

# Industrial Property

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**INDUSTRIAL PROPERTY LAWS AND TREATIES  
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Editor's Note

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**CUMULATIVE INDEX (of legal texts published from February 1976 to December 1989 as an annex to *Industrial Property*)**

# Treaties

## (Status on January 1, 1990)

### Convention Establishing the World Intellectual Property Organization

WIPO Convention (1967), amended in 1979

State	Date on which State became member of WIPO	Member also of Paris Union (P) and/or Berne Union (B) <sup>1</sup>	
Algeria . . . . .	April 16, 1975 . . . . .	P	—
Angola (c) <sup>2</sup> . . . . .	April 15, 1985 . . . . .	—	—
Argentina . . . . .	October 8, 1980 . . . . .	P	B
Australia . . . . .	August 10, 1972 . . . . .	P	B
Austria . . . . .	August 11, 1973 . . . . .	P	B
Bahamas . . . . .	January 4, 1977 . . . . .	P	B
Bangladesh (c) <sup>2</sup> . . . . .	May 11, 1985 . . . . .	—	—
Barbados . . . . .	October 5, 1979 . . . . .	P	B
Belgium . . . . .	January 31, 1975 . . . . .	P	B
Benin . . . . .	March 9, 1975 . . . . .	P	B
Brazil . . . . .	March 20, 1975 . . . . .	P	B
Bulgaria . . . . .	May 19, 1970 . . . . .	P	B
Burkina Faso . . . . .	August 23, 1975 . . . . .	P	B
Burundi . . . . .	March 30, 1977 . . . . .	P	—
Byelorussian SSR (c) <sup>2</sup> . . . . .	April 26, 1970 . . . . .	—	—
Cameroon . . . . .	November 3, 1973 . . . . .	P	B
Canada . . . . .	June 26, 1970 . . . . .	P	B
Central African Republic . . . . .	August 23, 1978 . . . . .	P	B
Chad . . . . .	September 26, 1970 . . . . .	P	B
Chile . . . . .	June 25, 1975 . . . . .	—	B
China . . . . .	June 3, 1980 . . . . .	P	—
Colombia . . . . .	May 4, 1980 . . . . .	—	B
Congo . . . . .	December 2, 1975 . . . . .	P	B
Costa Rica . . . . .	June 10, 1981 . . . . .	—	B
Côte d'Ivoire . . . . .	May 1, 1974 . . . . .	P	B
Cuba . . . . .	March 27, 1975 . . . . .	P	—
Cyprus . . . . .	October 26, 1984 . . . . .	P	B
Czechoslovakia . . . . .	December 22, 1970 . . . . .	P	B
Democratic People's Republic of Korea . . . . .	August 17, 1974 . . . . .	P	—
Democratic Yemen (c) <sup>2</sup> . . . . .	December 27, 1989 . . . . .	—	—
Denmark . . . . .	April 26, 1970 . . . . .	P	B
Ecuador (c) <sup>2</sup> . . . . .	May 22, 1988 . . . . .	—	—
Egypt . . . . .	April 21, 1975 . . . . .	P	B
El Salvador (c) <sup>2</sup> . . . . .	September 18, 1979 . . . . .	—	—
Fiji . . . . .	March 11, 1972 . . . . .	—	B
Finland . . . . .	September 8, 1970 . . . . .	P	B
France . . . . .	October 18, 1974 . . . . .	P	B
Gabon . . . . .	June 6, 1975 . . . . .	P	B
Gambia (c) <sup>2</sup> . . . . .	December 10, 1980 . . . . .	—	—
German Democratic Republic . . . . .	April 26, 1970 . . . . .	P	B

State	Date on which State became member of WIPO	Member also of Paris Union (P) and/or Berne Union (B) <sup>1</sup>	
Germany, Federal Republic of	September 19, 1970	P	B
Ghana	June 12, 1976	P	—
Greece	March 4, 1976	P	B
Guatemala (c) <sup>2</sup>	April 30, 1983	—	—
Guinea	November 13, 1980	P	B
Guinea-Bissau	June 28, 1988	P	—
Haiti	November 2, 1983	P	—
Holy See	April 20, 1975	P	B
Honduras	November 15, 1983	—	B
Hungary	April 26, 1970	P	B
Iceland	September 13, 1986	P	B
India	May 1, 1975	—	B
Indonesia	December 18, 1979	P	—
Iraq	January 21, 1976	P	—
Ireland	April 26, 1970	P	B
Israel	April 26, 1970	P	B
Italy	April 20, 1977	P	B
Jamaica (c) <sup>2</sup>	December 25, 1978	—	—
Japan	April 20, 1975	P	B
Jordan	July 12, 1972	P	—
Kenya	October 5, 1971	P	—
Lebanon	December 30, 1986	P	—
Lesotho	November 18, 1986	P	B
Liberia	March 8, 1989	—	B
Libya	September 28, 1976	P	B
Liechtenstein	May 21, 1972	P	B
Luxembourg	March 19, 1975	P	B
Madagascar	December 22, 1989	P	B
Malawi	June 11, 1970	P	—
Malaysia	January 1, 1989	P	—
Mali	August 14, 1982	P	B
Malta	December 7, 1977	P	B
Mauritania	September 17, 1976	P	B
Mauritius	September 21, 1976	P	B
Mexico	June 14, 1975	P	B
Monaco	March 3, 1975	P	B
Mongolia	February 28, 1979	P	—
Morocco	July 27, 1971	P	B
Netherlands	January 9, 1975	P	B
New Zealand	June 20, 1984	P	—
Nicaragua (c) <sup>2</sup>	May 5, 1985	—	—
Niger	May 18, 1975	P	B
Norway	June 8, 1974	P	B
Pakistan	January 6, 1977	—	B
Panama (c) <sup>2</sup>	September 17, 1983	—	—
Paraguay (c) <sup>2</sup>	June 20, 1987	—	—
Peru	September 4, 1980	—	B
Philippines	July 14, 1980	P	B
Poland	March 23, 1975	P	—
Portugal	April 27, 1975	P	B

State	Date on which State became member of WIPO	Member also of Paris Union (P) and/or Berne Union (B) <sup>1</sup>	
Qatar (b) <sup>2</sup>	September 3, 1976	—	—
Republic of Korea	March 1, 1979	P	—
Romania	April 26, 1970	P	B
Rwanda	February 3, 1984	P	B
Saudi Arabia (a) <sup>2</sup>	May 22, 1982	—	—
Senegal	April 26, 1970	P	B
Sierra Leone (c) <sup>2</sup>	May 18, 1986	—	—
Somalia (c) <sup>2</sup>	November 18, 1982	—	—
South Africa	March 23, 1975	P	B
Soviet Union	April 26, 1970	P	—
Spain	April 26, 1970	P	B
Sri Lanka	September 20, 1978	P	B
Sudan	February 15, 1974	P	—
Suriname	November 25, 1975	P	B
Swaziland (c) <sup>2</sup>	August 18, 1988	—	—
Sweden	April 26, 1970	P	B
Switzerland	April 26, 1970	P	B
Thailand	December 25, 1989	—	B
Togo	April 28, 1975	P	B
Trinidad and Tobago	August 16, 1988	P	B
Tunisia	November 28, 1975	P	B
Turkey	May 12, 1976	P	—
Uganda	October 18, 1973	P	—
Ukrainian SSR (c) <sup>2</sup>	April 26, 1970	—	—
United Arab Emirates (b) <sup>2</sup>	September 24, 1974	—	—
United Kingdom	April 26, 1970	P	B
United Republic of Tanzania	December 30, 1983	P	—
United States of America	August 25, 1970	P	B
Uruguay	December 21, 1979	P	B
Venezuela	November 23, 1984	—	B
Viet Nam	July 2, 1976	P	—
Yemen (c) <sup>2</sup>	March 29, 1979	—	—
Yugoslavia	October 11, 1973	P	B
Zaire	January 28, 1975	P	B
Zambia	May 14, 1977	P	—
Zimbabwe	December 29, 1981	P	B

(Total: 126 States)

<sup>1</sup> "P" means that the State is also a member of the International Union for the Protection of Industrial Property (Paris Union), founded by the Paris Convention for the Protection of Industrial Property, and has ratified or acceded to at least the administrative and final provisions (Articles 13 to 30) of the Stockholm Act (1967) of that Convention.

"B" means that the State is also a member of the International Union for the Protection of Literary and Artistic Works (Berne Union), founded by the Berne Convention for the Protection of Literary and Artistic Works, and has ratified or acceded to at least the administrative and final provisions (Articles 22 to 38) of the Stockholm Act (1967) or the Paris Act (1971) of that Convention.

<sup>2</sup> "(a)" means that the State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union and that it chose Class A for the purpose of establishing its contribution (see WIPO Convention, Article 11(4)(a)).

"(b)" means that the State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union and that it chose Class B for the purpose of establishing its contribution (see WIPO Convention, Article 11(4)(a)).

"(c)" means that the State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union and that it chose Class C for the purpose of establishing its contribution (see WIPO Convention, Article 11(4)(a)).

## Paris Convention for the Protection of Industrial Property

Paris Convention (1883), revised at Brussels (1900), Washington (1911), The Hague (1925),  
London (1934), Lisbon (1958) and Stockholm (1967), and amended in 1979

(Paris Union)

State	Contribution class*	Date on which State became party to the Convention	Latest Act <sup>1</sup> of the Convention to which State is party and date on which State became party to that Act
Algeria . . . . .	VI	March 1, 1966	Stockholm, April 20, 1975 <sup>2</sup>
Argentina . . . . .	VI	February 10, 1967	<i>Lisbon:</i> February 10, 1967 Stockholm, Articles 13 to 30: October 8, 1980
Australia . . . . .	III	October 10, 1925	Stockholm, Articles 1 to 12: September 27, 1975 Stockholm, Articles 13 to 30: August 25, 1972
Austria . . . . .	IV	January 1, 1909	Stockholm: August 18, 1973
Bahamas . . . . .	VII	July 10, 1973	<i>Lisbon:</i> July 10, 1973 Stockholm, Articles 13 to 30: March 10, 1977
Barbados . . . . .	VII	March 12, 1985	Stockholm: March 12, 1985
Belgium . . . . .	III	July 7, 1884	Stockholm: February 12, 1975
Benin . . . . .	S	January 10, 1967	Stockholm: March 12, 1975
Brazil . . . . .	VI	July 7, 1884	<i>The Hague:</i> October 26, 1929 Stockholm, Articles 13 to 30: March 24, 1975 <sup>2</sup>
Bulgaria . . . . .	VI	June 13, 1921	Stockholm, Articles 1 to 12: May 19 or 27, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: May 27, 1970 <sup>2</sup>
Burkina Faso . . . . .	S	November 19, 1963	Stockholm: September 2, 1975
Burundi . . . . .	S	September 3, 1977	Stockholm: September 3, 1977
Cameroon . . . . .	VII	May 10, 1964	Stockholm: April 20, 1975
Canada . . . . .	III	June 12, 1925	<i>London:</i> July 30, 1951 Stockholm, Articles 13 to 30: July 7, 1970
Central African Republic . . . . .	S	November 19, 1963	Stockholm: September 5, 1978
Chad . . . . .	S	November 19, 1963	Stockholm: September 26, 1970
China . . . . .	III	March 19, 1985	Stockholm: March 19, 1985 <sup>2</sup>
Congo . . . . .	VII	September 2, 1963	Stockholm: December 5, 1975
Côte d'Ivoire . . . . .	VII	October 23, 1963	Stockholm: May 4, 1974
Cuba . . . . .	VII	November 17, 1904	Stockholm: April 8, 1975 <sup>2</sup>
Cyprus . . . . .	VII	January 17, 1966	Stockholm: April 3, 1984
Czechoslovakia . . . . .	IV	October 5, 1919	Stockholm: December 29, 1970 <sup>2</sup>
Democratic People's Republic of Korea . . . . .	VII	June 10, 1980	Stockholm: June 10, 1980
Denmark <sup>4</sup> . . . . .	IV	October 1, 1894	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
<i>Dominican Republic</i> . . . . .	VI	<i>July 11, 1890</i>	<i>The Hague:</i> April 6, 1951
Egypt . . . . .	VII	July 1, 1951	Stockholm: March 6, 1975 <sup>2</sup>
Finland . . . . .	IV	September 20, 1921	Stockholm, Articles 1 to 12: October 21, 1975 Stockholm, Articles 13 to 30: September 15, 1970
France <sup>5</sup> . . . . .	I	July 7, 1884	Stockholm: August 12, 1975
Gabon . . . . .	VII	February 29, 1964	Stockholm: June 10, 1975
German Democratic Republic . . . . .	IV	May 1, 1903 <sup>6</sup>	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
Germany, Federal Republic of . . . . .	I	May 1, 1903 <sup>6</sup>	Stockholm: September 19, 1970
Ghana . . . . .	VII	September 28, 1976	Stockholm: September 28, 1976
Greece . . . . .	V	October 2, 1924	Stockholm: July 15, 1976
Guinea . . . . .	S	February 5, 1982	Stockholm: February 5, 1982
Guinea-Bissau . . . . .	S	June 28, 1988	Stockholm: June 28, 1988
Haiti . . . . .	S	July 1, 1958	Stockholm: November 3, 1983
Holy See . . . . .	VII	September 29, 1960	Stockholm: April 24, 1975
Hungary . . . . .	V	January 1, 1909	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970 <sup>2</sup>

State	Contribution class*	Date on which State became party to the Convention	Latest Act <sup>1</sup> of the Convention to which State is party and date on which State became party to that Act
Iceland . . . . .	VII	May 5, 1962	<i>London:</i> May 5, 1962 Stockholm, Articles 13 to 30: December 28, 1984
Indonesia . . . . .	VI	December 24, 1950	<i>London:</i> December 24, 1950 Stockholm, Articles 13 to 30: December 20, 1979 <sup>2</sup>
<i>Iran (Islamic Republic of)</i> . . . . .	VI	December 16, 1959	<i>Lisbon:</i> January 4, 1962
Iraq . . . . .	VII	January 24, 1976	Stockholm: January 24, 1976 <sup>2</sup>
Ireland . . . . .	IV	December 4, 1925	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
Israel . . . . .	VI	March 24, 1950	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
Italy . . . . .	III	July 7, 1884	Stockholm: April 24, 1977
Japan . . . . .	I	July 15, 1899	Stockholm, Articles 1 to 12: October 1, 1975 Stockholm, Articles 13 to 30: April 24, 1975
Jordan . . . . .	VII	July 17, 1972	Stockholm: July 17, 1972
Kenya . . . . .	VI	June 14, 1965	Stockholm: October 26, 1971
Lebanon . . . . .	VII	September 1, 1924	<i>London:</i> September 30, 1947 Stockholm, Articles 13 to 30: December 30, 1986 <sup>2</sup>
Lesotho . . . . .	S	September 28, 1989	Stockholm: September 28, 1989 <sup>2</sup>
Libya . . . . .	VI	September 28, 1976	Stockholm: September 28, 1976 <sup>2</sup>
Liechtenstein . . . . .	VII	July 14, 1933	Stockholm: May 25, 1972
Luxembourg . . . . .	VII	June 30, 1922	Stockholm: March 24, 1975
Madagascar . . . . .	VII	December 21, 1963	Stockholm: April 10, 1972
Malawi . . . . .	S	July 6, 1964	Stockholm: June 25, 1970
Malaysia . . . . .	VII	January 1, 1989	Stockholm: January 1, 1989
Mali . . . . .	S	March 1, 1983	Stockholm: March 1, 1983
Malta . . . . .	VII	October 20, 1967	<i>Lisbon:</i> October 20, 1967 Stockholm, Articles 13 to 30: December 12, 1977 <sup>2</sup>
Mauritania . . . . .	S	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
Mongolia . . . . .	VII	April 21, 1985	Stockholm: April 21, 1985 <sup>2</sup>
Morocco . . . . .	VI	July 30, 1917	Stockholm: August 6, 1971
Netherlands <sup>7</sup> . . . . .	III	July 7, 1884	Stockholm: January 10, 1975
New Zealand <sup>8</sup> . . . . .	V	July 29, 1931	<i>London:</i> July 14, 1946 Stockholm, Articles 13 to 30: June 20, 1984
Niger . . . . .	S	July 5, 1964	Stockholm: March 6, 1975
<i>Nigeria</i> . . . . .	VI	September 2, 1963	<i>Lisbon:</i> September 2, 1963
Norway . . . . .	IV	July 1, 1885	Stockholm: June 13, 1974
Philippines . . . . .	VI	September 27, 1965	<i>Lisbon:</i> September 27, 1965 Stockholm, Articles 13 to 30: July 16, 1980
Poland . . . . .	V	November 10, 1919	Stockholm: March 24, 1975 <sup>2</sup>
Portugal . . . . .	IV	July 7, 1884	Stockholm: April 30, 1975
Republic of Korea . . . . .	VI	May 4, 1980	Stockholm: May 4, 1980
Romania . . . . .	VI	October 6, 1920	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970 <sup>2</sup>
Rwanda . . . . .	S	March 1, 1984	Stockholm: March 1, 1984
<i>San Marino</i> . . . . .	VI	March 4, 1960	<i>London:</i> March 4, 1960
Senegal . . . . .	VII	December 21, 1963	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
South Africa . . . . .	IV	December 1, 1947	Stockholm: March 24, 1975 <sup>2</sup>
Soviet Union . . . . .	I	July 1, 1965	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970 <sup>2</sup>
Spain . . . . .	IV	July 7, 1884	Stockholm: April 14, 1972
Sri Lanka . . . . .	VII	December 29, 1952	<i>London:</i> December 29, 1952 Stockholm, Articles 13 to 30: September 23, 1978

State	Contribution class*	Date on which State became party to the Convention	Latest Act <sup>1</sup> of the Convention to which State is party and date on which State became party to that Act
Sudan	S	April 16, 1984	Stockholm: April 16, 1984
Suriname	VII	November 25, 1975	Stockholm: November 25, 1975
Sweden	III	July 1, 1885	Stockholm, Articles 1 to 12: October 9, 1970 Stockholm, Articles 13 to 30: April 26, 1970
Switzerland	III	July 7, 1884	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
Syria	VI	September 1, 1924	London: September 30, 1947
Togo	S	September 10, 1967	Stockholm: April 30, 1975
Trinidad and Tobago	VII	August 1, 1964	Stockholm: August 16, 1988
Tunisia	VII	July 7, 1884	Stockholm: April 12, 1976 <sup>2</sup>
Turkey	VI	October 10, 1925	London: June 27, 1957 Stockholm, Articles 13 to 30: May 16, 1976
Uganda	S	June 14, 1965	Stockholm: October 20, 1973
United Kingdom <sup>9</sup>	I	July 7, 1884	Stockholm, Articles 1 to 12: April 26 or May 19, 1970 <sup>3</sup> Stockholm, Articles 13 to 30: April 26, 1970
United Republic of Tanzania	S	June 16, 1963	Lisbon: June 16, 1963 Stockholm, Articles 13 to 30: December 30, 1983
United States of America <sup>10</sup>	I	May 30, 1887	Stockholm, Articles 1 to 12: August 25, 1973 Stockholm, Articles 13 to 30: September 5, 1970
Uruguay	VII	March 18, 1967	Stockholm: December 28, 1979
Viet Nam	VII	March 8, 1949	Stockholm: July 2, 1976 <sup>2</sup>
Yugoslavia	VI	February 26, 1921	Stockholm: October 16, 1973
Zaire	VI	January 31, 1975	Stockholm: January 31, 1975
Zambia	VII	April 6, 1965	Lisbon: April 6, 1965 Stockholm, Articles 13 to 30: May 14, 1977
Zimbabwe	VII	April 18, 1980	Stockholm: December 30, 1981

(Total: 100 States)

\* Contributions in classes I to VII correspond to 25, 20, 15, 10, 5, 3 and 1 units, respectively. In class S, they correspond to 1/3 of one unit.

<sup>1</sup> "Stockholm" means the Paris Convention for the Protection of Industrial Property as revised at Stockholm on July 14, 1967 (Stockholm Act); "Lisbon" means the Paris Convention as revised at Lisbon on October 31, 1958 (Lisbon Act); "London" means the Paris Convention as revised at London on June 1934 (London Act); "The Hague" means the Paris Convention as revised at The Hague on November 6, 1925 (Hague Act).

<sup>2</sup> With the declaration provided for in Article 28(2) of the Stockholm Act relating to the International Court of Justice.

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

<sup>4</sup> Denmark extended the application of the Stockholm Act to the Faroe Islands with effect from August 6, 1971.

<sup>5</sup> Including all Overseas Departments and Territories.

<sup>6</sup> Date on which the accession by the German Empire took effect.

<sup>7</sup> Ratification for the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>8</sup> The accession of New Zealand to the Stockholm Act, with the exception of Articles 1 to 12, extends to the Cook Islands, Niue and Tokelau.

