

Industrial Property

Published monthly
Annual subscription:
Sw.fr. 115.—
Each monthly issue:
Sw.fr. 10.—

20th Year - No. 1
January 1981

Monthly Review of the
World Intellectual Property Organization (WIPO)

Contents

WORLD INTELLECTUAL PROPERTY ORGANIZATION	
— Table of Member States as on January 1, 1981	3
— Membership of the Governing Bodies and Other Organs	5
INTERNATIONAL UNIONS	
— Table of Member States as on January 1, 1981	6
— Membership of the Governing Bodies	19
— Budapest Treaty (Microorganisms)	
1. Acquisition of the Status of International Depositary Authority: American Type Culture Collection; Agricultural Research Culture Collection	20
11. Requirements Communicated Under Rule 6.3(b) of the Regulations Under the Budapest Treaty: Agricultural Research Culture Collection	23
PLANT VARIETIES	
— Table of Member States as on January 1, 1981	24
— International Convention for the Protection of New Varieties of Plants	
1. Ratification: New Zealand	24
11. Acceptance: United States of America	25
CONVENTIONS NOT ADMINISTERED BY WIPO	
— Tables of Contracting States as on January 1, 1980	
Council of Europe	25
European Patent Organisation (EPO)	26
African Intellectual Property Organization (OAPI)	26
Industrial Property Organization for English-Speaking Africa (ESARIPO)	26
GENERAL STUDIES	
— The Inventor: the Stepchild of the Nation? (E. Häusser)	27
NEWS FROM INDUSTRIAL PROPERTY OFFICES	
— Austria	33
NEWS ITEMS	
— Spain, Thailand	35
CALENDAR OF MEETINGS	36
 INDUSTRIAL PROPERTY LAWS AND TREATIES	
— <i>Editor's Note</i>	
— DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA—Law on Trademarks and Industrial Designs (of January 1, 1968)	Text 1-001
— FRANCE—Law on Trademarks and Service Marks (No. 64-1360, of December 31, 1964, as last amended by Law No. 78-23 of January 10, 1978) (replacement sheet)	Text 3-001
— MEXICO—Agreement by Which a General Extension of One Year as from December 29 of the Current Year is Granted for Compliance with the Obligations Specified in Sections 127 and 128 of the Law on Inventions and Marks (of December 5, 1979)	Text 1-005
— NETHERLANDS—Patents Act of the Kingdom (of November 7, 1910, as last amended by the Act of the Kingdom of December 13, 1978) (replacement sheets)	Text 2-001
— NIGERIA—National Office of Industrial Property Decree 1979 (Decree No. 70)	Text 6-001

© WIPO 1981

Any reproduction of official notes or reports, articles and translations of laws or agreements published in this review is authorized only with the prior consent of WIPO.

ISSN 0019-8625

World Intellectual Property Organization

Member States of the World Intellectual Property Organization as on January 1, 1981

State		Date on which membership in WIPO took effect
Algeria	P*	April 16, 1975
Argentina	P B**	October 8, 1980
Australia	P B	August 10, 1972
Austria	P B	August 11, 1973
Bahamas	P B	January 4, 1977
Barbados		October 5, 1979
Belgium	P B	January 31, 1975
Benin	P B	March 9, 1975
Brazil	P B	March 20, 1975
Bulgaria	P B	May 19, 1970
Burundi	P	March 30, 1977
Byelorussian SSR		April 26, 1970
Cameroon	P B	November 3, 1973
Canada	P B	June 26, 1970
Central African Republic	P B	August 23, 1978
Chad	P B	September 26, 1970
Chile	B	June 25, 1975
China		June 3, 1980
Colombia		May 4, 1980
Congo	P B	December 2, 1975
Cuba	P	March 27, 1975
Czechoslovakia	P B	December 22, 1970
Democratic People's Republic of Korea	P	August 17, 1974
Denmark	P B	April 26, 1970
Egypt	P B	April 21, 1975
El Salvador		September 18, 1979
Fiji	B	March 11, 1972
Finland	P B	September 8, 1970
France	P B	October 18, 1974
Gabon	P B	June 6, 1975
Gambia		December 10, 1980
German Democratic Republic	P B	April 26, 1970
Germany, Federal Republic of	P B	September 19, 1970
Ghana	P	June 12, 1976
Greece	P B	March 4, 1976
Guinea	B	November 13, 1980
Holy See	P B	April 20, 1975
Hungary	P B	April 26, 1970
India	B	May 1, 1975
Indonesia	P	December 18, 1979
Iraq	P	January 21, 1976
Ireland	P B	April 26, 1970
Israel	P B	April 26, 1970
Italy	P B	April 20, 1977

* "P" means that the State has ratified or acceded to at least the administrative provisions of the Stockholm Act (1967) of the *Paris* Convention for the Protection of Industrial Property.

** "B" means that the State has ratified or acceded to at least the administrative provisions of the Stockholm Act (1967) or the Paris Act (1971) of the *Berne* Convention for the Protection of Literary and Artistic Works.

State			Date on which membership in WIPO took effect
Ivory Coast	P	B	May 1, 1974
Jamaica			December 25, 1978
Japan	P	B	April 20, 1975
Jordan	P		July 12, 1972
Kenya	P		October 5, 1971
Libya	P	B	September 28, 1976
Liechtenstein	P	B	May 21, 1972
Luxembourg	P	B	March 19, 1975
Malawi	P		June 11, 1970
Malta	P	B	December 7, 1977
Mauritania	P	B	September 17, 1976
Mauritius	P		September 21, 1976
Mexico	P	B	June 14, 1975
Monaco	P	B	March 3, 1975
Mongolia			February 28, 1979
Morocco	P	B	July 27, 1971
Netherlands	P	B	January 9, 1975
Niger	P	B	May 18, 1975
Norway	P	B	June 8, 1974
Pakistan		B	January 6, 1977
Peru			September 4, 1980
Philippines	P	B	July 14, 1980
Poland	P		March 23, 1975
Portugal	P	B	April 27, 1975
Qatar			September 3, 1976
Republic of Korea	P		March 1, 1979
Romania	P	B	April 26, 1970
Senegal	P	B	April 26, 1970
South Africa	P	B	March 23, 1975
Soviet Union	P		April 26, 1970
Spain	P	B	April 26, 1970
Sri Lanka	P	B	September 20, 1978
Sudan			February 15, 1974
Suriname	P	B	November 25, 1975
Sweden	P	B	April 26, 1970
Switzerland	P	B	April 26, 1970
Togo	P	B	April 28, 1975
Tunisia	P	B	November 28, 1975
Turkey	P		May 12, 1976
Uganda	P		October 18, 1973
Ukrainian SSR			April 26, 1970
United Arab Emirates			September 24, 1974
United Kingdom	P	B	April 26, 1970
United States of America	P		August 25, 1970
Upper Volta	P	B	August 23, 1975
Uruguay	P	B	December 21, 1979
Viet Nam ¹	P		April 30, 1975
Yemen			March 29, 1979
Yugoslavia	P	B	October 11, 1973
Zaire	P	B	January 28, 1975
Zambia	P		May 14, 1977

(Total: 95 States)¹

¹ The situation of Viet Nam in respect of the Convention Establishing the World Intellectual Property Organization is under examination.

Membership of the Governing Bodies and Other Organs of WIPO

On January 1, 1981, the membership of the Governing Bodies and other Organs of the World Intellectual Property Organization was as follows:

General Assembly: Algeria, Argentina, Australia, Austria, Bahamas, Belgium, Benin, Brazil, Bulgaria, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Holy See, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libya, Liechtenstein, Luxembourg, Malawi, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Netherlands, Niger, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Senegal, South Africa,¹ Soviet Union, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Kingdom, United States of America, Upper Volta, Uruguay, Viet Nam,² Yugoslavia, Zaire, Zambia (81).

Conference: The same States as above, with Barbados, Byelorussian SSR, China, Colombia, El Salvador, Gambia, Jamaica, Mongolia, Peru, Qatar, Sudan, Ukrainian SSR, United Arab Emirates, Yemen (95).

Coordination Committee: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Cuba, Czechoslovakia, Egypt, El Salvador, Finland, France, German Democratic Republic, Germany (Federal Republic of), Haiti, Hungary, India, Italy, Ivory Coast, Japan, Mexico, Mongolia, Morocco, Nigeria, Philippines, Poland, Senegal, Soviet Union, Spain, Sri Lanka, Sudan, Switzerland, Tunisia, Turkey, United Kingdom, United States of America, Upper Volta, Uruguay, Yugoslavia, Zaire (43).

Budget Committee: Brazil, Cameroon, Canada, Cuba, Czechoslovakia, Egypt, France, Germany (Federal Republic of), India, Iraq, Japan, Soviet Union, Switzerland, United States of America (14).

Headquarters Building Subcommittee: Argentina, Cameroon, France, Germany (Federal Republic of), Italy, Japan, Netherlands, Switzerland, Soviet Union, United States of America (10).

WIPO Permanent Committee for Development Cooperation Related to Industrial Property: Algeria, Australia, Austria, Barbados, Benin, Brazil, Bulgaria, Cameroon, Canada, Chile, Colombia, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Guinea, Hungary, India, Indonesia, Iraq, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libya, Malawi, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Netherlands, Niger, Norway, Pakistan, Poland, Portugal, Republic of Korea, Romania, Senegal, Soviet Union, Spain, Sudan, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United States of America, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia (69).

WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights: Australia, Austria, Barbados, Benin, Brazil, Bulgaria, Cameroon, Canada, Central African Republic, Chile, Congo, Czechoslovakia, Denmark, Egypt, El Salvador, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Guinea, Hungary, India, Israel, Italy, Ivory Coast, Japan, Kenya, Malawi, Mauritius, Mexico, Morocco, Netherlands, Niger, Norway, Pakistan, Poland, Portugal, Romania, Senegal, Soviet Union, Spain, Sudan, Suriname, Sweden, Switzerland, Togo, United Kingdom, United States of America, Upper Volta, Yemen (51).

WIPO Permanent Committee on Patent Information: Algeria, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Central African Republic, Chad, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Iran, Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Malawi, Monaco, Netherlands, Norway, Philippines, Poland, Portugal, Romania, Senegal, Soviet Union, Spain, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Uganda, United Kingdom, United States of America, Upper Volta, Yugoslavia, Zambia, African Intellectual Property Organization, European Patent Organisation (57).

¹ According to a decision of the WIPO Coordination Committee, not to be invited "to any meeting of WIPO and its Bodies and Unions" (see *Industrial Property*, 1977, p. 231).

² The situation of Viet Nam in respect of the WIPO Convention is under examination.

International Unions

Member States as on January 1, 1981

I

International Union for the Protection of Industrial Property (Paris Union)

founded by the Paris Convention for the Protection of Industrial Property (1883), revised at Brussels (1900), Washington (1911), The Hague (1925), London (1934), Lisbon (1958), and Stockholm (1967)

Member State *	Class chosen	Starting date of membership	Latest Act by which the State is bound and date from which it is bound
Algeria ¹	VI	March 1, 1966	Stockholm: April 20, 1975 ²
Argentina	III	February 10, 1967	Lisbon: February 10, 1967 Stockholm: October 8, 1980 (administration) ⁵
Australia ^{1, 3}	III	October 10, 1925	Stockholm: September 27, 1975 (substance) ⁴ August 25, 1972 (administration) ⁵
Austria	IV	January 1, 1909	Stockholm: August 18, 1973
Bahamas ¹	VII	July 10, 1973	Lisbon: July 10, 1973 Stockholm: March 10, 1977 (administration) ⁵
Belgium	III	July 7, 1884	Stockholm: February 12, 1975
Benin ¹	VII	January 10, 1967	Stockholm: March 12, 1975
Brazil	III	July 7, 1884	The Hague: October 26, 1929 Stockholm: March 24, 1975 (administration) ^{2, 5}
Bulgaria	VI	June 13, 1921	Stockholm: May 19 or 27, 1970 ⁶ (substance) ⁴ May 27, 1970 (administration) ^{2, 5}
Burundi	VII	September 3, 1977	Stockholm: September 3, 1977
Cameroon ¹	VII	May 10, 1964	Stockholm: April 20, 1975
Canada ¹	III	June 12, 1925	London: July 30, 1951 Stockholm: July 7, 1970 (administration) ⁵
Central African Republic ¹	VII	November 19, 1963	Stockholm: September 5, 1978
Chad ¹	VII	November 19, 1963	Stockholm: September 26, 1970
Congo ¹	VII	September 2, 1963	Stockholm: December 5, 1975
Cuba	VI	November 17, 1904	Stockholm: April 8, 1975 ²
Cyprus	VI	January 17, 1966	Lisbon: January 17, 1966
Czechoslovakia	IV	October 5, 1919	Stockholm: December 29, 1970 ²
Democratic People's Republic of Korea ¹	VII	June 10, 1980	Stockholm: June 10, 1980
Denmark ⁷	IV	October 1, 1894	Stockholm: April 26 or May 19, 1970 ⁶ (sub- stance) ⁴ April 26, 1970 (administration) ⁵
Dominican Republic	VI	July 11, 1890	The Hague: April 6, 1951
Egypt	VI	July 1, 1951	Stockholm: March 6, 1975 ²
Finland	IV	September 20, 1921	Stockholm: October 21, 1975 (substance) ⁴ September 15, 1970 (administration) ⁵
France ⁸	I	July 7, 1884	Stockholm: August 12, 1975
Gabon ¹	VII	February 29, 1964	Stockholm: June 10, 1975
German Democratic Republic	III	May 1, 1903 ⁹	Stockholm: April 26 or May 19, 1970 ⁶ (sub- stance) ⁴ April 26, 1970 (administration) ⁵
Germany, Federal Republic of	I	May 1, 1903 ⁹	Stockholm: September 19, 1970
Ghana	VII	September 28, 1976	Stockholm: September 28, 1976

