

Industrial Property

Monthly Review of the
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ORGANIZATION (WIPO)

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

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Contents

WORLD INTELLECTUAL PROPERTY ORGANIZATION

- WIPO Convention, Ratification, Austria 163

INTERNATIONAL UNIONS

- Paris Convention
I. Ratification of the Stockholm Act, Austria 163
II. Ratification of Articles 1 to 12 of the Stockholm Act and Notification under
Article 24, United States of America 163
— Madrid Agreement (Indications of Source), Accession to the Lisbon Act, Spain 163
— Madrid Agreement (Marks), Ratification of the Stockholm Act, Austria 164
— Nice Agreement, Accessions to the Stockholm Act, Austria, Finland 164
— Strashourg Agreement
I. Ratification, Sweden 164
II. Reservation under Article 4(4)(i), Ireland 164

WIPO MEETINGS

- World Intellectual Property Organization, Coordination Committee 165
— Patent Cooperation Treaty, Standing Subcommittee of the PCT Interim Committee
for Technical Cooperation 167

LEGISLATION

- France, Order Determining the Applications Subject to a Documentary Report,
1972 169
— Uruguay, I. Decree concerning Trademark Procedures involving Several Classes,
1972 172
II. Decree on Industrial Designs, 1972 172
— Italy, Decrees concerning Temporary Protection at Exhibitions 173

LETTERS FROM CORRESPONDENTS

- Letter from New Zealand (F. N. West-Walker) 174
— Letter from the Soviet Union (E. Artemiev) 176

NEWS FROM PATENT OFFICES

- France 179

CALENDAR 182

Vacancy in WIPO 184

STATISTICS

- Supplement to Industrial Property Statistics for 1971 (Annex)

tive Indications of Source on Goods of April 14, 1891, as revised at Lisbon on October 31, 1958 — deposited on May 8, 1973 its instrument of accession, dated April 3, 1973, to the said Agreement.

The instrument of accession was deposited with the Director General of WIPO in accordance with Article 1 of the Additional Act of Stockholm of July 14, 1967 of the Madrid Agreement (Indications of Source), the Additional Act being now in force.

Pursuant to Article 20(2)(c) of the Stockholm Act of the Paris Convention for the Protection of Industrial Property, to which, in so far as concerns Article 6(2) of the Lisbon Act of the Madrid Agreement (Indications of Source), reference is made by Article 2 of the Additional Act of Stockholm, the Lisbon Act will enter into force with respect to Spain on August 14, 1973.

Madrid (Indications of Source) Notification No. 14, of May 14, 1973.

Madrid Agreement (Marks)

Ratification of the Stockholm Act

AUSTRIA

The Government of Austria deposited on May 11, 1973 its instrument of ratification, dated April 13, 1973, of the Madrid Agreement Concerning the International Registration of Marks of April 14, 1891, as revised at Stockholm on July 14, 1967.

Pursuant to Article 14(4)(b), the Stockholm Act of the Madrid Agreement (Marks) will enter into force with respect to Austria on August 18, 1973.

Madrid (Marks) Notification No. 20, of May 18, 1973.

Nice Agreement

Accessions to the Stockholm Act

AUSTRIA

The Government of Austria deposited on May 11, 1973 its instrument of accession, dated April 13, 1973, to the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of June 15, 1957, as revised at Stockholm on July 14, 1967.

Pursuant to Article 9(4)(b), the Stockholm Act of the Nice Agreement will enter into force with respect to Austria on August 18, 1973.

Nice Notification No. 24, of May 18, 1973.

FINLAND

The Government of Finland deposited on May 16, 1973 its instrument of accession, dated May 4, 1973, to the Nice Agreement, as revised at Stockholm.

Pursuant to Article 9(4)(b), the Stockholm Act of the Nice Agreement will enter into force with respect to Finland on August 18, 1973.

Nice Notification No. 25, of May 18, 1973.

Strasbourg Agreement

I. Ratification

SWEDEN

The Government of Sweden deposited on May 17, 1973 its instrument of ratification, dated April 6, 1973, of the Strasbourg Agreement Concerning the International Patent Classification of March 24, 1971.

Strasbourg Notification No. 9, of May 18, 1973.

II. Reservation under Article 4(4)(i)

IRELAND

The Government of Ireland — referring to its instrument of accession¹ to the Strasbourg Agreement, deposited on April 19, 1972 — has stated that the following declaration should be understood to form part of that instrument:

“Ireland declares in accordance with Article 4(4)(i) that it does not undertake to include the symbols relating to groups or subgroups of the classification in applications as referred to in paragraph (3) which are only laid open for public inspection and in notices relating thereto.”

Strasbourg Notification No. 8, of April 30, 1973.

* * *

A separate notification will be made of the entry into force of the Strasbourg Agreement when the required number of ratifications or accessions is reached.

¹ See *Industrial Property*, 1972, p. 123.

comments; recommendations made by the United Nations would be brought to the attention of the appropriate inter-governmental bodies of WIPO for consideration or action; nevertheless, the WIPO bodies would retain their responsibility for deciding upon the program and budget of WIPO and the Unions; the structure of the financial contributions of governments would not be affected and no amendment of the Convention establishing WIPO or of the treaties administered by WIPO would be required.

(d) *Solutions other than a specialized agency relationship.* These may be divided into two groups: one includes the solutions adopted for organizations which form part of the United Nations system but which, for particular reasons, not applicable in the case of WIPO, either were created by and constitute organs of the General Assembly of the United Nations (UNCTAD and UNIDO) or have relations directly with the General Assembly rather than through the Economic and Social Council (IAEA); the other includes, or is expected to include, solutions adopted for organizations which will remain outside the United Nations system, such as INTERPOL and the projected World Tourism Organization; even in the latter case, the relations envisaged with the United Nations would not provide for some of the principal advantages referred to in subparagraph (a), above."

After a thorough discussion of the question, the Coordination Committee adopted the following resolution:

RESOLUTION

The Coordination Committee of the World Intellectual Property Organization (WIPO), meeting in Geneva from May 2 to 4, 1973,

Recalling the resolution adopted by the General Assembly and the Conference of WIPO on September 28, 1970, inviting the Director General of WIPO to examine the means of securing the most appropriate cooperation and coordination between WIPO on the one hand and the United Nations and the organizations of the United Nations system on the other hand, including the possibility and desirability of entering into an agreement under Articles 57 and 63 of the Charter of the United Nations, and to report to the next ordinary sessions of the General Assembly and Conference of WIPO,

Recalling also its resolution adopted on September 29, 1972, by which it declared that a relationship agreement under Articles 57 and 63 of the Charter of the United Nations appeared to be desirable,

Taking into account the report of the Director General of WIPO contained in document WO/CC/IV/2 and the discussions of and decisions arrived at in its present session (see document WO/CC/IV/8),

1. Concludes that the objectives of WIPO will be advanced and in particular the contribution which WIPO can make to international cooperation for economic and social progress will be enhanced if WIPO is brought into relationship with the United Nations as a specialized agency in accordance with Articles 57 and 63 of the Charter of the United Nations, and that the conclusion, at the earliest possible date, of an agreement to that effect is desirable;

2. Designates the representatives of Egypt, Indonesia, Mexico, Poland, Senegal, Sweden, the United Kingdom and the United States of America as negotiators on behalf of WIPO who, should the Economic and Social Council of the United Nations also appoint negotiators for this purpose, would negotiate the terms of the relationship agreement between WIPO and the United Nations under Articles 57 and 63 of the Charter of the United Nations;

3. Proposes the draft agreement attached to this resolution as the basis for negotiations with the United Nations;

4. Decides to include in the draft agendas of the November 1973 sessions of the Coordination Committee and the Conference of WIPO for advice and of the General Assembly of WIPO for decision the question of approval of a relationship agreement with the United Nations under Articles 57 and 63 of the Charter of the United Nations;

5. Invites the Director General to transmit this resolution to the Secretary-General of the United Nations in time for it to be brought to the attention of the Economic and Social Council of the United Nations at its fifty-fifth session.

The draft agreement referred to in paragraph 3 of the above-quoted resolution follows very closely the pattern of the existing agreement between the United Nations and each of the twelve UN specialized agencies. Its basic articles are Articles 1 and 2, reading as follows:

1. Recognition

The United Nations recognizes the World Intellectual Property Organization (hereinafter called "the Organization") as a specialized agency and as being responsible for taking such action as may be appropriate under its basic instruments, including the conventions, agreements and treaties administered by it, for the accomplishment of the objectives and the exercise of the functions set forth therein, subject to the responsibilities of the United Nations and of other agencies already brought into relationship with the United Nations.

2. Co-ordination

In its relations with the United Nations, its organs, and the agencies within the United Nations system, the Organization recognizes the responsibilities for co-ordination of the General Assembly and of the Economic and Social Council under the Charter of the United Nations.

The other 17 Articles deal with the questions of reciprocal representation, proposals for agenda items, recommendations of the United Nations, information and documents, statistical services, assistance to the United Nations, non-self-governing territories, the International Court of Justice, WIPO's relations with international organizations other than the United Nations, administrative relationships, budgetary and financial matters, the UN *laissez-passer*, co-operation between the two Organizations, and the implementation, entry into force and revision of the agreement.

New Headquarters Building

On the question of the construction of an addition to the headquarters building of WIPO, the Coordination Committee considered a report on the progress which has been achieved since its last session and which consists mainly of two facts: that, thanks to loans authorized by the Swiss Federal Government, the financing of the construction appears to be assured and that the actual construction is expected to start before the end of the spring of 1973.

These facts were noted with appreciation by the Coordination Committee.

List of Participants *

I. States Members of the Committee

1. Ordinary Members

Argentina: R. A. Ramayón. Australia: K. B. Petersson. Brazil: L. Villarinho Pedroso; F. Miragaia Perri. Cameroon: J. Ekedí Samnik. Canada: R. D. Auger. France: J. Fernand-Laurent; P. Faure; A. Kerever; R. Lahry; P. Fressonnet; J. Buffin. Germany (Federal Republic of): H. Mast; R. von Schleussner (Mrs.); S. Schumm; G. Rheker (Mrs.); G. Ullrich. Hungary: E. Tasnádi; J. Bohrovsky. Italy: G. Trotta; G. Pizzini Ahate (Mrs.). Japan: K. Takami; Y. Kawashima. Pakistan: J. Khan; S. Ahmed. Senegal: A. Cisse; J. P. Crespín. Soviet Union: A. A. A. Moltchanov; A. S. Zaitsev. Spain: C. Gonzalez Palacios; I. Fonseca-Ruiz (Miss). Sweden: G. Borggård; H. Danielius. Switzerland: W. Stamm; P. Braendli; F. Pictet. Tunisia: H. Ben Achour. United Kingdom: W. Wallace; I. J. G. Davis; T. A. Evans. United States of America: D. M. Searhy; H. J. Winter; E. J. Lyerly.