<sup>9</sup> The United Kingdom extended the application of the Stockholm Act to the territory of Hong Kong with effect from November 16, 1977, and to the Isle of Man with effect from October 29, 1983.

<sup>10</sup> The United States of America extended the application of the Stockholm Act to all territories and possessions of the United States of America, including the Commonwealth of Puerto Rico, as from August 25, 1973.

## Other Industrial Property Treaties Administered by WIPO

### 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)

State	Date on which State became party to the Agreement	Latest Act of the Agreement to which State is party and date on which State became party to that Act (see, however, for some States, the Additional Act of Stockholm)	Date on which State became party to the Additional Act of Stockholm
Algeria . . . . .	July 5, 1972	Lisbon: July 5, 1972	July 5, 1972
Brazil . . . . .	October 3, 1896	<i>The Hague: October 26, 1929</i>	—
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
<i>Dominican Republic</i> . . . . .	<i>April 6, 1951</i>	<i>The Hague: April 6, 1951</i>	—
Egypt . . . . .	July 1, 1952	Lisbon: March 6, 1975	March 6, 1975
France <sup>1</sup> . . . . .	July 15, 1892	Lisbon: June 1, 1963	August 12, 1975
German Democratic Republic . . . . .	June 12, 1925 <sup>2</sup>	Lisbon: January 15, 1965	April 26, 1970
Germany, Federal Republic of . . . . .	June 12, 1925 <sup>2</sup>	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 . . . . .	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
<i>Lebanon</i> . . . . .	<i>September 1, 1924</i>	<i>London: September 30, 1947</i>	—
Liechtenstein . . . . .	July 14, 1933	Lisbon: April 10, 1972	May 25, 1972
Monaco . . . . .	April 29, 1956	Lisbon: June 1, 1963	October 4, 1975
<i>Morocco</i> . . . . .	<i>July 30, 1917</i>	<i>Lisbon: May 15, 1967</i>	—
<i>New Zealand</i> . . . . .	<i>July 29, 1931</i>	<i>London: May 17, 1947</i>	—
<i>Poland</i> . . . . .	<i>December 10, 1928</i>	<i>The Hague: December 10, 1928</i>	—
<i>Portugal</i> . . . . .	<i>October 31, 1893</i>	<i>London: November 7, 1949</i>	—
<i>San Marino</i> . . . . .	<i>September 25, 1960</i>	<i>London: September 25, 1960</i>	—
Spain . . . . .	July 15, 1892	Lisbon: August 14, 1973	August 14, 1973
<i>Sri Lanka</i> . . . . .	<i>December 29, 1952</i>	<i>London: December 29, 1952</i>	—
Sweden . . . . .	January 1, 1934	Lisbon: October 3, 1969	April 26, 1970
Switzerland . . . . .	July 15, 1892	Lisbon: June 1, 1963	April 26, 1970
<i>Syria</i> . . . . .	<i>September 1, 1924</i>	<i>London: September 30, 1947</i>	—
<i>Tunisia</i> . . . . .	<i>July 15, 1892</i>	<i>London: October 4, 1942</i>	—
<i>Turkey</i> . . . . .	<i>August 21, 1930</i>	<i>London: June 27, 1957</i>	—
United Kingdom . . . . .	July 15, 1892	Lisbon: June 1, 1963	April 26, 1970

(Total: 31 States)

<sup>1</sup> Including all Overseas Departments and Territories.

<sup>2</sup> Date on which the accession by the German Reich took effect.

## Madrid Agreement Concerning the International Registration of Marks

Madrid Agreement (Marks) (1891), revised at  
Brussels (1900), Washington (1911),  
The Hague (1925), London (1934), Nice (1957) and Stockholm (1967), and amended in 1979  
(Madrid Union)

State <sup>1</sup>	Date on which State became party to the Agreement	Latest Act of the Agreement to which State is party and date on which State became party to that Act
Algeria . . . . .	July 5, 1972	Stockholm: July 5, 1972
Austria . . . . .	January 1, 1909	Stockholm: August 18, 1973
Belgium <sup>2</sup> . . . . .	July 15, 1892	Stockholm: February 12, 1975
Bulgaria . . . . .	August 1, 1985	Stockholm: August 1, 1985
China <sup>6</sup> . . . . .	October 4, 1989	Stockholm: October 4, 1989
Cuba <sup>6</sup> . . . . .	December 6, 1989	Stockholm: December 6, 1989
Czechoslovakia . . . . .	October 5, 1919	Stockholm: December 22 or 29, 1970 <sup>3</sup>
Democratic People's Republic of Korea . . . . .	June 10, 1980	Stockholm: June 10, 1980
Egypt . . . . .	July 1, 1952	Stockholm: March 6, 1975
France <sup>4</sup> . . . . .	July 15, 1892	Stockholm: August 12, 1975
German Democratic Republic . . . . .	December 1, 1922 <sup>5</sup>	Stockholm: September 19, or December 22, 1970 <sup>3</sup>
Germany, Federal Republic of . . . . .	December 1, 1922 <sup>5</sup>	Stockholm: September 19, or December 22, 1970 <sup>3</sup>
Hungary . . . . .	January 1, 1909	Stockholm: September 19, or December 22, 1970 <sup>3</sup>
Italy . . . . .	October 15, 1894	Stockholm: April 24, 1977
Liechtenstein . . . . .	July 14, 1933	Stockholm: May 25, 1972
Luxembourg <sup>2</sup> . . . . .	September 1, 1924	Stockholm: March 24, 1975
Monaco . . . . .	April 29, 1956	Stockholm: October 4, 1975
Mongolia <sup>6</sup> . . . . .	April 21, 1985	Stockholm: April 21, 1985
Morocco . . . . .	July 30, 1917	Stockholm: January 24, 1976
Netherlands <sup>2, 7</sup> . . . . .	March 1, 1893	Stockholm: March 6, 1975
Portugal . . . . .	October 31, 1893	Stockholm: November 22, 1988
Romania . . . . .	October 6, 1920	Stockholm: September 19, or December 22, 1970 <sup>3</sup>
San Marino . . . . .	September 25, 1960	Nice: December 15, 1966
Soviet Union <sup>6</sup> . . . . .	July 1, 1976	Stockholm: July 1, 1976
Spain <sup>8</sup> . . . . .	July 15, 1892	Stockholm: June 8, 1979
Sudan . . . . .	May 16, 1984	Stockholm: May 16, 1984
Switzerland . . . . .	July 15, 1892	Stockholm: September 19, or December 22, 1970 <sup>3</sup>
Viet Nam . . . . .	March 8, 1949	Stockholm: July 2, 1976
Yugoslavia . . . . .	February 26, 1921	Stockholm: October 16, 1973

(Total: 29 States)

<sup>1</sup> All the States have declared, under Article 3bis 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), Bulgaria (August 1, 1985), China (October 4, 1989), Cuba (December 6, 1989), 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), Mongolia (April 21, 1985), 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), Sudan (May 16, 1984), Switzerland (January 1, 1973), Viet Nam (July 2, 1976) (May 15, 1973, in respect of the Republic of South Viet-Nam), Yugoslavia (June 29, 1972).

<sup>2</sup> 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.

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

<sup>4</sup> Including all Overseas Departments and Territories.

<sup>5</sup> Date on which the accession by the German Reich took effect.

<sup>6</sup> In accordance with Article 14(2)(d) and (f), this State declared that the application of the Stockholm Act was limited to marks registered from the date on which its accession entered into force, that is: China: October 4, 1989; Cuba: December 6, 1989; Mongolia: April 21, 1985; Soviet Union: July 1, 1976.

<sup>7</sup> The instrument of ratification of the Stockholm Act was deposited for the Kingdom in Europe. The Netherlands, which had extended the application of the Stockholm Act to Aruba with effect from November 8, 1986, suspended that application as from that date for an indefinite period.

<sup>8</sup> 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), Viet Nam (May 15, 1973).

### Hague Agreement Concerning the International Deposit of Industrial Designs

Hague Agreement (1925), revised at London (1934) and The Hague (1960),<sup>1</sup> supplemented by the Additional Act of Monaco (1961),<sup>2</sup> the Complementary Act of Stockholm (1967) and the Protocol of Geneva (1975),<sup>3</sup> and amended in 1979

(Hague Union)

State	Date on which State became party to the Agreement	Date on which State became party to the London Act	Date on which State became party to the Hague Act <sup>1</sup>	Date on which State became party to the Complementary Act of Stockholm
Belgium <sup>4,5</sup>	April 1, 1979	—	August 1, 1984	May 28, 1979
Benin	November 2, 1986	November 2, 1986	November 2, 1986	January 2, 1987
Egypt	July 1, 1952	July 1, 1952	—	—
France <sup>6</sup>	October 20, 1930	June 25, 1939	August 1, 1984	September 27, 1975
German Democratic Republic	June 1, 1928 <sup>7</sup>	June 13, 1939 <sup>7</sup>	May 7, 1989	May 7, 1989
Germany, Federal Republic of	June 1, 1928 <sup>7</sup>	June 13, 1939 <sup>7</sup>	August 1, 1984	September 27, 1975
Holy See	September 29, 1960	September 29, 1960	—	—
Hungary <sup>8</sup>	April 7, 1984	April 7, 1984	August 1, 1984	April 7, 1984
Indonesia	December 24, 1950	December 24, 1950	—	—
Italy	June 13, 1987	—	June 13, 1987	August 13, 1987
Liechtenstein	July 14, 1933	January 28, 1951	August 1, 1984	September 27, 1975
Luxembourg <sup>5</sup>	April 1, 1979	—	August 1, 1984	May 28, 1979
Monaco	April 29, 1956	April 29, 1956	August 1, 1984	September 27, 1975
Morocco	October 20, 1930	January 21, 1941	—	—
Netherlands <sup>4,5</sup>	April 1, 1979	—	August 1, 1984 <sup>9</sup>	May 28, 1979 <sup>9</sup>
Senegal	June 30, 1984	June 30, 1984	August 1, 1984	June 30, 1984
Spain	June 1, 1928	March 2, 1956	—	—
Suriname	November 25, 1975	November 25, 1975	August 1, 1984	February 23, 1977
Switzerland	June 1, 1928	November 24, 1939	August 1, 1984	September 27, 1975
Tunisia	October 20, 1930	October 4, 1942	—	—

(Total: 20 States)

<sup>1</sup> The Protocol to the Hague Act (1960) is not yet in force. It has been ratified by or acceded to by the following States: Belgium, France, Germany (Federal Republic of), Italy, Liechtenstein, Monaco, Netherlands, Switzerland.

<sup>2</sup> 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 is concerned) (September 14, 1963), Spain (August 31, 1969), Suriname (November 25, 1975) and Switzerland (December 21, 1962). See also footnote 4.

<sup>3</sup> The Protocol of Geneva (1975), in accordance with Article 11(2)(a) thereof, ceased to have effect as of August 1, 1984; however, as provided by Article 11(2)(b), States bound by the Protocol (Belgium (as from April 1, 1979), France (as from February 18, 1980), Germany (Federal Republic of) (as from December 26, 1981), Hungary (as from April 7, 1984), Liechtenstein (as from April 1, 1979), Luxembourg (as from April 1, 1979), Monaco (as from March 5, 1981), Netherlands (as from April 1, 1979), Senegal (as from June 30, 1984), Suriname (as from April 1, 1979) and Switzerland (as from April 1, 1979)) are not relieved of their obligations thereunder in respect of industrial designs whose date of international deposit is prior to August 1, 1984.

<sup>4</sup> 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.

<sup>5</sup> The territories in Europe of Belgium, Luxembourg and the Netherlands are, for the application of the Hague Agreement, to be deemed a single country.

<sup>6</sup> Including all Overseas Departments and Territories.

<sup>7</sup> Date on which the ratification by the German Reich took effect.

<sup>8</sup> With the declaration that Hungary does not consider itself bound by the Protocol annexed to the Hague Act (1960).

<sup>9</sup> Ratification for the Kingdom in Europe.

**Nice Agreement Concerning the International Classification of Goods and Services for the Purposes  
of the Registration of Marks**

Nice Agreement (1957), revised at Stockholm (1967) and at Geneva (1977), and amended in 1979

(Nice Union)

State	Date on which State became party to the Agreement	Latest Act of the Agreement to which State is party and date on which it became party to that Act
Algeria . . . . .	July 5, 1972	Stockholm: July 5, 1972
Australia . . . . .	April 8, 1961	Geneva: February 6, 1979
Austria . . . . .	November 30, 1969	Geneva: August 21, 1982
Barbados . . . . .	March 12, 1985	Geneva: March 12, 1985
Belgium . . . . .	June 6, 1962	Geneva: November 20, 1984
Benin . . . . .	February 6, 1979	Geneva: February 6, 1979
Czechoslovakia . . . . .	April 8, 1961	Geneva: February 6, 1979
Denmark <sup>1</sup> . . . . .	November 30, 1961	Geneva: June 3, 1981
Finland . . . . .	August 18, 1973	Geneva: February 6, 1979
France <sup>2</sup> . . . . .	April 8, 1961	Geneva: April 22, 1980
German Democratic Republic . . . . .	January 15, 1965	Geneva : June 23, 1982
Germany, Federal Republic of . . . . .	January 29, 1962	Geneva: January 12, 1982
Hungary . . . . .	March 23, 1967	Geneva: August 21, 1982
Ireland . . . . .	December 12, 1966	Geneva: February 6, 1979
Israel . . . . .	April 8, 1961	Stockholm: November 12, 1969, or March 18, 1970 <sup>3</sup>
Italy . . . . .	April 8, 1961	Geneva: February 19, 1983
Japan . . . . .	February 20, 1990	Geneva: February 20, 1990
Lebanon . . . . .	April 8, 1961	Nice: April 8, 1961
Liechtenstein . . . . .	May 29, 1967	Geneva: February 14, 1987
Luxembourg . . . . .	March 24, 1975	Geneva: December 21, 1983
Monaco . . . . .	April 8, 1961	Geneva: May 9, 1981
Morocco . . . . .	October 1, 1966	Stockholm: January 24, 1976
Netherlands <sup>4</sup> . . . . .	August 20, 1962	Geneva: August 15, 1979
Norway . . . . .	July 28, 1961	Geneva: July 7, 1981
Portugal . . . . .	April 8, 1961	Geneva: July 30, 1982
Soviet Union . . . . .	July 26, 1971	Geneva: December 30, 1987
Spain . . . . .	April 8, 1961	Geneva: May 9, 1979
Suriname . . . . .	December 16, 1981	Geneva: December 16, 1981
Sweden . . . . .	July 28, 1961	Geneva: February 6, 1979
Switzerland . . . . .	August 20, 1962	Geneva: April 22, 1986
Tunisia . . . . .	May 29, 1967	Nice: May 29, 1967
United Kingdom . . . . .	April 15, 1963	Geneva: July 3, 1979
United States of America . . . . .	May 25, 1972	Geneva: February 29, 1984
Yugoslavia . . . . .	August 30, 1966	Stockholm: October 16, 1973

(Total: 34 States)

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

<sup>2</sup> Including all Overseas Departments and Territories.

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

<sup>4</sup> The Netherlands, which had extended the application of the Geneva Act to Aruba with effect from November 8, 1986, suspended that application as from that date for an indefinite period.

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

Lisbon Agreement (1958), revised at Stockholm (1967), and amended in 1979

(Lisbon Union)

State	Date on which State became party to the Agreement	Latest Act of the Agreement to which State is party and date on which it became party to Act
Algeria . . . . .	July 5, 1972	Stockholm: October 31, 1973
Bulgaria . . . . .	August 12, 1975	Stockholm: August 12, 1975
Burkina Faso . . . . .	September 2, 1975	Stockholm: September 2, 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 <sup>1</sup> . . . . .	September 25, 1966	Stockholm: August 12, 1975
Gabon . . . . .	June 10, 1975	Stockholm: June 10, 1975
Haiti . . . . .	September 25, 1966	Lisbon: September 25, 1966
Hungary . . . . .	March 23, 1967	Stockholm: October 31, 1973
Israel . . . . .	September 25, 1966	Stockholm: October 31, 1973
Italy . . . . .	December 29, 1968	Stockholm: April 24, 1977
Mexico . . . . .	September 25, 1966	Lisbon: September 25, 1966
Portugal . . . . .	September 25, 1966	Lisbon: September 25, 1966
Togo . . . . .	April 30, 1975	Stockholm: April 30, 1975
Tunisia . . . . .	October 31, 1973	Stockholm: October 31, 1973

(Total: 16 States)

<sup>1</sup> Including all Overseas Departments and Territories.

## Locarno Agreement Establishing an International Classification for Industrial Designs

Locarno Agreement (1968), amended in 1979

(Locarno Union)

State	Date on which State became party to the Agreement	State	Date on which State became party to the Agreement
Czechoslovakia . . . . .	April 27, 1971	Netherlands <sup>2</sup> . . . . .	March 30, 1977
Denmark . . . . .	April 27, 1971	Norway . . . . .	April 27, 1971
Finland . . . . .	May 16, 1972	Soviet Union . . . . .	December 15, 1972
France <sup>1</sup> . . . . .	September 13, 1975	Spain . . . . .	November 17, 1973
German Democratic Republic	April 27, 1971	Sweden . . . . .	April 27, 1971
Hungary . . . . .	January 1, 1974	Switzerland . . . . .	April 27, 1971
Ireland . . . . .	April 27, 1971	Yugoslavia . . . . .	October 16, 1973
Italy . . . . .	August 12, 1975		

(Total: 15 States)

<sup>1</sup> Including all Overseas Departments and Territories.

<sup>2</sup> The Netherlands extended the application of the Locarno Agreement to Aruba with effect from November 8, 1986.

### Patent Cooperation Treaty

PCT (Washington, 1970), amended in 1979 and modified in 1984

(PCT Union)

State	Date on which State became party to the Treaty	State	Date on which State became party to the Treaty
Australia	March 31, 1980	Japan <sup>5</sup>	October 1, 1978
Austria	April 23, 1979	Liechtenstein <sup>2</sup>	March 19, 1980
Barbados	March 12, 1985	Luxembourg	April 30, 1978
Belgium	December 14, 1981	Madagascar <sup>6</sup>	January 24, 1978
Benin	February 26, 1987	Malawi	January 24, 1978
Brazil	April 9, 1978	Mali	October 19, 1984
Bulgaria <sup>1</sup>	May 21, 1984	Mauritania	April 13, 1983
Burkina Faso	March 21, 1989	Monaco	June 22, 1979
Cameroon	January 24, 1978	Netherlands <sup>7</sup>	July 10, 1979
Canada	January 2, 1990	Norway <sup>3</sup>	January 1, 1980
Central African Republic	January 24, 1978	Republic of Korea <sup>2</sup>	August 10, 1984
Chad	January 24, 1978	Romania <sup>1</sup>	July 23, 1979
Congo	January 24, 1978	Senegal	January 24, 1978
Democratic People's Republic of Korea	July 8, 1980	Soviet Union <sup>1</sup>	March 29, 1978
Denmark	December 1, 1978	Spain <sup>2</sup>	November 16, 1989
Finland <sup>3</sup>	October 1, 1980	Sri Lanka	February 26, 1982
France <sup>1,4</sup>	February 25, 1978	Sudan	April 16, 1984
Gabon	January 24, 1978	Sweden <sup>3</sup>	May 17, 1978
Germany, Federal Republic of	January 24, 1978	Switzerland <sup>2</sup>	January 24, 1978
Hungary <sup>1</sup>	June 27, 1980	Togo	January 24, 1978
Italy	March 28, 1985	United Kingdom <sup>8</sup>	January 24, 1978
		United States of America <sup>9,10</sup>	January 24, 1978

(Total: 43 States)

<sup>1</sup> With the declaration provided for in Article 64(5).

<sup>2</sup> With the declaration provided for in Article 64(1)(a).

<sup>3</sup> With the declaration provided for in Article 64(2)(a)(ii).

<sup>4</sup> Including all Overseas Departments and Territories.

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

<sup>6</sup> According to information received from the Minister for Foreign Affairs of Madagascar concerning international applications designating Madagascar, the industrial property legislation, adopted by the competent authorities, provides, among other things, for the prolongation of the time limits under Articles 22 and 39 until such time as the new patent legislation will, after its entry into force, permit the processing of patent applications in Madagascar. The said prolonged time limits will be fixed in a decree which will be promulgated in due course. 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 them validly to 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.

<sup>7</sup> Ratification for the Kingdom in Europe, the Netherlands Antilles and Aruba.

<sup>8</sup> The United Kingdom extended the application of the PCT to the territory of Hong Kong with effect from April 15, 1981, and to the Isle of Man with effect from October 29, 1983.

<sup>9</sup> With the declarations provided for in Articles 64(3)(a) and 64(4)(a).

