.

### *Rule 20 Signature*

Where the signature of an authority is required under these Regulations, such signature may be printed or replaced by the affixing of a facsimile or an official seal.

*Rule 21**Date of Dispatch of Various Communications*

Where the declarations referred to in Rules 9(1) and 17(3) or where the notice referred to in Rule 12(1) are communicated through a postal service, the date of dispatch shall be determined by the postmark. If the postmark is illegible or missing, the International Bureau shall treat the communication concerned as if it had been sent 20 days before the date on which it was received. Where such declarations or such notice are sent through a mail delivery service, the date of dispatch shall be determined by the information provided by such delivery service on the basis of the details of the mailing as recorded by it.

*Rule 22**Modes of Notification by the International Bureau*

(1) [*Notification of the International Registration*] The notification of the international registration, referred to in Rule 7(1), shall be addressed by the International Bureau to the competent authority of each contracting country by registered mail with acknowledgement of receipt or by any other means enabling the International Bureau to establish the date on which notification was received, as provided for in the Administrative Instructions.

(2) [*Other Notifications*] Any other notification by the International Bureau referred to in these Regulations shall be addressed to the competent authorities by registered post or by any other means enabling the International Bureau to establish that the notification has been received.

*Rule 23*  
*Fees*

The International Bureau shall collect the following fees, payable in Swiss francs:

|   | Amount<br>( <i>Swiss francs</i> ) |
|---|-----------------------------------|
| (i) Fee for registration of an<br>appellation of origin   | 1000                              |
| (ii) Fee for entry of a modification<br>of a registration   | 500                               |
| (iii) Fee for providing an extract<br>from the International Register   | 150                               |
| (iv) Fee for providing an attestation<br>or any other information given<br>in writing concerning the<br>contents of the International<br>Register | 100                               |

*Rule 23bis*  
*Administrative Instructions*

(1) [*Establishment of Administrative Instructions; Matters Governed by Them*] (a) The Director General shall establish Administrative Instructions. The Director General may modify them. Before establishing or modifying the Administrative Instructions, the Director General shall consult the competent authorities of the contracting countries which have direct interest in the proposed Administrative Instructions or their proposed modification.

(b) The Administrative Instructions shall deal with matters in respect of which these Regulations expressly refer to such Instructions and with details in respect of the application of these Regulations.

(2) [*Control by the Assembly*] The Assembly may invite the Director General to modify any provision of the Administrative Instructions, and the Director General shall proceed accordingly.

(3) [*Publication and Effective Date*] (a) The Administrative Instructions and any modification thereof shall be published in the Bulletin.

(b) Each publication shall specify the date on which the published provisions become effective. The dates may be different for different provisions, provided that no provision may be declared effective prior to its publication in the Bulletin.

(4) [*Conflict with the Agreement or These Regulations*] In the case of conflict between, on the one hand, any provision of the Administrative Instructions and, on the other hand, any provision of the Agreement or these Regulations, the latter shall prevail.

*Rule 24*  
*Entry into Force*

These Regulations shall enter into force on April 1, 2002<sup>3</sup>, and shall, as from that date, replace the previous Regulations.

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<sup>3</sup> Since then, these Regulations were amended three times by the Assembly of the Lisbon Union. First, with the amendments adopted during its twenty-fifth (18th ordinary) session, held in Geneva from September 22 to October 1, 2009, the Assembly introduced two new provisions, i.e., Rules 11bis and 23bis, together with consequential changes in Rules 1, 4, 8, 17 and 22, with effect from January 1, 2010. Second, during its twenty-seventh (19th ordinary) session, held in Geneva from September 26 to October 5, 2011, the Assembly adopted two further amendments, adding, with effect from January 1, 2012, new item (vi) to Rule 5(3) and new item (v) to Rule 16(1) while maintaining the existing item (v) of that Rule as item (vi). Third, during its thirty-second (21<sup>st</sup> ordinary) session, held in Geneva from October 5 to 14, 2015, the Assembly decided to establish new amounts for the fees mentioned in Rule 23 of the Regulations under the Lisbon Agreement.

## **Administrative Instructions for the Application of the Lisbon Agreement**

(as in force on January 1, 2010)

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## **Part One Definitions**

### *Section 1: Abbreviated Expressions*

- (a) For the purposes of these Administrative Instructions:
- (i) “Regulations” means the Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;
  - (ii) “Rule” means a Rule of the Regulations.
- (b) For the purposes of these Administrative Instructions an expression which is referred to in Rule 1 has the same meaning as in the Regulations.

## **Part Two Forms**

### *Section 2: Prescribed Forms*

For any procedure for which the Regulations prescribe the use of a form, the International Bureau shall establish such a form.

### *Section 3: Optional Forms*

In respect of procedures under the Regulations other than those referred to in Section 2, the International Bureau may establish optional forms.

### *Section 4: Availability of Forms*

The International Bureau shall make available all prescribed and optional forms, as referred to in Sections 2 and 3, on its website and, upon request, on paper.

**Part Three**  
**Communications between Competent Authorities**  
**and the International Bureau**

*Section 5: Communication in Writing; Communication  
Containing Several Documents*

(a) Communications shall be effected in writing by typewriter or other machine.

(b) A communication containing several documents should be accompanied by a list identifying each of these documents.

*Section 6: Communications by Facsimile*

(a) Communications between competent authorities and the International Bureau may be transmitted by facsimile. Where a competent authority must present a communication on an official form, the official form must be used for the purposes of the facsimile communication.

(b) The International Bureau shall inform a competent authority from which it has received a communication by facsimile whenever the communication is incomplete or otherwise unusable.

*Section 7: Electronic Communications*

(a) Where a competent authority so desires, communications between that competent authority and the International Bureau, including the presentation of an international application, shall take place by electronic means in a way agreed upon between the International Bureau and the competent authority concerned.

(b) The International Bureau shall inform a competent authority from which it has received a communication by electronic means whenever the communication is incomplete or otherwise unusable.

*Section 8: Notifications Communicated by the International Bureau*

(a) The date of the receipt of a notification by the International Bureau to a competent authority, as referred to in Rule 22(1), shall, when communicated through a postal service or a delivery service, be determined by the information provided by such postal service or delivery service on the basis of the details of the mailing as recorded by it. When such a notification has been

communicated by facsimile or by electronic means and, because of the time difference between the place from where the communication is sent and the place where it is received, the date on which the transmittal started is different from the date of receipt of the transmittal, the later of the two dates shall be considered as the date of receipt.

(b) The International Bureau shall send confirmation of the date so determined to the competent authority concerned and inform the competent authority of the country of origin.

*Section 9: Notifications Communicated by a Competent Authority*

(a) The International Bureau shall, upon receipt of a declaration as referred to in Rule 21, acknowledge receipt to the competent authority that communicated the declaration.

(b) When a declaration as referred to in Rule 21 has been communicated by facsimile or by electronic means and, because of the time difference between the place from where the communication is sent and the place where it is received, the date on which the transmittal started is different from the date of receipt of the transmittal, the earlier of the two dates shall be considered as the date of dispatch.

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