Member State*	Class chosen	Starting date of membership	Latest Act by which the State is bound and date from which it is bound
Greece	V	October 2, 1924	Stockholm: July 15, 1976
Haiti	VI	July 1, 1958	Lisbon: January 4, 1962
Holy See	VII	September 29, 1960	Stockholm: April 24, 1975
Hungary	V	January 1, 1909	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ^{2, 5}
Iceland	VI	May 5, 1962	London: May 5, 1962
Indonesia ¹	VI	December 24, 1950	London: December 24, 1950 Stockholm: December 20, 1979 (administration) ⁵
Iran	IV	December 16, 1959	Lisbon: January 4, 1962
Iraq	VI	January 24, 1976	Stockholm: January 24, 1976 ²
Ireland	IV	December 4, 1925	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ⁵
Israel ¹	VI	March 24, 1950	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ⁵
Italy	III	July 7, 1884	Stockholm: April 24, 1977
Ivory Coast ¹	VII	October 23, 1963	Stockholm: May 4, 1974
Japan	I	July 15, 1899	Stockholm: October 1, 1975 (substance) ⁴ April 24, 1975 (administration) ⁵
Jordan ¹	VII	July 17, 1972	Stockholm: July 17, 1972
Kenya	VI	June 14, 1965	Stockholm: October 26, 1971
Lebanon	VI	September 1, 1924	London: September 30, 1947
Libya ¹	VI	September 28, 1976	Stockholm: September 28, 1976 ²
Liechtenstein	VII	July 14, 1933	Stockholm: May 25, 1972
Luxembourg	VII	June 30, 1922	Stockholm: March 24, 1975
Madagascar ¹	VII	December 21, 1963	Stockholm: April 10, 1972
Malawi ¹	VII	July 6, 1964	Stockholm: June 25, 1970
Malta	VII	October 20, 1967	Lisbon: October 20, 1967 Stockholm: December 12, 1977 (administration) ^{2, 5}
Mauritania ¹	VII	April 11, 1965	Stockholm: September 21, 1976
Mauritius	VII	September 24, 1976	Stockholm: September 24, 1976
Mexico	IV	September 7, 1903	Stockholm: July 26, 1976
Monaco	VII	April 29, 1956	Stockholm: October 4, 1975
Morocco	VI	July 30, 1917	Stockholm: August 6, 1971
Netherlands ¹⁰	III	July 7, 1884	Stockholm: January 10, 1975
New Zealand ¹	V	July 29, 1931	London: July 14, 1946
Niger ¹	VII	July 5, 1964	Stockholm: March 6, 1975
Nigeria	VI	September 2, 1963	Lisbon: September 2, 1963
Norway	IV	July 1, 1885	Stockholm: June 13, 1974
Philippines	VI	September 27, 1965	Lisbon: September 27, 1965 Stockholm: July 16, 1980 (administration) ⁵
Poland	III	November 10, 1919	Stockholm: March 24, 1975 ²
Portugal ¹¹	IV	July 7, 1884	Stockholm: April 30, 1975
Republic of Korea ¹	VI	May 4, 1980	Stockholm: May 4, 1980
Romania	IV	October 6, 1920	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ^{2, 5}
San Marino	VI	March 4, 1960	London: March 4, 1960
Senegal ¹	VII	December 21, 1963	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ⁵
South Africa	IV	December 1, 1947	Stockholm: March 24, 1975 ²
Soviet Union	I	July 1, 1965	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ^{2, 5}

Member State*	Class chosen	Starting date of membership	Latest Act by which the State is bound and date from which it is bound
Spain	IV	July 7, 1884	Stockholm: April 14, 1972
Sri Lanka ¹	VII	December 29, 1952	London: December 29, 1952 Stockholm: September 23, 1978 (administration) ⁵
Suriname ¹	VII	November 25, 1975	Stockholm: November 25, 1975
Sweden	III	July 1, 1885	Stockholm: October 9, 1970 (substance) ⁴ April 26, 1970 (administration) ⁵
Switzerland	III	July 7, 1884	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ⁵
Syria	VI	September 1, 1924	London: September 30, 1947
Tanzania ¹	VI	June 16, 1963	Lisbon: June 16, 1963
Togo ¹	VII	September 10, 1967	Stockholm: April 30, 1975
Trinidad and Tobago ¹	VI	August 1, 1964	Lisbon: August 1, 1964
Tunisia	VI	July 7, 1884	Stockholm: April 12, 1976 ²
Turkey	VI	October 10, 1925	London: June 27, 1957 Stockholm: May 16, 1976 (administration) ⁵
Uganda	VII	June 14, 1965	Stockholm: October 20, 1973
United Kingdom ¹²	I	July 7, 1884	Stockholm: April 26 or May 19, 1970 ⁶ (substance) ⁴ April 26, 1970 (administration) ⁵
United States of America ¹³	I	May 30, 1887	Stockholm: August 25, 1973 (substance) ⁴ September 5, 1970 (administration) ⁵
Upper Volta ¹	VII	November 19, 1963	Stockholm: September 2, 1975
Uruguay	VII	March 18, 1967	Stockholm: December 28, 1979
Viet Nam ^{1, 14}	VI	December 8, 1956	Stockholm: April 30, 1975
Yugoslavia	V	February 26, 1921	Stockholm: October 16, 1973
Zaire	VI	January 31, 1975	Stockholm: January 31, 1975
Zambia ¹	VII	April 6, 1965	Lisbon: April 6, 1965 Stockholm: May 14, 1977 (administration) ⁵

(Total: 89 States)¹⁴

* This list includes all the entities to which the Paris Convention has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ The Paris Convention was previously applied, as from the dates indicated, on the territories of what are now the following States: Australia (August 5, 1907), Bahamas (October 20, 1967), Canada (September 1, 1923), Democratic People's Republic of Korea (January 1, 1935), Indonesia (October 1, 1888), Israel (September 12, 1933), Jordan (Cis-Jordan only, September 12, 1933), Libya (January 19, 1932), Malawi (April 1, 1958), New Zealand (September 7, 1891), Republic of Korea (January 1, 1935), Sri Lanka (June 10, 1905), Suriname (July 1, 1890), Tanzania (Tanganyika only, January 1, 1938), Trinidad and Tobago (May 14, 1908), Zambia (April 1, 1958). The Paris Convention was previously applied, from various dates, on the territories of what are now the following States: Algeria, Benin, Cameroon, Central African Republic, Chad, Congo, Gabon, Ivory Coast, Madagascar, Mauritania, Niger, Senegal, Togo, Upper Volta, Viet Nam.¹⁴

² With the declaration provided for in Article 28(2).

³ Australia extended the application of the Hague Act (1925) to Norfolk Island and Nauru with effect from July 29, 1936. Australia extended the application of the London Act (1934) to Norfolk Island with effect from February 5, 1960.

⁴ "Substance" means Articles 1 to 12 and, unless the date under "administration" is earlier, Articles 18 to 30.

⁵ "Administration" means Articles 13 to 17 and, unless the date under "substance" is earlier or where there is no entry "substance," Articles 18 to 30.

⁶ These are the alternative dates of entry into force which the Director General of WIPO communicated to the States concerned.

⁷ The accession of Denmark to the Paris Convention (1883) included the Faroe Islands. Denmark extended the application of the Stockholm Act (1967) to the Faroe Islands with effect from August 6, 1971.

⁸ Including all Overseas Departments and Territories.

⁹ Date on which the accession by the German Empire took effect.

¹⁰ The Netherlands extended to Curaçao the application of the Convention with effect from July 1, 1890, and of the London Act (1934) with effect from August 5, 1948. The ratification of the Stockholm Act (1967) applies also to the Netherlands Antilles.

¹¹ Including the Azores and Madeira.

¹² The United Kingdom extended the application of the Stockholm Act (1967) to the territory of Hong Kong with effect from November 16, 1977.

¹³ The United States of America extended the application of the Lisbon Act (1958) to American Samoa, Guam, Puerto Rico and Virgin Islands with effect from July 7, 1963, and has extended the application of the Stockholm Act (1967) to all territories and possessions of the United States of America, including the Commonwealth of Puerto Rico, as from August 25, 1973.

¹⁴ The situation of Viet Nam in respect of the Paris Union is under examination.

II

Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods

Madrid Agreement (Indications of Source) (1891), revised at Washington (1911), The Hague (1925), London (1934) and Lisbon (1958), and supplemented by the Additional Act of Stockholm (1967)

Contracting State *	Original date on which the State became bound by the Agreement	Latest Act by which the State is bound and date from which it is bound (see, however, for some States, the Additional Act of Stockholm)	Additional Act of Stockholm and date from which the State is bound by it
Algeria ¹	July 5, 1972	Lisbon: July 5, 1972	July 5, 1972
Brazil	October 3, 1896	<i>The Hague</i> : October 26, 1929	—
Bulgaria	August 12, 1975	Lisbon: August 12, 1975	August 12, 1975
Cuba	January 1, 1905	Lisbon: October 11, 1964	October 7, 1980
Czechoslovakia	September 30, 1921	Lisbon: June 1, 1963	December 29, 1970
Dominican Republic	April 6, 1951	<i>The Hague</i> : April 6, 1951	—
Egypt	July 1, 1952	Lisbon: March 6, 1975	March 6, 1975
France ²	July 15, 1892	Lisbon: June 1, 1963	August 12, 1975
German Democratic Republic	June 12, 1925 ³	Lisbon: January 15, 1965	April 26, 1970
Germany, Federal Republic of	June 12, 1925 ³	Lisbon: June 1, 1963	September 19, 1970
Hungary	June 5, 1934	Lisbon: March 23, 1967	April 26, 1970
Ireland	December 4, 1925	Lisbon: June 9, 1967	April 26, 1970
Israel ¹	March 24, 1950	Lisbon: July 2, 1967	April 26, 1970
Italy	March 5, 1951	Lisbon: December 29, 1968	April 24, 1977
Japan	July 8, 1953	Lisbon: August 21, 1965	April 24, 1975
Lebanon	September 1, 1924	<i>London</i> : September 30, 1947	—
Liechtenstein	July 14, 1933	Lisbon: April 10, 1972	May 25, 1972
Monaco	April 29, 1956	Lisbon: June 1, 1963	October 4, 1975
Morocco	July 30, 1917	<i>Lisbon</i> : May 15, 1967	—
New Zealand ¹	July 29, 1931	<i>London</i> : May 17, 1947	—
Poland	December 10, 1928	<i>The Hague</i> : December 10, 1928	—
Portugal ⁴	October 31, 1893	<i>London</i> : November 7, 1949	—
San Marino	September 25, 1960	<i>London</i> : September 25, 1960	—
Spain	July 15, 1892	Lisbon: August 14, 1973	August 14, 1973
Sri Lanka ¹	December 29, 1952	<i>London</i> : December 29, 1952	—
Sweden	January 1, 1934	Lisbon: October 3, 1969	April 26, 1970
Switzerland	July 15, 1892	Lisbon: June 1, 1963	April 26, 1970
Syria	September 1, 1924	<i>London</i> : September 30, 1947	—
Tunisia	July 15, 1892	<i>London</i> : October 4, 1942	—
Turkey	August 21, 1930	<i>London</i> : June 27, 1957	—
United Kingdom	July 15, 1892	Lisbon: June 1, 1963	April 26, 1970
Viet Nam ^{1, 5}	December 8, 1956	<i>London</i> : December 8, 1956	—

(Total: 32 States)⁵

* This list includes all the entities to which the Madrid Agreement (Indications of Source) has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ The Madrid Agreement (Indications of Source) was previously applied, as from the dates indicated, on the territories of what are now the following States: Israel (September 12, 1933), New Zealand (June 20, 1913), Sri Lanka (September 1, 1913). The said Agreement was previously applied, from various dates, on the territories of what are now Algeria and Viet Nam.⁵

² Including all Overseas Departments and Territories.