<sup>10</sup> Extends to all areas for which the United States of America has international responsibility.

#### INTERNATIONAL SEARCHING AUTHORITIES UNDER ARTICLE 16 OF THE PATENT COOPERATION TREATY

The Patent Offices of Australia, Austria, Japan, the Soviet Union, Sweden, the United States of America, and the European Patent Office.

#### INTERNATIONAL PRELIMINARY EXAMINING AUTHORITIES UNDER ARTICLE 32 OF THE PATENT COOPERATION TREATY

The Patent Offices of Australia, Austria, Japan, the Soviet Union, Sweden, the United Kingdom, the United States of America, and the European Patent Office.

### Strasbourg Agreement Concerning the International Patent Classification

Strasbourg Agreement (1971), amended in 1979

(IPC Union)

State	Date on which State became party to the Agreement	State	Date on which State became party to the Agreement
Australia <sup>1</sup>	November 12, 1975	Japan	August 18, 1977
Austria	October 7, 1975	Luxembourg <sup>2</sup>	April 9, 1977
Belgium <sup>2</sup>	July 4, 1976	Monaco <sup>2</sup>	June 13, 1976
Brazil	October 7, 1975	Netherlands <sup>3</sup>	October 7, 1975
Czechoslovakia	August 3, 1978	Norway <sup>1</sup>	October 7, 1975
Denmark	October 7, 1975	Portugal	May 1, 1979
Egypt	October 17, 1975	Soviet Union	October 3, 1976
Finland <sup>1</sup>	May 16, 1976	Spain <sup>1,2</sup>	November 29, 1975
France <sup>2</sup>	October 7, 1975	Suriname	November 25, 1975
German Democratic Republic	August 24, 1977	Sweden	October 7, 1975
Germany, Federal Republic of	October 7, 1975	Switzerland	October 7, 1975
Ireland <sup>1</sup>	October 7, 1975	United Kingdom <sup>1</sup>	October 7, 1975
Israel	October 7, 1975	United States of America	October 7, 1975
Italy <sup>2</sup>	March 30, 1980		

(Total: 27 States)

<sup>1</sup> With the reservation provided for in Article 4(4)(i).

<sup>2</sup> With the reservation provided for in Article 4(4)(ii).

<sup>3</sup> Ratification for the Kingdom in Europe, the Netherlands Antilles and Aruba.

### Trademark Registration Treaty

TRT (Vienna, 1973), amended in 1980

(TRT Union)

State	Date on which State became party to the Treaty	State	Date on which State became party to the Treaty
Burkina Faso	August 7, 1980	Soviet Union <sup>1</sup>	August 7, 1980
Congo	August 7, 1980	Togo	August 7, 1980
Gabon	August 7, 1980		

(Total: 5 States)

<sup>1</sup> With the declaration provided for in Article 46(2).

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

Vienna Agreement (1973)

(Vienna Union)

State	Date on which State became party to the Agreement	State	Date on which State became party to the Agreement
France . . . . .	August 9, 1985	Sweden . . . . .	August 9, 1985
Luxembourg . . . . .	August 9, 1985	Tunisia . . . . .	August 9, 1985
Netherlands <sup>1</sup> . . . . .	August 9, 1985		

(Total: 5 States)

<sup>1</sup> Ratification for the Kingdom in Europe.

**Budapest Treaty on the International Recognition of the Deposit of Microorganisms  
for the Purposes of Patent Procedure**

Budapest Treaty (1977), modified in 1980

(Budapest Union)

State	Date on which State became party to the Treaty	State	Date on which State became party to the Treaty
Australia . . . . .	July 7, 1987	Japan . . . . .	August 19, 1980
Austria . . . . .	April 26, 1984	Liechtenstein . . . . .	August 19, 1981
Belgium . . . . .	December 15, 1983	Netherlands <sup>1</sup> . . . . .	July 2, 1987
Bulgaria . . . . .	August 19, 1980	Norway . . . . .	January 1, 1986
Czechoslovakia . . . . .	August 5, 1989	Philippines . . . . .	October 21, 1981
Denmark . . . . .	July 1, 1985	Republic of Korea . . . . .	March 28, 1988
Finland . . . . .	September 1, 1985	Soviet Union . . . . .	April 22, 1981
France . . . . .	August 19, 1980	Spain . . . . .	March 19, 1981
German Democratic Republic . . . . .	July 27, 1989	Sweden . . . . .	October 1, 1983
Germany, Federal Republic of . . . . .	January 20, 1981	Switzerland . . . . .	August 19, 1981
Hungary . . . . .	August 19, 1980	United Kingdom . . . . .	December 29, 1980
Italy . . . . .	March 23, 1986	United States of America . . . . .	August 19, 1980

(Total: 24 States)

<sup>1</sup> Ratification for the Kingdom in Europe, the Netherlands Antilles and Aruba.

DECLARATIONS OF ACCEPTANCE FILED UNDER ARTICLE 9(1)(a) OF THE BUDAPEST TREATY  
BY INTERGOVERNMENTAL INDUSTRIAL PROPERTY ORGANIZATIONS

Organization	Effective date
European Patent Organisation . . . . .	November 26, 1980

INTERNATIONAL DEPOSITARY AUTHORITIES UNDER ARTICLE 7 OF THE BUDAPEST TREATY<sup>1</sup>

Institution	Country	Date status acquired
Agricultural Research Service Culture Collection . . . . .	United States of America	January 31, 1981
American Type Culture Collection . . . . .	United States of America	January 31, 1981
Australian Government Analytical Laboratories . . . . .	Australia	September 30, 1988
Centraalbureau voor Schimmelcultures . . . . .	Netherlands	October 1, 1981
Collection Nationale de Cultures de Micro-Organismes . . . . .	France	August 31, 1984
Commonwealth Agricultural Bureau, International Mycological Institute . . . . .	United Kingdom	March 31, 1983
Culture Collection of Algae and Protozoa . . . . .	United Kingdom	September 30, 1982
Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH . . . . .	Federal Republic of Germany	October 1, 1981
European Collection of Animal Cell Cultures . . . . .	United Kingdom	September 30, 1984
Fermentation Research Institute . . . . .	Japan	May 1, 1981
IMET — Nationale Sammlung von Mikroorganismen . . . . .	German Democratic Republic	August 31, 1989
In Vitro International, Inc. . . . .	United States of America	November 30, 1983
Institute of Microorganism Biochemistry and Physiology of the USSR Academy of Science . . . . .	Soviet Union	August 31, 1987
National Bank for Industrial Microorganisms and Cell Cultures . . . . .	Bulgaria	October 31, 1987
National Collection of Agricultural and Industrial Microorganisms . . . . .	Hungary	June 1, 1986
National Collection of Type Cultures . . . . .	United Kingdom	August 31, 1982
National Collection of Yeast Cultures . . . . .	United Kingdom	January 31, 1982
National Collections of Industrial and Marine Bacterias Ltd. . . . .	United Kingdom	March 31, 1982
USSR Research Institute for Antibiotics of the USSR Ministry of the Medical and Microbiological Industry . . . . .	Soviet Union	August 31, 1987
USSR Research Institute for Genetics and Industrial Microorganism Breeding of the USSR Ministry of the Medical and Microbiological Industry . . . . .	Soviet Union	August 31, 1987

(Total: 20 Authorities)

<sup>1</sup> A list of the kinds of microorganisms that may be deposited with, and the amount of fees charged by, the international depositary authorities appears under "Notifications Concerning Treaties" on p. 26.

**Nairobi Treaty on the Protection of the Olympic Symbol**

Nairobi Treaty (1981)

State	Date on which State became party to the Treaty	State	Date on which State became party to the Treaty
Algeria . . . . .	August 16, 1984	India . . . . .	October 19, 1983
Argentina . . . . .	January 10, 1986	Italy . . . . .	October 25, 1985
Barbados . . . . .	February 28, 1986	Jamaica . . . . .	March 17, 1984
Bolivia . . . . .	August 11, 1985	Kenya . . . . .	September 25, 1982
Brazil . . . . .	August 10, 1984	Mexico . . . . .	May 16, 1985
Bulgaria . . . . .	May 6, 1984	Oman . . . . .	March 26, 1986
Chile . . . . .	December 14, 1983	Qatar . . . . .	July 23, 1983
Congo . . . . .	March 8, 1983	San Marino . . . . .	March 18, 1986
Cuba . . . . .	October 21, 1984	Senegal . . . . .	August 6, 1984
Cyprus . . . . .	August 11, 1985	Soviet Union . . . . .	April 17, 1986
Egypt . . . . .	October 1, 1982	Sri Lanka . . . . .	February 19, 1984
El Salvador . . . . .	October 14, 1984	Syria . . . . .	April 13, 1984
Equatorial Guinea . . . . .	September 25, 1982	Togo . . . . .	December 8, 1983
Ethiopia . . . . .	September 25, 1982	Tunisia . . . . .	May 21, 1983
Greece . . . . .	August 29, 1983	Uganda . . . . .	October 21, 1983
Guatemala . . . . .	February 21, 1983	Uruguay . . . . .	April 16, 1984

(Total: 32 States)

**Treaty on Intellectual Property in Respect of Integrated Circuits (1989)\****Signatory States*

Egypt, Ghana, Guatemala, Liberia, Yugoslavia, Zambia (6).

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\* This instrument is not yet in force.

**Protocol Relating to the Madrid Agreement  
Concerning the International Registration of Marks (1989)\****Signatory States*

Austria, Belgium, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Greece, Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Portugal, Romania, Senegal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, Yugoslavia (28).

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\* This instrument is not yet in force.

## International Convention for the Protection of New Varieties of Plants

UPOV Convention (1961), as revised at Geneva (1972 and 1978)

(UPOV)\*

State	Date on which State became party to the Convention	No. of contribution units chosen	Date on which State became party to the Convention of 1961	Date on which State became party to the 1978 Act
Australia . . . . .	March 1, 1989	1.0	—	March 1, 1989
Belgium <sup>1, 2</sup> . . . . .	December 5, 1976	1.5	December 5, 1976	—
Denmark <sup>1, 3</sup> . . . . .	October 6, 1968	1.5	October 6, 1968	November 8, 1981
France <sup>1, 2, 4</sup> . . . . .	October 3, 1971	5.0	October 3, 1971	March 17, 1983
Germany, Federal				
Republic of <sup>1</sup> . . . . .	August 10, 1968	5.0	August 10, 1968	April 12, 1986
Hungary . . . . .	April 16, 1983	0.5	—	April 16, 1983
Ireland . . . . .	November 8, 1981	1.0	—	November 8, 1981
Israel <sup>1</sup> . . . . .	December 12, 1979	0.5	December 12, 1979	May 12, 1984
Italy <sup>1</sup> . . . . .	July 1, 1977	2.0	July 1, 1977	May 28, 1986
Japan . . . . .	September 3, 1982	5.0	—	September 3, 1982
Netherlands <sup>1</sup> . . . . .	August 10, 1968	3.0	August 10, 1968	September 2, 1984 <sup>5</sup>
New Zealand . . . . .	November 8, 1981	1.0	—	November 8, 1981
Poland . . . . .	November 11, 1989	0.5	—	November 11, 1989
South Africa <sup>1</sup> . . . . .	November 6, 1977	1.0	November 6, 1977	November 8, 1981
Spain <sup>1, 6</sup> . . . . .	May 18, 1980	1.0	May 18, 1980	—
Sweden <sup>1</sup> . . . . .	December 17, 1971	1.5	December 17, 1971	January 1, 1983
Switzerland <sup>1</sup> . . . . .	July 10, 1977	1.5	July 10, 1977	November 8, 1981
United Kingdom <sup>1</sup> . . . . .	August 10, 1968	5.0	August 10, 1968	September 24, 1983
United States				
of America <sup>7</sup> . . . . .	November 8, 1981	5.0	—	November 8, 1981

(Total: 19 States)

\* UPOV is an independent intergovernmental organization having legal personality. Pursuant to an agreement concluded between WIPO and UPOV, the Director General of WIPO is the Secretary-General of UPOV and WIPO provides administrative and financial services for UPOV.

<sup>1</sup> The Additional Act of 1972 is in force in respect of the following States as from the dates indicated hereafter: Belgium (February 11, 1977); Denmark (February 11, 1977); France (February 11, 1977); Germany (Federal Republic of) (February 11, 1977); Israel (December 12, 1979); Italy (July 1, 1977); Netherlands (February 11, 1977); South Africa (November 6, 1977); Spain (May 18, 1980); Sweden (February 11, 1977); Switzerland (July 10, 1977); United Kingdom (July 31, 1980).

<sup>2</sup> With a notification under Article 34(2) of the 1978 Act.

<sup>3</sup> With a declaration that the Convention of 1961, the Additional Act of 1972 and the 1978 Act do not bind Greenland and the Faroe Islands.

<sup>4</sup> With a declaration that the 1978 Act applies to the territory of the French Republic, including the Overseas Departments and Territories.

<sup>5</sup> Ratification for the Kingdom in Europe. The Netherlands extended the application of the 1978 Act to Aruba with effect from November 8, 1986.

<sup>6</sup> With a declaration that the Convention of 1961 and the Additional Act of 1972 apply to the entire territory of Spain.

<sup>7</sup> With a notification under Article 37(1) and (2) of the 1978 Act.

## Industrial Property Treaties Not Administered by WIPO

### AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (AIPO)

#### Libreville Agreement (1962), as revised at Bangui (1977)

State	Latest Act of the Agreement to which State is party and date on which State became party to that Act
Benin . . . . .	Bangui: March 19, 1983
Burkina Faso . . . . .	Bangui: June 1, 1983
Cameroon . . . . .	Bangui: February 8, 1982
Central African Republic . . . . .	Bangui: February 8, 1982
Chad . . . . .	Bangui: November 5, 1988
Congo . . . . .	Bangui: February 8, 1982
Côte d'Ivoire . . . . .	Bangui: February 8, 1982
Gabon . . . . .	Bangui: February 8, 1982
Guinea . . . . .	Bangui: January 13, 1990
Mali . . . . .	Bangui: September 30, 1984
Mauritania . . . . .	Bangui: February 8, 1982
Niger . . . . .	Bangui: February 8, 1982
Senegal . . . . .	Bangui: February 8, 1982
Togo . . . . .	Bangui: February 8, 1982

### AFRICAN REGIONAL INDUSTRIAL PROPERTY ORGANIZATION (ARIPO)\*

#### Lusaka Agreement on the Creation of the African Regional Industrial Property Organization (1976)

State	Date on which State became party to the Agreement
Botswana . . . . .	February 6, 1985
Gambia . . . . .	February 15, 1978
Ghana . . . . .	February 15, 1978
Kenya . . . . .	February 15, 1978
Lesotho . . . . .	July 23, 1987
Malawi . . . . .	February 15, 1978
Sierra Leone . . . . .	December 5, 1980
Somalia . . . . .	March 10, 1981
Sudan . . . . .	May 2, 1978
Swaziland . . . . .	December 17, 1987
Uganda . . . . .	August 8, 1978
United Republic of Tanzania . . . . .	October 12, 1983
Zambia . . . . .	February 15, 1978
Zimbabwe . . . . .	November 11, 1980

\* Formerly "Industrial Property Organization for English-Speaking Africa (ESARIPO)."

### Harare Protocol on Patents and Industrial Designs Within the Framework of the African Regional Industrial Property Organization (1982)

State	Date on which State became party to the Protocol
Botswana . . . . .	May 6, 1985
Gambia . . . . .	January 16, 1986
Ghana . . . . .	April 25, 1984
Kenya . . . . .	October 24, 1984
Lesotho . . . . .	October 23, 1987
Malawi . . . . .	April 25, 1984
Sudan . . . . .	April 25, 1984
Swaziland . . . . .	March 17, 1988
Uganda . . . . .	April 25, 1984
Zambia . . . . .	February 26, 1986
Zimbabwe . . . . .	April 25, 1984

### BENELUX TRADEMARK OFFICE (BBM) BENELUX DESIGNS OFFICE (BBDM)

#### Benelux Convention on Marks (1962)

State	Date on which State became party to the Convention
Belgium . . . . .	July 1, 1969
Luxembourg . . . . .	July 1, 1969
Netherlands . . . . .	July 1, 1969

#### Benelux Designs Convention (1966)

State	Date on which State became party to the Convention
Belgium . . . . .	January 1, 1974
Luxembourg . . . . .	January 1, 1974
Netherlands . . . . .	January 1, 1974

**COUNCIL FOR MUTUAL ECONOMIC ASSISTANCE  
(CMEA)**

**Agreement on the Legal Protection of Inventions,  
Industrial Designs, Utility Models and Trademarks  
in the Framework of Economic Scientific and Technical  
Cooperation (1973)**

State	Date on which State became party to the Agreement
Bulgaria . . . . .	April 10, 1974
Cuba . . . . .	December 26, 1974
Czechoslovakia . . . . .	May 6, 1974
German Democratic Republic . . . . .	July 11, 1973
Hungary . . . . .	January 27, 1975
Mongolia . . . . .	September 18, 1973
Poland . . . . .	June 11, 1974
Romania . . . . .	October 22, 1973
Soviet Union . . . . .	July 11, 1973

**Agreement on the Unification of Requirements for the  
Execution and Filing of Applications for Inventions (1975)**

State	Date on which State became party to the Agreement
Bulgaria . . . . .	October 2, 1975
Cuba . . . . .	October 2, 1975
Czechoslovakia . . . . .	October 2, 1975
German Democratic Republic . . . . .	October 2, 1975
Hungary . . . . .	February 1, 1977
Mongolia . . . . .	August 7, 1976
Poland . . . . .	July 19, 1976
Soviet Union . . . . .	October 2, 1975

**Agreement on the Mutual Recognition of Inventors'  
Certificates and Other Titles of Protection for Inventions  
(1976)**

State	Date on which State became party to the Agreement
Bulgaria . . . . .	August 13, 1977
Cuba . . . . .	June 6, 1981
Czechoslovakia . . . . .	August 28, 1978
German Democratic Republic . . . . .	August 13, 1977
Hungary . . . . .	September 27, 1977
Mongolia . . . . .	September 26, 1977
Romania . . . . .	August 26, 1981
Soviet Union . . . . .	August 13, 1977

**COUNCIL OF EUROPE**

**European Convention relating to the Formalities  
required for Patent Applications (1953)**

State	Date on which State became party to the Convention
Iceland . . . . .	April 1, 1966
Israel* . . . . .	May 1, 1966
South Africa* . . . . .	December 1, 1957
Spain . . . . .	July 1, 1967
Turkey . . . . .	November 1, 1956

\* Not member of the Council of Europe.

**Convention on the Unification of Certain Points of  
Substantive Law on Patents for Invention (1963)**

State	Date on which State became party to the Convention
Denmark . . . . .	December 30, 1989
France . . . . .	August 1, 1980
Germany, Federal Republic of . . . . .	August 1, 1980
Ireland . . . . .	August 1, 1980
Italy . . . . .	May 18, 1981
Liechtenstein . . . . .	August 1, 1980
Luxembourg . . . . .	August 1, 1980
Netherlands . . . . .	December 3, 1987
Sweden . . . . .	August 1, 1980
Switzerland . . . . .	August 1, 1980
United Kingdom . . . . .	August 1, 1980

**EUROPEAN PATENT ORGANISATION (EPO)**

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

State	Date on which State became party to the Convention
Austria . . . . .	May 1, 1979
Belgium . . . . .	October 7, 1977
Denmark . . . . .	January 1, 1990
France . . . . .	October 7, 1977
Germany, Federal Republic of . . . . .	October 7, 1977
Greece . . . . .	October 1, 1986
Italy . . . . .	December 1, 1978
Liechtenstein . . . . .	April 1, 1980
Luxembourg . . . . .	October 7, 1977
Netherlands . . . . .	October 7, 1977
Spain . . . . .	October 1, 1986
Sweden . . . . .	May 1, 1978
Switzerland . . . . .	October 7, 1977
United Kingdom . . . . .	October 7, 1977

## Governing Bodies and Committees

(Status on January 1, 1990)

### WIPO

*General Assembly:* Algeria, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Fiji, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guinea-Bissau, Haiti, Holy See, Honduras (as from January 25, 1990), Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Niger, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, South Africa,<sup>1</sup> Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe (106).

*Conference:* The same States as above, with Angola, Bangladesh, Byelorussian SSR, Democratic Yemen, Ecuador, El Salvador, Gambia, Guatemala, Jamaica, Nicaragua, Panama, Paraguay, Qatar, Saudi Arabia, Sierra Leone, Somalia, Swaziland, Ukrainian SSR, United Arab Emirates, Yemen (126).