2. Associate Members

India: G. Shankar. Mexico: G. E. Larrea Richerand. Poland: J. Szomański; B. Janicki; M. Paszkowski. Zaire: Y. Yoko.

* A list containing the titles and functions of the participants may be obtained from the International Bureau upon request.

II. Observer States

Algeria: M. Raouf Boudjadjji; G. Sellali (Mrs.). Chile: V. Sanchez; E. Bucchi de Yepez (Mrs.). Cuba: J. M. Rodriguez Padilla; F. Ortiz Rodriguez. Czechoslovakia: J. Špringer. Egypt: H. Khallaf; S. A. Abou-Ali. German Democratic Republic: D. Schack; G. Schumann. Greece: G. Helmis; G. Pilavachi. Indonesia: N. P. Luhulima (Miss). Iran: M. Dabiri; K. Adib. Ireland: J. W. Lennon. Ivory Coast: B. Nioupin. Lebanon: S. Chamma. Morocco: S. M. Rahhali. Netherlands: W. Neervoort; M. L. A. Labouchere (Miss). Norway: O. Graham. Portugal: L. Pazos Alonso. Syrian Arab Republic: A. Jouman-Agha. Thailand: S. Kouptaromya. Turkey: R. Arim. Uruguay: R. Rodriguez-Larreta de Pesaresi (Mrs.).

III. Intergovernmental Organizations

United Nations: P. Casson; T. S. Zoupanos. United Nations Conference on Trade and Development (UNCTAD): G. Krasnov. United Nations Educational, Scientific and Cultural Organization (Unesco): M. Arsov.

IV. International Bureau of WIPO

G. H. C. Bodenhausen (*Director General*); A. Bogsch (*First Deputy Director General*); J. Voyame (*Second Deputy Director General*); C. Masouyé (*Senior Counsellor, Head, External and Public Relations Division*); M. Hill (*Consultant*).

Other Meetings

Patent Cooperation Treaty

Standing Subcommittee of the PCT Interim Committee for Technical Cooperation

Fourth Session

(Geneva, April 25 to 30, 1973)

Note *

The fourth session of the Standing Subcommittee of the PCT Interim Committee for Technical Cooperation was held in Geneva from April 25 to 30, 1973. The members of the Standing Subcommittee of the PCT Interim Committee for Technical Cooperation are the prospective International Searching or Preliminary Examining Authorities under the PCT, that is, Austria, Germany (Federal Republic of), Japan, the Netherlands, the Soviet Union, Sweden, the United Kingdom, the United States of America, and the International Patent Institute. Brazil is an observer member. With the exception of the Soviet Union and Brazil, all members were represented at the session. In addition, France and Switzerland were represented by observers, having been invited by the Director General of WIPO in view of their active participation in the INPADOC project. The list of participants appears at the end of this Note. (It is recalled that the Standing Subcommittee held its first session in December 1971¹, its second session in April 1972², and its third session in October 1972³.)

* This Note has been prepared by the International Bureau.

¹ See *Industrial Property*, 1972, p. 29.

² See *Industrial Property*, 1972, p. 124.

³ See *Industrial Property*, 1972, p. 346.

Draft Forms. The Standing Subcommittee considered revised and expanded drafts, prepared by the International Bureau, of the forms to be used for communications in the procedures under the PCT. The revised forms reflected both the comments of members made at the previous session of the Standing Subcommittee as well as their written comments submitted after that session. Extensive and detailed comments were made and discussed during the session. The Standing Subcommittee also considered whether the use of any given form should be "obligatory" or "non-obligatory," "obligatory" being used to describe a form which had to be used by an international authority to effect the communication for which the form was intended. Offices acting both as receiving Offices and as International Searching or International Preliminary Examining Authorities would, however, be free not to use obligatory forms for their communications within the Office. It was concluded that all but some of the forms so far presented would be considered obligatory and that all the forms would be annexed to the Administrative Instructions under the PCT.

An explanatory memorandum on the utilization of the forms, which included flow-charts showing the sequence of processing tasks under PCT procedure as prepared by the International Bureau, was considered and approved by the Standing Subcommittee.

As requested by the previous session of the Standing Subcommittee, the International Bureau had presented to the Subcommittee a printed sample of the Request Form and the International Search Report Form. A number of comments were made on these samples for consideration in a future revision. The members of the Standing Subcommittee were asked to submit any further comments on the printed forms, in writing, together with any observations, considerations and

suggestions on layout in general which might aid the Secretariat in the revision of the forms already printed and in the later consideration of standardization of layout of the forms annexed to the Administrative Instructions.

Minimum Documentation under Rule 34.1(c)(vi). The question of the inclusion in the search files of the International Searching Authorities of non-priority-claiming documents published in English, French and German by countries other than the seven minimum documentation countries was considered by the Standing Subcommittee. The Standing Subcommittee noted in particular the offers of those countries which were willing to sort out either all non-priority-claiming patent documents or only the non-duplicative patent documents and place them at the disposal of the International Searching Authorities for introduction into their search files as part of the PCT minimum documentation.

INPADOC. The Standing Subcommittee noted that, since the third Standing Subcommittee session, INPADOC (International Patent Documentation Center, Vienna) had successfully negotiated cooperation agreements with the Patent Offices of Australia, Canada, France, Germany (Federal Republic of), Japan and the Soviet Union, as well as with the International Patent Institute (IIB), for the exchange, in machine-readable form, of the bibliographic data of patent documents. The Standing Subcommittee also noted that efforts would continue to conclude agreements as soon as possible with the United States Patent Office and possibly some other Patent Offices. The Standing Subcommittee was informed by INPADOC that by the end of 1973 the services of INPADOC would cover, either through machine-readable data received from Offices or through INPADOC's own processing of data, a total of about 730,000 patent documents per year of the following countries: Australia, Austria, Belgium, Bulgaria, Canada, Cuba, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Japan, Luxembourg, Mongolia, Netherlands, Norway, Poland, Romania, Soviet Union, Sweden, Switzerland, United Kingdom and United States of America. Finally, INPADOC confirmed that it was technically ready to start delivery of the Accumulated Data Tape to the Offices with which an agreement to that effect had been reached.

INSPEC. A progress report on the PAL (Patent Associated Literature) System proposed by INSPEC (Information Services in Physics, Electro-Technology, Computers and Control, operated by the Institution of Electrical Engineers, London)

was discussed by the Standing Subcommittee. Since the proposals worked out by INSPEC following the third session of the Standing Subcommittee⁴ were not subscribed to by a minimum of three prospective Searching Authorities, INSPEC had formulated a new alternative solution for operating the PAL System, which was discussed extensively by the Standing Subcommittee. The alternative proposal provides for the delivery of the full texts of about 10,000 patent-related articles per year selected from about 2,000 journals currently covered by INSPEC services. For the provision of the full texts of the selected articles, copyright arrangements have been made by INSPEC with the publishers of the scientific journals covered. The Standing Subcommittee agreed that efforts should continue in order to put the PAL System into operation as soon as possible.

List of Participants*

I. Members of the Standing Subcommittee

Austria: G. Gall. Germany (Federal Republic of): K. H. Hofmann; R. von Schleussner (Mrs.); W. Massalski. Japan: K. Takami. Netherlands: J. Dekker. Sweden: S. Lewin; T. Lövgren; B. Sandberg (Mrs.). United Kingdom: D. G. Gay; A. F. C. Miller. United States of America: R. A. Wahl; J. J. Sheehan; F. J. Cohen. International Patent Institute (IIB): L. F. W. Knight; P. van Waasbergen; A. Vandecasteele; C. Putz; A. J. Kirscht.

II. Observer States

France: D. Cuvelot. Switzerland: M. Leuthold.

III. Observer Organizations

International Patent Documentation Center (INPADOC): O. Auracher; G. A. Rubitschka. The Institution of Electrical Engineers (INSPEC): D. H. Barlow; R. Cox.

IV. Officers

Chairman: R. A. Wahl (United States of America); *Vice-Chairmen:* K. H. Hofmann (Germany, Federal Republic of); K. Takami (Japan); *Secretary:* K. Pfanner (WIPO).

V. WIPO

A. Bogsch (*First Deputy Director General*); K. Pfanner (*Senior Counselor, Head, Industrial Property Division*); Y. Gromov (*Counsellor, Head, PCT Section, Industrial Property Division*); P. Claus (*Counsellor, Head, ICIREPAT Section, Industrial Property Division*); Y. Gyrdymov (*Technical Officer, PCT Section*); J. Kohnen (*Legal Officer, PCT Section*); L. Schroeder (*Technical Officer, PCT Section*); T. Takeda (*Consultant, Japanese Patent Office*).

⁴ See *Industrial Property*, 1972, pp. 346 and 347.

* A list containing the titles and functions of the participants may be obtained from the International Bureau.

LEGISLATION

FRANCE

Order

Determining the Applications for Patents and Patents of Addition that are Subject to a Documentary Report

(Paris, September 26, 1972)

1. — In addition to those provided for in the Orders referred to above of December 5, 1968¹, September 8, 1969², September 25, 1970³ and September 3, 1971⁴, patent applications and applications for patents of addition related to patent applications or to patents which are principally classified in the technical branches of the International Patent Classification listed below, shall be subject to the provisions of Chapter VI of Decree No. 68-1100 of December 5, 1968⁵.

IPC Symbols	Technical Branches
A 01 d	Implements or machines for gathering agricultural produce; harvesters.
A 01 f	Processing of harvested produce; hay and straw presses. Devices for storing agricultural or horticultural products.
A 01 l	Shoeing of animals.
A 22 b	Slaughtering of animals.
A 45 b	Walking sticks; umbrellas; ladies' or like fans.
A 45 c	Purses; travelling bags and baskets; suitcases.
A 45 d	Hairdressing or shaving equipment; manicuring or other cosmetic treatment.
A 45 f	Travelling or camp equipment.
A 46 b	Brushes.
A 46 d	Manufacture of brushes.
A 47 k	Baths, sanitary equipment, toilet accessories; closets without flushing.
A 61 b	Instruments and accessories for medical use and surgery.
A 61 c	Dentistry.
A 61 d	Instruments and accessories for veterinary treatment and surgery.
A 61 f	Prostheses; splints; bandages; fomentation; treatment or protection of the eyes or ears.
A 61 g	Transport and accommodation for patients; operating tables and chairs; chairs for dentistry; burial devices.
A 61 j	Putting-up pharmaceutical products; devices for administering food or medicines orally; baby comforters; devices for receiving spittle.