³ Date on which the accession by the Reich took effect.

⁴ Including the Azores and Madeira.

⁵ The situation of Viet Nam in respect of the Madrid Agreement (Indications of Source) is under examination.

III

Union for the International Registration of Marks (Madrid Union)

founded by the Madrid Agreement Concerning the International Registration of Marks (1891), revised at Brussels (1900), Washington (1911), The Hague (1925), London (1934), Nice (1957) and Stockholm (1967)

Member State * ¹	Starting date of membership in the Union	Latest Act by which the State is bound and date from which it is bound
Algeria ²	July 5, 1972	Stockholm: July 5, 1972
Austria	January 1, 1909	Stockholm: August 18, 1973
Belgium ³	July 15, 1892	Stockholm: February 12, 1975
Czechoslovakia	October 5, 1919	Stockholm: December 22 or 29, 1970 ⁴
Democratic People's Republic of Korea	June 10, 1980	Stockholm: June 10, 1980
Egypt	July 1, 1952	Stockholm: March 6, 1975
France ⁵	July 15, 1892	Stockholm: August 12, 1975
German Democratic Republic	December 1, 1922 ⁶	Stockholm: September 19, or December 22, 1970 ⁴
Germany, Federal Republic of	December 1, 1922 ⁶	Stockholm: September 19, or December 22, 1970 ⁴
Hungary	January 1, 1909	Stockholm: September 19, or December 22, 1970 ⁴
Italy	October 15, 1894	Stockholm: April 24, 1977
Liechtenstein	July 14, 1933	Stockholm: May 25, 1972
Luxembourg ³	September 1, 1924	Stockholm: March 24, 1975
Monaco	April 29, 1956	Stockholm: October 4, 1975
Morocco	July 30, 1917	Stockholm: January 24, 1976
Netherlands ^{3, 7}	March 1, 1893	Stockholm: March 6, 1975
Portugal ⁸	October 31, 1893	Nice: December 15, 1966
Romania	October 6, 1920	Stockholm: September 19, or December 22, 1970 ⁴
San Marino	September 25, 1960	Nice: December 15, 1966
Soviet Union ⁹	July 1, 1976	Stockholm: July 1, 1976
Spain ¹⁰	July 15, 1892	Stockholm: June 8, 1979
Switzerland	July 15, 1892	Stockholm: September 19, or December 22, 1970 ⁴
Tunisia	July 15, 1892	Nice: August 28, 1967
Viet Nam ^{2, 11}	December 8, 1956	Stockholm: May 15, 1973
Yugoslavia	February 26, 1921	Stockholm: October 16, 1973

(Total: 25 States)¹¹

* This list includes all the entities to which the Madrid Agreement (Marks) has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ All the States have declared, under Article 3*bis* of the Nice or Stockholm Act, that the protection arising from international registration shall not extend to them unless the proprietor of the mark so requests (the dates in parentheses indicate the effective date of the declaration in respect of each State): Algeria (July 5, 1972), Austria (February 8, 1970), Belgium (December 15, 1966), Czechoslovakia (April 14, 1971), Democratic People's Republic of Korea (June 10, 1980), Egypt (March 1, 1967), France (July 1, 1973), German Democratic Republic (October 25, 1967), Germany (Federal Republic of) (July 1, 1973), Hungary (October 30, 1970), Italy (June 14, 1967), Liechtenstein (January 1, 1973), Luxembourg (December 15, 1966), Monaco (December 15, 1966), Morocco (December 18, 1970), Netherlands (December 15, 1966), Portugal (December 15, 1966), Romania (June 10, 1967), San Marino (August 14, 1969), Soviet Union (July 1, 1976), Spain (December 15, 1966), Switzerland (January 1, 1973), Tunisia (August 28, 1967), Viet Nam¹¹ (May 15, 1973), Yugoslavia (June 29, 1972).

² The Madrid Agreement (Marks) previously applied, from various dates, on the territories of what are now Algeria and Viet Nam.¹¹

³ As from January 1, 1971, the territories in Europe of Belgium, Luxembourg and the Netherlands are, for the application of the Madrid Agreement (Marks), to be deemed a single country.

⁴ These are the alternative dates of entry into force which the Director General of WIPO communicated to the States concerned.

⁵ Including all Overseas Departments and Territories.

⁶ Date on which the accession by the Reich took effect.

⁷ The instrument of ratification of the Stockholm Act (1967) was deposited for the Kingdom in Europe.

⁸ Including the Azores and Madeira.

⁹ In accordance with Article 14(2)(d) and (f), the Soviet Union declared that the application of the Stockholm Act (1967) was limited to marks registered from the date on which its accession entered into force, that is, July 1, 1976.

¹⁰ Spain declared that it no longer wished to be bound by instruments earlier than the Nice Act. This declaration became effective on December 15, 1966. The Madrid Agreement (Marks) was thus not applicable between Spain and the following States between December 15, 1966, and the date indicated for each State: Austria (February 8, 1970), Hungary (March 23, 1967), Liechtenstein (May 29, 1967), Morocco (December 18, 1970), Tunisia (August 28, 1967), Viet Nam¹¹ (May 15, 1973).

¹¹ The situation of Viet Nam in respect of the Madrid Union is under examination.

IV

Union for the International Deposit of Industrial Designs (Hague Union)

founded by the Hague Agreement Concerning the International Deposit of Industrial Designs (1925), revised at London (1934) and The Hague (1960)¹ and supplemented by the Additional Act of Monaco (1961),² by the Complementary Act of Stockholm (1967) and by the Protocol of Geneva (1975)

Member State*	Starting date of membership in the Union	London Act and date from which the State is bound	Complementary Act of Stockholm and date from which the State is bound	Protocol of Geneva and date from which the State is bound
Belgium ^{1, 3, 4}	April 1, 1979	—	May 28, 1979	April 1, 1979
Egypt	July 1, 1952	July 1, 1952	—	—
France ^{1, 2, 5}	October 20, 1930	June 25, 1939	September 27, 1975	February 18, 1980
<i>German Democratic Republic</i>	June 1, 1928 ⁶	June 13, 1939 ⁶	—	—
Germany, Federal Republic of ²	June 1, 1928 ⁶	June 13, 1939 ⁶	September 27, 1975	—
Holy See	September 29, 1960	September 29, 1960	—	—
Indonesia ⁷	December 24, 1950	December 24, 1950	—	—
Liechtenstein ^{1, 2}	July 14, 1933	January 28, 1951	September 27, 1975	April 1, 1979
Luxembourg ^{1, 4}	April 1, 1979	—	May 28, 1979	April 1, 1979
Monaco ²	April 29, 1956	April 29, 1956	September 27, 1975	—
Morocco	October 20, 1930	January 21, 1941	—	—
Netherlands ^{1, 2, 3, 4}	April 1, 1979	—	May 28, 1979	April 1, 1979
Spain ²	June 1, 1928	March 2, 1956	—	—
Suriname ^{1, 2, 3, 7}	November 25, 1975	November 25, 1975	February 23, 1977	April 1, 1979
Switzerland ^{1, 2}	June 1, 1928	November 24, 1939	September 27, 1975	April 1, 1979
Tunisia	October 20, 1930	October 4, 1942	—	—
Viet Nam ^{7, 8}	December 8, 1956	December 8, 1956	—	—

(Total: 17 States)⁸

* This list includes all the entities to which the Hague Agreement has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ The Hague Act (1960) is not yet in force. The following States have ratified or acceded to this Act: Belgium, France, Liechtenstein, Luxembourg, Netherlands (as far as the Kingdom in Europe is concerned), Suriname and Switzerland.

² The Additional Act of Monaco (1961) is in force in respect of the following States as from the dates indicated: France (December 1, 1962), Germany (Federal Republic of) (December 1, 1962), Liechtenstein (July 9, 1966), Monaco (September 14, 1963), Netherlands (as far as the Netherlands Antilles are concerned) (September 14, 1963), Spain (August 31, 1969), Suriname (November 25, 1975) and Switzerland (December 21, 1962). See also footnote 3.

³ Belgium had withdrawn from the Hague Union with effect from January 1, 1975. The Netherlands had denounced, in respect of the Kingdom in Europe and with effect from January 1, 1975, the Hague Agreement (1925) and the subsequent Acts to which the Netherlands had adhered, specifying that the said Agreement and Acts—London Act (1934) and Additional Act of Monaco (1961)—would remain in force in respect of the Netherlands Antilles and Suriname. As a result of their ratification of the Protocol of Geneva (1975) and its entry into force on April 1, 1979, Belgium and the Netherlands became, again, as from that date, members of the Hague Union.

⁴ The territories in Europe of Belgium, Luxembourg and the Netherlands are, for the application of the Hague Agreement, to be deemed a single country.

⁵ Including all Overseas Departments and Territories.

⁶ Date on which the ratification by the Reich took effect.

⁷ The Hague Agreement was previously applied, as from the dates indicated, on the territories of what are now Indonesia (June 1, 1928), Suriname (June 1, 1928) and Viet Nam⁸ (October 20, 1930).

⁸ The situation of Viet Nam in respect of the Hague Union is under examination.

V

Union for the International Classification of Goods and Services for the Purposes of the Registration of Marks (Nice Union)

founded by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (1957), revised at Stockholm (1967) and at Geneva (1977)

Member State*	Starting date of membership in the Union	Latest Act by which the State is bound and date from which it is bound
Algeria	July 5, 1972	Stockholm: July 5, 1972
Australia	April 8, 1961	Geneva: February 6, 1979
Austria	November 30, 1969	Stockholm: August 18, 1973
Belgium	June 6, 1962	Stockholm: February 12, 1975
Benin	February 6, 1979	Geneva: February 6, 1979
Czechoslovakia	April 8, 1961	Geneva: February 6, 1979
Denmark ¹	November 30, 1961	Stockholm: May 4, 1970
Finland	August 18, 1973	Geneva: February 6, 1979
France ²	April 8, 1961	Geneva: April 22, 1980
German Democratic Republic	January 15, 1965	Stockholm: November 12, 1969, or March 18, 1970 ³
Germany, Federal Republic of	January 29, 1962	Stockholm: September 19, 1970
Hungary	March 23, 1967	Stockholm: March 18, or April 19, 1970 ³
Ireland	December 12, 1966	Geneva: February 6, 1979
Israel	April 8, 1961	Stockholm: November 12, 1969, or March 18, 1970 ³
Italy	April 8, 1961	Stockholm: April 24, 1977
Lebanon	April 8, 1961	Nice: April 8, 1961
Liechtenstein	May 29, 1967	Stockholm: May 25, 1972
Luxembourg	March 24, 1975	Stockholm: March 24, 1975
Monaco	April 8, 1961	Stockholm: October 4, 1975
Morocco	October 1, 1966	Stockholm: January 24, 1976
Netherlands	August 20, 1962	Geneva: August 15, 1979
Norway	July 28, 1961	Stockholm: June 13, 1974
Poland	April 8, 1961	Nice: April 8, 1961
Portugal	April 8, 1961	Nice: April 8, 1961
Soviet Union	July 26, 1971	Stockholm: July 26, 1971
Spain	April 8, 1961	Geneva: May 9, 1979
Sweden	July 28, 1961	Geneva: February 6, 1979
Switzerland	August 20, 1962	Stockholm: May 4, 1970
Tunisia	May 29, 1967	Nice: May 29, 1967
United Kingdom	April 15, 1963	Geneva: July 3, 1979
United States of America	May 25, 1972	Stockholm: May 25, 1972
Yugoslavia	August 30, 1966	Stockholm: October 16, 1973

(Total: 32 States)

* This list includes all the entities to which the Nice Agreement has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ Denmark extended the application of the Stockholm Act to the Faroe Islands with effect from October 28, 1972.

² Including all Overseas Departments and Territories.

³ These are the alternative dates of entry into force which the Director General of WIPO communicated to the States concerned.

VI

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

founded by the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958), revised at Stockholm (1967)

Member State *	Starting date of membership in the Union	Latest Act by which the State is bound and date from which it is bound
Algeria	July 5, 1972	Stockholm: October 31, 1973
Bulgaria	August 12, 1975	Stockholm: August 12, 1975
Congo	November 16, 1977	Stockholm: November 16, 1977
Cuba	September 25, 1966	Stockholm: April 8, 1975
Czechoslovakia	September 25, 1966	Stockholm: October 31, 1973
France ¹	September 25, 1966	Stockholm: August 12, 1975
Gabon	June 10, 1975	Stockholm: June 10, 1975
<i>Haiti</i>	<i>September 25, 1966</i>	<i>Lisbon: September 25, 1966</i>
Hungary	March 23, 1967	Stockholm: October 31, 1973
Israel	September 25, 1966	Stockholm: October 31, 1973
Italy	December 29, 1968	Stockholm: April 24, 1977
<i>Mexico</i>	<i>September 25, 1966</i>	<i>Lisbon: September 25, 1966</i>
<i>Portugal</i>	<i>September 25, 1966</i>	<i>Lisbon: September 25, 1966</i>
Togo	April 30, 1975	Stockholm: April 30, 1975
Tunisia	October 31, 1973	Stockholm: October 31, 1973
Upper Volta	September 2, 1975	Stockholm: September 2, 1975

(Total: 16 States)

* This list includes all the entities to which the Lisbon Agreement has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ Including all Overseas Departments and Territories.