*Coordination Committee:* Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Ghana, Guinea, Hungary, India, Indonesia, Ireland, Italy, Japan, Kenya, Mexico, Netherlands, Nicaragua, Pakistan, Panama, Poland, Portugal, Republic of Korea, Senegal, Soviet Union, Sweden, Switzerland, Syria, United Kingdom, United States of America, Uruguay, Venezuela, Yemen (50).

*WIPO Budget Committee:* Brazil, Canada, Chile, China, Czechoslovakia, Egypt, France, Germany (Federal Republic of), India, Japan, Soviet Union, Switzerland (*ex officio*), United Republic of Tanzania, United States of America, Yugoslavia (15).

*WIPO Premises Committee:* Argentina, Brazil, China, Egypt, France, German Democratic Republic, Germany (Federal Republic of), India, Nigeria, Soviet Union, Switzerland, United States of America (12).

*WIPO Permanent Committee for Development Cooperation Related to Industrial Property:* Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, El Salvador, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Indonesia, Iraq, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Liberia, Libya, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Sierra Leone, Somalia, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Togo, Tunisia, Turkey, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe (106).

*WIPO Permanent Committee for Development Cooperation Related to Copyright and Neighboring Rights:* Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Egypt, El Salvador, Fiji, Finland, France, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Indonesia, Israel, Italy, Japan, Jordan, Kenya, Lesotho, Malawi, Malaysia, Mali, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Peru, Philippines, Poland, Portugal,

<sup>1</sup> 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).

Romania, Saudi Arabia, Senegal, Somalia, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Togo, Trinidad and Tobago, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe (88).

*WIPO Permanent Committee on Industrial Property Information:* Algeria, Argentina, Australia, Austria, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Hungary, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mexico, Monaco, Mongolia, Netherlands, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Viet Nam, Yugoslavia, Zambia, African Intellectual Property Organization, African Regional Industrial Property Organization, Benelux Designs Office, Benelux Trademark Office, European Patent Organisation (75).

### Paris Union

*Assembly:* Algeria, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, China, Congo, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, Gabon, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guinea, Guinea-Bissau, Haiti, Holy See, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Lesotho, Libya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Niger, Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Senegal, South Africa,<sup>2</sup> Soviet Union, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe (95).

<sup>2</sup> 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).

*Conference of Representatives:* Dominican Republic, Iran (Islamic Republic of), Nigeria, San Marino, Syria (5).

*Executive Committee:* Algeria, Argentina, Australia, Austria, Brazil, China, Cuba, Democratic People's Republic of Korea, Egypt, Finland, France, German Democratic Republic, Ghana, Hungary, Indonesia, Japan, Kenya, Republic of Korea, Senegal, Soviet Union, Switzerland, Syria (*associate member*), United Kingdom, United States of America, Uruguay (25).

### Madrid Union (Marks)

*Assembly:* Algeria, Austria, Belgium, Bulgaria, China, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Portugal, Romania, Soviet Union, Spain, Sudan, Switzerland, Viet Nam, Yugoslavia (28).

### Hague Union

*Assembly:* Belgium, Benin, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Netherlands, Senegal, Suriname, Switzerland (14).

*Conference of Representatives:* Egypt, Holy See, Indonesia, Morocco, Spain, Tunisia (6).

### Nice Union

*Assembly:* Algeria, Australia, Austria, Barbados, Belgium, Benin, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Ireland, Israel, Italy, Japan (as from February 20, 1990), Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, Norway, Portugal, Soviet Union, Spain, Suriname, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia (32).

*Conference of Representatives:* Lebanon, Tunisia (2).

### Lisbon Union

*Assembly:* Algeria, Bulgaria, Burkina Faso, Congo, Cuba, Czechoslovakia, France, Gabon, Hungary, Israel, Italy, Togo, Tunisia (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, Yugoslavia (15).

**PCT Union**

*Assembly:* Australia, Austria, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada (as from January 2, 1990), Central African Republic, Chad, Congo, Democratic People's Republic of Korea, Denmark, Finland, France, Gabon, Germany (Federal Republic of), Hungary, Italy, Japan, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Monaco, Netherlands, Norway, Republic of Korea, Romania, Senegal, Soviet Union, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Togo, United Kingdom, United States of America (43).

**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:* Burkina Faso, Congo, Gabon, Soviet Union, Togo (5).

**Vienna Union**

*Assembly:* France, Luxembourg, Netherlands, Sweden, Tunisia (5).

**Budapest Union**

*Assembly:* Australia, Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, France, German Democratic Republic, Germany (Federal Republic of), Hungary, Italy, Japan, Liechtenstein, Netherlands, Norway, Philippines, Republic of Korea, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America (24).

## High Officials of WIPO

(Status on January 1, 1990)

**Director General and Deputy Directors General of WIPO**

Director General:	Dr. Arpad Bogsch
Deputy Directors General:	Lev Efremovich Kostikov Alfons A. Schäfers Shahid Alikhan

## Notifications Concerning Treaties

### Budapest Treaty

#### I. Change of Address

NATIONAL COLLECTIONS OF INDUSTRIAL  
AND MARINE BACTERIA LTD. (NCIMB)  
(United Kingdom)

The Government of the United Kingdom has informed the Director General of WIPO by a notification of November 28, 1989, that the address of the National Collections of Industrial and Marine Bacteria Ltd. (NCIMB), an international depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, will be as follows as from January 31, 1990:

23 St. Machar Drive  
Aberdeen AB2 1RY  
Scotland  
United Kingdom  
Telephone: (0224) 273332  
Facsimile: (0224) 487658  
Telex: 73458 UNIABN G.

*Budapest Communication No. 57 (this Communication is the subject of Budapest Notification No. 84, of December 5, 1989).*

#### II. Change in Fees under Rule 12.2 of the Regulations under the Budapest Treaty and Confirmation of Name and Address

NATIONAL COLLECTION OF YEAST CULTURES  
(NCYC)  
(United Kingdom)

The following notification addressed to the Director General of WIPO by the Government of the United

Kingdom under Rule 12.2(a) of the Regulations under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure was received on December 18, 1989, and is published by the International Bureau of WIPO pursuant to Rule 12.2(b) of the said Regulations:

The fees payable to the National Collection of Yeast Cultures (NCYC) as published in the June 1988 issue of *Industrial Property* are changed as follows:

Storage	£ 350
Issue of a viability statement	50
Furnishing of a sample	30

Postage and packing are included for destinations in the United Kingdom, extra for overseas. The fees are subject to Value Added Tax where applicable.

Further, as stated in the said notification of the Government of the United Kingdom, the name and address of the above-mentioned international depositary authority are as follows:

National Collection of Yeast Cultures (NCYC)  
AFRC Institute of Food Research  
Norwich Laboratory  
Colney Lane  
Norwich NR4 7UA  
United Kingdom.

[End of text of the notification of the Government of the United Kingdom]

The fees set forth in the said notification of the Government of the United Kingdom will apply as from the thirtieth day following the date (January 31, 1990) of publication of the said fees in the present issue of *Industrial Property*, that is, as from March 2, 1990 (see Rule 12.2(c) of the Regulations under the Budapest Treaty), and will replace the fees published in the June 1988 issue of *Industrial Property*.

*Budapest Communication No. 58 (this Communication is the subject of Budapest Notification No. 85, of January 8, 1990).*

### III. Depository Institutions Having Acquired the Status of International Depository Authority (Status on January 1, 1990)

Pursuant to Rule 13.2(a) of the Regulations under the Budapest Treaty for the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, the following is a list of international depository authorities as on January 1, 1990, indicating the kinds of microorganisms that may be deposited with, and the amount of fees charged by, the said authorities.

INTERNATIONAL DEPOSITORY AUTHORITY	KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED	FEES
<p>AGRICULTURAL RESEARCH SERVICE CULTURE COLLECTION (NRRL) 1815 North University Street Peoria, Illinois 61604 United States of America</p> <p>(See <i>Industrial Property</i>, 1981, pp. 22, 23 and 121; 1983, p. 248; 1987, p. 247.)</p>	<p>1. All strains of agriculturally and industrially important bacteria, yeasts, molds and <i>Actinomyce-tales</i>, EXCEPT:</p> <p>a. <i>Actinobacillus</i> (all species); <i>Actinomyces</i> (anaerobic/microaerophilic, all species); <i>Arizona</i> (all species); <i>Bacillus anthracis</i>; <i>Bartonella</i> (all species); <i>Bordetella</i> (all species); <i>Borrelia</i> (all species); <i>Brucella</i> (all species); <i>Clostridium botulinum</i>; <i>Clostridium chauvoei</i>; <i>Clostridium haemolyticum</i>; <i>Clostridium histolyticum</i>; <i>Clostridium novyi</i>; <i>Clostridium septicum</i>; <i>Clostridium tetani</i>; <i>Corynebacterium diphtheriae</i>; <i>Corynebacterium equi</i>; <i>Corynebacterium haemolyticum</i>; <i>Corynebacterium pseudotuberculosis</i>; <i>Corynebacterium pyogenes</i>; <i>Corynebacterium renale</i>; <i>Diplococcus</i> (all species); <i>Erysipelothrix</i> (all species); <i>Escherichia coli</i> (all enteropathogenic types); <i>Francisella</i> (all species); <i>Haemophilus</i> (all species); <i>Herellea</i> (all species); <i>Klebsiella</i> (all species); <i>Leptospira</i> (all species); <i>Listeria</i> (all species); <i>Mima</i> (all species); <i>Moraxella</i> (all species); <i>Mycobacterium avium</i>; <i>Mycobacterium bovis</i>; <i>Mycobacterium tuberculosis</i>; <i>Mycoplasma</i> (all species); <i>Neisseria</i> (all species); <i>Pasteurella</i> (all species); <i>Pseudomonas pseudomallei</i>; <i>Salmonella</i> (all species); <i>Shigella</i> (all species); <i>Sphaerophorus</i> (all species); <i>Streptobacillus</i> (all species); <i>Streptococcus</i> (all pathogenic species); <i>Treponema</i> (all species); <i>Vibrio</i> (all species); <i>Yersinia</i> (all species).</p> <p>b. <i>Blastomyces</i> (all species); <i>Coccidioides</i> (all species); <i>Cryptococcus neoformans</i>; <i>Cryptococcus uniguttulatus</i>; <i>Histoplasma</i> (all species); <i>Paracoccidioides</i> (all species).</p> <p>c. All viral, Rickettsial, and Chlamydial agents.</p> <p>d. Agents which may introduce or disseminate any contagious or infectious disease of animals, humans or poultry and which require a permit for entry and/or distribution within the United States of America.</p>	<p>Applicable to patent cultures deposited after October 30, 1983. No fee charged for cultures on deposit or received before that date.</p> <p>(a) Deposit of each strain US\$ 500 (payable at the time of deposit)</p> <p>(b) Distribution of all released cultures 20</p> <p>Checks, in US dollars, should be made payable to the Agricultural Research Service, United States Department of Agriculture.</p> <p>United States Department of Agriculture laboratories and designated cooperators are exempt from payment of fees.</p>

INTERNATIONAL DEPOSITORY AUTHORITY	KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED	FEES																																
NRRL ( <i>continued</i> )	<p>e. Agents which are classified as plant pests and which require a permit for entry and/or distribution within the United States of America.</p> <p>f. Mixtures of microorganisms.</p> <p>g. Fastidious microorganisms which require (in the view of the Curator) more than reasonable attention in handling and preparation of lyophilized material.</p> <p>h. Phages not inserted in microorganisms.</p> <p>i. Monoclonal antibodies.</p> <p>j. All cell lines.</p> <p>k. Plasmids not inserted in microorganisms.</p> <p>2. Recombinant strains of microorganisms, strains containing recombinant DNA molecules, strains containing their own naturally occurring plasmid(s), strains containing inserted naturally occurring plasmid(s) from another host, strains containing inserted constructed plasmid(s), and strains containing viruses of any kind, excluding those already listed as nonacceptable, only if the deposit document accompanying the microbial preparation(s) includes a clear statement that progeny of the strain(s) can be processed at a Physical Containment Level of P1 or less and Biological Containment requirements meet all other criteria specified by the U.S. Department of Health and Human Services, National Institutes of Health; "Guidelines for Research Involving Recombinant DNA Molecules, December 1978" (<i>Federal Register</i>, Vol. 43, No. 247—Friday, December 22, 1978) and any subsequent revisions.</p>																																	
<p>AMERICAN TYPE CULTURE COLLECTION (ATCC) 12301 Parklawn Drive Rockville, Maryland 20852 United States of America</p> <p>(See <i>Industrial Property</i>, 1981, pp. 20 and 121; 1982, pp. 147 and 220; 1985, pp. 163; 1986, pp. 295 and 372; 1989, pp. 119.)</p>	<p>Algae, animal embryos, animal viruses, bacteria, cell lines, fungi, hybridomas, oncogenes, plant viruses, plasmids, plant tissue cultures, phages, protozoa, seeds, yeasts.</p> <p>The ATCC must be informed 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 ATCC, for the time being, will accept only those hosts containing plasmids which can be worked in a P1 or P2 facility.</p> <p>Certain animal viruses may require viability testing in an animal host, which the ATCC may be unable to provide. In such case, the deposit cannot be accepted. Plant viruses which cannot be mechanically inoculated also cannot be accepted.</p>	<p>(a) Storage <span style="float: right;">US\$ 870</span></p> <p>— if the right under Rule 11.4(g) to be notified of the furnishing of samples is waived <span style="float: right;">570</span></p> <p>(b) Issuance of a viability statement</p> <table style="width: 100%; border: none;"> <tr> <td>— bacteria (without plasmids)</td> <td style="text-align: right;">100</td> </tr> <tr> <td>— fungi (including yeast)</td> <td style="text-align: right;">100</td> </tr> <tr> <td>— protozoa</td> <td style="text-align: right;">100</td> </tr> <tr> <td>— algae</td> <td style="text-align: right;">100</td> </tr> <tr> <td>— animal cell cultures (including hybridoma lines)</td> <td style="text-align: right;">fee must be decided</td> </tr> <tr> <td>— animal and plant viruses</td> <td style="text-align: right;">on an individual basis</td> </tr> <tr> <td>— bacteria (with plasmids)</td> <td style="text-align: right;">on an individual basis</td> </tr> </table> <p>(c) Furnishing of a sample under Rules 11.2 and 11.3 (per sample)</p> <p><i>ATCC Cultures</i></p> <p>Algae, bacteria, bacteriophages, fungi, plant tissue cultures, plasmids, protozoa, vectors and yeasts</p> <table style="width: 100%; border: none;"> <tr> <td>— U.S. non-profit institutions</td> <td style="text-align: right;">45</td> </tr> <tr> <td>— Foreign non-profit institutions</td> <td style="text-align: right;">45*</td> </tr> <tr> <td>— Other U.S. and foreign institutions</td> <td style="text-align: right;">70</td> </tr> </table> <p><i>ATCC Cell Lines and Oncogenes</i></p> <table style="width: 100%; border: none;"> <tr> <td>— U.S. non-profit institutions</td> <td style="text-align: right;">50</td> </tr> <tr> <td>— Foreign non-profit institutions</td> <td style="text-align: right;">50**</td> </tr> <tr> <td>— Other U.S. and foreign institutions</td> <td style="text-align: right;">80</td> </tr> </table> <p><i>ATCC Viruses, Animal and Plant, Rickettsiae and Chlamydiae</i></p> <table style="width: 100%; border: none;"> <tr> <td>— U.S. non-profit institutions</td> <td style="text-align: right;">40</td> </tr> <tr> <td>— Foreign non-profit institutions</td> <td style="text-align: right;">40***</td> </tr> <tr> <td>— Other U.S. and foreign institutions</td> <td style="text-align: right;">64</td> </tr> </table> <p>Cell lines ordered in flasks, protozoa ordered in test tubes, and other deposits specially ordered in test tubes carry an additional fee of US \$35.</p>	— bacteria (without plasmids)	100	— fungi (including yeast)	100	— protozoa	100	— algae	100	— animal cell cultures (including hybridoma lines)	fee must be decided	— animal and plant viruses	on an individual basis	— bacteria (with plasmids)	on an individual basis	— U.S. non-profit institutions	45	— Foreign non-profit institutions	45*	— Other U.S. and foreign institutions	70	— U.S. non-profit institutions	50	— Foreign non-profit institutions	50**	— Other U.S. and foreign institutions	80	— U.S. non-profit institutions	40	— Foreign non-profit institutions	40***	— Other U.S. and foreign institutions	64
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INTERNATIONAL DEPOSITORY AUTHORITY	KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED	FEES																								
ATCC (continued)		<p>The minimum invoice is US \$45. Orders received for lesser amounts will be invoiced at the minimum.</p> <p>* Subject to an additional US \$25 per culture handling and processing charge.  ** Subject to an additional US \$30 per culture handling and processing charge.  *** Subject to an additional US \$24 per culture handling and processing charge.</p>																								
<p>AUSTRALIAN GOVERNMENT ANALYTICAL LABORATORIES (AGAL)  The New South Wales Regional Laboratory  1, Suakin Street  Pymble, NSW 2073  Australia</p> <p>(See <i>Industrial Property</i>, 1988, p. 329.)</p>	<p>Bacteria (including actinomycetes), yeasts and fungi with a hazard categorization no greater than WHO Classification Risk Group 2, that can be preserved without significant change to their properties by the methods of preservation in use (liquid nitrogen storage and lyophilization).</p> <p>Nucleic acid preparations and phages may be accepted if the depositor certifies that they pose no hazard when handled by normal laboratory procedures and the depositor supplies suitable material for preservation.</p> <p>At present, AGAL does not accept for deposit animal, plant, algal and protozoal cultures, cultures of viral, rickettsial and chlamydial agents, microorganisms prohibited by Australian law, or fastidious microorganisms which may require in the view of the curator special attention to handling and preparation for storage.</p>	<table border="0"> <tr> <td>(a) Storage</td> <td style="text-align: right;">\$ 750</td> </tr> <tr> <td>(b) Issuance of a viability statement</td> <td style="text-align: right;">90</td> </tr> <tr> <td>(c) Furnishing of samples</td> <td style="text-align: right;">60</td> </tr> </table>	(a) Storage	\$ 750	(b) Issuance of a viability statement	90	(c) Furnishing of samples	60																		
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<p>CENTRAALBUREAU VOOR SCHIMMELCULTURES (CBS)  Oosterstraat 1  Postbus 273  NL-3740 AG Baarn  Netherlands</p> <p>(See <i>Industrial Property</i>, 1981, pp. 219 and 221; 1984, pp. 148; 1985, pp. 235.)</p>	<p>Fungi, including yeasts; actinomycetes, bacteria other than actinomycetes.</p>	<table border="0"> <tr> <td>(a) Storage</td> <td style="text-align: right;">Hfl. 2,000</td> </tr> <tr> <td>— if the depositor waives the right under Rule 11.4(g) to be notified of the furnishing of samples</td> <td style="text-align: right;">1,500</td> </tr> <tr> <td>(b) Issuance of a viability statement</td> <td style="text-align: right;">150</td> </tr> <tr> <td>(c) Furnishing of a sample</td> <td></td> </tr> <tr> <td>— to a scientific institution</td> <td style="text-align: right;">45</td> </tr> <tr> <td>— in other cases</td> <td style="text-align: right;">90</td> </tr> <tr> <td>(d) Communication of information under Rule 7.6</td> <td style="text-align: right;">40</td> </tr> <tr> <td>(e) Delivering of attestation pursuant to Rule 8.2</td> <td style="text-align: right;">40</td> </tr> </table>	(a) Storage	Hfl. 2,000	— if the depositor waives the right under Rule 11.4(g) to be notified of the furnishing of samples	1,500	(b) Issuance of a viability statement	150	(c) Furnishing of a sample		— to a scientific institution	45	— in other cases	90	(d) Communication of information under Rule 7.6	40	(e) Delivering of attestation pursuant to Rule 8.2	40								
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<p>COLLECTION NATIONALE DE CULTURES DE MICRO-ORGANISMES (CNCM)  Institut Pasteur  28, rue du Dr Roux  75724 Paris Cédex 15  France</p> <p>(See <i>Industrial Property</i>, 1984, p. 240; 1989, p. 25.)</p>	<p>Bacteria (including actinomycetes), bacteria containing plasmids; filamentous fungi and yeasts, and viruses, EXCEPT:</p> <ul style="list-style-type: none"> <li>— cellular cultures (animal cells, including hybridomas and plant cells);</li> <li>— microorganisms whose manipulation calls for physical insulation standards of P3 or P4 level, according to the information provided by the National Institutes of Health <i>Guidelines for Research Involving Recombinant DNA Molecules and Laboratory Safety Monograph</i>;</li> <li>— microorganisms liable to require viability testing that the CNCM is technically not able to carry out;</li> <li>— mixtures of undefined and/or unidentifiable microorganisms.</li> </ul> <p>The CNCM reserves the possibility of refusing any microorganism for security reasons: specific risks to human beings, animals, plants and the environment.</p> <p>In the eventuality of the deposit of cultures that are not or cannot be lyophilized, the CNCM must be consulted, prior to the transmittal of the microorganism, regarding the possibilities and conditions for acceptance of the samples; however, it is advisable to make this prior consultation in all cases.</p>	<table border="0"> <tr> <td>(a) Storage</td> <td></td> <td style="text-align: right;">F.Fr.4,000</td> </tr> <tr> <td>— bacteria, fungi and yeasts, lyophilized or lyophilizable</td> <td></td> <td style="text-align: right;">case-by-case fee</td> </tr> <tr> <td>— all other acceptable cultures</td> <td></td> <td style="text-align: right;">case-by-case fee</td> </tr> <tr> <td>(b) Furnishing of samples (except in specific cases) (plus cost of transport)</td> <td></td> <td style="text-align: right;">700</td> </tr> <tr> <td>(c) Issuance of a viability statement:</td> <td></td> <td></td> </tr> <tr> <td>— requiring a viability test (except in specific cases)</td> <td></td> <td style="text-align: right;">700</td> </tr> <tr> <td>— in other cases</td> <td></td> <td style="text-align: right;">120</td> </tr> <tr> <td>(d) Communication of information or issue of an attestation</td> <td></td> <td style="text-align: right;">250</td> </tr> </table> <p>Fees are subject to Value Added Tax according to French provisions currently in force.</p>	(a) Storage		F.Fr.4,000	— bacteria, fungi and yeasts, lyophilized or lyophilizable		case-by-case fee	— all other acceptable cultures		case-by-case fee	(b) Furnishing of samples (except in specific cases) (plus cost of transport)		700	(c) Issuance of a viability statement:			— requiring a viability test (except in specific cases)		700	— in other cases		120	(d) Communication of information or issue of an attestation		250
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INTERNATIONAL DEPOSITORY AUTHORITY	KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED	FEES
<p>CULTURE COLLECTION OF ALGAE AND PROTOZOA (CCAP) FRESHWATER BIOLOGICAL ASSOCIATION Windermere Laboratory The Ferry House Far Sawrey Ambleside, Cumbria LA22 0LP United Kingdom</p> <p>and</p> <p>SCOTTISH MARINE BIOLOGICAL ASSOCIATION Dunstaffnage Marine Research Laboratory P.O. Box 3 Oban, Argyll PA34 4AD United Kingdom</p> <p>(See <i>Industrial Property</i>, 1982, p. 239; 1986, p. 431; 1987, p. 175.)</p>	<p>(i) Freshwater and terrestrial algae and free-living protozoa (Freshwater Biological Association); and (ii) marine algae, other than large seaweeds (Scottish Marine Biological Association).</p>	<p>Storage in accordance with the Treaty:</p> <p>(a) cryopreserved strains £ 600</p> <p>(b) other methods of maintenance fee to be decided on an individual basis</p> <p>Issuance of a viability statement in those cases in which, in accordance with Rule 10.2, a fee may be charged 50</p> <p>Furnishing of a sample in accordance with Rule 11.2 or 11.3 40 plus actual cost of carriage</p> <p>Delivering an attestation in accordance with Rule 8.2 20</p> <p>The fees are subject to Value Added Tax where applicable; for details concerning the Value Added Tax liability, see <i>Industrial Property</i>, 1987, p. 203.</p>
<p>COMMONWEALTH AGRICULTURAL BUREAU (CAB), INTERNATIONAL MYCOLOGICAL INSTITUTE (CAB IMI) Ferry Lane Kew, Surrey TW9 3AF United Kingdom</p> <p>(See <i>Industrial Property</i>, 1983, p. 83; 1989, pp. 51 and 171.)</p>	<p>Fungal isolates, other than known human and animal pathogens and yeasts, that can be preserved without significant change to their properties by the methods of preservation in use.</p>	<p>(a) Storage of each isolate of microorganism £ 575</p> <p>(b) Issuance of a viability statement in those cases in which, in accordance with Rule 10.2, a fee may be charged 75</p> <p>(c) Furnishing of a sample in accordance with Rule 11.2 or 11.3 45</p> <p>(d) Delivering an attestation in accordance with Rule 8.2 15</p> <p>Fees paid within the United Kingdom are subject to Value Added Tax at the current rate; for details concerning the Value Added Tax liability, see <i>Industrial Property</i>, 1987, p. 203.</p>
<p>DSM – DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Mascheroder Weg 1b D-3300 Braunschweig Federal Republic of Germany</p> <p>(See <i>Industrial Property</i>, 1981, pp. 220 and 222; 1988, p. 139.)</p>	<p>Bacteria, including actinomycetes, fungi, including yeasts, bacteriophages plasmids (a) in a host, (b) as an isolated DNA preparation. The following phytopathogenic microorganisms are not accepted for deposit:</p> <p><i>Coniothyrium fagacearum</i>; <i>Endothia parasitica</i>; <i>Gloeosporium ampelophagum</i>; <i>Septoria musiva</i>; <i>Synchytrium endobioticum</i>.</p>	<p>(a) Storage DM 950</p> <p>(b) Issuance of a viability statement: – if the depositor seeking a viability statement has also requested a viability test 80 – in other cases 40</p> <p>(c) Furnishing of a sample 70</p> <p>(d) Communication of information under Rule 7.6 30</p> <p>The fees under (a), (b) and (d) are subject to Value Added Tax (VAT), currently at the rate of 7%. Where samples are furnished, VAT will be charged only to requesting parties in the Federal Republic of Germany.</p> <p>Extra charges are payable for dispatch by air.</p>
<p>EUROPEAN COLLECTION OF ANIMAL CELL CULTURES (ECACC) Vaccine Research and Production Laboratory Public Health Laboratory Service Centre for Applied Microbiology and Research Porton Down Salisbury, Wiltshire SP4 0JG United Kingdom</p> <p>(See <i>Industrial Property</i>, 1984, p. 271; 1985, pp. 163 and 299; 1987, p. 147.)</p>	<p>Cell lines that can be preserved without significant change to or loss of their properties by freezing and long-term storage; viruses capable of assay in tissue culture. A statement on their possible pathogenicity to man and/or animals is required at the time of deposit. Up to and including ACDP Category 3* can be accepted for deposit.</p> <p>* Advisory Committee on Dangerous Pathogens: Categorisation of Pathogens according to Hazard and Categories of Containment ISBN 0/11/883761/3 HMSO London.</p>	<p><i>Cell line deposits</i></p> <p>For storage in accordance with the Treaty £ 750</p> <p>Issuance of a viability statement in those cases in which, in accordance with Rule 10.2, a fee may be charged 35</p> <p>Furnishing of a sample in accordance with Rule 11.2 or 11.3 60</p> <p><i>Virus deposits</i></p> <p>For storage in accordance with the Treaty 850</p> <p>Issuance of a viability statement in those cases in which, in accordance with Rule 10.2, a fee may be charged 150</p> <p>Furnishing of a sample in accordance with Rule 11.2 or 11.3 100</p> <p>The fees, plus Value Added Tax where applicable, are payable to the Public Health Laboratory Service Board. For details concerning the Value Added Tax liability, see <i>Industrial Property</i>, 1987, p. 203.</p>