IPC Symbols	Technical Branches
A 63 b	Apparatus for physical training, gymnastics and games; training equipment.
A 63 d	Bowling-alleys; bowling games, billiards; bowls and ninepins.
A 63 g	Merry-go-rounds; swings; rocking-horses; chutes; switchbacks; similar devices for public amusement.
A 63 j	Devices for theaters; conjuring appliances.
A 63 k	Equipment for race-tracks.
B 02 b	Preparing grain for milling or like processes.
B 02 c	Crushing, pulverising, or disintegrating in general; milling grain.
B 07 c	Postal sorting; sorting individual articles.
B 23 b	Turning, reaming, boring of metals.
B 23 c	Milling of metals.
B 23 d	Planing, slotting, shearing, broaching, sawing, filing, scraping of metals.
B 23 f	Making metal gears and toothed racks.
B 23 g	Thread cutting of metals.
B 23 p	Metal-working by electro-erosion; plating metal; setting diamonds on metal parts; joining or separating metal parts; combined processes and multi-purpose machines for metal working.
B 25 b	Hand tools for fastening, connecting, fitting together or separating.
B 25 c	Hand-held nailing or stapling tools.
B 25 d	Hand-held percussive tools.
B 25 f	Hand-held combination of multi-purpose tools.
B 25 g	Handles for hand implements.
B 25 h	Work benches; portable stands or storage means for workshops; setting-out work.
B 27 b	Wood saws.
B 27 c	Planing, drilling, milling, turning, or universal machines for wood.
B 27 d	Working veneer or plywood.
B 27 f	Joining wood by direct interconnection or by using dowels, nails or staples.
B 27 g	Joining wood by miter-joints; tools for wood; accessory devices or safety devices for machines for wood.
B 27 h	Bending wood; cooperage; wheel-making in wood.
B 27 j	Mechanical working of cane, cork, or similar materials.
B 27 l	Removing bark, splitting wood; preparation of veneer; reducing wood to small pieces.
B 27 m	Manufacture or reconditioning of semi-finished or finished articles in wood, e. g. elements for building, household utensils, pipes.
B 29 j	Working of non-metal materials, stone, clay, wood or plastic materials; making board from wood particles or fibers.

¹ *Industrial Property*, 1969, p. 129.

² *Industrial Property*, 1970, p. 126.

³ *Industrial Property*, 1971, p. 123.

⁴ *Industrial Property*, 1972, p. 107.

⁵ *Industrial Property*, 1969, p. 115.

IPC Symbols	Technical Branches	IPC Symbols	Technical Branches
B 30 <i>b</i>	Presses in general.	C 08 <i>d</i>	Synthetic rubbers obtained solely by the polymerization of a conjugated diene.
B 41 <i>f</i>	Printing machines or presses.	C 08 <i>f</i>	Polymers of compounds containing triple bonds; polymers of unsaturated polycondensates; copolymers. Chemical modifications of polymers or copolymers by after-treatment.
B 61 <i>b</i>	Railway systems.	9/00 to 27/00	Compositions based on copolymers; additives used in such compositions.
B 61 <i>c</i>	Locomotives and railcars in general.	35/00 to 47/00	Macromolecular compounds derived from proteins, vulcanized oils, lignocellulosic materials; compositions based on these compounds, resins, tars; additives used in such compositions.
B 61 <i>d</i>	Kinds of railway vehicles.	C 08 <i>h</i>	General methods for preparing and working up macromolecular substances or compositions containing them.
B 61 <i>f</i>	Rail vehicle suspensions; railway accessories for preventing derailling or removing obstructions.	C 08 <i>j</i>	Additives for general use in compositions based on macromolecular compounds.
B 61 <i>g</i>	Couplings; draught and buffing appliances for rail vehicles.	C 08 <i>k</i>	Producing, refining and preserving fats, oils and waxes; essential oils, natural perfumes.
B 61 <i>h</i>	Brakes peculiar to rail vehicles.	C 11 <i>b</i>	Fatty acids; fats, oils or waxes made by chemical modification; candles.
B 61 <i>j</i>	Shifting or shunting of rail vehicles.	C 11 <i>c</i>	Mechanical treatment and processing of skins, hides, pelts, and leather in general.
B 61 <i>k</i>	Auxiliary equipment for railways.	C 14 <i>b</i>	Chemical treatment of hides, skins and leather, e. g. tanning, impregnating.
B 61 <i>l</i>	Guiding, or ensuring the safety of, railway traffic.	C 14 <i>c</i>	Alloys, treatment thereof.
B 62 <i>h</i>	For cycles: supports, anti-theft devices and devices for learning to ride.	C 22 <i>c</i>	Changing the physical structure of non-ferrous metals and non-ferrous alloys.
B 62 <i>j</i>	For cycles: saddles, seats, lighting or signalling devices, luggage carriers, protecting devices.	C 22 <i>f</i>	Yarns or threads; crimping or curling fibers, filaments, threads or yarns.
B 62 <i>k</i>	Kinds of cycles; side-cars.	D 02 <i>g</i>	Finishing or dressing of filaments, yarns, threads, cords, ropes or the like.
B 62 <i>l</i>	Brakes specially adapted for cycles.	D 02 <i>j</i>	Finishing, dressing or otherwise treating textile fabrics.
B 62 <i>m</i>	Propulsion of cycles or sledges.	D 06 <i>c</i>	Mechanical or pressure cleaning of carpets, rugs, sacks, hides or other textile articles; turning inside-out flexible tubular or other hollow articles.
B 63 <i>b</i>	Ships or other waterborne vessels; equipment for shipping.	D 06 <i>g</i>	Marking, inspecting, seaming, or severing textile materials.
B 63 <i>c</i>	Launching, hauling-out, or dry-docking of vessels; life-saving in water; equipment for dwelling or working under water; means for salvaging or searching for underwater objects.	D 06 <i>h</i>	Pleating, kilting, or goffering textile fabrics or wearing apparel.
B 63 <i>g</i>	Offensive or defensive arrangements on vessels; mine-laying; mine-sweeping; submarines; aircraft carriers.	D 21 <i>b</i>	Mechanical treatment of fibrous raw materials for the production of cellulose.
B 63 <i>h</i>	Marine propulsion or steering.	D 21 <i>c</i>	Production of cellulose by removing non-cellulosic substances from cellulose-containing materials; regeneration of pulping liquors.
B 63 <i>j</i>	Auxiliary arrangements on vessels.	D 21 <i>d</i>	Beating or refining and purifying digested cellulosic materials before passing to the paper-making machine; processes for adding substances to the pulp or to the formed web.
B 65 <i>b</i>	Methods and apparatus for packaging of general application; packaging of fragile objects or perishable articles; handling particular articles.	D 21 <i>f</i>	Paper-making.
1/00 to 27/00		D 21 <i>g</i>	Calenders; accessories for paper-making machines.
35/00 to 69/00	Details of packaging apparatus for either the contents or the container; packaging by hand.	D 21 <i>h</i>	Cardboard; paper; their manufacture not covered by D 21 <i>f</i> .
B 67 <i>c</i>	Cleaning or filling bottles, jars, casks or barrels; funnels.	D 21 <i>j</i>	Fiberboard; manufacture of articles from cellulosic fibrous suspensions or from papier-mâché.
B 67 <i>d</i>	Apparatus for dispensing or transferring liquids under pressure or gravity.	E 01 <i>b</i>	Railways; tools or machines for making or maintaining them.
C 04 <i>b</i>	Lime; cements; mortars; concrete; artificial stones.		
1/00 to 31/00			
C 07 <i>c</i>	Acyclic or carbocyclic compounds containing carbon and nitrogen with or without hydrogen, halogens or oxygen; acyclic or carbocyclic compounds containing carbon and sulphur, selenium or tellurium, with or without hydrogen, halogens, oxygen or nitrogen; steroids; derivatives of cyclohexane (vitamin A type).		
77/00 to 175/00			
C 07 <i>d</i>	Heterocyclic compounds having as hetero atom two or more nitrogen atoms in each ring; alkaloids; heterocyclic compounds having as hetero atom sulphur, selenium, tellurium or an element in group IV or V of the periodical classification; cyclic compounds containing one or more rings without carbon.		
43/00 to 109/00			
C 08 <i>c</i>	Natural rubbers and their derivatives.		

IPC Symbols	Technical Branches	IPC Symbols	Technical Branches
E 01 d	Construction of bridges and viaducts; assembly of bridges.	G 11 b	Reproduction and storage of information, based on relative movement between record carrier and transducer, other than mechanical or magnetical types.
E 01 f	Arrangements or equipment for roads or railways, landing stages for helicopters.	7/00 to 31/00	
E 03 b	Installations or methods for obtaining, collecting, or distributing water.	G 12 b	Details of instruments common to several types of apparatus.
E 03 c	Domestic plumbing installations for fresh water or waste water.	H 01 k	Electric incandescent lamps.
E 03 d	Water-closets or urinals with flushing devices.	H 01 r	Non-disconnectible connections; disconnectible connections other than two-part coupling devices.
E 03 f	Sewers; cesspools.	3/00 to 13/00	
E 04 d	Roof coverings, special arrangements in connection therewith; apparatus or tools for roof working.	25/00 to 43/00	Coupling parts; line connectors; current collectors.
E 04 f	Finishing work on buildings.	H 01 t	Spark gaps, non-enclosed discharge apparatus.
E 06 c	Ladders.	H 01 v	Electric devices exhibiting thermo-electric, thermo-magnetic, galvano-magnetic, piezo-electric, electrostrictive, magnetostrictive or superconductive effects.
F 02 d	Controlling and regulating combustion engines.	H 02 p	Controlling electric motors, generators, or converters.
F 02 m	Supplying combustion engines in general with combustible constituents.	H 03 f	Amplifiers.
F 16 f	Springs; shock-absorbers; means for damping vibration.	H 03 g	Control of amplification.
F 16 k	Valves; taps; cocks; actuating-floats.	H 03 h	Impedance networks; resonant circuits; resonators.
F 16 l	Pipes; joints or fittings for pipes; supports for pipes or cables; means for thermal insulation in general.	H 03 j	Tuning or selecting resonant circuits.
F 24 d	Central heating or other space-heating systems; domestic hot-water supply systems.	H 03 k	Generating electric pulses; manipulating electric pulses except counting, coding and decoding.
F 24 h	Water heaters; air heaters.	1/00 to 11/00	
F 24 j	Producing and using heat otherwise than by combustion.	17/00 to 29/00	Electronic switching, logic circuits; pulse counters, frequency-dividers.
F 25 c	Manufacture of ice and ice-cream; freezing of liquids, semi-liquids, or pasty substances.	H 04 h	Broadcast communication.
F 41 b	Weapons for projecting missiles without use of explosive or propellant charge; non-cutting weapons.	H 04 j	Multiplex communication.
F 41 c	Hand firearms.	H 04 k	Secret communication; jamming of communication.
F 41 d	Automatic guns.	H 04 m	Telephonic communication.
F 41 f	Ordnance, missile launchers, recoilless guns, harpoon guns.	H 04 q	Establishing selectively connections for the purpose of transferring information.
F 41 g	Weapon sights; aiming-means.	H 05 c	Electric circuits or apparatus designed for killing, stunning or guiding living beings.
F 41 h	Armour; armoured or armed turrets; armoured vehicles; means of attack or defense in general; camouflage.	H 05 f	Preventing static electricity; using naturally-occurring electricity.
F 41 j	Targets; stands or ranges.		
F 42 b	Explosive charges; ammunition; missiles.		
F 42 c	Missile fuzes.		
F 42 d	Blasting.		
G 01 b	Measuring length, thickness or similar linear dimensions; measuring angles, areas or irregularities of surfaces or contours.		
G 01 l	Measuring force, torque, work, mechanical power, mechanical efficiency, or fluid pressure.		
G 01 m	Testing static or dynamic balance and testing machines or structures.		
G 01 w	Meteorology.		
G 03 d	Apparatus for processing exposed photographic materials.		
G 03 g	Electrography; electrophotography; magnetography.		