VII

Union for the International Classification for Industrial Designs (Locarno Union)

founded by the Locarno Agreement Establishing an International Classification for Industrial Designs (1968)

Member State *	Starting date of membership in the Union
Czechoslovakia	April 27, 1971
Denmark	April 27, 1971
Finland	May 16, 1972
France ¹	September 13, 1975
German Democratic Republic	April 27, 1971
Hungary	January 1, 1974
Ireland	April 27, 1971
Italy	August 12, 1975
Netherlands	March 30, 1977
Norway	April 27, 1971
Soviet Union	December 15, 1972
Spain	November 17, 1973
Sweden	April 27, 1971
Switzerland	April 27, 1971
United States of America	May 25, 1972
Yugoslavia	October 16, 1973
(Total: 16 States)	

* This list includes all the entities to which the Locarno Agreement has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ Including all Overseas Departments and Territories.

VIII

International Patent Cooperation Union (PCT Union)

founded by the Patent Cooperation Treaty (Washington, 1970)

Member State *	Starting date of membership in the Union	Member State *	Starting date of membership in the Union
Australia	March 31, 1980	Liechtenstein ¹	March 19, 1980
Austria	April 23, 1979	Luxembourg ¹	April 30, 1978
Brazil	April 9, 1978	Madagascar ⁶	January 24, 1978
Cameroon	January 24, 1978	Malawi	January 24, 1978
Central African Republic	January 24, 1978	Monaco	June 22, 1979
Chad	January 24, 1978	Netherlands ⁷	July 10, 1979
Congo	January 24, 1978	Norway ¹	January 1, 1980
Democratic People's Republic of Korea	July 8, 1980	Romania ³	July 23, 1979
Denmark ¹	December 1, 1978	Senegal	January 24, 1978
Finland ²	October 1, 1980	Soviet Union ³	March 29, 1978
France ^{1, 3, 4}	February 25, 1978	Sweden ²	May 17, 1978
Gabon	January 24, 1978	Switzerland ¹	January 24, 1978
Germany, Federal Republic of	January 24, 1978	Togo	January 24, 1978
Hungary ³	June 27, 1980	United Kingdom	January 24, 1978
Japan ⁵	October 1, 1978	United States of America ^{1, 8, 9}	January 24, 1978

(Total: 30 States)

* This list includes all the entities to which the Patent Cooperation Treaty has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ With the declaration provided for in Article 64(1)(a).

² With the declaration provided for in Article 64(2)(a)(ii).

³ With the declaration provided for in Article 64(5).

⁴ Including all Overseas Departments and Territories.

⁵ With the declaration provided for in Article 64(2)(a)(i) and (ii).

⁶ According to information received from the Minister for Foreign Affairs of Madagascar concerning international applications designating Madagascar, the draft industrial property legislation, submitted to the competent authorities, provides, among other things, for the prolongation of the time limits under Articles 22 and 39 until the time at which the new patent legislation will, after its entry into force, permit the processing of patent applications in Madagascar. After the publication of the new law, the said prolonged time limits will be fixed by the competent authorities. The Government of Madagascar has expressed the desire that this information be conveyed to applicants using the PCT system and designating or electing Madagascar, or intending to do so, so that they may take cognizance of the possibility thus offered to them to validly designate or elect Madagascar and to wait with the action required to start the national phase under Articles 22 and 39 until after the new legislation has entered into force and the time limits to be observed under it have been determined.

⁷ Ratification for the Kingdom in Europe and the Netherlands Antilles.

⁸ With the declarations provided for in Articles 64(3)(a) and 64(4)(a).

⁹ Extends to all areas for which the United States of America has international responsibility.

IX

Union for the International Patent Classification (IPC Union)

founded by the Strasbourg Agreement Concerning the International Patent Classification (1971)

Member State *	Starting date of membership in the Union	Member State *	Starting date of membership in the Union
Australia ¹	November 12, 1975	Israel	October 7, 1975
Austria	October 7, 1975	Italy ²	March 30, 1980
Belgium ²	July 4, 1976	Japan	August 18, 1977
Brazil	October 7, 1975	Luxembourg ²	April 9, 1977
Czechoslovakia	August 3, 1978	Monaco ²	June 13, 1976
Denmark	October 7, 1975	Netherlands ³	October 7, 1975
Egypt	October 17, 1975	Norway ¹	October 7, 1975
Finland ¹	May 16, 1976	Portugal	May 1, 1979
France ²	October 7, 1975	Soviet Union	October 3, 1976
German Democratic Republic	August 24, 1977	Spain ^{1, 2}	November 29, 1975
Germany, Federal Republic of	October 7, 1975	Suriname ⁴	November 25, 1975
Ireland ¹	October 7, 1975	Sweden	October 7, 1975
		Switzerland	October 7, 1975
		United Kingdom ¹	October 7, 1975
		United States of America	October 7, 1975

(Total: 27 States)

* This list includes all the entities to which the Agreement has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ With the reservation provided for in Article 4(4)(i).

² With the reservation provided for in Article 4(4)(ii).

³ Ratification for the Kingdom in Europe and the Netherlands Antilles.

⁴ The Strasbourg (IPC) Agreement was previously applied, as from October 7, 1975, to the territory of Suriname.

X

Union for the International Registration of Trademarks (TRT Union)

founded by the Trademark Registration Treaty (Vienna, 1973)

Member State *	Starting date of membership in the Union
Congo	August 7, 1980
Gabon	August 7, 1980
Soviet Union ¹	August 7, 1980
Togo	August 7, 1980
Upper Volta	August 7, 1980

(Total: 5 States)

* This list includes all the entities to which the Treaty has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

¹ With the declaration provided for in Article 46(2).

XI

**Union for the International Recognition of the Deposit of Microorganisms
for the Purposes of Patent Procedure (Budapest Union)**

founded by the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the
Purposes of Patent Procedure (1977)

Member State *	Starting date of membership in the Union
Bulgaria	August 19, 1980
France	August 19, 1980
Germany, Federal Republic of	January 20, 1981
Hungary	August 19, 1980
Japan	August 19, 1980
Spain	March 19, 1981
United Kingdom	December 29, 1980
United States of America	August 19, 1980

(Total: 8 States)

* This list includes all the entities to which the Treaty has been declared applicable. It does not imply any expression of opinion as to the legal status of any country or territory or of its authorities.

**Declaration of Acceptance Filed Under Article 9(i)(a) of the
Budapest Treaty by Intergovernmental Industrial Property Organizations**

Organization	Date of Effect
European Patent Organisation	November 26, 1980

International Depository Authorities Under Article 7 of the Budapest Treaty

Institution	Date Status Acquired
American Type Culture Collection . .	January 31, 1981
Agricultural Research Culture Collection	January 31, 1981

XII

**Vienna Agreement Establishing an International Classification
of the Figurative Elements of Marks (1973)***

Signatory States

Austria	German Democratic	Italy	Portugal
Belgium	Republic	Luxembourg	Romania
Brazil	Germany, Federal	Monaco	San Marino
Denmark	Republic of	Netherlands	Sweden
France	Hungary	Norway	Switzerland
			Yugoslavia

(Total: 19 States)

Ratifications

France
Netherlands
Sweden

(Total: 3 States)

* This instrument is not yet in force.

XIII

**Vienna Agreement for the Protection of Type Faces
and their International Deposit and Protocol (1973)***

Signatory States

France ¹	Luxembourg ¹
Germany, Federal	Netherlands ¹
Republic of	San Marino ¹
Hungary ¹	Switzerland ¹
Italy	United Kingdom
Liechtenstein ¹	Yugoslavia

(Total: 11 States)

Ratification

France²

(Total: 1 State)

* These instruments are not yet in force.

¹ These States have also signed the Protocol.

² This State has also ratified the Protocol.

XIV

**Geneva Treaty on the International Recording
of Scientific Discoveries (1978)***

Signatory States

Bulgaria
Czechoslovakia
Hungary
Morocco
Soviet Union

(Total: 5 States)

* This instrument is not yet in force.

**Membership of the Governing Bodies
of the Industrial Property Unions**

On January 1, 1981, the membership of the Governing Bodies was as follows:

Paris Union

Assembly: Algeria, Argentina, Australia, Austria, Bahamas, Belgium, Benin, Brazil, Bulgaria, Burundi, Cameroon, Canada, Central African Republic, Chad, Congo, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Holy See, Hungary, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Kenya, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Netherlands, Niger, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Senegal, South Africa,¹ Soviet Union, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Kingdom, United States of America, Uruguay, Upper Volta, Viet Nam,* Yugoslavia, Zaire, Zambia (77).

Conference of Representatives: Cyprus, Dominican Republic, Haiti, Iceland, Iran, Lebanon, New Zealand, Nigeria, San Marino, Syria, Tanzania, Trinidad and Tobago (12).

* The situation of Viet Nam in respect of this Union is under examination.

¹ According to a decision of the WIPO Coordination Committee, not to be invited "to any meeting of WIPO and its Bodies and Unions" (see *Industrial Property*, 1977, p. 231).

Executive Committee: Ordinary Members: Algeria, Australia, Brazil, Bulgaria, Cuba, Egypt, Finland, France, Germany (Federal Republic of), Italy, Ivory Coast, Japan, Morocco, Philippines, Poland, Senegal, Soviet Union, Switzerland (*ex officio*), United States of America, Uruguay, Yugoslavia; Associate Members: Haiti, Nigeria (23).

Madrid Union

Assembly: Algeria, Austria, Belgium, Czechoslovakia, Democratic People's Republic of Korea, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, Romania, Soviet Union, Spain, Switzerland, Viet Nam,* Yugoslavia (22).

Committee of Directors: Portugal, San Marino, Tunisia (3).

Hague Union

Assembly: Belgium, France, Germany (Federal Republic of), Liechtenstein, Luxembourg, Monaco, Netherlands, Suriname, Switzerland (9).

Conference of Representatives: Egypt, German Democratic Republic, Holy See, Indonesia, Morocco, Spain, Tunisia, Viet Nam* (8).

Nice Union

Assembly: Algeria, Australia, Austria, Belgium, Benin, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Ireland, Israel, Italy, Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, Norway, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia (28).

Conference of Representatives: Lebanon, Poland, Portugal, Tunisia (4).

Lisbon Union

Assembly: Algeria, Bulgaria, Congo, Cuba, Czechoslovakia, France, Gabon, Hungary, Israel, Italy, Togo, Tunisia, Upper Volta (13).

Council: Haiti, Mexico, Portugal (3).

Locarno Union

Assembly: Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Hungary, Ireland, Italy, Netherlands, Norway, Soviet Union, Spain, Sweden, Switzerland, United States of America, Yugoslavia (16).

PCT Union

Assembly: Australia, Austria, Brazil, Cameroon, Central African Republic, Chad, Congo, Democratic People's Republic of Korea, Denmark, Finland, France, Gabon, Germany (Federal Republic of), Hungary, Japan, Liechtenstein, Luxembourg, Madagascar, Malawi, Monaco, Netherlands, Norway, Romania, Senegal, Soviet Union, Sweden, Switzerland, Togo, United Kingdom, United States of America (30).

IPC Union

Assembly: Australia, Austria, Belgium, Brazil, Czechoslovakia, Denmark, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ireland, Israel, Italy, Japan, Luxembourg, Monaco, Netherlands, Norway, Portugal, Soviet Union, Spain, Suriname, Sweden, Switzerland, United Kingdom, United States of America (27).

TRT Union

Assembly: Congo, Gabon, Togo, Soviet Union, Upper Volta (5).

Budapest Union

Assembly: Bulgaria, France, Germany (Federal Republic of) (as from January 20, 1981), Hungary, Japan, Spain (as from March 19, 1981), United Kingdom, United States of America (8).

Budapest Treaty (Microorganisms)

I

Acquisition of the Status of International Depository Authority

A

AMERICAN TYPE CULTURE COLLECTION

The following written communication addressed to the Director General of WIPO by the Government of the United States of America under Article 7 of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure was received on November 17, 1980, and is published by the International Bureau of WIPO pursuant to Article 7(2)(a) of the said Treaty:

“As provided in Article 7 of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, my Government proposes as an international depository authority the American Type Culture Collection. We offer our assurances that the American Type Culture Collection can and will meet every requirement prescribed by the Treaty and Rules thereunder for international depository authorities. Accordingly, my Government requests that you, as soon as possible, take the steps necessary to confer this status on the American Type Culture Collection.