INTERNATIONAL DEPOSITORY AUTHORITY	KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED	FEES
<p>FERMENTATION RESEARCH INSTITUTE (FRI) Agency of Industrial Science and Technology Ministry of International Trade and Industry 1-3, Higashi 1-chome Tsukuba-shi Ibaraki-ken 305 Japan</p> <p>(See <i>Industrial Property</i>, 1981, pp. 120 and 122; 1984, p. 114; 1987, p. 331; 1988, p. 139; 1989, pp. 51 and 172.)</p>	<p>Fungi, yeast, bacteria, actinomycetes, animal cell cultures and plant cell cultures, EXCEPT: - microorganisms having properties which are or may be dangerous to human health or the environment; - microorganisms which require the physical containment level P3 or P4 for experiments, as described in the <i>Prime Minister's Guidelines for Recombinant DNA Experiments of 1986</i>.</p>	<p>(a) Storage: - original deposit Yen 200,000 - new deposit 14,000 (b) Attestation referred to in Rule 8.2 1,700 (c) Issuance of a viability statement: - if the depositor, when requesting the issuance of a viability statement, also requests a viability test 10,700 - other cases 1,700 (d) Furnishing of a sample 11,000* (e) Communication of information under Rule 7.6 1,700</p> <p>Fees are expressed net of Value Added Tax according to Japanese provisions currently in force.</p> <p>* When furnishing a sample to a foreign institution: - an additional 39,000 yen per package corresponding to the cost of a special container are payable for animal cell cultures; - an additional 800 yen per package corresponding to the cost of a special container are payable for other microorganisms.</p>
<p>IMET-NATIONALE SAMMLUNG VON MIKROORGANISMEN IMET-Hinterlegungsstelle Beutenbergstrasse 11 6900 Jena German Democratic Republic</p> <p>(See <i>Industrial Property</i>, 1989, pp. 251.)</p>	<p>Strains of bacteria, including actinomycetes and cyanobacteria, fungi, including yeasts, unicellular and filamentous algae, bacterial viruses, plasmids <i>per se</i> or included in strains. Strains and materials constituting a danger for man's health or a hazard for the environment, or for the storage or maintenance of which the depository authority is technically not in a position, may be excluded from deposit.</p>	<p>(a) For the deposit, the issuance of a receipt and the first viability statement, a non-recurring fee of Marks 1,500 (b) For every subsequent viability statement 100 (c) For furnishing a sample 100</p> <p>Fees must be paid in advance together with the application for the relevant service.</p>
<p>INSTITUTE OF MICROORGANISM BIOCHEMISTRY AND PHYSIOLOGY OF THE USSR ACADEMY OF SCIENCE (IBFM) Pushchino-na-Oke USSR-142292 Moscow Region Soviet Union</p> <p>(See <i>Industrial Property</i>, 1987, p. 249.)</p>	<p>Bacteria (including actinomycetes) and microscopic fungi (including yeasts), also if they are carriers of recombinant DNA, are accepted for deposit, to the exclusion of microorganisms that cause disease in man and animals and microorganisms that have a toxicogenic effect on plants or require them to be quarantined.</p>	<p>(a) For the deposit of a microorganism and its storage for 30 years Roubles 800 (b) For each additional five-year period of storage 100 (c) For the furnishing of a sample of a deposited microorganism 50</p> <p>The above amounts do not include mailing charges, which are invoiced separately at cost. Additional information concerning fees is contained in the "Regulations on the Collection of Payments"; see <i>Industrial Property</i>, 1987, p. 250.</p>
<p>IN VITRO INTERNATIONAL, INC. (IVI) 611(P) Hammonds Ferry Road Linthicum, Maryland 21090 United States of America</p> <p>(See <i>Industrial Property</i>, 1983, p. 306; 1987, pp. 24 and 248.)</p>	<p>Algae, bacteria with plasmids, bacteriophages, cell cultures, fungi, protozoa, animal and plant viruses and seeds. Recombinant strains of microorganisms will also be accepted, but IVI must be notified in advance of accepting the deposit of the physical containment level required for the host vector system, as prescribed by the National Institutes of Health <i>Guidelines</i>. At present, IVI will accept only hosts containing recombinant plasmids that can be worked in a P1 or P2 facility.</p>	<p>(a) Cultures deposited during a 12-month period: 1 to 5 US\$ 610 each 6 to 10 550 each 11 to 15 480 each (b) Samples of cultures furnished to the public: 1 to 5 30 each 6 to 10 27.50 each 11 to 15 25 each (c) Viability test 60</p>
<p>NATIONAL BANK FOR INDUSTRIAL MICROORGANISMS AND CELL CULTURES (NBIMCC) 125, Lenin Blvd. Block 2 Sofia Bulgaria</p> <p>(See <i>Industrial Property</i>, 1987, p. 363.)</p>	<p>Bacteria, actinomycetes, microscopic fungi, yeasts, microscopic algae, animal cell lines, animal viruses and microorganisms containing plasmids.</p>	<p>The deposit of a microorganism in connection with the filing of an application for an authorship certificate is free of charge. The deposit of a microorganism in connection with the filing of a patent application is subject to the following fees: (a) For the initial deposit and 30 years' storage Leva 1,000</p>



INTERNATIONAL DEPOSITORY AUTHORITY	KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED	FEES
<p>NCIMB (<i>continued</i>)</p>	<p>(c) Bacteriophages that have a hazard rating and containment requirements no greater than those cited in (a) or (b), above, and which can be preserved without significant change to their properties by liquid nitrogen freezing or by lyophilization.</p> <p>(d) Yeasts (including those containing plasmids) that can be preserved without significant change to their properties by liquid nitrogen freezing or by freeze-drying, that are allocated to a hazard group no higher than ACDP Group 2, and which require physical containment no higher than level II ACGM.</p> <p>(e) Seeds that can be dried to a low moisture content and/or stored at low temperatures without excessive impairment of germination potential. The right is reserved to refuse the deposit of seeds where dormancy is exceptionally difficult to break.</p> <p>The acceptance of seeds by NCIMB and the furnishing of samples thereof are subject at all times to the provisions of the Plant Health (Great Britain) Order 1987, including any future amendments or revisions of that Order.</p> <p>NCIMB must be notified in advance of all intended deposits of seeds so that it may ensure that all relevant regulations are complied with. Any seeds received without prior notification may be destroyed immediately.</p> <p>Notwithstanding the foregoing, NCIMB reserves the right to refuse to accept any material for deposit which in the opinion of the Curator presents an unacceptable hazard or is technically too difficult to handle.</p> <p>In exceptional circumstances, NCIMB may accept deposits which can only be maintained in active culture, but acceptance of such deposits, and relevant fees, must be decided on an individual basis by prior negotiation with the prospective depositor.</p>	
<p>USSR RESEARCH INSTITUTE FOR ANTIBIOTICS OF THE USSR MINISTRY OF THE MEDICAL AND MICROBIOLOGICAL INDUSTRY (VNIIA) Nagatinskaya Street 3-a USSR-113105 Moscow Soviet Union</p> <p>(See <i>Industrial Property</i>, 1987, p. 250.)</p>	<p>Bacteria (including actinomycetes) and microscopic fungi (including yeasts) for essentially medical purposes are accepted for deposit, to the exclusion of microorganisms that cause disease in man and animals and microorganisms that are toxicogenic for plants or require them to be quarantined.</p>	<p>(a) For the deposit of a microorganism and its storage for 30 years      Roubles 800</p> <p>(b) For each additional five-year period of storage      100</p> <p>(c) For the furnishing of a sample of a deposited microorganism      50</p> <p>The above amounts do not include mailing charges, which are invoiced separately at cost. Additional information concerning fees is contained in the "Regulations on the Collection of Payments"; see <i>Industrial Property</i>, 1987, p. 250.</p>
<p>USSR RESEARCH INSTITUTE FOR GENETICS AND INDUSTRIAL MICROORGANISM BREEDING OF THE USSR MINISTRY OF THE MEDICAL AND MICROBIOLOGICAL INDUSTRY (VNII Genetika) Dorozhnaya Street No. 8 USSR-113545 Moscow Soviet Union</p> <p>(See <i>Industrial Property</i>, 1987, p. 248.)</p>	<p>Bacteria (including actinomycetes) and microscopic fungi (including yeasts) for essentially industrial and non-medical purposes are accepted for deposit, to the exclusion of microorganisms that cause disease in man and animals and microorganisms that have a toxicogenic effect on plants or require them to be quarantined.</p>	<p>(a) For the deposit of a microorganism and its storage for 30 years      Roubles 800</p> <p>(b) For each additional five-year period of storage      100</p> <p>(c) For the furnishing of a sample of a deposited microorganism      50</p> <p>The above amounts do not include mailing charges, which are invoiced separately at cost. Additional information concerning fees is contained in the "Regulations on the Collection of Payments"; see <i>Industrial Property</i>, 1987, p. 250.</p>

## Activities of the International Bureau

### WIPO — Overview of Activities and Developments in 1989

#### Introduction

The year 1989 was marked by increased international cooperation in the field of intellectual property:

- a sturdy growth in the Organization's development cooperation program in favor of developing countries;

- the successful conclusion of three diplomatic conferences relating to the creation of an international register of audiovisual works, the protection of intellectual property in respect of integrated circuits and improvements to the international system of registration of marks;

- a new start and impetus to the presentation and exchange of industrial property information;

- a continued surge in the international registration activities of the Organization in respect of patents, marks and industrial designs;

- the adoption by member States of a substantial program of work for the Organization in the 1990-91 biennium;

- new accessions of States to various treaties administered by WIPO; and

- the strengthening of cooperation with member States and intergovernmental and non-governmental organizations.

#### Development Cooperation Program

The main objectives of WIPO's development cooperation program are: assisting developing countries in the establishment or modernization of intellectual property systems suited to their development goals through developing human resources; facilitating the creation or improvement of national or regional legislation and their enforcement; encouraging domestic inventive and creative artistic activity and the exploitation of its results; facilitating the acquisition of foreign patented technology, and the access to foreign works protected by copyright; facilitating the access to and the use of technological information contained in patent documents and facilitating participation in certain WIPO meetings.

WIPO's training activities are meant to provide or enhance professional skills and capacities for the

effective administration and use of the intellectual property system. In 1989, training, both at home and abroad, was given to government officials and personnel from the technical, legal, industrial and commercial sectors.

Such training took various forms. One is in the form of study attachments overseas and on-the-job supervision by international experts. This form of training involved the participation of over 70 international experts deployed for varying periods of time in some 35 countries with, in many cases, repeated visits to the same countries.

Training was also provided in the form of courses, study visits, workshops and seminars. More such events were organized by WIPO in developing countries and more experts from developing countries were invited as speakers in 1989 than in 1988. In all, a total of 100 such events were organized at the national, subregional, regional and global levels. They provided basic knowledge of industrial property or copyright, or specialized information, both theoretical and practical, in areas such as search and examination with respect to patents and trademarks, computerization of industrial property office administration, the use of computerized patent information data bases, the administration of the collection and distribution of copyright royalties and the promotion of innovative activities. Most of this form of training took place in developing countries themselves and allowed large numbers of people from the government and private sectors of those countries to learn about the subject of intellectual property and its role in the development process. In all, 44 developing countries hosted or co-organized (with WIPO) those events. Their contribution was in funds or in kind. Over 4,000 people from those countries attended as participants.

To be highlighted here is the Worldwide Symposium on the International Patent System in the 21st Century which took place in Beijing, organized jointly by WIPO and the Chinese Patent Office to coincide with ceremonies commemorating the fifth anniversary of the Chinese Patent Law and the inauguration of the new building of the Chinese Patent Office. It was the first meeting of its kind where the future trends and likely developments in the patent community were discussed by eminent personalities before several hundred participants coming from over 50 countries.

The existence of appropriate national legislation is a precondition for ensuring optimal benefits from the use of the intellectual property system by a country. WIPO therefore continued in 1989 to lay emphasis on the advice and assistance it gives to developing countries in this area. WIPO prepared draft laws and regulations which, depending on the country in question, dealt with one or more aspects of intellectual property, or commented on drafts prepared by the countries themselves. In all, some 30 countries benefited from this aspect of WIPO's development cooperation program. A number of governments informed WIPO that the executive or legislative branches had approved laws or regulations which were based on drafts drawn up by the International Bureau of WIPO or commented upon by it.

Two hundred and eighty-five advisory missions were undertaken to some 75 developing countries. Those missions, comprising WIPO officials and WIPO consultants, provided, *inter alia*, advice to government administrations on improvements to management of industrial property offices, the acquisition and use of computers and other equipment and documentation and the provision of better patent information services to the public. In planning and implementing such missions in a given country, WIPO relied, as in the past, on that country for the identification of its needs and for guidance in relation to particular local conditions. In return, WIPO offered expertise blended with experience gained from practical knowledge of the situation in other countries. This ensured that the advice and assistance given by WIPO were appropriate to the country in question.

In seeking to help developing countries in encouraging domestic inventive activity, WIPO offered advice in the drafting of legislative provisions for the establishment of suitable institutional arrangements in favor of inventions and organized conferences and seminars to discuss policy measures designed to support inventors in their endeavors. Moral recognition of achievements remained a major source of satisfaction to these people; WIPO continued therefore with its WIPO Gold Medal Award scheme for exceptional work done by inventors and creators, mainly in the context of special exhibitions.

The acquisition of foreign patented technology and access to foreign works protected by copyright, particularly in the context of new technologies (biotechnology, computer software, broadcasting by satellite, integrated circuits) and their protection under intellectual property laws, was the subject of three regional forums that WIPO especially organized for developing countries in 1989. They took place in Cairo, Seoul and Montevideo. The licensing of intellectual property was the focus of an international forum which WIPO organized in Moscow on the role of intellectual property in economic cooperation arrangements. The forum was attended by many participants from developing (and industrialized) countries.