2. — The classification symbols that are assigned by the National Institute of Industrial Property to applications for patents and for patents of addition shall solely be decisive for the purposes of the application of Chapter VI of Decree N° 68-1100 of December 5, 1968, under the conditions laid down in Section 101 of that Decree.

3. — The Director of the National Institute of Industrial Property is entrusted with the implementation of this Order, which shall be published in the *Journal officiel* of the French Republic, to take effect on January 1, 1973.

URUGUAY

I

Decree concerning Trademark Procedures involving Several Classes*

(No. 350/972 of May 17, 1972)

1. — As from June 1, 1972 all procedures for the registration of marks relating to more than one class of the Trademark Classification referred to in the Decree of November 29, 1940 shall be initiated jointly in a single written application.

2. — If registration of a mark has been requested for more than one class and opposition has been made ex officio to one such class, the Administration for Industrial Property shall make the appropriate entry on the initial application and start a separate file for it with a certified copy of the original application, together with a drawing of the mark if necessary, thus processing the opposition separately from the file of the initial application.

Where opposition has been made by a private individual, the separate procedure shall be initiated by the notice of opposition, which shall be filed together with a copy of the Official Gazette in which the application for registration was published.

3. — Renewals of registrations covering more than one class shall also be initiated together, the prior registrations being deemed not renewed for all classes or products not mentioned in the application.

4. — In the case of an application for the registration of a mark in more than one class, one joint publication indicating the classes and registration number shall be sufficient.

5. — The Administration for Industrial Property shall issue, together with the trademark certificate, a certificate for each class that has been included. The same procedure shall apply to renewal proceedings.

6. — [*Publication etc.*]

II

Decree on Industrial Designs*

(No. 362/972 of May 25, 1972)

1. — Designs that have an industrial application shall give rise to an exclusive right of exploitation, which may be exercised by the author or his successors in title during the term and under the conditions prescribed in this Decree.

This right shall be certified by the corresponding documents issued by the Administration for Industrial Property.

2. — Industrial designs of an industrial product that are novel, original and ornamental may be protected by design patents. By design is meant the shape or appearance, incorporated in an industrial product or applied thereto, which gives the product an original ornamental character or a specific characteristic.

3. — The following may not be the subject of a patent:

(a) designs which have already been the subject of an earlier application published in the country and designs which, to the knowledge of the Administration for Industrial Property, have been publicly exploited in the country or abroad or have been published anywhere, prior to the date of application, in books, reviews or pamphlets in such a way as to permit their implementation;

(b) industrial designs whose features are determined by the function of the product;

(c) industrial designs which entail solely a change in color of designs already known;

(d) industrial designs which embody works of art, and

(e) industrial designs contrary to public order or morality.

4. — Industrial design applications shall be decided by the Administration for Industrial Property. The term of validity shall be five years, which may be renewed for a further five years.

5. — The right to the exclusive use of industrial designs created by employees shall be regulated under the contractual relationship with their employers.

6. — Every application for a design patent shall be filed with the Administration for Industrial Property, together with a clear and concise description and the drawings necessary for a proper understanding of the creation. Applications for renewals of such patents shall be filed with the Administration within the 90 days preceding the expiry date.

7. — Applications may be the subject of opposition if the non-patentability of their subject matter can be proved.

8. — Law No. 10089¹ of December 12, 1941 and its implementing decrees are hereby declared applicable, insofar as they are relevant, to industrial designs.

9. — [*Publication etc.*]

¹ I. e. the Patent Law; see *La Propriété industrielle*, 1943, p. 160.

* This title has been added by the International Bureau.

ITALY

Decrees concerning the Temporary Protection of Industrial Property Rights at Exhibitions

(of February, March and April 1973) *

Sole Section

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

- III° EXPOSPORT LEVANTE** — *Fiera internazionale dello sport e del tempo libero* (Bari, April 1 to 8, 1973);
- LI° Fiera di Milano** — *Campionaria internazionale* (Milan, April 14 to 25, 1973);
- XIX° Salone nazionale della calzatura, pelletteria, materie prime e accessori** (Padua, April 29 to May 1, 1973);
- Mercato internazionale del tessile per l'abbigliamento — MITAM** (Milan, May 6 to 9, 1973);
- I° MARMO LEVANTE** — *Salone internazionale del marmo, delle macchine e degli accessori* (Bari, May 6 to 13, 1973);
- AUTOMOTOR '73** — *I° Mostra mercato internazionale parti, ricambi, accessori e attrezzature per automobili* (Turin, May 9 to 13, 1973);
- MITAM Arredamento** — *Tappeti e tessuti per arredamento* (Milan, May 17 to 21, 1973);
- LI° Fiera di Padova** — *Campionaria internazionale* (Padua, May 24 to June 4, 1973);
- II° Mostra europea radio-televisione** — *Elettroacustica* (Milan, May 26 to June 3, 1973);
- IX° Salone internazionale componenti strumenti di misura elettronici e accessori** (Milan, May 26 to June 3, 1973);
- XXI° Fiera di Roma** — *Campionaria nazionale* (Rome, May 26 to June 10, 1973);
- V° MOBILEVANTE** — *Fiera internazionale del mobile e dell'arredamento per il mezzogiorno d'Italia e i paesi del Levante* (Bari, May 30 to June 4, 1973);
- XXV° Fiera di Trieste** — *Campionaria internazionale* (Trieste, June 17 to 29, 1973);
- I° Salone della illuminazione** (Naples, June 20 to July 1, 1973);
- V° SIRTE** — *Salone italiano radio-TV ed elettrodomestici* (Naples, June 20 to July 1, 1973);
- IV° TECHNEDIL** — *Salone delle attrezzature e materiali per l'edilizia sociale e le opere pubbliche* (Naples, June 20 to July 1, 1973);
- XXXIII° Fiera di Ancona** — *Mostra mercato internazionale della pesca e degli sports nautici e attività affini* (Ancona, June 23 to July 1, 1973);
- III° Mostra internazionale di conigliocoltura — MIC '73** (Erba (Como), September 7 to 10, 1973);
- XII° MACEF-Autunno** — *Mostra mercato internazionale degli articoli casalinghi, cristallerie, ceramiche, argenterie, articoli da regalo, ferramenta e utensileria* (Milan, September 7 to 11, 1973);
- XXXVII° Fiera del Levante** — *Campionaria internazionale* (Bari, September 7 to 18, 1973);
- X° Esposizione internazionale elettrodomestici** (Milan, September 8 to 11, 1973);
- XV° Esposizione triennale internazionale delle arti decorative e industriali moderne e dell'architettura moderna** (Milan, September 20 to November 20, 1973);
- VII° SUDPEL** — *Salone italiano della pelletteria e del guanto* (Naples, September 22 to 25, 1973);
- IV° Salone internazionale del mobile and XIII° Salone del mobile italiano** (Milan, September 22 to 27, 1973);
- X° SMAU** — *Salone internazionale macchine, mobili attrezzature ufficio* (Milan, September 22 to 27, 1973);
- XXVIII° Mostra internazionale delle industrie per le conserve alimentari (conserve, imballaggi, impianti ed attrezzature industriali)** (Parma, September 22 to 30, 1973);
- I° Salone europeo per macchine di maglieria e calzetteria; macchine per il finissaggio di maglieria e calzetteria; macchine per la confezione di maglie e calze, nonché accessori vari per l'industria settoriale** (Busto Arsizio (Varese), September 23 to 30, 1973);
- XI° Mostra internazionale dei trasporti interni, del magazzino e della manutenzione — TRAMAG** (Padua, October 3 to 7, 1973);
- I° Mostra macchinari e prodotti per le industrie cartarie, grafiche e trasformatrici** (Milan, October 6 to 14, 1973);
- IPACK-IMA** — *Salone internazionale imballaggio e confezionamento, trasporti industriali interni, macchine per industria alimentare* (Milan, October 8 to 14, 1973);
- MAC '73** — **XIII° Mostra internazionale di apparecchiature chimiche** (Milan, October 10 to 16, 1973);
- III° MIPAN** — *Salone internazionale delle macchine, impianti e prodotti per la panificazione e la pasticceria* (Milan, October 12 to 21, 1973);
- VIII° EXPO CT** — *Esposizione internazionale delle attrezzature per il commercio ed il turismo* (Milan, October 14 to 21, 1973);
- II° INTERSAN** — *Mostra mercato internazionale dell'ortopedia tecnica, e sanitaria, sanitari, strumenti ed attrezzature chirurgiche, apparecchi fisioelettromedicali, corsetteria, articoli sanitari per la prima infanzia* (Milan, October 27 to 30, 1973);
- XLIII° Esposizione internazionale del ciclo e motociclo** (Milan, November 17 to 25, 1973);
- XII° Mostre avicunicole internazionali — MAV** (Padua, December 6 to 9, 1973)

shall enjoy the temporary protection established by the decrees mentioned in the preamble¹.

¹ Royal Decrees No. 1127 of June 29, 1939, No. 1411 of August 25, 1940, No. 929 of June 21, 1942 and Law No. 514 of July 1, 1959. (See *La Propriété industrielle*, 1939, p. 124; 1940, pp. 84 and 196; 1942, p. 168; 1960, p. 23.)