“The American Type Culture Collection is located in the United States at 12301 Parklawn Drive, Rockville, Maryland 20852. It has been in continuous existence as a culture collection for 55 years. Operating as a private non-profit corporation, the American Type Culture Collection has been chartered since its founding in 1925 to acquire, preserve, authenticate and distribute samples of bacteria, algae, protozoa, fungi, cell cultures and viruses (animal, bacterial, plant and fungal) to requesters around the world.

"It has an undisputed and world-wide reputation for scientific and administrative competence. Of its staff of more than 100 members, half or more possess university degrees (PhD, MS or BS) in pertinent scientific fields. Many of its staff have been continuously employed there for more than 15 years.

"Throughout its existence, the American Type Culture Collection has accepted microorganisms for deposit from any depositor under the same conditions. It will accept for deposit under the Budapest Treaty the following: algae, bacteria (including actinomycetes), bacteria containing plasmids (with the limitations noted below), bacteriophages, cell cultures (including hybridoma lines), fungi (including yeasts), protozoa and animal and plant viruses (with the limitations noted below).

"The American Type Culture Collection must be informed, in advance of accepting a deposit for a bacterium containing a plasmid, of the physical containment level required for experiments using the host vector system, as described in the 1980 National Institutes of Health Guidelines for Research involving Recombinant DNA Molecules (i.e., P1, P2, P3 or P4 facility). The American Type Culture Collection, for the time being, will accept only those hosts containing plasmids which can be worked in a P1 or P2 facility.

"Certain animal viruses may require viability testing in an animal host, which the American Type Culture Collection may be unable to provide. In a case where it cannot provide viability testing, the deposit cannot be accepted. Plant viruses which cannot be mechanically inoculated also cannot be accepted.

"The American Type Culture Collection has been an acceptable depository for more than 20 years in connection with United States and foreign microbiological patents. In its long history, there has never been a failure to observe any requirement of a national patent law or to apply the highest administrative and scientific standards to deposits stored therein.

"My Government has further concluded that the American Type Culture Collection will store each deposit made in accordance with the Treaty with all the care necessary to keep it viable and uncontaminated for at least 30 years after deposit. There are sufficient safety measures in operation to minimize the risk of losing deposits of microorganisms; e.g., a 24-hour alarm to alert the staff of any electrical failure and a backup generator for emergency purposes. There is always a guard on duty to monitor these facilities.

"As required by Rule 3.1 (b) (iv), enclosed is the fee schedule for the American Type Culture Collection applicable to deposits made under the Budapest Treaty. These fees do not vary on account of the nationality or residence of the person paying them. Please be further advised, as required by Rule 3.1(b)(v), that it will conduct business in English in regard to these deposits.

"We request that this recognition be conferred as from the date of publication of this communication."

[Fee Schedule follows]

AMERICAN TYPE CULTURE COLLECTION
12301 Parklawn Drive
Rockville, Maryland 20852

FEE SCHEDULE

Fee for maintenance and availability of a culture for the period of time specified under the Budapest Treaty for all cultures acceptable is \$570.00.

Fee for Viability Testing Is:

Bacteria (without plasmids)	\$100.00
Fungi, including yeast	100.00
Protozoa	100.00
Algae	100.00
Animal Cell Cultures including hybridoma lines, animal and plant viruses*	Fee must be decided on an individual basis

Fee to inform depositors of requests for a strain for 30 years is \$300.00.

* Viability

The testing of some of these items may require testing in animals (i.e. horse) or other expensive procedures and cannot be predetermined until the nature of the material is known.

[End of text of Communication]

Pursuant to Article 7(2)(b) of the Budapest Treaty, the American Type Culture Collection acquires the status of international depository authority as from January 31, 1981 (date of the present publication).

Budapest Communication No.1 (this Communication is the subject of Budapest Notification No. 11, of December 3, 1980).

B

AGRICULTURAL RESEARCH CULTURE
COLLECTION

The following written communication addressed to the Director General of WIPO by the Government of the United States of America under Article 7 of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure was received on December 2, 1980, and is published by the International Bureau of WIPO pursuant to Article 7(2)(a) of the said Treaty:

"As provided in Article 7 of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, the United States proposes as an international depository authority the Agricultural Research Culture Collection. We offer our assurances that this Collection can and will meet every requirement of the Treaty and Rules thereunder for international depository authorities. Accordingly, my Government requests that you, as soon as possible, take the steps necessary to confer this status on the Agricultural Research Culture Collection.

"The Agricultural Research Culture Collection is located in the United States at 1815 North University Street, Peoria, Illinois 61604. It was the first United States depository to receive deposits in connection with patent applications, which it has done continuously since 1948. Its reputation for scientific and administrative competence is undisputed and world-wide.

"The Agricultural Research Culture Collection is a public depository operated by the United States Department of Agriculture. It contains what is believed to be the world's largest collection of living strains of agricultural and industrial microorganisms. Its collection is preserved almost entirely in freeze-dried form to provide stable viable microbial germ plasm.

"This Collection grows continuously in the number of microorganisms stored. The initial few thousand deposits of molds and yeasts have increased to about 28,000 strains of molds, 13,000 strains of yeasts, 8,000 strains of bacteria and 6,500 strains of actinomycetales. Several thousand new strains are received each year. A small but important group of these (about 200 per year) are deposited in connection with patents. The Collection's staff includes six microbiologists and five technical aides.

"We call your attention to the fact that this Collection has never failed to observe any requirement of a national patent law or to apply the highest scientific or administrative standards to the receiving, storing, testing and dispensing of deposits.

"The Collection has agreed to store deposits made under the Treaty for at least 30 years after deposit. My Government is completely convinced that the Collection has the capacity for doing so with the care needed to keep deposits viable and uncontaminated.

"Attached is the Collection's statement of the kinds of deposits that will be accepted under the Budapest Treaty. These will be accepted from all depositors under the same conditions, without regard to nationality.

"The Collection will accept recombinant strains of microorganisms, excluding those listed as unacceptable, only (1) if the deposit documents accompanying the microbial preparation include a clear statement that progeny of the strain can be processed at a physical containment level of P1 or less and (2) all other criteria specified in the National Institutes of Health publication "Guidelines for Research Involving Recombinant DNA Molecules" and subsequent revisions of these Guidelines are complied with.

"At least for the time being, no fees will be imposed in connection with these deposits. Please be further advised that the Collection conducts business only in English.

"We request that recognition of the Agricultural Research Culture Collection as an international depository authority be conferred as of the date of publication of this communication."

[Statement of kinds of deposits follows]

Kinds of Microorganisms Accepted for Deposit
for the Purposes of Patent Procedure

The Agricultural Research Culture Collection (NRRL) is willing to accept for deposit, in connection with patent applications, progeny of strains of agriculturally and industrially important bacteria, yeast, molds, and *Actinomycetales*, EXCEPT:

- | | |
|--|----------------------------------|
| a. <i>Actinobacillus</i> (all species) | <i>Francisella</i> (all species) |
| <i>Actinomyces</i> (anaerobic/microaerophilic—all species) | <i>Haemophilus</i> (all species) |
| <i>Arizona</i> (all species) | <i>Herellea</i> (all species) |
| <i>Bacillus anthracis</i> | <i>Klebsiella</i> (all species) |
| <i>Bartonella</i> (all species) | <i>Leptospira</i> (all species) |

- Bordetella* (all species)
Borrelia (all species)
Brucella (all species)
Clostridium botulinum
Clostridium chauvoei
Clostridium haemolyticum
Clostridium histolyticum
Clostridium novyi
Clostridium septicum
Clostridium tetani
- Corynebacterium diphtheriae*
Corynebacterium equi
Corynebacterium haemolyticum
Corynebacterium pseudotuberculosis
Corynebacterium pyogenes
Corynebacterium renale
Diplococcus (all species)
Erysipelothrix (all species)
Escherichia coli (all enteropathogenic types)
- Listeria* (all species)
Mima (all species)
Moraxella (all species)
Mycobacterium avium
Mycobacterium bovis
Mycobacterium tuberculosis
Mycoplasma (all species)
Neisseria (all species)
Pasteurella (all species)
Pseudomonas pseudomallei
Salmonella (all species)
Shigella (all species)
Sphaerophorus (all species)
Staphylococcus aureus
Streptobacillus (all species)
Streptococcus (all pathogenic species)
Treponema (all species)
Vibrio (all species)
Yersinia (all species)
- b. *Blastomyces* (all species)
Coccidioides (all species)
Cryptococcus (all species)
Histoplasma (all species)
Paracoccidioides (all species)
- c. Basidiomycetes or other molds that cannot successfully be preserved by lyophilization (freeze-drying).
- d. All viral, Rickettsial, and Chlamydial agents.
- e. Agents which may introduce or disseminate any contagious or infectious disease of animals, humans, or poultry and which would require a permit for entry and/or distribution within the United States of America.
- f. Agents which are classified as Plant Pests and which would require a permit for entry and/or distribution within the United States of America.

- g. Mixtures of microorganisms.
- h. Fastidious microorganisms which would require (in the view of the Curator) more than reasonable attention in handling and preparation of lyophilized material.
- i. Phages of any kind.
- j. Plasmids and like materials.

[End of text of Communication]

Pursuant to Article 7(2)(b) of the Budapest Treaty, the Agricultural Research Culture Collection acquires the status of international depositary authority as from January 31, 1981 (date of the present publication).

Budapest Communication No. 2 (this Communication was the subject of Budapest Notification No. 12, of December 8, 1980).

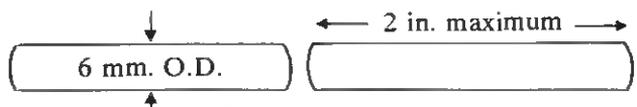
II

Requirements Communicated Under Rule 6.3(b) of the Regulations Under the Budapest Treaty

AGRICULTURAL RESEARCH CULTURE COLLECTION

The depositor has the option of sending materials for deposit in the Agricultural Research Culture Collection (NRRL) in three ways:

1. Thirty lyophilized preparations, clearly labelled with the depositor's original strain designation and preferably in tubes of no greater dimensions than indicated in the drawings below:



One of these is checked for viability, the NRRL number is placed on each tube, and the supply of tubes stored at 3 to 5°C. *Bona fide* letter requests for progeny would be shipped from this stock.

The Agricultural Research Culture Collection (NRRL) will no longer accept materials for deposit under option 1 unless they meet the specifications cited above. Larger sized tubes greatly complicate storage.

2. One lyophilized preparation, clearly labelled with the depositor's original strain designation. On receipt, the microorganism is cultivated on appropriate agar media and 30 lyophilized preparations

made. One of these is checked for viability, the remainder handled as in option 1. This option, and option 3 below, is acceptable provided cultures submitted are not fastidious and do not require more than usual normal operating procedures.

3. One, or preferably two, agar slant cultures of the microorganism(s) growing on an appropriate me-

dium. Sufficient material is prepared by our curators to make 30 lyophilized preparations, check one for viability and handle the remainder as in options 1 and 2. If initial agar slant cultures deposited appear suitable, lyophilizations often are made from that material.

Plant Varieties

Member States, as on January 1, 1981, of the International Union for the Protection of New Varieties of Plants (UPOV)

founded by the International Convention for
the Protection of New Varieties of Plants of December 2, 1961,
as revised at Geneva on November 10, 1972, and on October 23, 1978*

Member State	Starting date of membership in UPOV	Date from which the State is bound by the Additional Act of 1972
Belgium	December 5, 1976	February 11, 1977
Denmark	October 6, 1968	February 11, 1977
France	October 3, 1971	February 11, 1977
Germany, Federal Republic of . .	August 10, 1968	February 11, 1977
Israel	December 12, 1979	December 12, 1979
Italy	July 1, 1977	July 1, 1977
Netherlands	August 10, 1968	February 11, 1977
South Africa	November 6, 1977	November 6, 1977
Spain	May 18, 1980	May 18, 1980
Sweden	December 17, 1971	February 11, 1977
Switzerland	July 10, 1977	July 10, 1977
United Kingdom	August 10, 1968	July 31, 1980

(Total: 12 States)

* The Act of October 23, 1978, is not yet in force. It has been signed but not yet ratified, accepted or approved by Belgium, Canada, Denmark, France, Germany (Federal Republic of), Ireland, Italy, Japan, Mexico, Netherlands, South Africa, Sweden, Switzerland, and the United Kingdom. It has been ratified by New Zealand and accepted by the United States of America.

International Convention for the Protection of New Varieties of Plants

I. Ratification

NEW ZEALAND

The Government of New Zealand deposited, on November 3, 1980, its instrument of ratification of the International Convention for the Protection of New

Varieties of Plants (UPOV) of December 2, 1961, as revised at Geneva on November 10, 1972, and on October 23, 1978.

The date of entry into force of the said International Convention will be notified when the required number of ratifications, acceptances, approvals or acces-

sions is reached in accordance with Article 33(1) of the said International Convention.