WIPO continued to promote a dialogue between intellectual property administrations and their users, primarily in the non-government sectors. Such a dialogue was often arranged in the form of participation by both sides in discussions provided for that purpose in the seminars and symposia organized by WIPO.

As far as encouraging the effective use of the vast resource of technological information contained in patent documentation was concerned, there was a steady increase in the demand for WIPO's free state-of-the-art search service for developing countries. Over 560 search reports and 4,500 copies of patent documents were furnished to requesting governments and institutions in developing countries.

In general, WIPO's development cooperation program had a fruitful year. Participation by countries, whether as donors or beneficiaries (or both), was almost universal: 116 developing countries and 16 intergovernmental organizations benefited from that program while generous support, both in funds and in kind (expert services, equipment, documentation, training facilities, hosting of meetings), was given by 55 developing and industrialized countries and 13 intergovernmental and non-governmental organizations.

Deserving special mention are the following countries and intergovernmental organization which made substantial funds available to WIPO for its development cooperation program: Finland, France, Germany (Federal Republic of), Japan and Sweden through funds-in-trust, and the United Nations Development Programme (UNDP) through interregional, regional and country projects.

The said program was reviewed and evaluated, and comments and suggestions for future activities were given, by member States and organizations at the 1989 sessions of the WIPO Permanent Committee on Development Cooperation Related to Industrial Property and the WIPO Permanent Committee on Development Cooperation Related to Copyright and Neighboring Rights in May/June and April, respectively.

### Setting of Norms and Standards

The objective of WIPO in this area of work is to make the protection of intellectual property rights more effective throughout the world. "More effective" means that the norms (standards) of protection are raised, where necessary, to the required level and that the enforcement of those rights will be easier and the sanctions for infringement strict.

The major achievements in this area of work in 1989 were the conclusion of two new treaties, one by the Diplomatic Conference for the Conclusion of a Treaty on the International Registration of Audiovisual Works (held in April in Geneva) and the other by the Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits (held in May in Washington).

The first above-mentioned Conference unanimously adopted, on April 20, 1989, a treaty consisting of 17 articles under the title "*Treaty on the International Registration of Audiovisual Works*" and Regulations under that Treaty.

The Treaty provides for the establishment, under the auspices of WIPO, of an international register of audiovisual works for the purpose of recording, mainly, statements concerning rights in such works, for example, concerning who is the owner of what rights in which countries. The International Register has a legal effect: statements registered in it must be considered as true until the contrary is proved. The rebuttable presumption thus created by the Treaty is subject to two exceptions: one is that the presumption does not apply in a State in which the statement cannot be valid under the copyright law or any other law concerning intellectual property rights in audiovisual works in that State; the other is that the presumption does not apply where the statement is contradicted by another statement recorded in the International Register. The system will be financially self-supporting, i.e., it will be financed by the fees paid by its users.

The International Register will be kept by the International Registry, which will be an administrative unit of the International Bureau of WIPO. A specific feature is that the Treaty provides for the setting up, by the Assembly, of a consultative committee consisting of representatives of interested non-governmental organizations. The purpose of that committee is to achieve close cooperation between the Union and the main prospective users of the Register. The Committee will be consulted, *inter alia*, before determining or changing the system and amounts of the fees. The International Registry will be located in Austria. A treaty to that effect was signed by the Government of Austria and the Director General of WIPO in October.

The Treaty was open for signature until December 31, 1989. It was signed by 17 States: Austria, Brazil, Burkina Faso, Canada, Chile, Egypt, France, Greece, Guinea, Hungary, India, Mexico, Philippines, Poland, Senegal, United States of America, Yugoslavia.

The Diplomatic Conference for the Conclusion of a Treaty on the Protection of Intellectual Property in Respect of Integrated Circuits adopted, on May 26, 1989, a treaty consisting of 20 articles under the title "*Treaty on Intellectual Property in Respect of Integrated Circuits*" by the votes of 49 countries for it, two against and five abstentions.

The Treaty obliges the Contracting Parties to secure, throughout their respective territories, the intellectual property protection of layout-designs (topographies), to provide adequate measures to ensure the prevention of acts considered unlawful under the Treaty and to provide appropriate legal remedies wherever such acts have been committed. Furthermore, the Treaty enables certain intergovernmental organizations to become Contracting Parties (the European Communities are eligible) and provides for a mechanism, within the

framework of WIPO, for the settlement of possible disputes between Contracting Parties.

The Treaty remains open for signature until May 25, 1990, at the headquarters of WIPO.

As far as work on the *harmonization of patent laws* was concerned, considerable advance was made. The Committee of Experts dealing with this matter held its sixth and seventh sessions in April and November, respectively, to consider the draft Treaty which deals with the following substantive matters: filing date, naming of inventor and declaration concerning the entitlement of the applicant, description, claims, unity of invention, publication of application, time limits for search and substantive examination, administrative revocation of patents, priority claims, changes in patents, patentable inventions, prior art effect of certain applications, grace period, exclusions from patent protection, right to a patent, rights conferred by a patent, reversal of burden of proof, extent of protection and interpretation of claims, term of patents, maintenance fees, remedies, privilege of prior user.

The International Bureau will redraft the articles (except the one on maintenance fees which has been dropped) in the light of the discussions of the above-mentioned two sessions and will submit the new drafts to the presumably last (eighth) session of the Committee of Experts in June 1990, followed immediately by the (only) session of a Preparatory Meeting. The Committee will examine the new draft of the proposed Treaty, while the Preparatory Meeting will prepare the organization of the diplomatic conference which is scheduled for June 1991. A consultative meeting for developing countries will take place just before the June 1990 session of the Committee of Experts.

Work on the *harmonization of trademark laws* started in November when a new Committee of Experts held its first session. As in the case of the harmonization of patent laws, the aim is to prepare a draft of a treaty which would supplement the Paris Convention for the Protection of Industrial Property and which should be adopted by a diplomatic conference (after 1991). The said first session dealt with draft articles on the definition of the notion of mark (trademark and service mark), the applications for their registration and registration as well as the program of its second session scheduled for June 1990.

In respect of work on *model provisions for legislation in the field of copyright*, there was considerable progress. The Committee of Experts dealing with this matter held its first and second sessions in February/March and November.

The Committee of Experts considered draft model provisions dealing with the following matters: the subject matter of protection, rights protected, limitations on economic rights, duration of protection, ownership of rights, transfer of rights (including licenses and waiving the exercise of moral rights), collective administration of economic rights, obligations concerning equipment used for acts covered by

protection, measures, remedies and sanctions in case of piracy and other infringements.

The model provisions are intended to inspire and influence governments and legislators to improve their copyright laws and opt for solutions that will increase the degree of similarity among legislations whenever the special interests of a country do not require different solutions.

One more session of the Committee is scheduled for July 1990 when it should have completed its work on the text of the model provisions.

### Revision of the Paris Convention for the Protection of Industrial Property

The sixth Consultative Meeting on the revision of the Paris Convention took place in September. Its recommendation was submitted to the Assembly of the Paris Union which decided, in October, on the following: the Diplomatic Conference on the revision should take place in the 1990-91 biennium; the Director General of WIPO should prepare new proposals for amending the articles of the Paris Convention which were under consideration for revision; the Assembly would meet in extraordinary session in January 1991 to fix the further procedural steps and to take cognizance of the aforementioned proposals of the Director General; the said extraordinary session would be preceded by an information meeting of developing countries of the Paris Union and China and, if it was so desired, information meetings of any other group of countries members of the Paris Union, to discuss the proposals of the Director General; there would be, among the said procedural steps, at least one preparatory meeting in the first half of 1991 to consider the proposals of the Director General.

### Intellectual Property Information

WIPO commenced publication, as a quarterly, of the Spanish version of its copyright review, entitled *Derecho de Autor*.

In respect of industrial property information, the reorganized Permanent Committee on Industrial Property Information met in September and decided that, in respect of international cooperation in the next decade in the field of patent information, the Committee and all its working groups concerned should give the highest priority to promoting the adoption, by patent offices, other public institutions and private enterprises, of such electronic systems for the storage of full texts (including drawings) of patent documents, and such systems for the searching of the stored material (even if not the same) as would allow mutual access and mutual searchability among all the said systems.

The fifth edition of the International Patent Classification was published in 10 volumes.

### International Registration Activities

The number of international registrations under the Patent Cooperation Treaty (PCT), the Madrid Agreement Concerning the International Registration of Marks and the Hague Agreement Concerning the International Deposit of Industrial Designs confirmed the healthy growth in each of the three registration systems. The growth in 1989, compared to 1988, was about 25% in the PCT system, 18% in the Madrid system and 18% in the Hague system. This growth made necessary several new computerization measures, some of which became operational already in 1989.

#### *The Patent Cooperation Treaty*

Spain deposited its instrument of accession to the Patent Cooperation Treaty (PCT) in August and Canada in October. With those two countries, the PCT now has 43 Contracting States. More than 90% of all the patent applications filed in the world are filed in those 43 countries. A few countries with relatively large numbers of applications are still not party to the PCT (e.g., China and Latin American countries) but it is hoped that they will be in the years to come. The PCT is now in its 12th year. Its use, although constantly increasing, is still far from having attained its full potentiality.

In 1989, the number of record copies of international applications received by the International Bureau amounted to 15,000. The 25% increase in the number of record copies received could be attributed mainly to the increasing awareness of inventors, industry and patent attorneys of the advantages offered by the PCT.

The average number of Contracting States (to the PCT) designated per international application was 16.25. About 15% of the applications contained more than 10 designations, and their applicants thus benefited from the advantage of the maximum amount of the designation fee according to which any designation in excess of 10 is free of charge.

In view of the advance in technology and the continuing growth of the level of PCT activity, the International Bureau has started planning to put all the international applications and the correspondence pertaining to each on optical disks, which should facilitate rapid and accurate access for all interested offices and private parties and make publications more economical.

The PCT Union Assembly decided in October that a working group would be convened in the 1990-91 biennium to consider the possibilities of further increasing the internationalization of the grant of patents.

#### *The Madrid Registration of Marks Agreement*

The system of the international registration of marks, maintained by the International Bureau since 1893, now has 29 countries as members.

In 1989, the number of international trademark registrations received by the International Bureau was 15,400, an increase of 18% over that of 1988.

In view of this growth, it is planned to have all the some 250,000 files of internationally registered marks stored on optical disks starting in the 1990-91 biennium. Such a computerization measure will be useful not only to the International Bureau but also to national trademark offices and the private sector using the system.

The Madrid Union Assembly approved, in October, an average 8% increase in the amount of Madrid fees, with effect from April 1, 1990.

In June, a Diplomatic Conference for the Conclusion of a Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks was held in Madrid. The Conference unanimously adopted, on June 27, 1989, a new treaty entitled "*Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks.*"

The main changes that the Madrid Protocol will introduce in the Madrid system are as follows:

- the Protocol allows that, at the option of the applicant, international registrations be based on national applications (and not only on national registrations);
- the Protocol allows, as an option for the Contracting Parties, 18 months (instead of one year) for refusals and an even longer period in the case of oppositions;
- the Protocol provides that the national office of a designated country may, if it so desires, receive the amount of the fees that it charges for national registration or renewal, the said amount being diminished by the savings resulting from the international procedure;
- the Protocol allows the transformation of a failed international registration—failed, for example, because of central attack—into national applications in each designated country, and such national applications will have the filing date and, where applicable, the priority date of the international registration.

Those changes are intended to remove certain impediments to a wider acceptance of the Madrid system.

Another objective of the Protocol is to establish a link between the Madrid system and the expected future regional trademark registration system of the European Communities. Once the Community trademark system becomes a reality, the European Communities will have the right—as provided in the Protocol itself—to become a party to the Protocol.

The Protocol, which was open for signature until December 31, 1989, was signed by 28 States: Austria, Belgium, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, German Democratic Republic, Germany (Federal Republic of), Greece,

Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Portugal, Romania, Senegal, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, Yugoslavia.

In October, the Assembly of the Madrid Union approved the establishment of a working group in the 1990-91 biennium to prepare the draft of new Regulations and to suggest other measures required by the co-existence of the Madrid (Stockholm) Agreement and the Madrid Protocol.

#### *The Hague (International Deposit of Industrial Designs) Agreement*

This Agreement and the system of international deposit it establishes were, in 1990, in their 64th year of existence.

In 1989, the number of industrial design deposits received by the International Bureau was 3,200, an increase of 18% over that of 1988. As this growth is expected to continue in the foreseeable future, the Assembly of the Hague Union decided, in October, that the International Bureau should begin computerization of the operations in the 1990-91 biennium.

In October, the Hague Union Assembly agreed that in the 1990-91 biennium, a working group would be convened to consider concrete possibilities for revising the Hague Agreement or adding a protocol to it, in order to introduce in the system further flexibility and other measures encouraging States not yet party to it to adhere to the Hague Agreement and make it easier to use by applicants.

#### **Governing Bodies of WIPO; Work Program in the 1990-91 Biennium**

In September and October, the ordinary sessions of the Governing Bodies took place. There are now 22 such bodies, among them the General Assembly, the Conference and the Coordination Committee of the World Intellectual Property Organization and the Assemblies of the Paris, Berne, IPC, Nice, Lisbon, Locarno, PCT, Madrid and Hague Unions.

The Governing Bodies took decisions on a number of important questions, some of which are mentioned earlier in this report under the respective headings of the different subject matter dealt with above. The competent Governing Bodies fixed the program and budget of the International Bureau for the 1990-91 biennium.

#### *New Activities*

Among the new activities to be carried out in that biennium are the following:

- (i) the convening of a committee of governmental experts to examine whether the preparation of a *protocol to the Berne Convention for the Protection of*

*Literary and Artistic Works* should start, and—if so—with what content, with a view to submitting for adoption the draft of such a protocol to a diplomatic conference after 1991. The protocol would be mainly destined to clarify the existing, or establish new, international norms where doubts may exist as to the extent to which that Convention applies. The committee will meet for the first time in October 1990;

(ii) the convening of a committee of governmental experts to examine whether the preparation of a *new treaty on the settlement of disputes between States in the field of intellectual property* should start and, if so, with what content, with a view to eventually (after 1991) submitting for adoption the draft of such a treaty to a diplomatic conference. The committee is scheduled to meet for the first time in February 1990;

(iii) the convening of a committee of governmental experts to advise on the possible conclusion of a *new treaty or the possible revision of the Lisbon Agreement on the Protection of Appellations of Origin and their International Registration* and the possibilities of increasing the use of the registration facilities of that Agreement. The first meeting of the committee is scheduled to take place in May 1990;

(iv) the convening of a committee of governmental experts to advise on a *model law on intellectual property protection in respect of integrated circuits*. It is scheduled to meet for the first time in 1991;

(v) the convening of the fourth session of the committee of governmental experts (which has met three times between 1986 and 1988) to finalize its advice on a *model law on counterfeiting and piracy*;

(vi) the convening of two further meetings of the Committee of Experts on *biotechnological inventions* in order to further consider, and preferably complete its advice on, the solutions to be given to various questions concerning the patent protection of biotechnological inventions and the interface, in certain cases, of that protection with the protection available under plant breeders' rights systems. The first meeting, jointly organized with the International Union for the Protection of New Varieties of Plants (UPOV), will take place in January 1990;

(vii) the preparation of a study of the possibilities of establishing a *mechanism to provide services for the resolution of disputes between private parties over intellectual property rights*. Recourse to such a mechanism and services—that could be called, for example, "WIPO Intellectual Property Arbitration Center"—would be open to private parties (not governments) on a completely voluntary basis, that is, each dispute would come to the mechanism only if all parties to the dispute freely decide that it should;

(viii) the convening of a worldwide symposium on the intellectual property aspects of "*artificial intelligence*;"

(ix) the convening of a group of consultants to consider what advice should be given to governments in respect of *the collective administration of certain*

*rights*—particularly musical performance rights—in the *field of copyright*. Such advice should be useful in countries in which legislation on the matter does not exist or is incomplete or in which experience in the field is limited. The consultants are scheduled to meet in March 1990;

(x) the preparation of analyses and/or the convening of meetings to study the questions of *individual* (as distinguished from collective) *contracts assigning or licensing rights in the field of copyright*, of the *prevention and repression of unfair competition*, of the role of intellectual property in the field of *franchising*, and "*character merchandizing*" (the use of the name, picture, voice and statements of a real or fictitious personality to promote the sale and use of certain products or services). On the basis of the results of those studies and meetings, further action will be planned for the period after 1991.

#### *New Contribution Class for Least Developed Countries*

In recognition of the difficulties faced by developing countries in meeting their obligation to make contributions under the various treaties, the Governing Bodies decided in October to institute a new contribution class with  $\frac{1}{8}$  (one-eighth) of a unit (the current lowest contribution class consists of one unit); this new class is applied, since January 1, 1990, to countries which, according to the practice of the United Nations, are considered to be least developed countries. The Governing Bodies also set up a WIPO Working Group on Contributions, consisting of nine States, to propose possible further measures in the field of contributions.

#### *Additional Premises*

The Governing Bodies set up a committee of representatives of member States called "WIPO Premises Committee," with the task of giving advice to the interested Governing Bodies and the Director General concerning the needs of WIPO for premises until the year 2000 and meeting those needs through building additional premises, or through renting premises, or in any other way, in or outside Geneva.

#### **New Accessions to Treaties**

As far as the work of WIPO in promoting the worldwide recognition of and respect for intellectual property was concerned, ratifications and accessions to various treaties administered by WIPO took place in 1989 in respect of the following countries: Democratic Yemen, Madagascar and Thailand to the *WIPO Convention*, which brought the total number of Contracting States to 126; Lesotho to the *Paris*

*Convention*, which brought the total number of Contracting States to 100; Honduras, Lesotho and Mauritius to the *Berne Convention*, which brought the total number of Contracting States to 84; Czechoslovakia and the German Democratic Republic to the *Budapest Treaty* on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, which brought the total number of Contracting States to 24; Canada and Spain to the *Patent Cooperation Treaty*, which brought the total number of Contracting States to 43; China and Cuba to the *Madrid Agreement Concerning the International Registration of Marks*, which brought the total number of Contracting States to 29; Japan to the *Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks*, which brought the total number of Contracting States to 34.

#### **Cooperation with Intergovernmental and Non-Governmental Organizations**

WIPO continued, throughout the year, its tradition of close cooperation and consultations with intergovernmental and non-governmental organizations having an interest in the work of WIPO. Such organizations were invited to participate, and many did, as observers in almost all the meetings organized by WIPO, including the aforementioned three diplomatic conferences.

The Governing Bodies approved, in October, the admission of two more intergovernmental organizations and 13 international non-governmental organiza-

tions as observers, thereby bringing the total of such organizations with observer status in WIPO to 96.

Insofar as cooperation in the GATT Uruguay Round of Trade Negotiations was concerned, the Director General convened, in March, an informal information meeting at WIPO headquarters for officials of Permanent Missions of developing countries in Geneva for the purpose of giving information on intellectual property matters of possible relevance to the Uruguay Round negotiations as far as the trade-related aspects of intellectual property are concerned.

The International Bureau was represented at the four sessions of the GATT Negotiating Group on Trade-Related Aspects of Intellectual Property Rights, Including Trade in Counterfeit Goods ("TRIPS"), which were held during the year.

At the invitation of the said Negotiating Group, the International Bureau prepared a document on the basic principles of the main multilateral treaties in the field of intellectual property and a document containing information on WIPO activities. The first document dealt with the essence of seven basic principles relating to parties to the treaties, beneficiaries, national treatment, norms, non-reciprocity, independence of protection and settlement of disputes. The second document contained information on WIPO activities relating to counterfeiting/effective protection of intellectual property, revision of the Paris Convention, harmonization of patent and trademark laws, integrated circuits, biotechnological inventions, model provisions in the field of literary and artistic works, impact of emerging technologies on the law of intellectual property and international registration of audiovisual works. The former document was separately published as a WIPO document and as a GATT document.

## Studies

### Recent Developments in Industrial Property in Argentina

E. ARACAMA ZORRAQUÍN\*

#### I. Regulatory Enactments and Draft Legislation

During the four years that have elapsed since my last article on the subject, published in *Industrial Property* in 1985 (pp. 324 *et seq.*), no new law has been enacted in Argentina to regulate the component institutions of industrial property and related subjects.

There have been a number of drafts, however.

##### (a) Patents

With regard to patents, we could mention the following drafts:

- Provisions on inventions and utility models (Deputy Cavallari (1031-D-86); DSCD 6-8-86, p. 3016);
- Law on patents (Senator Feris (S-842/86); DSCS 30-10-86, p. 4158).