* Official communications from the Italian Administration.

LETTERS FROM CORRESPONDENTS

Letter from New Zealand

By F. N. WEST-WALKER *

Legislation

The relevant legislation for patents and trade marks in New Zealand is the Patents Act, 1953 and the Trade Marks Act, 1953, both of which correspond very closely to the United Kingdom Acts of 1949 and 1938. Industrial designs are governed by the Designs Act, 1953, which again corresponds to the British Act of 1949, although copyright protection is also available for designs under the Copyright Act, 1962.

Under the previous law industrial designs which also constituted artistic works were excluded from the benefit of the Copyright Act, but such works now enjoy unqualified protection for the normal term under the 1962 Act (during the author's life and for fifty years after his death). Hence, industrial designs may be registered under the Designs Act for a maximum term of fifteen years but simultaneously and thereafter obtain protection under the Copyright Act, the protection being dual or cumulative. Thus the New Zealand law in this respect differs from that of the United Kingdom, notwithstanding the British Design Copyright Act, 1968.

New Zealand is a party to the London Acts of the Paris Convention for the Protection of Industrial Property and of the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods. It is also a party to the 1947 Neuchâtel Agreement concerning the restoration of industrial property rights affected by the Second World War.

Jurisprudence

Three cases of particular interest have been decided since the time of publication of the previous Letter from New Zealand¹. The first is the case of *Swift and Company v. Commissioner of Patents* (1960) N. Z. L. R. 775, [1961] R. P. C. 147, which concerned the eligibility of a biological or physiological invention for the grant of patent.

The invention in question related to a new method of tenderizing meat products by the introduction of certain enzymes into the vascular system of the animal prior to slaughter. The distribution of the enzymes was effected by the circulatory action of the animal's blood and it was this method of distributing the enzymes utilizing the pumping action of the animal's heart while the animal was still alive which was new and was claimed to be a patentable "manner of manufacture". The sole question was whether the process qualified as a "manner of manufacture" and therefore constituted an invention within the meaning of the Patents Act. The Supreme Court² followed the then recent decision of the Australian High Court

in *National Research Development Corporation v. Commissioner of Patents*³ in holding that the invention claimed was a "manner of manufacture". The effect of the decision is that the fact that a process for which a patent is claimed is a biological or physiological invention is no bar to the grant of patent and, if the process results in an improved vendible product, it is a "manner of manufacture" and available for patenting provided it has the necessary measure of novelty.

The case is an important one in New Zealand, a country still largely dependent on its primary industries, and the decision represents a reversal of the official practice then obtaining, not only in New Zealand but also in Australia and the United Kingdom, of finding that agricultural and horticultural processes were by their nature outside the limits of patentable inventions. This case has been followed in the United Kingdom⁴.

The second case of interest is *New Zealand Breweries Ltd v. Heinecker's Bierbrouwerij Maatschappij N. V.* (1964) N. Z. L. R. 115, a case concerning registration of the trade mark Steinecker (in label form) for beer, lager, ale, and stout. The Commissioner of Trade Marks had allowed registration of this mark in spite of a prior registration of the trade mark Heinecken for the same goods, and the appeals in the Supreme Court and thence to the Court of Appeal were brought to determine whether this was a correct decision. In the Court of Appeal it was held that the trade marks in question were so similar that confusion in the course of trade was likely; so the Steinecker mark was finally refused registration.

The case affirms that in an appeal from a decision of the Commissioner refusing to register a trade mark, the onus rests on the appellant to satisfy the Court that the trade mark he desires to register does not so nearly resemble a trade mark already on the Register as to be likely to deceive or cause confusion. In other words, while the Commissioner has a discretion as to whether or not to allow registration, the applicant or the appellant must prove his case and, when the matter is in doubt, the application ought to be disallowed. This aspect of the decision is not altogether satisfactory since it could be argued that in some cases the applicant for registration should be given the benefit of the doubt. For example, the Commissioner and the trade marks examiners are inevitably influenced on occasion by academic considerations which are not necessarily relevant when considering a mark intended to distinguish goods in the course of trade, that is, in commerce. Insofar as the case suggests that an applicant should not be given the benefit of any doubt, it appears to be at variance with the views expressed by Younger J. in *Standard Woven Fabric Co.'s Application* (1918) 35 R. P. C. 53 at p. 58.

* J. P., F. N. Z. I. P. A., B. M. I. P. A. A. Patent and Trade Mark Attorney, Wellington.

¹ *Industrial Property Quarterly*, 1960, No. 3, p. 3.

² This is the equivalent of the High Court in England.

³ (1960) A. L. R. 114; [1961] R. P. C. 135. See also "Letter from Australia", *Industrial Property*, 1973, p. 64 at p. 64.

⁴ See *Swift and Company's Application* [1962] R. P. C. 37.

It could also be argued that in cases where there is some doubt as to the likelihood of confusion arising between conflicting marks (admittedly a question of fact and one which the Court alone can decide), the parties in question would properly settle the matter in proceedings for infringement before the Court rather than before the Commissioner and this would apply particularly where one or both of the trade marks was not yet in use.

The third case, *Noonan v. Giant Products Limited*, concerned the grant of extensions of time in patent oppositions. The case is also relied upon in trade mark and design matters. Noonan, who was an applicant for a patent, sought an injunction to restrain the defendant from opposing the grant. The ground relied upon was that the Commissioner of Patents had given the defendant an extension of time to file opposition, without notifying the applicant of his intention to do so. The applicant argued that this grant of an extension ex parte was a nullity since the Commissioner had in effect exercised a discretionary power adversely to him and should first have given him a hearing. The Supreme Court held that no notice to the applicant was necessary since the discretionary power in question was of an administrative or ministerial, and not a judicial, nature. It refused an injunction, considering that the Commissioner should be able to exercise his powers in such cases without delay and that the balance of convenience in granting or refusing an injunction was heavily in the defendant's favour.

The decision itself appears reasonable inasmuch as it reflects the standard procedure adopted by the Commissioner, especially in view of the difficulties caused to prospective opponents living abroad. It is perhaps open to criticism in that the only authority relied upon was the standard textbook on patent law; Common Law systems do not pay the same regard to "la doctrine" as Civil Law systems. But in the absence of any other authority, one can sympathise with the Court, which was approaching a problem of this sort for the first time.

In the context of industrial property litigation in New Zealand, one general remark might be made here. Trade mark matters are not uncommonly keenly contested where Australian or New Zealand interests are at stake since the countries are closely linked and the markets are in some areas allied to each other. Patent applications however are in the main lodged to protect overseas interests and the causes of any conflict at the prosecution stage are likely to be met and resolved first of all in other countries where the applicant has filed. Cases of infringement by New Zealand manufacturers are often settled by the patentee discontinuing his action in return for a commercial agreement with the alleged infringer. The more noteworthy aspects of patent law are therefore generally decided upon by the British courts although the *Swift* case is an obvious exception.

The Patent Office

The Patent Office is an office of the Department of Justice and is headed by the Commissioner of Patents, who is also Commissioner of Trade Marks and Designs. Between three

and a half to four thousand patent applications are filed in New Zealand each year, about three-quarters of these being filed to protect overseas interests. The number of trade mark applications filed is between three and three and a half thousand while design applications number under five hundred annually.

The Office follows the practice of the British Patent Office fairly closely, although the Trade Marks Division has of late displayed a tendency to rely less on British decisions than it has in the past. This is a welcome tendency in view of the difference in the market conditions prevailing in New Zealand compared with those of the United Kingdom, and it has recently been suggested that the tendency will gradually become more marked, perhaps with the United Kingdom's entry to the European Common Market in mind. There is no provision for registration of service marks in New Zealand and such a move is not likely in the near future.

Business names cannot be registered as such unless they qualify as trade marks within the meaning of the Trade Marks Act, 1953 or constitute the names of companies incorporated under the Companies Act, 1955. In the latter case, the names of registered companies cannot be protected by an action for infringement but only by means of a common law action for passing off. The Companies Act provides that no company shall be registered with a name which conflicts with a registered trade mark and to this end the Patent Office conducts the necessary searches, but the Companies Office is unfortunately not always as diligent in giving effect to this provision as could be hoped. Problems can therefore arise where an overseas company registers a New Zealand company under the Companies Act expressly to protect its company name.

The problems in this area are not decreased by the sometimes unreliable nature of the indexes kept in the Patent Office. It has been suggested that computerized search facilities would assist; this possibility is currently being investigated with respect to trade marks but no decision has yet been made.

Compared with Patent Offices in other countries, the New Zealand Patent Office has virtually no backlog and there is rarely more than two years' interval between filing a complete specification and formal acceptance. It is not likely that New Zealand would ever find it necessary to introduce a system of deferred examination of patent applications since many applications are accompanied in first instance by a provisional specification and automatically lapse if no complete specification is subsequently filed.

The Trade Marks Division generally examines applications within six months of filing and in post-acceptance and post-advertisement proceedings such as oppositions, extensions are easier to obtain in trade mark cases than in applications for patents or designs. It is expected however that there will be a gradual tightening in the restrictions on extensions of time in trade mark matters.

It should be noted that official fees are very light in New Zealand compared with fees payable in other countries. The present schedule of fees has been in force since January 1, 1955 and with the exception of renewal fees there has been no increase since that time.

Renewal fees are payable on New Zealand patents only on the fourth, seventh, tenth and thirteenth years from the date of filing the complete specification. Thus one of the advantages of endorsing a patent "Licences of Right" where fees are payable annually does not apply in this country. With regard to the possibility of an invention becoming published, the New Zealand Patent Office receives copies of full specifications from the United Kingdom, Australia and the United States of America only, although older copies of specifications from some other countries are available, and Official Journals and Gazettes are received from a number of other countries regularly. When a New Zealand patent application is accepted, an abridgement prepared by the Patent Office examiner, which includes a brief description of the invention and one representative drawing or formula, is published in the Patent Office Journal. This Journal issues at approximately monthly intervals and the complete specification is open to inspection from the date of issue, but the specifications themselves are not printed. The Patent Office has recently announced that the preparation of documents on international A4-size paper will be encouraged.

The Profession

Patent attorneys registered to practise in New Zealand total less than thirty and there are six firms authorized to practise before the Patent Office. The patent attorney profession is distinct and separate from the general legal profession although a number of attorneys are also barristers and solicitors who restrict their practice to matters of industrial property. An attorney need not have any particular technical or academic degree but must pass a series of examinations in the law and practice relating to patents, trade marks and designs and the international law in this area. It is being recognized more widely that persons proposing to enter the profession require a high degree of skill and knowledge, so that established firms are seeking to recruit those with qualifications in some area of science or law.