UPOV Notification No. 16, of November 24, 1980.

II. Acceptance

UNITED STATES OF AMERICA

The Government of the United States of America deposited, on November 12, 1980, its instrument of acceptance of the International Convention for the Protection of New Varieties of Plants (UPOV).

At the time of depositing its instrument of acceptance of the said International Convention, the United States of America notified the Secretary-General that it will apply the provisions of Article 37, paragraphs (1) and (2), in regard to protection of the same genus or species under different forms and also in regard to the patentability criteria and period of protection applicable to normally asexually reproduced plant varieties.

The date of entry into force of the said International Convention will be notified when the required number of ratifications, acceptances, approvals or accessions is reached in accordance with Article 33(1) of the said International Convention.

UPOV Notification No. 17, of November 24, 1980.

Conventions Not Administered by WIPO

Contracting States on January 1, 1981

Council of Europe

European Convention relating to the Formalities required for Patent Applications (1953)
(Entered into force on June 1, 1955)

Convention on the Unification of Certain Points of Substantive Law on Patents for Invention (1963)
(Entered into force on August 1, 1980)

State	Date of entry into force
Iceland	April 1, 1966
Israel*	May 1, 1966
South Africa*	December 1, 1957
Spain	July 1, 1967
Turkey	November 1, 1956

State	Date on which ratification or accession took effect
France	August 1, 1980
Germany, Federal Republic of	August 1, 1980
Ireland	August 1, 1980
Liechtenstein	August 1, 1980
Luxembourg	August 1, 1980
Sweden	August 1, 1980
Switzerland	August 1, 1980
United Kingdom	August 1, 1980

*These States are not members of the Council of Europe.

European Patent Organisation (EPO)**Convention on the Grant of European Patents (1973)**
(European Patent Convention)

State	Date on which accession to the Convention took effect
Austria	May 1, 1979
Belgium	October 7, 1977
France	October 7, 1977
Germany, Federal Republic of . .	October 7, 1977
Italy	December 1, 1978
Liechtenstein	April 1, 1980
Luxembourg	October 7, 1977
Netherlands	October 7, 1977
Sweden	May 1, 1978
Switzerland	October 7, 1977
United Kingdom	October 7, 1977

Convention for the European Patent for the Common Market (1975)**(Community Patent Convention)**

This Convention has been signed on December 15, 1975, by Belgium, Denmark, France, Germany (Federal Republic of), Ireland, Italy, Luxembourg, Netherlands and the United Kingdom. It is not yet in force.

African Intellectual Property Organization (OAPI)**Libreville Agreement of September 13, 1962, as revised at Bangui on March 2, 1977***

State	Date of ratification or accession ¹
Benin ²	D July 5, 1963
Cameroon ²	L June 19, 1963 D August 23, 1963
Central African Republic ²	L December 7, 1962
Chad ²	O March 9, 1963
Congo	L June 15, 1963 D July 27, 1963
Gabon ²	L December 20, 1962
Ivory Coast	D March 4, 1963
Mauritania ²	L June 19, 1963
Niger	L February 6, 1963
Senegal	L July 3, 1963 D November 19, 1963
Togo	A October 24, 1967
Upper Volta	L May 10, 1963 D January 6, 1964

* The revised Agreement is not yet in force.

¹ Date of the law (L), decree (D) or order (O) providing for ratification, or effective date of the accession (A).

² This State has provided for the application of Annex IV of the Libreville Agreement. Article 3(2) of the Agreement provides that applicants not domiciled in any of the member States of OAPI file their patent, trademark and design applications directly with OAPI. Annex IV enables member States of OAPI to provide for this direct filing in the case of all other applicants.

Industrial Property Organization for English-Speaking Africa (ESARIPO)**Lusaka Agreement on the Creation of an Industrial Property Organization for English-Speaking Africa of December 7, 1976**

State	Date on which ratification or accession took effect
Gambia	February 15, 1978
Ghana	February 15, 1978
Kenya	February 15, 1978
Malawi	February 15, 1978
Sierra Leone	December 5, 1980
Sudan	May 2, 1978
Uganda	August 8, 1978
Zambia	February 15, 1978
Zimbabwe	November 11, 1980

General Studies

The Inventor: the Stepchild of the Nation?*

E. HÄUSSER**

It is for me a great honor to be allowed to make a contribution to the festive commemoration of the presentation of the Diesel Medals to outstanding inventors and researchers for 1980. I am grateful to the patron of this commemoration, the Institute for Inventions (*Institut für Erfindungswesen*) for giving me this opportunity — for a number of reasons.

Above all, it is naturally a heartfelt concern of the President of the German Patent Office to thank the inventors and researchers being honored here today, as representatives of the many inventors, for their technological and creative efforts and for their outstanding contribution to the economic activity of this country. I also express the gratitude of an official body whose special task it is to contribute to ensuring that inventors receive the just rewards to which they are entitled for their efforts and whose earnest endeavor it also is to preserve and represent the interests of inventors.

Thanks are also due, of course, to the German Inventors' Association (*Deutscher Erfinderverband*) which created the Rudolph Diesel Medals in 1953 and thus provided one of the rare opportunities in this country to reflect on the importance of inventive achievement and to honor the authors of inventions. It is therefore not the least of my satisfactions to be able to emphasize the excellent cooperation that has existed for many years between the German Patent Office and the bodies representing inventors, that is to say the German Inventors' Association and the German Inventors' Circle (*Deutscher Erfinderring*), whose continued expansion for the good of inventors is our aim. Today's celebration brings this close connection between the German Patent Office and inventors into the public limelight in a most special way.

Finally, I am also particularly happy to participate in this celebration in honor of outstanding inventors in

Nuremberg since this town has been so clearly linked for centuries with the German spirit of invention and with technical progress.

I

According to scientifically reliable data, it is practically certain that 90% of the growth in productivity in the Federal Republic of Germany up to the end of the fifties can be attributed to the technical progress achieved during that period. More recent studies estimate the contribution of technical progress to the growth in work productivity at some three-quarters. According to other results of economic research, the progress made in technology since the end of the fifties has accounted for 55% of the growth in production in the processing industries in the Federal Republic of Germany, whereby not only specifically growth industries were taken into consideration.

The focal position of technical progress in economic life becomes all the more apparent in the ever more frequent references made in recent years to the necessity of greater efforts toward innovation whenever the question is one of ensuring the international competitiveness of our industry, stabilizing the real growth rates of work productivity, improving the balance of licenses, solving the problems of obtaining energy and protecting the environment or promoting and securing the competitive position of individual undertakings. Indeed, the prerequisite for any innovative measure is new technical knowledge that can be converted to marketable new products or new processes.

Since inventors and researchers are indisputably the authors of technical progress, their creative activities are of special importance. The dependency of our national economy on creative technical forces becomes all the more apparent as the lack of raw materials and the resultant export dependency of our country and the increasingly dynamic markets place upon our undertakings a growing obligation to innovate if they are to maintain their competitiveness.

If all experience and scientific studies show the truth of Adam Smith's claim that technical progress contributes to increase the wealth of mankind, then it is equally true that inventors and researchers, who support this technical progress, constitute an important factor in maintaining our economic stability.

*This article reproduces the text of the commemorative address given by Dr. E. Häusser in Nuremberg, on October 11, 1980, to mark the presentation of the Diesel Medals to outstanding inventors and researchers.

**President of the Patent Office of the Federal Republic of Germany.

II

Looking at his easily defined outstanding situation, one would presume the inventor to be a well-beloved, and therefore happy, child of the nation, carefully sheltered, looked after and supported in order to encourage him toward his prime achievements in the best interests of all concerned. Instead, happiness and suffering have always dwelt closely together within the inventor. I therefore feel that it is no coincidence that the distinctions awarded today for inventive achievements bear the name of a great German inventor who experienced the greatest happiness and the greatest suffering at a time when inventors were still referred to as the "teachers of the nation" and the direct relationship between technical progress and the impetus, regarded as enormous at the time, given to German industry was acknowledged. At the Diesel celebration in 1977, Dr. Förster convincingly portrayed, in his enthralling lecture, this coexistence of the inventor's fortune and misfortune from the point of view of the inventor and analyzed the causes. I consider my attempt a continuation of those ideas, starting from a different point of view and applying objective criteria, to discover whether the feeling of many inventors that they are the stepchildren of the nation is indeed justified. In so doing, I shall resist the temptation to deduce from the fact that, as in love, happiness and suffering often coexist, that feelings in respect of inventors are basically to be put down to love.

III

The feeling that there is a lack of understanding and too little sympathy sooner or later overcomes every inventor irrespective of the area in which he applies his technical creative energies. These feelings are particularly strong, however, in the case of independent inventors who are either able to exploit the inventions arising around them in their own workshops or have need of third parties to exploit their inventions. It is typical that this category of inventors, which is quite numerous, is often erroneously and misleadingly, but almost always uncontestedly, referred to by the somewhat pejorative term "small inventors." This despite the scientifically proven fact that high quality new technical ideas are produced by this category of independent inventors and by small and medium-sized firms and undertakings. The scientific studies quoted by Förster show, for instance, that in specific technical fields the majority of all essential inventions—namely between 70 and 80%—are based on an idea and on the initiative of *one* person and on the efforts made by small undertakings. It is further shown that in the field of activity of many large-scale undertakings a considerable portion of the

inventions used are to be attributed to independent, outside inventors.

A test program for the promotion of innovation carried out between 1973 and 1978 at the University of Oregon and at the Massachusetts Institute of Technology showed that small and medium-sized undertakings and independent inventors constituted "the greater source of important technological innovations" in the United States of America. The German Management Encyclopedia also reports under the heading "Origin of Inventions" that most important inventions these days continue to come from individual inventors and small firms whereas the majority of all inventions, whether significant or not, arise in the laboratories and development departments of industry.

The fact that, despite everything, the production of technical knowledge by independent inventors remains quantitatively considerable is shown by the statistics of the Patent Office, which constitute a reliable yardstick of inventive activity. The statistical breakdown of applicants by number of applications per year shows for the years 1974 to 1979, inclusive, that an almost unvarying 55% of all applications are submitted by the almost 97% of applicants that file between one and ten (on average 1.6) patent applications a year; just under 3% of the total number of applicants file between 11 and 100 (on average 25.9) applications a year; and only something like 0.2% of all applicants file more than 100 (in fact, approximately 300 on average) applications a year. This shows with great probability that a substantial percentage of all patent applications filed continues to be attributable to small and medium-sized industry and to independent inventors.

In view of these facts it would therefore be appropriate to contest quite vigorously the use of the term "small inventors" for this important group of inventors; indeed, the term is justified neither by the quality nor by the quantity of inventions which these inventors produce.

IV

In searching for the causes of the malaise that is often to be found, particularly among independent inventors, due to the way their efforts are evaluated and treated, I am sure you will understand if I begin by considering the area of patents, with which I am conversant.

One of the complaints often heard from inventors is that lawmakers treat authors of intellectual works and the technical and creative efforts of inventors in different ways as regards the grant of protection, the duration of protection and the levying of considerable fees which only the inventor has to bear. I am also fully

able to understand when inventors complain in published articles that "the scribblings of a *littérateur* are protected for decades without him having to pay as much as one penny but inventors are asked to pay dearly when they provide mankind with a new and useful idea."

Of course, account has to be taken of the basically different initial situation when granting protection to these differing expressions of intellectual property and the considerations of legal doctrine that apply in either case. Whereas a literary or musical work represents a once-only creation whose existence can in no way disturb, every invention must give practical instructions for technical action and these must also be so clearly and completely described that a person having ordinary skill in the art can carry them out. Thus an invention is intended from the very outset to serve as the point of departure for more advanced technical solutions, and the exclusive right afforded to it prevents those competitors active in the same specialized technical area from freely developing their production potential and also hinders them in the use of their own creative possibilities. It is therefore necessary that technical protection rights only be granted after a thorough examination to ensure that novelty and inventive step exist and to limit the duration of protection in time. It is moreover almost a matter of course that the work involved should be covered by means of fees. The differing treatment afforded to inventive acts thus proves to stem from the special obligation of this expression of intellectual property for the benefit of the community (Section 14 (2) of the Basic Law).

Reservations as to the patent system are also voiced on the ground that knowledge about an invention for which a patent has been applied can be gained by competitors at an early date, since the application is published by the Patent Office 18 months at the latest after the filing date, and, until provisional protection begins, the invention can be used legally by anyone.

Many inventors therefore believe that the best way to achieve a secure position on the market for products based on a new technical concept is to keep it a secret for as long as possible. This method, however, is particularly hazardous since experience shows that technical solutions are, as it were, "in the air" when the time is ripe for them.