Both of these fall more or less into line with the anti-patent doctrine that in recent years has permeated the policies of developing countries. The sharp contrast with reality that we in Latin America are experiencing, the enforced abandonment of misconceived ideas, the need to adopt new models and changes in economic and social structures, the example given us by the countries of South-East Asia and the Pacific, the need for Argentina to find its place in the world, and so on, all indicate that these drafts, if they are to be reconciled with our society's need for progress, will have to be reformulated; they will have to shed the ideological deadweight that makes them unacceptable and incorporate approaches conducive to the investment of foreign capital and the technology transfer that will be necessary if the challenges of the coming century are to be taken up confidently and with up-to-date provisions.

This necessity, placed in the setting of legislation enacted 125 years ago, but which the jurisprudence of

the Federal courts is trying to bring into line with modern trends, has been fully understood by the National Directorate of Industrial Property, which by means of various resolutions has endeavored to streamline the process of patent examination and grant.

For instance, Resolution 41 of October 20, 1988, which came into effect on January 1, 1989, established that, in the event of two or more patents existing for the same invention but having been granted in different countries, the request for revalidation had to be based on whichever of the patents was applied for first.

The other Sections of the Resolution provide as follows:

"2. When the claims of a foreign patent to be revalidated in the country are not patentable, the subject matter illustrated or specified in the description may provide the basis for claims insofar as the scope of those claims does not go beyond what is illustrated or specified in the patent to be revalidated.

3. The certified copy of the foreign patent submitted for revalidation, and also its translation by a certified translator, have to be filed together with the relevant application. If the applicant fails to do so, the application is refused.

4. Independent patent applications may be converted into revalidation applications only where the foreign patent has been granted either after the filing of the Argentine application or not more than 90 days before it. Failing that, the application is refused.

5. Provision 2/73 is repealed."

On the same date, October 20, 1988, Resolution 42/88 was enacted under the title of "Basic Rules for the Examination of Patent Applications."

Resolution 42/88 replaces Resolutions 4/64, 10/64, 24/72, 27/74 and 15/75. The relevant aspects of the new Resolution are the following:

1. *Article 2.* Formal drawings, priority documents, assignments and electrotypes must be filed within 90 days from the filing date. Non-compliance with this term will cause rejection except in exceptional, duly justified cases.

2. *Article 3.* Patent applications that are forwarded by the Commissioner of Patents to official institutions (military inventions, nuclear inventions, etc.) for prior art searches should be returned with a report within 120

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days; if they are not, it will be assumed that there are no objections, and that the application may proceed normally.

3. *Article 7.* Except in duly justified cases, the Commissioner of Patents has to grant or reject an application after three Office Actions.

4. *Chapter I, sections F and G, subsection 19.* A technical sheet has to be completed by the applicant and an examination report by the examiner.

5. *Chapter I, Section E.* Agreements reached during interviews with the examiner may be placed on record and signed by both parties.

6. *Subsection 3.2.* With regard to inventions referring to the processing of information, the examiner must effectively determine whether the subject matter of the invention is purely theoretical or whether it relates to a program. Claims relating exclusively to a program will not be accepted; a program is understood as a series of instructions for controlling the operational sequence of steps carried out by a computer, a data processor, signals or a logic circuit.

7. *Subsection 3.3.* Process claims will be accepted only if the novelty is not exclusively the processing of parameters, data or signals or operating conditions of a program-controlled computer.

8. *Chapter I, Section D and subsection 6.1.* The first Office Action must be a complete report on the novelty, patentability and formal aspects of the application. Exceptions should be duly justified.

9. *Subsections 7.1 and 7.2.* Examination of two or more patent applications for duplication should be made according to their filing and priority dates. The previous provision of Resolution 24/72 specifying that overlapping disclosure was not accepted has been replaced by a simple disclaimer.

10. *Subsections 10.1 and 10.2.* The expression "industry" is to be interpreted in a broad manner that also includes crafts, agriculture, fishing, forestry, cattle breeding and prospection of soils. *In vitro* processes are not specifically excluded, whereas earth-formation exploration methods are expressly included.

11. *Subsection 11.1.* Inventive activity should be evaluated to determine whether the solution found to a certain problem is not obvious or foreseeable for a person with average skill in the art. Under these circumstances, "inventions of selection" should be allowed.

12. *Subsection 13.13.* The claims must define a device or apparatus in a structural manner. "Functional" definitions will only be accepted if included in brackets to explain a prior structural definition.

13. *Subsection 14.6.* Chemical types should be defined in accordance with the IUPAC rules, except in cases of complex molecules (such as dyes), where it becomes more appropriate to designate them as representatives of the type of chemical to which they belong.

14. *Subsection 14.12.* When the application refers to *new* chemical compounds, representative experimental data should be provided.

15. *Subsection 14.14.* The specification must include at least one example for the type of chemical representative of each general substituent included in the scope of the main claim. A table including the substituents of these examples should be provided (the table of permutations of both exemplified and unexemplified substituents is no longer required).

The above Resolution follows guidelines approved in Santiago de Chile in 1987 by the Patent Directors of Argentina, Chile, Paraguay and Uruguay, with the participation and under the guidance of WIPO-appointed experts.

#### (b) *Technology Transfer*

With regard to technology transfer we could mention the drafts tabled by Deputies Aramburu *et al.* on August 27, 1986, Vaca *et al.* on August 27, 1986, Socchi and Cavallari on September 11, 1986, Senator E. Menem on September 18, 1986, Deputy Aramburu *et al.* on June 19, 1987, Deputy Berri on November 5, 1987, Deputy Giménez *et al.* on May 19, 1988, and Deputy Dambrosio on July 28, 1988. As we can see, the subject is one that has stirred up intense interest in the national legislature.

None of these has been passed by the National Congress. With new authorities, freely elected in model elections, who appear to have a different perception of national requirements, it is fair to expect that the drafts will not be approved in the form in which they were written.

#### (c) *Consumer Protection*

Matters pertaining to consumer protection received attention from Deputy González Cabanas, with his draft of April 10, 1985, and from Deputy García in a draft of July 3, 1986. Deputies Pelaez *et al.* tabled a draft on August 6, 1986. However, only the draft of Dr. Luis León, Senator of Chaco Province, was approved by the Senate of the Nation on October 29, 1986. This draft contained a consumer code and created the National Consumer Institute (Sections 63 *et seq.*) for the purpose among other things of promoting the appropriate education of consumers and users, publicizing their rights and duties, and so on; it also effected the creation of the Consumer Tribunal (Sections 74 *et seq.*), which would adjudicate disputes arising between traders, manufacturers, importers, etc., on the one hand and consumers on the other, and between service organizations of the public or private sector and users. It dealt extensively with prevention, but failed to provide for liability for damages, even though the draft is a text of 105 sections.

The draft lapsed for want of having been considered by the Chamber of Deputies. Senator León therefore tabled it again, and it was approved by the Chamber of Senators on September 28, 1988. It still has to be passed by the Chamber of Deputies before it becomes law.

On the basis of a paper presented to the first International Congress on Rights in Damages Suits, which met in Buenos Aires on April 6, 1989, Drs. Atilio Aníbal Alterini, Roberto M. López Cabana and Gabriel Stiglitz wrote a draft consumer protection law which was published in *La Ley* on May 3 of this year,

"whose provisions," it was explained "apply to the legal relations existing between those who, even only occasionally, produce or market objects or provide services on the one hand and consumers on the other," the latter being defined as "the natural persons who contract for those objects or services in order to meet personal, family or household needs."

The provisions of the draft are compatible with all general and special provisions, including the regulatory provisions applicable to the above-mentioned legal relations, and in particular with those on the defense of competition (22.262) and on fair trading (22.802), and they exclude from their scope (i) acquisitions of objects, or the use of objects so acquired, or service contracts, that presuppose integral production or distribution circuits, or serve mainly for a professional activity, and (ii) the activities of professional people.

In 27 sections, the draft seeks to regulate the subject matter concerned, providing (in Section 17) that consumer actions for breach of contract could be extended to the producer, manufacturer, importer and any person who has placed his mark on the product or service without having had any direct involvement with it.

If the product or service causes harm, Section 18 provides that the producer, manufacturer, importer, seller, provider and any person who has placed his mark on the product or service are all jointly liable.

The preliminary draft that deals with all this has not yet, as far as we know, found a sponsor in either of the two chambers constituting the Congress of the Nation.

#### (d) Comparative Advertising

On October 18, 1988, the Deputy for Jujuy Province, Dr. María C. Guzmán, tabled a draft whose purpose was to insert a Section 9bis in Law No. 22.802 (on fair trading) which—subject to strict conditions, as it was aligned on the so-called *Missbrauchsprinzip*—would open the door of legitimacy to comparative advertising in Argentina.

We believe that this exercise whereby psychological methods are used on the consumer to win his support by means of references to renowned distinctive signs is devious and immoral inasmuch as it constitutes an attempt to win a place on the market without the expenditure that this necessarily involves. It is likewise a typical unfair act, being contrary to proper usage (Civil Code, Section 953) and to "honest practices in industrial or commercial matters" (Paris Convention (Lisbon Act), Article 10bis, to which Argentina acceded by virtue of Law No. 17.011). It is also a specific unfair act in that it constitutes misappropriation of another's prestige and of the investment, effort, skill, etc., of the

competitor with whom the comparison is made. It is furthermore punished by Section 159 of the Criminal Code. Comparative advertising causes confusion between the goods or services of the competitors who engage in it, subliminal confusion, direct or indirect confusion either as to source or as to sponsorship, both of which are prohibited by Section 4 of Law No. 22.362, and also by its Section 31(b), which prohibits the use of another person's trademark without his consent. Comparative advertising further causes dilution of the mark by obscuring, denigrating or otherwise spoiling its sales potential and its appeal in trade. It causes irreparable harm to the owner of the mark (Civil Code, Section 1109), and unjustified enrichment to the person who uses it as a reference for his own goods or services.

No one seems to realize—and not only in Argentina—that distinctive signs, and with all the more reason well-known distinctive signs and most especially trademarks—are property in the sense of immaterial goods susceptible of valuation (Civil Code, Section 2312), and things by virtue of their representative value (Civil Code, Section 2313). Neither does anyone realize that there are property or ownership rights in them—which are intrinsic—or that, in Argentine law, such rights are exclusive (Civil Code, Section 2508), which means that their owner has the right to prohibit unauthorized third parties from using them and deriving benefit from them (Civil Code, Section 2516).

Clearly, then, no one has the right to make use of another's property to advertise his own goods. All the more so when the right of property is rooted in Argentina's Constitution. Section 17 of our fundamental charter declares property to be inviolable, and that alone confirms the radical unconstitutionality of the draft we are referring to.

## II. Case Law

### 1. New Creations

During this four-year period there has been no great abundance of case law in the field of patents and industrial designs. At any rate, there have not been any significant rulings or novel interpretations of any of the sensitive aspects of the law on new creations, only routine matters that do not require detailed comment.

### 2. Trademarks

In the trademark field, on the other hand, the courts have proceeded ever more enthusiastically and clearly with their jurisprudential moralizing in commercial and industrial activity. Their frontal attack on trademark piracy has been exemplary.

They have dispensed with the niceties of law and punished anything that constitutes a departure from the normal standards of fairness and good faith. Clear illus-

trations of such copybook rulings are to be seen *In re Gonzalo B. Rivarola v. United Pictures Syndicate, Inc.* of March 17, 1989, and *Microsoft Corporation v. Siswork S.A.* of March 21, 1989, in which the majority of the court applied themselves less to the details of laws and decrees and mere abstract comparison of the disputed signs than to the fundamental task of doing justice and punishing acts infringing the moral rule written into Section 953 of the Civil Code, which in the first-mentioned judgment was defined as "the pillar of positive law."

It was not for nothing that the following was said *In re Cambucci S.A. Ind. Texteis v. Teradys S.R.L. et al.* (C.N., Fed. Cap., Room II, case 6066 of October 25, 1988):

"To admit anything else would amount to conscious renunciation of the objective truth arising from the circumstances of the case in favor of unacceptable formalities, that being an attitude clearly at variance with the service of justice, the preservation of which is the prime task of judges (cf. *Corte Suprema, Fallos*, 247-176; 268-413; 283-90, 294-392, and many others)."

### 3. Trademark Piracy

In recent years there has been a formidable increase in court decisions condemning trademark piracy, the latter being understood as the action of those who either knowingly register the trademarks of others or, when they do so, should have known that they belonged to someone else. For a better understanding of this development we need only look at a few historical facts.

(i) At the beginning it was thought that only the person who registered the trademark was entitled to it, even where the true owner was someone else. That was the extreme application of the attributive system laid down by the relevant law.

(ii) From 1928 onwards the courts started to take a different view. They established that, if a trademark had been used previously in Argentina, the third party's registration was invalid because it contravened the provisions of Section 953 of the Civil Code. In that way the goodwill that the trademark had attracted was protected. If, on the other hand, there was no goodwill, that is, no prior use of the trademark in the country, invalidation proceedings could not be brought.

(iii) As from the case of the "Mosquito" trademark (*Moto Garelli S.p.A. v. Remo R. Bianchedi*), which was settled in 1952, it was decided that there was no need for the existence of any goodwill in the country. It was sufficient for there to be proof that the person who had wrongfully registered another person's mark in this country was aware of the existence of the trademark abroad and of its application to certain specific goods. That was the argument that we call "explicit knowledge."

(iv) In 1971, with the "La Vaca que Ríe" case (*Fromageries Bel S.A. v. Enrique Ivaldi*), another step forward was made. The doctrine which we call "implicit knowledge" was established.

It was not yet necessary to prove that the person who had registered a third party's trademark knew that it did

not belong to him. From the fact that the registered mark—actually a label was involved—was a copy of a third party's mark and had been registered to distinguish the same goods as were distinguished abroad by that other mark, it was inferred that that knowledge was implicit at the time of the application for registration. The slavish copying of a foreign mark was in itself an act contrary to proper practice and to third-party rights, and expressly prohibited by Section 953 of the Civil Code. As a result of this case, the courts adopted the objective rule whereby the similarity or copying of a foreign mark was sufficient for the invalidity of the wrongfully registered national mark to be established.

(v) Another step forward was taken in 1980, with the case of the "Montagut" trademark (*Bonnerie Covelone S.A. v. Roseda S.A. y Pylsa, Privilegios y Licencias Internacionales*), which established the doctrine whereby it is not necessary to provide proof that the action of the person who has registered another person's mark was based on an unlawful motive. It was sufficient—indeed this had already been ruled by the Supreme Court (*Fallos T. 258-249*)—to prove the existence of behavior which objectively might appear unlawful, like the copying of a foreign mark—for a registration effected in Argentina to be invalidated.

These principles were written into the present Law, No. 22.362, Section 24(b) of which declares null and void trademarks registered by a person who, when applying for registration, knew or should have known that they belonged to a third party.

The latest cases have not even required the use of the foreign mark in Argentina. This was the ruling *In re Dulces y Conservas Helios S.A. v. Antonio Campana*, in a decision handed down by Room II on September 10, 1988, invalidating an Argentine registration because it was the same as another, prior registration made abroad by the plaintiff.

"It matters little whether the imitative reproduction refers to a *de facto* mark (those registered by the plaintiff possess different characteristics), once it is established that the reproduction—which blatantly goes beyond the bounds of mere change—allows the action of the defendant to be described as fraudulent and in bad faith.

The moral certainty of bad faith allows the mark obtained to be declared invalid insofar as it is a title that has been acquired in a procedure that is contrary to national public policy (Civil Code, Section 953)."

Then, in the case of the "Penalty" trademark, a non-descriptive sign, in an action brought by *Cambucci S.A. Ind. Texteis v. Teradys S.R.L. et al.*, seeking the invalidation of the registration of the mark in question and the cessation of use of the sign by Teradys S.R.L., Room II of the Federal Chamber of Buenos Aires, in a ruling dated October 25, 1988, ordered the invalidation and cessation of use sought by Cambucci S.A. on the ground that the Brazilian firm in question had registered the non-descriptive mark "Penalty" in Brazil on February 3, 1970, to identify clothes and clothing accessories.

"Under such circumstances," said the Court, "and still bearing in mind the strict rule whereby what has to be ruled upon is the invalidity of a mark already granted, because it gives its owner an

acquired right (cf. this Room, cases 7343 of December 28, 1979, 2938 of September 18, 1984, and the precedents referred to, etc.). I cannot but conclude that the trademarks registered in favor of Messrs. Kaplanian constitute mere copies of the sign of which the plaintiff is the owner and user, as to decide the contrary would be tantamount to ascribing their identicalness, which has just been established—to a “miraculous chance” (cf. vote of Dr. Bidau *In re Fromageries Bel S.A. v. Valdi*, ruling dated February 28, 1961, C.N. Fed., Civil and Commercial Room, then the only one), so that it is appropriate to declare the signs invalid pursuant to the provisions of Section 953 of the Civil Code (cf. also Sections 3(a) and (b) and 24(b) of Law No. 22.362, and Article 6bis(1) of the Paris Convention, ratified by Law No. 17.011; cf. this Chamber, cases 5565 of August 19, 1977, 5022 of October 24, 1978, 1661 of December 17, 1982, 6027 of September 20, 1988, and others).

That is so even where it is held that the defendants—in the hypothesis most favorable to them—were not motivated by the specific desire to divert to themselves the goodwill of the owner of the signs copied, as the possibility of misappropriation of copies need only exist for their registration to become unlawful (cf. Supreme Court, doctrine of *Fallos* 253-267, repeated in 258-52), insofar as the purpose of the relevant law has not been fulfilled by the protection of the interests of the individuals, the interests of the consuming public, who should not be deceived as to the origin of the goods, being also at issue (cf. *Corte Suprema, Fallos* 257-45, 259-282, 267-360, 272-290, 279-150 and others).”

(vi) Finally, in its unceasing battle against trademark piracy, the Federal Chamber of Buenos Aires, in the case of the “C & A” trademark (*Carlos Moises Abitboul v. C & A Nederland*) declared invalid in February 1988 the application for the “C & A” trademark filed by the plaintiffs, and in addition condemned the latter to change and to stop using the “C & A” trademark as the trade name and business style of their business and as a trademark for the goods manufactured by them. The trend-setting character of this ruling, in which we ourselves were representing the Dutch firm, is readily understood if one bears in mind that the “C & A” trademark had never been used before in Argentina, although the disloyal motives of the plaintiffs could be inferred from their behavior.

### *The Protection of de facto Marks*

The subject of the protection of *de facto* marks is connected with the above. I have always thought that the registered mark derived specific protection from the relevant law, and that unregistered marks were protected by common law or, if preferred, by the theory of unfair competition and the provisions on its prevention.

This idea was rightly expressed *In re El Valle de Uco S.R.L. v. Eugenio O. Rebolo et al.*, ruled upon by Room II of the Federal Chamber of Buenos Aires on October 21, 1988, in which the following was said:

“Now one of the purposes of the Law on Trademarks is the protection of proper trade practices (*Fallos*: 255-26, 257-45, 259-282, 267-360, 272-290, 279-150). Those who demand respect for the right to goodwill generated by legitimate use of a trademark, and in many cases through “*de facto*” use of this means of product identification. For while it is true that the law has adopted the so-called “attributive system,” it is equally true that it cannot be applied as a strictly formal rule, depriving unregistered marks of the protection that derives from the general principles of law, whether by way of protection for the goodwill in question or perhaps to restrain practices contrary to good faith (cf. C.N. Fed., Civil and Commercial Room—then the only one—LLT 129, p. 1038, sum 16.770, *idem* Room II, decisions 6291 of May 23, 1978, and 22 of October 17, 1980, the precedents referred to, and others).”

This protection for *de facto* marks comes into effect in three situations:

- (a) in the case of opposition to trademark applications;
- (b) where the invalidation of trademark registrations is sought;
- (c) in injunction proceedings to restrain unauthorized use of trademarks.

(a) For more than 60 years our courts have recognized that the person who makes use of the trademark and has generated goodwill around it may oppose its registration by a third party. Although in fact the present Law does not expressly say so, it is clear that, outside the above principles, the owner of a *de facto* mark has the “legitimate interest” which under Section 4 of Law 22.362 qualifies him to bring opposition proceedings (cf. *Companhia Industrial de Conservas Alimenticias CICA S.A. v. Companhia Industrial e Mercantil Paoletti*, decision 5823 of February 24, 1989, and *El Valle de Uco S.R.L. v. Eugenio O. Rebolo et al.*, decision 6184 of October 21, 1988).

(b) In Federal case law, a succession of rulings from 1928 onwards have also found for trademark invalidations sought by the owners of prior *de facto* marks. That indeed is true of the “Penalty” trademark to which we referred earlier.