Patent attorneys are governed by a code of ethics similar to that adhered to by lawyers in general practice and the Institute of Patent Attorneys is the authoritative body. The examinations for admission as an attorney are conducted by the Institute in conjunction with the Commissioner of Patents and the most cordial relations are enjoyed between the profession and the Patent Office.

Letter from the Soviet Union

By E. ARTEMIEV *

THE OFFICE FOR INVENTIONS IN THE SOVIET UNION

Introduction

The functions of the Soviet Office for inventions — the Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR — are determined by the features of Soviet legislation on inventions. Under the principal form of protection for inventions in the Soviet Union — the inventor's certificate — any Soviet enterprise may utilize an invention and if it does so the inventor is remunerated on the basis of the actual benefits obtained.

The transfer of property rights in inventions to the State, which is the fundamental principle of the inventor's certificate, and the elevation of inventive activity to the level where it can fulfill tasks of State importance, require a solution on a nation-wide scale of a whole range of problems connected with the organization of inventive activity. It is the Committee for Inventions and Discoveries which deals with the practical solution of these problems and directs all work in this sphere in the Soviet Union.

It can thus be seen that the range of tasks to be performed by the Committee is substantially different from that of the Patent Offices in Western countries. The work of a Western Patent Office could be said to culminate in the grant of a patent. For the Soviet Office for inventions, the grant of an inventor's certificate or patent is the culmination of a very important aspect of its activity, but it is far from being the only one. Since the Soviet State is responsible for ensuring the utilization of an invention, it takes steps to see that the enterprises obtain the maximum amount of information about it. The Committee also has the task of making patent information available to the creators of new technology — engineers and scientists —, so that they will not invent what has already been invented and will not infringe patents in force in their development work. It was precisely with these aims in mind that the Soviet Union carried out an experiment — the first country in the world to do so — consisting in the establishment of a State-wide patent information system, under which patent documents could be supplied to all enterprises and organizations from a central source.

The Committee gives constant methodological guidance on the work to be done by the patent divisions of ministries and agencies as well as industrial enterprises and organizations. These patent divisions represent a firm basis for all invention and patent and licensing work in the Soviet Union. Naturally the specialists recruited for these divisions must be familiar with invention and patent matters. Responsibility for the training of qualified patent staff is therefore also one of the Committee's functions. However, the Committee sees the main

* First Deputy Chairman of the Committee for Inventions and Discoveries attached to the Council of Ministers of the USSR; Doctor of Technical Sciences.

Note: the last Letter from the Soviet Union was published in *Industrial Property*, 1969, p. 222.

content of its work in the efficient organization of the utilization of inventions so that they may be put to the maximum use for the national economy. The Committee plays an active part in selecting inventions for introduction into Soviet industry and supervises their practical assimilation in industry. A large part of its work is also connected with the patenting of Soviet inventions in other countries and licensing such patents to foreign firms.

These then are the main aspects of the extensive organizational work, without which at the present stage it would be impossible to ensure the development of inventions in the Soviet Union. It is now proposed to outline the essential changes in each of these spheres of activity of the Committee during the last few years.

Examination of Applications

As already stated, the examination of applications and the issue of inventors' certificates or patents are not the final stage in the Committee's work, although they are a very important aspect. The applications for prospective inventions filed with the Committee are transmitted for examination to a special organ of the Committee, the All-Union Scientific Research Institute of State Patent Examination.

The work of the Institute is mainly taken up with tasks in the field of examination. In accordance with the legal requirements for the recognition of proposals as inventions, the Institute examines incoming applications for novelty and utility. It also carries out such work as patent infringement searches in the case of inventions intended for export (to see whether the inventions would conflict with third-party rights) and carries out studies into the advisability of applying for patents abroad.

Growth in the Number of Applications

The Institute's volume of work increases with the number of applications received. These have had a very marked tendency to increase. In the last decade (1961—1971), the Soviet Office received 1,100,000 applications for patents and inventors' certificates and the increase by 1971, as compared with 1961, was over 70,000.

During this decade, over 100,000 applications were filed every year in the Soviet Union, the average annual increase being more than 7,000. The average rate of growth in the total number of applications in the Soviet Union was 8.2%. Among all the industrially developed countries the Soviet Union yields place in this respect only to Japan, where the average annual increase in applications received has reached 11%. For comparison it may be pointed out that in the world as a whole, the average annual rate of increase of applications is 3.9% and the increase from 1961 to 1971 was 49%. In 1972 over 130,000 applications were filed with the Committee for Inventions and Discoveries.

This considerable increase in the number of applications received by the Soviet Office is closely linked with the advance in scientific and technical progress in the Soviet Union and the growth in inventive activity, to the point where

more and more scientists, developers of new technology and production workers are joining in this creative technical work. More and more inventions are being made in the course of planned State tasks in research, design and industrial organizations. This is shown by the fact that about 80% of the applications arriving for consideration are made not by private persons but on behalf of enterprises and organizations with the names of the inventors indicated. Another noteworthy phenomenon is that the quality of applications, and consequently the percentage of applications on which a favorable decision is taken is increasing. While in 1970, 37.7% of inventions filed by Soviet applicants which underwent patent examination were recognized as such, the proportion had increased to 41.8% by 1971.

Forms of Industrial Property Protection

The provision of legal protection for industrial property in the Soviet Union is a task of State importance and we are trying to approach the problem by taking account of all its aspects.

This overall approach presupposes that the legal protection of advanced technical achievements must begin with the registration of scientific discoveries — State recognition of new laws, properties and phenomena in the material world as discovered by scientists. So far in the Soviet Union 123 discoveries have been placed on the register. Often whole clusters of inventions arise from scientific discoveries. We then endeavor to ensure simultaneous protection of the essence of a new technical solution by means of an inventor's certificate, of the external appearance of the article embodying the technical solution by means of an industrial design registration, and of the interests of the enterprise manufacturing such articles by means of a trademark registration. Although the last two forms of legal protection are of comparatively recent origin in the Soviet Union (the legal protection of industrial designs has only been in existence for seven years), they are becoming more and more widespread.

In 1971, 1,266 applications were filed by Soviet applicants for registration of industrial designs; 698 of these were recognized as such. In 1971, 2,805 applications for registration of trademarks and service marks were filed by Soviet enterprises and organizations and 2,002 certificates were issued.

Applications from Abroad

One very significant fact which will be apparent to anyone examining the evolution of applications in the Soviet Union is the sharp increase in patent applications from abroad — during the last seven years, since the Soviet Union's accession to the Paris Convention for the Protection of Industrial Property. During that period, the number of applications from the United States of America increased by six times and the number from Japanese firms increased by five times. Applications from firms in France, Germany (Federal Republic of) and the United Kingdom have also considerably increased. Seven years ago applications from these countries were few in number: now they can be counted in thousands.

In 1971, 5,237 applications to the Soviet Office came from abroad. Of these, 43 were not for patents but for inventors' certificates. The number of applications from abroad in 1968, 1969 and 1970 was 3,950, 4,546 and 5,012 respectively. Of these, 158, 102 and 64 applications (respectively) were for inventors' certificates. The decline in the number of applications by foreigners for inventors' certificates may be attributed merely to the fact that many of them were unclear as to what they could obtain in the Soviet Union by applying for an inventor's certificate rather than a patent.

In 1971, 2,001 patents were granted on applications coming from abroad. This is almost four times the number for 1967, when 560 patents were issued to foreign applicants.

Acceleration of the Examination Procedure

Naturally, the ever-increasing number of applications received by the Soviet Office has led to a considerable time lag between their filing and examination. To remedy the situation, the Committee for Inventions and Discoveries has taken a number of radical steps. The examining staff of the Institute mentioned earlier has been considerably increased by the recruitment of highly qualified specialists. At present, there are over a thousand examiners for applications received. This has made it possible to reduce the time between the filing of an application and the final decision taken on it. Even so, the backlog of unexamined applications at the Institute had reached over 100,000 by the end of 1971.

The Committee for Inventions and Discoveries has drawn up a program designed to reduce the number of unexamined applications. It consists mainly in the supply of better technical equipment to the Institute (mechanization of patent searches, etc.) and the provision of a complete range of retrieval apparatus for examiners.

Diffusion of Patent Information

In recent years the Committee for Inventions and Discoveries has been engaged in solving a number of other problems of vital importance for the development of inventions in the Soviet Union.

On a State-wide scale the acute problem of establishing a centralized system of patent information, making it possible with the minimum of expense and time to provide industrial enterprises and organizations with patent documents and with various auxiliary and reference materials, has largely been solved. Now, it is no longer indispensable for anyone carrying out a patent search elsewhere in the Soviet Union to go to Moscow, where the main patent search file of the Soviet Union is housed, in the All-Union Technical Patent Library. In most cases the documentation in the branch and regional search files will be sufficient. A dense network of such files covers all the large industrial and scientific centers of the Soviet Union. The patent documentation collected in them is greater in volume by several tens of times than the collection available in the All-Union Technical Patent Library.

One of the organs of the Committee — the Central Institute of Patent Information and Technical-Economic Research

(CNIPI) — has carried out extensive work on the processing and analysis of search files, the preparation of information material, the issuing of guidelines on methods of utilizing patent information, the organization of reference and information activities connected with inventions and patents and the mechanization and automation of a number of operations connected with the utilization of patent information.

The production and printing firm "Patent" copies every year about 400,000 descriptions of inventions at the request of enterprises and organizations. The branches of "Patent" situated in the large industrial centers of the Soviet Union have become centers in which various kinds of patent service are provided both for individual inventors and for organizations and enterprises. Here it is possible to apply for help in drawing up applications for inventions, carrying out patent searches on particular subjects and preparing documentation for the patenting of inventions abroad.

In the last few years a great deal has been done to provide thousands of specialists working in the national economy with knowledge in the patent field. In the period 1968 to June 1972, 3,427 specialists graduated from the Central Institute for the Further Training of Responsible Staff and Specialists in Economics with regard to Patent Work (ZIPK), qualifying as patent experts. At university-level State courses for improving the qualifications of managerial, engineering, technical and scientific staff in regard to patent and invention work, over 50,000 persons have undergone training during the existence of the courses.

Through the work of this formidable army of specialists with knowledge in the patent field, it has proved possible to achieve a considerable improvement in inventive activity and patent and licensing work.

With every year that passes more and more advanced technical achievements recognized as inventions are utilized in the national economy of the Soviet Union.