Although I can well understand that an inventor wishes to keep the results of his creative efforts hidden from the public view for as long as possible, I am nevertheless also convinced that the disadvantages of early publication can be extensively compensated by the fact that, in the same way, early and comprehensive information can be obtained on the results of efforts made by other inventors in the same technical field of activity, although this only applies if use is in

fact made of the patent system's information facilities.

In this connection, a complaint is often heard that the procedure before the German Patent Office lasts too long and too much time elapses before a decision is taken on the granting of a technical protection right. I also share the opinion that an average procedural time of more than two and a half years up to final examination of patent applications is too long as a permanent state of affairs. This is particularly so in view of the lengthy period of time thus made available to third parties to make permitted use of an invention following its publication. Very promising efforts are therefore now in hand to achieve an average procedural time in future of, initially, two years counted from receipt of the effective examination request up to its final processing. In many cases, however, very long throughput times are caused by the fact that the examination request required before a patent application is examined is not made directly after the application but at some time later during the seven-year period for making requests.

Quite clear reservations in respect of the filing of inventions for a patent are certainly also caused by the system of fees of the German Patent Office, which one inventor qualified as "barbaric." The voices of small and medium-sized firms have become loud, particularly since the massive increase in fees that entered into force on November 1, 1976, pointing out that the level of fees would lead to greater hesitation before making use of patent protection. This is in fact borne out by the Patent Office statistics. Whereas in 1975 7,048 patent applications were filed by natural persons who only filed one invention a year, the figure rose in the year preceding the increase in fees (1976) to 7,490 but since then has steadily fallen to 6,371. It is almost certain that, at least in part, this drop of some 15% may be attributed to irritation at the increased fees. It has since become evident, however, that the level of fees at the German Patent Office is altogether reasonable when compared internationally and therefore the immediate cause of irritation has in fact disappeared.

A considerable amount of uncertainty among inventors wishing to avail themselves of patent protection has certainly also arisen in recent years due to the large number of amendments, some of which were substantial, made to the patent legislation as a result, in some cases, of international obligations. The new provisions that already apply or that are to enter into force on January 1, 1981, not only make the procedure more difficult and less clear for the outsider but, in some cases, also affect the previous legal situation of the inventor. I am thinking particularly of the disappearance of the protective period for novelty, which has already taken effect. It should also be remembered in this connection that a patent applicant

now has the option of applying for national or for supranational rights, which means that identifying the most favorable access to technical protection rights in individual cases becomes difficult, even with the assistance of a patent law specialist. The resultant uncertainty hits the category of independent inventors particularly hard since they are likely to have the most difficulty in finding the necessary means to obtain specialized counsel. It is therefore not difficult to foresee that this lack of clarity in the statutory provisions will lead to further reservations in respect of patent protection that is nevertheless essential to secure rights in technical, creative achievements.

The patent system itself is affected, indirectly at least, if the motivation of inventors is ultimately lessened because insufficient attention is being paid to the possibilities of communicating existing technical knowledge. The Patent Office maintains technical documentation that is classified and arranged for specific access; it possesses more than 20 million documents which probably encompass the entire technical knowledge of mankind. The possibilities opened up by this technical information are not sufficiently used by the independent inventors I am speaking of here and have also not been offered so far by the Patent Office to the extent that could be desirable. According to the results of a scientific study, some 30% of the funds allocated to research and development could be saved if already available technical knowledge were taken into account from the outset when such projects were put in hand.

I hold this estimate to be a realistic one. It is the experience of the Patent Office that, ever since it opened its doors in 1877, an almost unvarying two out of three inventions for which patent protection is sought proved to be unpatentable because they were either not new or would be obvious to a person having ordinary skill in the art. The loss of considerable funding because possible technical information was not taken into account would seem, for the moment, still bearable. Of much greater significance in this context would seem the waste of technical and creative forces. This loss appears unacceptable when, additionally, one takes into account the loss of motivation that could arise when a researcher or an inventor discovers that the result of years of intensive inventive effort was long since known and accessible.

Friedrich Förster already suggested more than three years ago that official efforts also be undertaken to create a situation more favorable to inventors. In the meantime, considerable efforts have been made to satisfy that demand. Not only have extensive programs been developed but at the same time important steps were also taken to make the programs a reality. I would remind you in this context of the creation of numerous specialized technical information centers,

of the technology and innovation advisory projects run by the Federation and the *Länder* and of the far-reaching and expensive measures to promote research and development. The projects under the State-supported technology and innovation advisory services are intended to fulfill a further demand made by Förster, namely that the inventor should be "supported by an independent specialist with experience of innovative practice in the study of market and returns potential and knowledge of the situation in those undertakings that are likely to be interested in being offered innovation."

Before the purposeful coordination of all efforts that is now necessary has been achieved, inventors and small and medium-sized undertakings will become increasingly confused by the multitude of offers. This is compounded by the bureaucratic hurdles that have to be taken when they wish to avail themselves of such assistance. For instance, a well-known industrialist in the agricultural machine sector reported recently at a public meeting that he had been obliged to raise 25,000 DM of internal administrative costs in order to obtain 100,000 DM of public funding. For me also, it was quite frightening to hear from technology advisors that firms receiving advice were less interested in new technologies than in assistance in completing forms for obtaining government aid funds.

This behavior is almost typical of the mentality of many industrialists and undertakings who increasingly lack the entrepreneurial readiness to take risks in the development of new technologies and their transformation to technical reality. Schumpeter sees the successful introduction of "new combinations" in the economic sector, that is to say the transformation of research and development into innovation and diffusion that takes place in relation to the innovation process, as the most important function of the industrialist and, in fact, as the essential characteristic of the "entrepreneur" as such. These days, however, it can be more and more frequently observed that, instead of developing their own advanced products, businessmen seek to adopt foreign technology under license or believe that salvation is to be found in cooperating with foreign firms. In not a few cases the inherently promising results of their own research and development are discarded for financial reasons which, initially at least, appear sensible but which at the same time antagonize the creative forces in their own undertakings. A similar mentality becomes clear in the cheeseparating approach to the compensation made to employee inventors for inventions created in the course of their work.

These observations, which are no longer exceptions, are all the more disturbing in a country whose industry depends on advanced technology and which even advertises the fact that quite a considerable number of its products had not even been invented a

few years ago. There can hardly be a doubt that this attitude does nothing to promote technical creativity within undertakings.

However, inventors themselves cannot entirely escape blame for some responsibility for their forgotten situation.

Inventors have failed, for decades now, to put their legitimate interests to the lawmakers and the public administration with sufficient emphasis. It is therefore to be welcomed that the two associations representing the inventors, namely the German Inventor's Association and the German Inventors' Circle, have now decided to work closely together in order to give more weight to the inventors' demands that have too long been ignored.

I expect from this cooperation that, in future, public relations work will be improved and the somewhat distorted image of the inventor that exists in a large part of the population will be put in its true light. This image has been almost exclusively minted by the representation, always good for popular success, of curious inventions and odd inventors. Even the inventors themselves voiced hardly any opposition when one of these false prophets proclaimed himself "king of the inventors." The Patent Office has been endeavoring for years to rectify the deformed image that had grown up of its running a technical freak show. Again and again it is pointed out that by far the great majority of inventions for which patents are sought deal with serious and economically important technology. I look forward to these efforts receiving more dynamic support from industry, from the media and also from inventors.

Taking all these important elements in the environment of technically creative people together, it would seem that in our country the inventor is certainly not the stepchild of the nation but that he is an altogether legitimate child enjoying adequate attention. He is nevertheless a child whose gifts and abilities are not clearly enough recognized, whose importance for the family is often not sufficiently acknowledged and who therefore is sometimes treated in a stepmotherly fashion. This is bad enough since the inventor is an extremely sensitive child who occasionally tends to withdraw sulkily into his corner and to restrict his contacts with the rest of the family to a minimum. A tendency toward this type of behavior can doubtlessly be seen in the case of German inventors, although in many areas the continuing rapid development of technology still receives clear impulses from inventors' quarters. The fully understandable moroseness of inventors is reinforced by an animosity towards things technical that is occasionally to be found amongst the public, who repeatedly express clear reservations in respect of new technologies. The alarming announcement made by the President of the Munich Technical University that the number of

engineering students for the winter term 1980-1981 had fallen is to be taken as a consequence of this negative attitude toward technology, whereby the most probable reason is the "generally falling confidence in technical progress." All in all, we are obliged to note that the technological atmosphere in our country is not what it might be and that this is also harmful to the situation of the inventor.

V

It is almost with envy that, after this admission, I look toward Japan, whose geographical and economic situation is perhaps the most comparable with that of the Federal Republic of Germany. The convincing success of Japanese industry in the international market is not only a result of that country's higher productivity but, in particular, also springs from the results of purposeful research and development that receives active furtherance and support. Just a few months ago, during a visit to Japan, I had the opportunity to visit institutions, in addition to the Patent Office, whose task it is to promote technology and to disseminate technical knowledge. For instance, the Japan Institute of Invention and Innovation, founded in 1904, keeps a special watch on inventors. Ever since its foundation, this Institute has been organizing inventors' competitions in Japanese schools in which youngsters are given the incentive of quite considerable amounts of money and public recognition to make technical and creative achievements. This intensive support for the coming generation is pursued in the same way both during university training and during adult training. Particular emphasis is laid in this context on describing the possibilities offered by an optimum use of the patent system. This systematic support by the State for the inventive system has led to the creation of a favorable attitude toward technology in the country, which not only explains the great success of Japanese industry throughout world markets but also is a basic factor in the alarming, future-oriented production of technical knowledge in Japan.

I have already on previous occasions explained that, in connection with inventions for which patents are sought, there is official publication in the form of patents, examined patent applications and unexamined patent applications. The number of such patent documents published within a certain period gives reliable indicators of at least the quantitative production of knowledge in individual countries in specific technical areas and this again permits conclusions to be drawn as to the quality of that knowledge. The result of an analysis carried out by the German Patent Office of a number of areas of use of microprocessors in automotive engineering was that considerably more

technical knowledge was created in Japan than in the Federal Republic of Germany. For instance, the Japanese Patent Office published a total of 195 documents between 1973 and 1978 in the area "regulation and control of electrical ignition devices for internal combustion engines," of which 148 (76%) derived from Japanese inventors, whereas during that same period only 34 German patent documents were published, of which 13 (38%) concerned domestic inventions (USA: 19/10 = 53%). The situation was similar in the area "means of initiating the braking process," in which microprocessors also play an important part. Between 1973 and 1978, the Japanese Patent Office published 76 documents of which 57 (85%) concerned Japanese inventions, whereas only 10 German patent documents were published of which 4 (40%) were domestic inventions (USA: 55/40 = 73%).

A similar picture is to be found in other technical areas that have since been investigated. In the first six months of 1980, for instance, 121 Japanese patent documents in the area of "computer-controlled control systems" were published as compared to only 6 German documents (USA: 2); in the field of "calculators, microcomputers" the ratio was 132 to 9 (USA: 8); in the field of "camera focusing" 127 to 9 (USA: 10); in the field of "color television" 38 to 9 (USA: 1); in the case of "color television cameras" 47 to 8 (USA: 2) and for "microwave ovens" 33 to 1 (USA: 3).

VI

In view of the future difficulties, which are already visible today, it will not be good enough simply to identify why the situation is different in our country and to bemoan the certainly not very encouraging general state of affairs. On the contrary, all those bodies involved with technological matters and their economic transformation to technical reality should actively and purposefully work together in order to re-create an atmosphere favorable to technology in this country since such an atmosphere is the prerequisite for generating advanced technology. This need is an urgent one since once a gap has been forged, the rapid developments in almost all areas of technology mean that it is well-nigh impossible to make up lost ground.

Wherever the Patent Office is able to collaborate, it will use all its efforts to ensure that the assistance provided by the patent system in securing technical and creative achievements will also be available in the future. The Patent Office will devote particular atten-

tion in the coming years to instituting a rapid, and wherever possible unbureaucratic, procedure for the examination of inventions filed and the granting of technical protection rights. There will be no change in the high criterion of quality applied to the protection rights to be granted since this is the only way of ensuring that they constitute a reliable basis for industrial planning and action.

The Patent Office is furthermore endeavoring, in the context of the Patent Information Center currently being set up, to make the specialized knowledge of its officials and the comprehensive technical knowledge stored in its documentation more easily available to inventors than in the past. We are starting from the assumption that if available knowledge is taken into account earlier enough during research and development projects, the re-inventions of already known technical solutions that have been frequently observed in the past can be avoided; thereby not only funding but also, in particular, technical and creative capabilities can be used to better purpose. It is also a proven fact that knowledge of the state of the art in the individual highly specialized areas covered by our documentation offers a multitude of impulses toward better and more advanced solutions and thus provides a considerable impetus to technical creativity. In this way the Patent Office is able not only to make a contribution to the advancement of technology in our country, and thus to the competitiveness of its industry, but also to provide a starting point for the recognition deserved by our inventors as the source of our technical capabilities.