(c) In 1952, on the basis of the case of the “Valle-viejo” mark (*Orandi y Massera S.R.L. v. Francisco Traversa*), the courts recognize that the owner of a *de facto* mark could have a third party ordered to discontinue the use of another mark susceptible of confusion with it. *In re Akapol S.A. v. Dos Mil S.R.L.*, in a decision dated April 19, 1988, Room III of the Federal Chamber of Buenos Aires drew on that precedent, but without actually quoting it: it ordered the imitator of a *de facto* mark to desist from the use of the imitation.

In the above case the *de facto* mark was used in Argentina. Does the same doctrine apply also if the *de facto* mark has established itself through use abroad?

An affirmative reply was given by Room II of the Federal Chamber of Buenos Aires *In re Blendax Werke, R. Schneider G.m.b.H. v. Unilever Limited*. The case involved an idea—the graphic representation of an apple with a bite out of it—publicized (and so not a mere abstract idea) in the Federal Republic of Germany by the plaintiff, which Unilever Ltd., being a private limited company in the United Kingdom, had registered as a mark to identify toothpaste in our country. In a decision dated September 20, 1988, Room II found for the invalidation in the following terms:

“While it is certain that the advertising was done mainly in Germany and not in our country, that is not sufficient to deny protection—whether intellectual property protection or protection as a *de facto* mark—because it is clear that Unilever Ltd. also has its domicile in Germany...and therefore should have known of its rival’s advertising on the small toothpaste market. The fact of copying the idea of the advertisement brings into play the guiding principle of Section 953 of the Civil Code, and it is appropriate to mention—at this level—that while it is true that, to make a

trademark, it is not necessary actually to create the sign (it can be simply appropriated), the rule is subject to the obvious exception of the appropriation of someone else's idea for application to the same type of goods. The latter practice neither deserves nor receives protection under the law."

Further on, the same ruling says the following:

"On the merits of the evidence that I have outlined, which on the whole is sound, I have come to the conclusion that Unilever Ltd., by making the deposit with the Copyright Directorate and the registration with the Directorate of Industrial Property—both in 1976—intended to appropriate another person's idea that was liable to qualify as a *de facto* mark. Therefore, in the interest of the protection of fair trade practices and by virtue of Section 953 of the Civil Code, I maintain that trademark 859:148/8, renewed by instrument I.561.408 (fs. 544) should be invalidated."

Similarly, *In re Companhia Industrial de Conservas Alimenticias CICA S.A. v. Companhia Industrial e Mercantil Paoletti*, in a decision dated February 24, 1989, Room III of the Federal Chamber of Buenos Aires found for an opposition to the registration of marks applied for by the plaintiff, and dismissed the latter's action on the ground that the goods bearing the disputed marks had been distributed essentially in Brazil, and that both companies were Brazilian, indeed both located in São Paulo.

"It is hard to believe, said the Chamber, that the plaintiff had no knowledge of the defendant's use of the 'Pomaretti' trademark, regardless of the fact that the latter did not prove that it had registered the mark in Brazil. And if the plaintiff was not unaware of that fact, there is cause to doubt his good faith, which brings us into the purview of the prohibitions of Section 953 of the Civil Code (cf. Room I, Decision 29 of April 7, 1981, Room II, decision 2259 of November 4, 1983, etc.)."

#### 4. Grounds for Opposition to the Registration of Marks

Law No. 22.362 on Trademarks and Designations does not specify exactly the grounds for opposition to the registration of marks. Its Sections 2 and 3 merely mention some of them, not all. Nevertheless, its Section 4, by providing that, in order to exercise the right to oppose the registration or use of a mark, the opponent is required to have a legitimate interest, has the effect of a general principle, which has enabled the courts to extend the grounds for opposition to other circumstances not expressly provided for in the Law.

For instance, it has been ruled that the following, among others, have a legitimate interest in opposition:

- (a) the owner of a *de facto* mark, as we saw under 3, above;
- (b) the owner of copyright. The first case is to be found in the action for invalidation of the "La Vaca que Ríe" mark (*Fromageries Bel S.A. v. Enrique Ivaldi*), in which we had the honor of participating. In that case, apart from having recourse to Section 953 of the Civil Code, we contended that Mr. Ivaldi's registration was invalid as it infringed the copyright owned by Fromageries Bel S.A. The latter had indeed commissioned the famous French animal artist Benjamin Rabier to do the drawing for the well-known laughing cow label used to identify "La Vaca que Ríe" cream cheeses. Rabier then assigned his economic rights to Fromageries Bel S.A.,

and we argued the latter's ownership of the rights as the grounds for the invalidation of the Argentine registration. The court, in line with the doctrine according to which the court may judge without taking into account all the arguments put forward by the parties when deciding a case (cf. 258-304 and 307-262-222, 265-301, 272-225, 274-113, 276-132, 278-271, 280-320, etc.), did not address that one.

Nearly 20 years later, *In re La Casa del Café S.A. v. D.C. Comics, Inc.*, we, in our defense of the latter, invoked their copyright in the likeness and name of "Superboy" as grounds for opposition to a registration sought by the defendant. This time the Federal Chamber of the Capital, Room I, in a ruling dated November 10, 1981, upheld by the Supreme Court on October 3, 1983, found for our copyright-based opposition to a trademark registration.

This decision set a precedent. It was repeated, this time by Room II *In re Blendax Werke, R. Schneider G.m.b.H. v. Unilever Limited*, case 6027, dated September 20, 1988, which we have already mentioned, and *In re Gonzalo Braulio Rivarola v. United Pictures Syndicate, Inc.* ("Snoopy" trademark and character), case 6251, dated March 17, 1989. In the latter action the following was said:

"The existence of this intellectual right, and its indisputable precedence in time over the trademark application, lead one to consider the opposition well founded, as have, in comparable cases, Room I (case 717 of November 10, 1981), this same Room II (case 6027 of September 20, 1988) and the Supreme Court (*Fallos*, 305-1589). The point is that the owner of intellectual property has, in terms of Section 4 of Trademark Law No. 22.362, a genuine legitimate interest in preventing third parties from using his creation without his consent to distinguish goods or services (case 6027 referred to)."

(c) The owner of an industrial design.

In case 3710, *Alpargatas S.A.I. y C. v. Panamericana de Plásticos S.A.I. y C.*, ruled upon by Room II of the Federal Chamber of Buenos Aires on April 24, 1986, it was decided that:

"It is equally beyond dispute, as has been ruled on numerous occasions by the present Chamber, that it is right to oppose an application for the registration of a 'connected' mark on the ground of its similarity to a previously deposited industrial design."

#### 5. Parallel Imports

This question has exercised our Federal courts for a long time.

More recently, *In re Franc Mode S.A. v. Dante S.R.L.*, case 3139, ruled on by Room I of the Federal Chamber of the Capital on October 18, 1985, it was judged that no one could, without the authorization of the owner of the Argentine trademark registration, import goods that bore the mark in question.

"No one may encroach on the area accorded to the mark, and whoever does so, regardless of his intentions, commits a civil offense susceptible of repression under both criminal and civil law."

#### Secondary Meaning and the "Distance Doctrine"

Finally we should mention an indication that our case law is bringing itself into line with the times.

The "secondary meaning" theory (rendered as *significado secundario* by Breuer Moreno and as *segundo significado* by Zavala Rodríguez) has not yet won full acceptance in our case law.

Nevertheless, in a ruling of April 11, 1989, handed down in case 5680, *Listas Argentinas S.A.C.E.I. v. Guía de la Industria S.A.*, by Room III of the Federal Chamber of the Capital, it seems to be suggested that this doctrine might be accepted: it rejected an application for invalidation of the mark "Guía de la Industria," in which it was alleged that it was the normal, everyday name of the product that it distinguished, namely, a compilation of data concerning industrial enterprises and businesses connected with industry. The grounds for the rejection were that the fact of the "Guía de la Industria" having been systematically published every year since 1956, and the fact of the first registration having been granted in 1961,

"gives one every reason to believe that the mark in question is sufficiently different from what might be considered the normal or necessary designations for such kinds of compilation."

The use of the name for so many years meant, for the consuming public, that only the product of a particular

trader was involved. There was no doubt that the "Guía de la Industria" had acquired a meaning that it had not had previously, and that the decision of the court that found the mark valid was correct.

In case 6146, labelled *Laboratorios Bago S.A. v. Aktiebolaget Astra*, decided on May 31, 1989, by Room III of the Federal Chamber, there are signs of incipient acceptance of the "distance doctrine" [*Abstandslehre*] which evolved about a quarter of a century ago in Germany and which is beginning to be recognized in other jurisdictions. According to it, as Van Bunn points out, the owner of a mark cannot demand that his opponent's mark be situated, in relation to his own, at a greater "distance" than that accepted by him in relation to earlier marks. In the case referred to here, it was ruled that the plaintiff's "Astropen" mark could coexist with the "Astra" mark of the defendant and opponent. This was above all because "Astra" already coexisted with the mark "Astrodent" for similar goods.

As we can see, Argentine case law is progressing, not regressing, and it continues to maintain its high ethical standard; we find this very gratifying.

## News Items

### CAMEROON

*Director of Industry,  
Service for Standardization and Industrial Property*

We have been informed that Mr. Celestin Ndonga has been appointed Director of Industry, Service for Standardization and Industrial Property.

### IRAN (ISLAMIC REPUBLIC OF)

*Director General,  
Registration Organization of Deeds and  
Intellectual and Industrial Property*

We have been informed that Mr. Seyed Reza Zavareie has been appointed Director General of the Registration Organization of Deeds and Intellectual and Industrial Property.

## Calendar of Meetings

### WIPO Meetings

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

1990

- January 29 to February 2 (Geneva)** **Committee of Experts on the Interface Between Patent Protection and Plant Breeders' Rights** (jointly organized by WIPO and the International Union for the Protection of New Varieties of Plants (UPOV))
- The Committee will examine the interface between patent protection and plant breeders' rights, on the basis of documents of the International Bureau of WIPO and the Office of UPOV.  
*Invitations:* States members of WIPO, UPOV or the United Nations and, as observers, certain organizations.
- February 19 to 23 (Geneva)** **Committee of Experts on the Settlement of Intellectual Property Disputes Between States (First Session)**
- The Committee will examine whether the preparation of a new treaty on the settlement of disputes between States in the field of intellectual property should start and, if so, with what content.  
*Invitations:* States members of the Paris Union, the Berne Union or WIPO or party to the Nairobi Treaty and, as observers, certain organizations.
- March 12 to 16 (Geneva)** **Working group on the application of the Madrid Protocol of 1989 (First Session)**
- This working group will consider the draft of new Regulations under the Stockholm Act of the Madrid Agreement Concerning the International Registration of Marks and the Protocol (adopted in Madrid in June 1989) relating to the said Agreement and will suggest other measures required by the co-existence of the Madrid (Stockholm) Agreement and the said Protocol.  
*Invitations:* States members of the Madrid Union, States having signed or acceded to the Protocol, Greece, Ireland, the European Communities and, as observers, other States members of the Paris Union expressing their interest in participating in the Working Group in such capacity and certain non-governmental organizations.
- May 28 to June 1 (Geneva)** **Committee of Experts on the International Protection of Indications of Source and Appellations of Origin**
- The Committee will advise the International Bureau of WIPO on the possible conclusion of a new treaty on the international protection of indications of source and appellations of origin or the possible revision of the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and on the possibilities of increasing the use of the registration facilities of that Agreement.  
*Invitations:* States members of the Paris Union and, as observers, certain organizations.
- June 5 to 8 (Geneva)** **Consultative meeting of developing countries on the harmonization of patent laws**
- This consultative meeting will, on the basis of working documents prepared by the International Bureau of WIPO, study problems of particular relevance to developing countries in connection with the preparation of a treaty on the harmonization of certain provisions in laws for the protection of inventions.  
*Invitations:* Developing countries members of the Paris Union or WIPO.
- June 11 to 22 (Geneva)** **Committee of Experts on the Harmonization of Certain Provisions in Laws for the Protection of Inventions (Eighth Session)**
- The Committee will continue to examine a draft treaty on the harmonization of certain provisions in laws for the protection of inventions.  
*Invitations:* States members of the Paris Union and, as observers, States members of WIPO not members of the Paris Union and certain organizations.
- June 11 to 22 (Geneva)** **Preparatory meeting for the diplomatic conference on the adoption of a treaty on the harmonization of patent laws**
- The preparatory meeting will prepare the organization of the diplomatic conference which will negotiate and adopt a new treaty on the harmonization of patent laws. The preparatory meeting will, in particular, establish the draft rules of procedure of the diplomatic conference and decide which States and inter-governmental and non-governmental organizations should be invited to the diplomatic conference and in what tentative capacity.  
*Invitations:* States members of the Paris Union.

- June 25 to 29 (Geneva)** **Committee of Experts on the Harmonization of Laws for the Protection of Marks (Second Session)**  
The Committee will continue to examine draft treaty provisions on the harmonization of laws for the protection of marks.  
*Invitations:* States members of the Paris Union, the European Communities and, as observers, States members of WIPO not members of the Paris Union and certain organizations.
- July 2 to 6 (Geneva)** **PCT Committee for Administrative and Legal Matters (Third Session)**  
The Committee will examine proposals for amending the Regulations under the Patent Cooperation Treaty (PCT), in particular in connection with the procedure under Chapter II of the PCT.  
*Invitations:* States members of the PCT Union and, as observers, States members of the Paris Union not members of the PCT Union and certain organizations.
- July 2 to 13 (Geneva)** **Committee of Experts on Model Provisions for Legislation in the Field of Copyright (Third Session)**  
The Committee will continue to consider proposed standards in the field of literary and artistic works for the purposes of national legislation on the basis of the Berne Convention for the Protection of Literary and Artistic Works.  
*Invitations:* States members of the Berne Union or WIPO and, as observers, certain organizations.
- September 24 to October 2 (Geneva)** **Governing Bodies of WIPO and the Unions Administered by WIPO (Twenty-First Series of Meetings)**  
Some of the Governing Bodies will meet in ordinary session, others in extraordinary session.  
*Invitations:* As members or observers (depending on the body), States members of WIPO or the Unions and, as observers, other States and certain organizations.
- October 15 to 26 (Geneva)** **Committee of Experts Set up under the Nice Agreement (Sixteenth Session)**  
The Committee will complete the fifth revision of the classification established under the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks.  
*Invitations:* States members of the Nice Union and, as observers, States members of the Paris Union not members of the Nice Union and certain organizations.
- \*October 22 to 26 (Geneva)** **Committee of Experts on the Interface Between Patent Protection and Plant Breeders' Rights (Second Session)** (jointly organized by WIPO and UPOV)  
The Committee will continue to examine the interface between patent protection and plant breeders' rights.  
*Invitations:* States members of WIPO, UPOV or the United Nations and, as observers, certain organizations.
- October 29 to November 2 (Geneva)** **Committee of Experts on a Protocol to the Berne Convention (First Session)**  
The Committee will examine whether the preparation of a protocol to the Berne Convention for the Protection of Literary and Artistic Works should start, and—if so—with what content.  
*Invitations:* States members of the Berne Union and, as observers, States members of WIPO not members of the Berne Union and certain organizations.
- October 29 to November 2 (Geneva)** **Working group on a possible revision of the Hague Agreement (First Session)**  
This working group will consider possibilities for revising the Hague Agreement Concerning the International Deposit of Industrial Designs, or adding to it a protocol, in order to introduce in the Hague system further flexibility and other measures encouraging States not yet party to the Hague Agreement to adhere to it and making it easier to use by applicants.  
*Invitations:* States members of the Hague Union and, as observers, States members of the Paris Union not members of the Hague Union and certain organizations.
- \*November 5 to 9 (Geneva)** **Committee of Experts on Measures Against Counterfeiting and Piracy (Second Session)**  
The Committee will continue to consider draft model provisions for national laws on protection against counterfeiting and piracy.  
*Invitations:* States members of the United Nations or specialized agencies and, as observers, certain organizations.
- \*November 19 to 23 (Geneva)** **Committee of Experts on the Settlement of Intellectual Property Disputes Between States (Second Session)**  
The Committee will continue the work started during its first session (February 19 to 23, 1990).  
*Invitations:* States members of the Paris Union, the Berne Union or WIPO or party to the Nairobi Treaty and, as observers, certain organizations.

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\* Dates particularly subject to possible change.

- November 26 to 30 (Geneva)**                      **Working group on the application of the Madrid Protocol of 1989 (Second Session)**  
 The working group will continue the work started during its first session (March 12 to 16, 1990).  
*Invitations:* States members of the Madrid Union, States having signed or acceded to the Protocol, Greece, Ireland, the European Communities and, as observers, other States members of the Paris Union expressing their interest in participating in the working group in such capacity and certain non-governmental organizations.
- December 10 to 14 (Geneva)**                      **PCT Committee for Administrative and Legal Matters (Fourth Session)**  
 The Committee will continue the work started during its third session (July 2 to 6, 1990).  
*Invitations:* States members of the PCT Union and, as observers, States members of the Paris Union not members of the PCT Union and certain organizations.
- 1991**
- January 28 to 30 (Geneva)**                      **Information meeting(s) on the revision of the Paris Convention**  
 An information meeting of developing countries members of the Paris Union and China and, if it is so desired, information meetings of any other group of countries members of the Paris Union will take place for an exchange of views on the new proposals which will have been prepared by the Director General of WIPO for amending the articles of the Paris Convention for the Protection of Industrial Property which are under consideration for revision.  
*Invitations:* See the preceding paragraph.
- January 31 and February 1 (Geneva)**                      **Assembly of the Paris Union (Fifteenth Session)**  
 The Assembly will fix the further procedural steps concerning the revision of the Paris Convention and will take cognizance of the aforementioned proposals of the Director General of WIPO. It will also decide the composition of a preparatory meeting which will take place in the first half of 1991.  
*Invitations:* States members of the Paris Union and, as observers, States members of WIPO not members of the Paris Union and certain organizations.
- \*June 3 to 28**    **Diplomatic Conference for the adoption of a treaty on the harmonization of patent laws**  
 This diplomatic conference will negotiate and adopt a treaty on the harmonization of patent laws, which will supplement the Paris Convention as far as patents are concerned.  
*Invitations:* To be decided by the preparatory meeting to be held from June 11 to 22, 1990 (see above).
- September 23 to October 2 (Geneva)**                      **Governing Bodies of WIPO and the Unions Administered by WIPO (Twenty-Second Series of Meetings)**  
 All the Governing Bodies of WIPO and the Unions administered by WIPO meet in ordinary sessions every two years in odd-numbered years.  
 In the sessions in 1991, the Governing Bodies will, *inter alia*, review and evaluate activities undertaken since July 1990, and consider and adopt the draft program and budget for the 1992-93 biennium.  
*Invitations:* States members of WIPO or the Unions and, as observers, other States members of the United Nations and certain organizations.
- \*November 18 to December 6**                      **Diplomatic Conference on the Revision of the Paris Convention for the Protection of Industrial Property (Fifth Session)**  
 The Diplomatic Conference will negotiate and adopt a new Act of the Paris Convention.  
*Invitations:* States members of the Paris Union and, without the right to vote, States members of WIPO or the United Nations not members of the Paris Union as well as, as observers, certain organizations.

## UPOV Meetings

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

### 1990

- April 23 to 27 (a.m.) (Geneva)**                      **First Preparatory Meeting for the Revision of the UPOV Convention**  
*Invitations:* Member States of UPOV.

\* Dates particularly subject to possible change.

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<b>April 27 (p.m.) (Geneva)</b>	<b>Consultative Committee (Forty-First Session)</b> The Committee will mainly discuss the outcome of the First Preparatory Meeting for the Revision of the UPOV Convention. <i>Invitations:</i> Member States of UPOV.
<b>June 25 to 29 (Geneva)</b>	<b>Second Preparatory Meeting for the Revision of the UPOV Convention</b> <i>Invitations:</i> Member States of UPOV.
<b>October 15 and 16 (Geneva)</b>	<b>Third Preparatory Meeting for the Revision of the UPOV Convention</b> <i>Invitations:</i> Member States of UPOV.
<b>October 17 (Geneva)</b>	<b>Consultative Committee (Forty-Second Session)</b> The Committee will prepare the twenty-fourth ordinary session of the Council. <i>Invitations:</i> Member States of UPOV.
<b>October 18 and 19 (Geneva)</b>	<b>Council (Twenty-Fourth Ordinary Session)</b> The Council will examine the reports on the activities of UPOV in 1989 and the first part of 1990 and approve documents for the Diplomatic Conference to Revise the UPOV Convention. <i>Invitations:</i> Member States of UPOV and, as observers, certain non-member States and intergovernmental organizations.

### **Other Meetings Concerned with Industrial Property**

#### **1990**

<b>May 8 to 11 (Washington, D.C.)</b>	Foundation for a Creative America: Bicentennial Celebration of the Enactment of the United States Patent and Copyright Laws
<b>September 30 to October 4 (Harrogate)</b>	International Federation of Industrial Property Attorneys (FICPI): Congress