Patenting of Inventions Abroad

The work carried out by the Committee for Inventions and Discoveries in regard to patenting Soviet inventions abroad is also being improved. The range of this work is quite great — from determining whether it would be advisable to patent an invention to checking for physical defects applications which are to be filed with foreign Patent Offices by individual organizations and enterprises.

More and more applications relating to Soviet inventions are being sent to the patent authorities in various countries. In 1971, for example, 2,130 patents were obtained abroad.

With the increase in the number of foreign patents for Soviet inventions, the potential for licensing has also been enhanced.

New Legislation

One of the most important functions of the Committee for Inventions and Discoveries is the improvement of legislation on inventions. At the present time a draft of fresh legislation

on this subject is being developed which will more fully reflect the substantial changes which have occurred in the last 15 years.

A number of provisions which it is planned to introduce in this draft are of interest also to foreign applicants. Thus it is proposed to provide legal protection for substances obtained through chemical processes and substances obtained through nuclear fission. The examination procedure must also be

brought up to date so as to considerably reduce the time required for it. The system for moral and material incentives for inventors will also have to be improved.

The entry into force of the new legislation on inventions is expected to bring about a considerable improvement in invention, patent and licensing work in the Soviet Union and make it possible to utilize inventions still more successfully, so as to speed up the rate of scientific and technical progress.

NEWS FROM PATENT OFFICES

FRANCE

Activities of the National Institute for Industrial Property in 1971 and 1972

Applications

PATENTS

Since the last report on the activities of the National Institute for Industrial Property¹, Sections 19 and 20 of the 1968 Patent Law, concerning the procedure for the preparation of a report on the state of the art, have been applied to new technical branches by reference to the International Patent Classification established by the European Convention of December 19, 1954².

1971

Patent applications filed in France numbered 47,971, of which 14,962 were of French origin (31%) and 33,009 of foreign origin (69%). During the same period 315 applications for utility certificates were filed.

Of the 47,971 patent applications, 14,482 were subject to the procedure for the preparation of a report on the state of the art, 7,687 being sent to the International Patent Institute (IIB) for the preparation of an immediate report.

The technical fields in which the greatest numbers of applications were filed remained the same as for 1970. In decreasing order of the volume of filings, they were chemistry (6,661), physics (6,333), electricity (5,479) and transport and handling (5,003).

In 1971, 49,106 patents and utility certificates were issued under the 1968 Law and 2,242 patents and 108 special patents

for medicaments under the 1844 Law and the Decree of May 30, 1960, making a total of 51,456 titles of protection. During the same year 33,735 declarations of forfeiture for non-payment of annual fees were made; 92 actions were brought for the restoration of patents declared forfeit.

1972

Patent applications filed at the National Institute for Industrial Property numbered 47,229, of which 14,806 were of French origin (31.3%) and 32,423 of foreign origin (68.7%). During the same year the number of applications for utility certificates was 324.

Of the 47,229 patent applications, 23,000 (approximately) were subject to the procedure for the preparation of a report on the state of the art, 14,709 being sent to the IIB for an immediate report.

In 1972, 45,050 patents and utility certificates were issued under the 1968 Law and 1,150 patents and 17 special patents for medicaments were issued under the 1844 Law and the Decree of May 30, 1960, making a total of 46,217 titles of protection. During the same period 41,574 declarations of forfeiture for non-payment of annual fees were made; 165 actions were brought for the restoration of patents declared forfeit.

* * *

It will be noted that the number of filings and the ratio between filings of French origin and filings of foreign origin have varied very little over the last three years. It can also be seen that the number of actions for restoration has been very small compared with the number of declarations of forfeiture. In the majority of cases therefore, failure to pay annual fees is tantamount to a voluntary surrender of the patent.

¹ *Industrial Property*, 1972, p. 116.

² See p. 169 above.

TRADEMARKS and INDUSTRIAL DESIGNS

1971

The National Institute for Industrial Property received 21,392 applications for the registration of trademarks in 1971, 3,467 of which came from abroad. 30,459 trademarks were registered and published.

In the course of the same year the number of industrial designs deposited was 12,063; these were contained in 4,067 deposits.

1972

The National Institute for Industrial Property received 24,038 applications for the registration of trademarks in 1972.

Examination Procedure

PATENTS

In 1971, 30% of the patent applications filed were subject to a report on the state of the art, either immediate or deferred. The average time for the sending of the first draft documentary report was less than ten months, and a considerable shortening of this time was achieved in 1972.

The number of patents granted in 1971 was 51,456. For 1972 however, a drop in patent grants of about 10% was noted. This development may be attributed to the lengthening of the average time required for the whole process as a result of the progressive broadening of the scope of the procedure for a report on the state of the art. Yet the number of applications in respect of which a patent had not been issued increased only very slightly, from 81,000 to 82,000, approximately.

TRADEMARKS

In 1971, 22,546 trademarks filed in France and 10,633 international marks were examined. This examination, which is carried out only to ascertain whether a mark filed constitutes a trademark under the legislation in force (Section 3 of the 1964 Trademark Law, as amended), resulted in 2,137 notices of irregularity and 938 rejections.

In 1972, 22,059 trademarks filed in France and 9,867 international marks were examined. This examination resulted in 2,176 notices of irregularity and 1,204 rejections.

Legislation

Since 1968 there has been no change in French legislation on the protection of industrial property. Studies have been undertaken however with a view to making minor amendments to the laws on trademarks, patents and industrial awards, to revising the industrial design law, and to legislating on the rights arising from employees' inventions. These projects are of course in different stages of preparation. At present it may reasonably be expected that, in the course of the year, bills will be submitted to Parliament for the amendment of the 1964 Trademark Law (with respect to appeals from the National Institute for Industrial Property) and of the 1912 Law on Industrial Awards, together with a bill on employees' inventions.

Practical Effect of Innovations

New computer operations are progressively being added to those made necessary by the new legislative measures, which were mentioned in the last report (administration of annual fees and publication after 18 months). These include the processing of application files (monitoring of movements of the file, and instantaneous tracing of files), ascertaining the progress of proceedings, supervising time limits, calculating average time-lag at each stage of the procedure and controlling the smoothness of processing.

International Cooperation

The National Institute for Industrial Property took part in a large number of international meetings during 1971 and 1972. It was for instance represented at the following meetings organized by WIPO:

- Diplomatic Conference on the International Patent Classification (Strasbourg, March 1971);
- WIPO Coordination Committee; Executive Committees of the Paris and Berne Unions and Assemblies of the various Unions (Geneva, 1971 and 1972);
- Interim Committees of the signatory States of the Patent Cooperation Treaty (PCT) (Geneva, 1971 and 1972);
- Committees of Experts for the International Patent Classification (IPC) and ICIREPAT.

In the trademark field, the National Institute for Industrial Property also attended:

- the Geneva meetings in 1971 and 1972 of the Committee of Experts on the International Registration of Marks, which resulted in the draft Treaty now being examined at the Vienna Diplomatic Conference on Industrial Property, 1973;
- the 1971 Geneva meetings of the Committee of Experts on the International Classification of the Figurative Elements of Marks, also on the agenda of the Vienna Conference;
- the 1972 Geneva meetings of the Working Group on the Mechanization of Trademark Searches.

In addition, the National Institute for Industrial Property took part in the meetings held in Geneva in 1971 and 1972 to consider the protection of type faces, which resulted in the draft Agreement now before the Vienna Conference.

The National Institute for Industrial Property of course participated in the work of the Intergovernmental Conference for the Setting Up of a European System for the Grant of Patents, which was carried on at a large number of meetings during 1971 and 1972 and led to the preparation in June 1972 of various texts which will be submitted to the Munich Conference in September 1973. The Institute likewise took part in the working parties for the establishment of a Community Patent, with a view to the drafting of a Convention for the Common Market.

The National Institute for Industrial Property also took part in work of various kinds in aid of developing countries, such as the Meeting of the Interregional Expert Group on Transfer of Operative Technology at the Enterprise Level,

organized by the United Nations in New York in June 1971, and the 1972 Geneva meeting of the Committee of Experts on a Patent Licensing Convention, organized by WIPO.

The Institute also attended meetings of the governing bodies of international organizations, namely:

- the Administrative Council of the IIB at The Hague in 1971 and 1972, as a Council member;
- the Governing Body of OAMPI at Abidjan and Libreville in 1971 and 1972, as an observer.

The Institute took part in the Congresses of the International Federation of Patent Agents (Stockholm, May 1971), the Union of European Patent Agents (Nice, September 1971) and the International Association for the Protection of Industrial Property (Mexico City, November 1972).

Finally the Institute took part in various meetings such as those of the NATO working group on industrial property, and the industrial property working party of the Committee for European Cooperation and Coordination in Scientific and Technical Research — concerning the draft convention for the creation of a European Center for Medium-Term Weather Forecasting, as well as in meetings in the framework of bilateral agreements (Franco-Soviet Working Group, 1971 and 1972).

In another context, it might be mentioned that the National Institute for Industrial Property took in a foreign trainee in 1972, and is always ready to have, every year, one or two trainees with a fairly good knowledge of French.

Administrative Matters

The National Institute for Industrial Property is a public establishment having legal personality and financial autonomy. It must balance its expenditure by using its own resources (fees and reserves).

Its 1973 budget has been fixed at 92,613,790 francs, an increase of 22,528,708 in relation to the 1972 budget, which, compared with the 1971 year-end accounts, represents an increase of 42,000,000 francs in round figures.

In recent years, the receipts from industrial property fees have increased as follows:

Year	Receipts Fr.
1970	38,091,556
1971	41,174,075
1972	60,358,844
1973	73,628,000 *

* Estimate.

The proportion of patent fees received is:

Year	A. Total receipts	B. Receipts from annual and late-payment fees included in A
	Fr.	Fr.
1970	34,764,817	23,814,603
1971	37,794,723	24,551,283
1972	56,166,971	34,318,944
1973	69,180,000 *	38,500,000 *

* Estimate.

The development of the main expense items during the same period was as follows (figures in francs):

Year	Staff costs Fr.	Printing costs Fr.	Work entrusted to IIB Fr.
1970	11,624,644	15,981,289	3,614,359
1971	14,126,819	19,547,544	8,271,949
1972 provisional figures	17,833,410	18,829,279	15,370,328
1973 credit acquired	23,149,490	19,885,000	29,051,000

As far as staff costs are concerned it should be noted that, for the period under review, the budgeted staff strength rose from 597 in 1970 to 615 in 1971, 665 in 1972 and 725 in 1973.