In order to achieve our aim of an atmosphere favorable to technology and thus to further inventive spirit, it will be most important to generate more understanding in the public opinion for advanced technology and its application. It should be made clear once and for all that our technical intelligence alone is capable of making up for the lack of all other natural raw materials and that the health of our economy depends exclusively on the capabilities of our technical and creative forces.

What is additionally needed is not only unbureaucratic support of inventive activity by State bodies but also more willingness to take risks in undertakings in promoting research into new technologies and developing them for use in the real technical world.

I am convinced that if all responsible forces work together, we can realize a very old dream of our inventors, that is to create an atmosphere in the Federal Republic of Germany that is favorable to inventors. This would also constitute the most convincing act of gratitude to generations of inventors on whose efforts our affluence, which is an essential prerequisite of our political and cultural situation, rests.

News from Industrial Property Offices

AUSTRIA

Activities of the Patent Office during 1979*

Legislative and International Matters

The main focus of legislative work was on patent activities. An amendment to the Patent Law constituted a start on the preliminary work for harmonizing Austrian patent legislation with European patent law.

In the field of designs, the preparatory work begun already in 1978 for a complete overhaul of the Designs Law, which is basically over 150 years old and therefore no longer in step with current requirements, was pursued.

The draft of an amendment to the Federal Law on Unfair Competition was submitted for general comment. Following the very comprehensive and substantively divergent remarks received, the draft was correspondingly recast. In the meantime, the Unfair Competition Law Amendment entered into force on April 1, 1980.

The draft of a new (consolidated) Ordinance under Section 35 of the Unfair Competition Law was submitted for general comment. The Ordinance itself entered into force on March 1, 1980.

In addition, notifications by the Federal Minister for Commerce, Trade and Industry on the conferring of preferential treatment to priority protection for inventions, marks and designs were drafted and, finally, the text was drafted of the Ordinance on formal requirements for translations to be filed under the Law adopting the Patent Treaties.

At the international level, efforts were pursued within the framework of WIPO towards preparing the revision of the Paris Convention.

Bilateral cooperation between the Austrian Patent Office and the Patent Offices of other countries was continued. In this context, an Austrian-Polish expert group for industrial property met in September 1979. The cooperation between the Austrian Patent Office and the Institute for Inventions and Rationalizations of the People's Republic of Bulgaria was also placed on a contractual basis. In July 1979, the eighth meeting of the Joint Austrian-Soviet Working Group on Patents and Licenses was held. Agreement was

reached on the wording of a governmental agreement which is expected to achieve an improvement in the legal situation of certain Austrian patent applicants in the Soviet Union.

In 1979, four announcements were published in the official journal (*Bundesgesetzblatt*) in respect of the protection of State emblems under Article 6ter of the Paris Convention and an announcement on reciprocity in respect of marks (Afghanistan). During the report year, the Agreement on the Implementation of the Treaty between the Republic of Austria and the Czechoslovak Socialist Republic on the Protection of Indications of Source, Appellations of Origin and other Designations Denoting the Origin of Agricultural and Industrial Products was signed and the ratification procedure in respect of the Treaty and the relevant Protocol was initiated.

On April 23, 1979, the Patent Cooperation Treaty and its Regulations entered into force in respect of Austria. In addition, on May 1, 1979, the European Patent Convention entered into force in respect of Austria. Since the provisions of the European Convention relating to the Formalities required for Patent Applications did not in all cases correspond with the formal requirements of the European Patent Convention, that Convention, together with its annexes, was denounced by Austria.

In February 1979, an agreement was concluded between the Federal Minister for Commerce, Trade and Industry of Austria and the International Bureau of WIPO on the appointment and tasks of the Austrian Patent Office as an International Searching Authority and an International Preliminary Examining Authority under the Patent Cooperation Treaty.

In May 1979, an agreement was signed between the European Patent Organisation and the Central Authority for the Protection of Industrial Property of Austria concerning the transfer of the independent execution of various tasks in favor of developing countries within the framework of the Patent Cooperation Treaty.

An agreement was concluded with the African Intellectual Property Organization (OAPI) under which the Austrian Patent Office acts as International Searching Authority and International Preliminary Examining Authority for international applications under the PCT that are filed in an OAPI member State, subject to the International Bureau of WIPO appointing the Austrian Patent Office as an appropriate authority.

* This report is excerpted from the Annual Report 1979 issued by the Austrian Patent Office.

Yet another agreement was concluded with the National Institute of Industrial Property of Brazil, under which the Austrian Patent Office acts as the international administration for international applications filed in Brazil. Finally, the Austrian Patent Office was entrusted under the European Patent Convention with carrying out searches for European patent applications.

Austria's accession to the European Patent Convention and its ratification of the PCT also resulted in a number of organizational changes. It became necessary to adapt the activities of the Austrian Patent Office in the field of electronic data processing to the new circumstances. In addition, various changes and organizational measures resulted from converting the Austrian Trademark Gazette from conventional printing to photocomposition.

During the report year, work continued on the international unification of patent documentation. In particular, three Austrian experts participated in work on the final phase of the third edition of the International Patent Classification.

During the year also, the Austrian Patent Office again hosted a training course, organized jointly with WIPO, for specialists in patent documentation from developing countries.

The United Nations Conference on Science and Technology for Development, held in late summer 1979 in Vienna, saw considerable involvement on the part of the Austrian Patent Office. The Technical Vice-President of the Patent Office acted as Chairman of a scientific preparatory meeting devoted to the subject of information systems in science and technology.

An important event for the Austrian Patent Office was the celebration of its 80 years of existence. The Austrian Patent Office began its work on January 1, 1899. This anniversary was commemorated in February 1979 by two events in particular: an exhibition at the Technical Museum, which presented the achievements of Austrian inventors since the inception of patent protection in Austria, and a cycle of lectures.

A symposium entitled "Innovation and Patents" was held on February 21, 1979, in the lecture hall of the Federal Chamber of Commerce with the participation of well-known specialists from the Federal Republic of Germany, France, Poland, Switzerland, the Soviet Union and Austria.

Patent Activities

The number of patent applications compared with 1978 continued to fall (1978: 9,384; 1979: 8,216). Grants of patents, on the other hand, showed a slight upward trend (1978: 6,487; 1979: 6,500). The drop in patent applications may be explained, in part, by

the opening of the European Patent Office at Munich.

Trademark Activities

Compared with 1978, there was an increase in the number of applications for the registration of trademarks (1978: 3,299; 1979: 3,477). The number of trademarks registered fell slightly (1978: 2,944; 1979: 2,666). International trademark registrations based on Austrian initial deposits also fell somewhat (1978: 233; 1979: 218). The number of international marks effective for Austria on the basis of foreign preliminary registrations, however, increased (1978: 7,074; 1979: 7,141).

Designs Activities (Central Designs Archive)

The number of designs deposited again rose in comparison with the preceding year (1978: 5,250; 1979: 6,040). This trend also applies to depositors having their place of residence or business in Austria (1978: 3,369; 1979: 4,024). For the deposit of designs, the three-year term of protection is still requested in most cases. In operating the Central Designs Archive, attention has therefore to be given to the fact that almost all designs need to be stored and kept available to the public for a period of three years.

Documentation

New acquisitions of books, journals and bound patent documents in the Library of the Patent Office amounted to 8,358 copies in 1979. During the year, a total of 499 rolls of microfilm of patent documents were produced. The library of microfilm rolls available for public access in the Library reading room now therefore totals 11,736 rolls.

The number of journals and other periodicals regularly received and made available to the public in the Library amounted to 382 (1978: 374), including 273 foreign titles (1978: 274). The technical divisions of the Patent Office also had available for the preliminary examination of patent applications all periodicals laid down as minimum documentation by unanimous decision of the Interim Committee for Technical Cooperation under the Patent Cooperation Treaty (PCT).

A total of 1,166,162 (1978: 1,130,861) patent documents were acquired under the documentation exchange with other patent offices during 1979. Of these, 308,220 documents were incorporated in the classified examination files (1978: 268,696). The overall number of documents contained in the exam-

ination files now therefore amounts to over 12 million.

The number of bound patent documents has grown by 4,806 volumes (1978: 4,241 volumes). The total holdings of books (volumes) reached 246,114 in 1979 (1978: 234,378). The Library of the Austrian Patent Office thus constitutes one of the largest libraries in Austria. The sorting work in connection with the production of an "international class copy" for general access (a copy of the patent documents acquired, arranged in accordance with the printed symbols of the International Patent Classification kept for the use of the public) was continued.

Staffing

The overall number of staff remained practically the same as in 1978. Of the 269 employees of the Patent

Office on active service on December 1, 1979, 137 belonged to the legal and senior technical services of the Patent Office. 125 of the graduate employees are to be found in the senior technical service and 19 in the legal service.

Financial Management

Staff expenditure in the report year amounted to 70.5 million schillings. Material expenditure amounted to 34.3 million schillings (1978: 35.6). The total expenditure of 106.1 million schillings is to be set off against revenue of 153.1 million schillings, the result being that the report year closed with a surplus of 47 million schillings.

News Items

SPAIN

Director General of the "Registro de la Propiedad Industrial"

We have been informed that Mr. Juan Fernández de Ybarra has been appointed Director General of the *Registro de la Propiedad Industrial*.

THAILAND

Director-General of the Department of Commercial Registration

We have been informed that Mr. Chare Chutharatkul has been appointed Director-General of the Department of Commercial Registration.

Calendar

WIPO Meetings

(Not all WIPO meetings are listed. Dates are subject to possible change.)

1981

- January 12 to 20 (Geneva) — Budapest Union (Microorganisms) — Assembly (Extraordinary Session)
- January 19 to 30 (Geneva) — Permanent Committee for Patent Information (PCPI) — Working Group on Search Information
- February 2 to 6 (Rijswijk) — Permanent Committee for Patent Information (PCPI) — Working Group on Planning
- February 9 to 13 (Paris) — Working Group on Intellectual Property Aspects of Folklore Protection (convened jointly with Unesco)
- March 23 to 25 (Geneva) — Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights
- March 23 to 27 (Geneva) — Development Cooperation — Working Group on the Establishment of a Guide on the Organization of Industrial Property Activities of Enterprises in Developing Countries
- March 25 to 27 (Geneva) — Worldwide Forum on Piracy of Sound and Audiovisual Recordings
- March 31 to April 3 (Geneva) — Permanent Committee for Patent Information (PCPI) — Working Group on Patent Information for Developing Countries
- April 6 to 10 (Geneva) — Permanent Committee for Patent Information (PCPI) — Working Group on General Information
- June 15 to 26 (Geneva) — Permanent Committee for Patent Information (PCPI) — Working Group on Search Information
- June 22 to 26 (Geneva) — Development Cooperation — Group of Consultants on Consumer Protection and Trademarks for Development
- June 22 to 26 (?) (Geneva) — International Patent Cooperation (PCT) Union — Assembly (Extraordinary Session)
- September 10 to 18 (Geneva) — Permanent Committee for Patent Information (PCPI) — Working Group on Planning
- September 24 and 25 (Nairobi) — Treaty on the Protection of the Olympic Symbol — Diplomatic Conference
- September 28 to October 24 (Nairobi) — Revision of the Paris Convention — Diplomatic Conference
- November 9 to 13 (Geneva) — Permanent Committee for Patent Information (PCPI) and PCT Committee for Technical Cooperation
- November 11 to 13 (Geneva) — Rome Convention — Intergovernmental Committee (convened jointly with ILO and Unesco)
- November 16 to 24 (Geneva) — Governing Bodies (WIPO General Assembly, Conference and Coordination Committee, Assemblies of the Paris, Madrid, Hague, Nice, Lisbon, Locarno, IPC, PCT, Budapest, TRT and Berne Unions; Conferences of Representatives of the Paris, Hague, Nice and Berne Unions; Executive Committees of the Paris and Berne Unions; Committee of Directors of the Madrid Union; Council of the Lisbon Union)
- November 30 to December 7 (New Delhi) — Berne Union — Executive Committee — Extraordinary Session (sitting together, for the discussion of certain items, with the Intergovernmental Committee of the Universal Copyright Convention)
- December 7 to 11 (Geneva) — International Patent Classification (IPC) — Committee of Experts

UPOV Meetings

1981

- May 6 (Geneva) — Consultative Committee
- May 6 to 8 (Geneva) — Administrative and Legal Committee
- June 2 to 4 (Wädenswil) — Technical Working Party for Vegetables
- June 23 to 25 (Edinburgh) — Technical Working Party for Agricultural Crops
- September 22 to 25 (Wageningen) — Technical Working Party for Fruit Crops
- October 6 to 8 (Antibes) — Technical Working Party for Ornamental Plants
- October 13 (Geneva) — Consultative Committee
- October 14 to 16 (Geneva) — Council
- November 9 to 11 (Geneva) — Technical Committee
- November 11 to 13 (Geneva) — Administrative and Legal Committee