The distribution of staff in 1973 is as follows:

- Decision-making staff (legal and administrative staff: 81; engineers: 178 (including 55 apprentice examiners under training)) 259
- Higher clerical staff 53
- Clerical staff 350
- Manual workers and service staff 63

Information of General Interest

The National Institute for Industrial Property provides the public with an information service, not only in the public consulting rooms of its Paris headquarters, but also at its regional offices in Lyons and Marseilles and in various patent centers set up in the larger French cities.

In this connection it should be pointed out that the material used hitherto to record the information submitted is being progressively replaced by microfilm.

The National Institute for Industrial Property continues to publish its information bulletin PIBD, which has been well received by the public.

It should also be mentioned that the National Institute for Industrial Property plays an important part in various training schemes and other educational activities in the field of industrial property. For instance it supports and actively participates in the International Industrial Property Study Center in Strasbourg, which provides the additional specialized legal training essential to persons with technical or legal qualifications embarking on a career in industrial property or related fields.

The Institute also supports and participates in the activities of FORMEX, the French Patent Examiners' Training Association, which has the task of preparing examiners for the future European Patent Office. Two classes of trainee examiners (about 30 students) are currently being prepared. FORMEX provides the trainee examiners with intensive language instruction using modern methods and has obtained the

assistance of CEIPI for their theory training. Practical training is provided by means of training courses and completed by exercises involving case studies.

In the training field the National Institute for Industrial Property has also been entrusted, by Decree No. 71-409 of May 28, 1971, with the organization of the training course examination to be taken by candidates for a patent diploma,

provided for by Decree No. 65-921 on Patent Agents, of October 29, 1965.

Finally, it is of interest to note that the National Institute for Industrial Property participates in the work of informing the general public about industrial property, by means of lectures given at specialized study sessions and by the provision of an information stand at major French exhibitions and fairs.

CALENDAR

WIPO Meetings

July 2 to 11, 1973 (Nairobi) — Committee of Governmental Experts on Problems in the Field of Copyright and of the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Raised by Transmission Via Space Satellites

Object: Study of the problems — *Invitations:* States members of the Berne Union or of the Paris Union and other States members of the United Nations or of a Specialized Agency — *Observers:* Intergovernmental and international non-governmental organizations concerned — *Note:* Meeting convened jointly with Unesco

July 4 to 6, 1973 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)

September 10 to 18, 1973 (Geneva) — Nice Union — Committee of Experts for the International Classification of Goods and Services for the Purposes of the Registration of Marks

Object: Amendments and additions to the International Classification — *Members:* States members of the Nice Union — *Observers:* States members of the Paris Union, not members of the Nice Union; Benelux Trademark Office

September 17 to 21, 1973 (Geneva) — Non-Governmental Study Group to consider Draft Model Law concerning Neighboring Rights

Object: To study a Draft Model Law — *Participants:* International non-governmental organizations concerned — *Note:* Meeting convened jointly with the International Labour Organisation and Unesco

September 24 to 28, 1973 (Geneva) — Sub-Working Group for the Mechanization of Trademark Searches

Object: Examination of tests carried out concerning mechanized trademark searches — *Members:* Belgium, Canada, France, Germany (Federal Republic of), Netherlands, Spain, United Kingdom, United States of America — *Observer:* Benelux Trademark Office

October 8 to 12, 1973 (Abidjan) — Committee of Governmental Experts on a Copyright Model Law for African States

Object: To study a Draft Model Law — *Invitations:* African States — *Observers:* Intergovernmental and international non-governmental organizations concerned — *Note:* Meeting convened by Unesco in cooperation with WIPO

October 8 to 19, 1973 (Geneva) — International Patent Classification (IPC) — Working Group IV of the Joint ad hoc Committee

October 22 to 27, 1973 (Tokyo) — Patent Cooperation Treaty (PCT) — Interim Committees for Administrative Questions, for Technical Assistance and for Technical Cooperation

October 30 to November 2, 1973 (Bangkok) — WIPO Seminar on Industrial Property

Object: To discuss on the role of industrial property in the development of Asian countries — *Invitations:* Afghanistan, Bangladesh, Burma, India, Indonesia, Iran, Khmer Republic, Laos, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Republic of Korea, Republic of Viet-Nam, Singapore, Sri Lanka, Thailand — *Observers:* Intergovernmental and international non-governmental organizations concerned

November 5 to 9, 1973 (Geneva) — International Patent Classification (IPC) — Working Group V of the Joint ad hoc Committee

November 14 to 16, 1973 (Geneva) — ICIREPAT — Plenary Committee (PLC)

November 19 to 27, 1973 (Geneva) — Administrative Bodies of WIPO (General Assembly, Conference, Coordination Committee) and of the Paris, Berne, Madrid, Nice and Locarno Unions (Assemblies, Conferences of Representatives, Executive Committees)

Invitations: States members of WIPO, or of the Paris or Berne Union — *Observers:* Other States members of the United Nations or of a Specialized Agency; intergovernmental and international non-governmental organizations concerned

November 26 and 27, 1973 (Geneva) — Lishon Union — Council

Members: States members of the Lishon Union — *Observers:* Other States members of the Paris Union

November 28 to 30, 1973 (Geneva) — Working Group on Scientific Discoveries

- December 3, 4 and 11, 1973 (Paris) — International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations — Intergovernmental Committee
Object: Consideration of various questions concerning the Rome Convention — *Invitations:* Brazil, Denmark, Ecuador, Fiji, Germany (Federal Republic of), Mexico, Niger, Sweden, United Kingdom — *Observers:* Austria, Congo, Costa Rica, Czechoslovakia, Paraguay; intergovernmental and international non-governmental organizations concerned — *Note:* Meeting convened jointly with the International Labour Organisation and Unesco
- December 3 to 7, 1973 (Geneva) — ICIREPAT — Technical Committee for Shared Systems (TCSS)
- December 5 to 11, 1973 (Paris) — Executive Committee of the Berne Union — Extraordinary Session
Object: Consideration of various questions concerning copyright — *Invitations:* States members of the Committee — *Observers:* All other member countries of the Berne Union; intergovernmental and international non-governmental organizations concerned — *Note:* Some meetings will be joint with the Intergovernmental Copyright Committee established by the Universal Copyright Convention
- December 10 to 14, 1973 (Paris) — ICIREPAT — Technical Committee for Standardization (TCST)
- December 17 to 21, 1973 (Geneva) — Working Group for the Mechanization of Trademark Searches
Object: Report and recommendations to a Committee of Experts on mechanized trademark searches — *Invitations:* Anstralia, Anstria, Belgium, Canada, France, Germany (Federal Republic of), Ireland, Japan, Luxemborg, Netherlands, Soviet Union, Spain, Sweden, United Kingdom, United States of America — *Observers:* Colombia, Benelux Trademark Office

UPOV Meetings

- October 9, 1973 (Geneva) — Consultative Working Committee
- October 10 to 12, 1973 (Geneva) — Council
- November 6 and 7, 1973 (Geneva) — Technical Steering Committee

Meetings of Other International Organizations concerned with Intellectual Property

- June 26 to July 7, 1973 (Washington) — Organization of American States — Committee of Governmental Experts on Industrial Property and Technology Applied to Development
- September 10 to 14, 1973 (Stockholm) — International Federation of Actors — Congress
- September 10 to October 6, 1973 (Munich) — Munich Diplomatic Conference for the Setting Up of a European System for the Grant of Patents, 1973
- September 24 to 28, 1973 (Budapest) — International Association for the Protection of Industrial Property — Symposium
- October 28 to November 2, 1973 (Tel Aviv) — International Writers Guild — Congress
- December 10 to 14, 1973 (Brussels) — European Economic Community — "Community Patent" Working Party
- February 24 to March 2, 1974 (Melbourne) — International Association for the Protection of Industrial Property — Executive Committee
- May 6 to 30, 1974 (Luxembourg) — Conference of the Member States of the European Communities concerning the Convention on the European Patent for the Common Market
- May 3 to 10, 1975 (San Francisco) — International Association for the Protection of Industrial Property — Congress

VACANCY IN WIPO

Competition No. 214

Head, International Trademarks Section
(International Registrations Division)

Category and grade: P. 2/P. 3, according to qualifications and experience of the selected candidate.

Principal duties:

1. Organizing the Section and giving directions concerning the training of new staff members.
2. (a) General supervision of the work relating to the examination of applications for registration and requests for renewal as well as to the processing of requests for entry in the International Register of modifications affecting international trademark registrations.
(b) Written instructions on the interpretation of the relevant Agreements and on the day-to-day work of the Section. Drawing up or revising the forms used in the context of the Section. Giving directions concerning the establishment of indexes, annual tables and official statistics.
3. Preparation of working documents and reports concerning the work of the Committee of Experts responsible for the establishment and updating of the International Classification of Goods and Services for the Purposes of the Registration of Marks. The incumbent may also be asked to assist in the work relating to the International Classification for Industrial Designs.
4. Contacts with national administrations and individuals requesting information on the international registration of trademarks. Reception of delegates and officials of national administrations.
5. Drafting and/or signing correspondence within the Section's field of activity.
6. Participation in revision work relating to conventions in the field of trademarks.
7. On specific instructions from the Head of the Division, collaborating in particular tasks of a legal or administrative nature.

The duties mentioned above are performed under the general supervision of the Head of the Division.

Qualifications:*

1. University degree in a relevant field — preferably in law or commercial science — or qualifications equivalent to such a degree.
2. Very good knowledge of French (with ability to draft effortlessly) and a good knowledge of English. Knowledge of other languages (especially German and Spanish) would be a great advantage.
3. Sense of organization and ability to supervise a specialized service comprising a large staff.
4. Experience in the field of industrial property, especially trademarks. The incumbent must have, or be in a position to acquire quickly, a thorough knowledge of the relevant instruments (pertinent provisions of the Paris Convention; Madrid Agreement Concerning the International Registration of Marks, and its Regulations; Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks; Locarno Agreement Establishing an International Classification for Industrial Designs) as well as of the Classifications established by the last two Agreements.

Nationality:

Candidates must be nationals of one of the Member States of WIPO or of the Paris or Berne Unions. Qualifications being equal, preference will be given to candidates who are nationals of States of which no national is on the staff of WIPO.

Type of appointment:

Probationary period of two years, after satisfactory completion of which a permanent appointment will be offered.

Age limit:

Candidates must be under fifty at the date of appointment.

Date of entry on duty:

To be agreed.

Applications:

Application forms and full information regarding the *conditions of employment* may be obtained from the Head of the Administrative Division, WIPO, 32, chemin des Colombettes, 1211 Geneva, Switzerland. Please refer to the number of the Competition.

Closing date: August 31, 1973.

* The full range of these qualifications corresponds to an appointment at the P. 3 level.