

Industrial Property

Published monthly
Annual subscription:
180 Swiss francs
Each monthly issue:
23 Swiss francs

32nd Year - No. 1
January 1993

Monthly Review of the
World Intellectual Property Organization

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CHINA

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Announcement on the Protection of Industrial Property in the Czech Republic Text 1-001

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Announcement on the Protection of Industrial Property in the Slovak Republic Text 1-001

CUMULATIVE INDEX (of legal texts published from February 1976 to December 1992 as an annex to *Industrial Property*)

Treaties

(Status on January 1, 1993)

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) ¹ | |
|---------------------------------------|---|--|---|
| Albania ^{2(C)} | June 30, 1992 | — | — |
| Algeria | April 16, 1975 | P | — |
| Angola ^{2(E)} | 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 | May 11, 1985 | P | — |
| Barbados | October 5, 1979 | P | B |
| Belarus ^{2(C)} | April 26, 1970 | — | — |
| 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 | — |
| 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 | P | B |
| China | June 3, 1980 | P | B |
| 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 |
| Croatia | October 8, 1991 | P | B |
| Cuba | March 27, 1975 | P | — |
| Cyprus | October 26, 1984 | P | B |
| Czech Republic | January 1, 1993 | P | B |
| Democratic People's Republic of Korea | August 17, 1974 | P | — |
| Denmark | April 26, 1970 | P | B |
| Ecuador | May 22, 1988 | — | B |
| Egypt | April 21, 1975 | P | B |
| El Salvador ^{2(E)} | 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 | December 10, 1980 | P | B |

| State | Date on which State became member of WIPO | Member also of Paris Union (P) and/or Berne Union (B) ¹ | |
|-------------------------------------|---|--|---|
| Germany | September 19, 1970 | P | B |
| Ghana | June 12, 1976 | P | B |
| Greece | March 4, 1976 | P | B |
| Guatemala ^{2(D)} | April 30, 1983 | — | — |
| Guinea | November 13, 1980 | P | B |
| Guinea-Bissau | June 28, 1988 | P | B |
| 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 ^{2(E)} | December 25, 1978 | — | — |
| Japan | April 20, 1975 | P | B |
| Jordan | July 12, 1972 | P | — |
| Kenya | October 5, 1971 | P | — |
| Latvia ^{2(C)} | January 21, 1993 | — | — |
| Lebanon | December 30, 1986 | P | B |
| Lesotho | November 18, 1986 | P | B |
| Liberia | March 8, 1989 | — | B |
| Libya | September 28, 1976 | P | B |
| Liechtenstein | May 21, 1972 | P | B |
| Lithuania ^{2(C)} | April 30, 1992 | — | — |
| Luxembourg | March 19, 1975 | P | B |
| Madagascar | December 22, 1989 | P | B |
| Malawi | June 11, 1970 | P | B |
| Malaysia | January 1, 1989 | P | B |
| 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 |
| Namibia ^{2(E)} | December 23, 1991 | — | — |
| Netherlands | January 9, 1975 | P | B |
| New Zealand | June 20, 1984 | P | B |
| Nicaragua ^{2(E)} | May 5, 1985 | — | — |
| Niger | May 18, 1975 | P | B |
| Norway | June 8, 1974 | P | B |
| Pakistan | January 6, 1977 | — | B |
| Panama ^{2(D)} | September 17, 1983 | — | — |
| Paraguay | June 20, 1987 | — | B |
| Peru | September 4, 1980 | — | B |

| State | Date on which State became member of WIPO | Member also of Paris Union (P) and/or Berne Union (B) ¹ | |
|--|---|--|---|
| Philippines | July 14, 1980 | P | B |
| Poland | March 23, 1975 | P | B |
| Portugal | April 27, 1975 | P | B |
| Qatar ^{2(D)} | September 3, 1976 | – | – |
| Republic of Korea | March 1, 1979 | P | – |
| Romania | April 26, 1970 | P | B |
| Russian Federation | December 25, 1991 | P | – |
| Rwanda | February 3, 1984 | P | B |
| San Marino | June 26, 1991 | P | – |
| Saudi Arabia ^{2(A)} | May 22, 1982 | – | – |
| Senegal | April 26, 1970 | P | B |
| Sierra Leone ^{2(S)} | May 18, 1986 | – | – |
| Singapore ^{2(C)} | December 10, 1990 | – | – |
| Slovak Republic | January 1, 1993 | P | B |
| Slovenia | June 25, 1991 | P | B |
| Somalia ^{2(S)} | November 18, 1982 | – | – |
| South Africa | March 23, 1975 | P | B |
| 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 | August 18, 1988 | P | – |
| 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 | B |
| Uganda | October 18, 1973 | P | – |
| Ukraine | April 26, 1970 | P | – |
| United Arab Emirates ^{2(B)} | 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 ^{2(S)} | March 29, 1979 | – | – |
| Yugoslavia | October 11, 1973 | P | B |
| Zaire | January 28, 1975 | P | B |
| Zambia | May 14, 1977 | P | B |
| Zimbabwe | December 29, 1981 | P | B |

(Total: 133 States)

¹ "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.

"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.

² This State is a member of the World Intellectual Property Organization without being a member of either the Paris Union or the Berne Union. The letter in parenthesis indicates the contribution class for this State. Contributions in classes A, B, C, D, E and S correspond to 10, 3, 1, 1/2, 1/4 and 1/8 units, respectively.

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 ¹ 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 ² |
| 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 | VIII | July 10, 1973 | <i>Lisbon:</i> July 10, 1973 Stockholm, Articles 13 to 30: March 10, 1977 |
| Bangladesh | S | March 3, 1991 | Stockholm: March 3, 1991 ² |
| Barbados | IX | 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 | Stockholm, Articles 1 to 12: November 24, 1992 Stockholm, Articles 13 to 30: March 24, 1975 ² |
| Bulgaria | VI | June 13, 1921 | Stockholm, Articles 1 to 12: May 19 or 27, 1970 ³ Stockholm, Articles 13 to 30: May 27, 1970 ² |
| Burkina Faso | S | November 19, 1963 | Stockholm: September 2, 1975 |
| Burundi | S | September 3, 1977 | Stockholm: September 3, 1977 |
| Cameroon | IX | 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 |
| Chile | VIII | June 14, 1991 | Stockholm: June 14, 1991 |
| China | III | March 19, 1985 | Stockholm: March 19, 1985 ² |
| Congo | IX | September 2, 1963 | Stockholm: December 5, 1975 |
| Côte d'Ivoire | VIII | October 23, 1963 | Stockholm: May 4, 1974 |
| Croatia | VII | October 8, 1991 | Stockholm: October 8, 1991 |
| Cuba | VIII | November 17, 1904 | Stockholm: April 8, 1975 ² |
| Cyprus | VIII | January 17, 1966 | Stockholm: April 3, 1984 |
| Czech Republic | V | January 1, 1993 | Stockholm: January 1, 1993 |
| Democratic People's Republic of Korea | VIII | June 10, 1980 | Stockholm: June 10, 1980 |
| Denmark ⁴ | IV | October 1, 1894 | Stockholm, Articles 1 to 12: April 26 or May 19, 1970 ³ Stockholm, Articles 13 to 30: April 26, 1970 |
| <i>Dominican Republic</i> | VIII | <i>July 11, 1890</i> | <i>The Hague:</i> April 6, 1951 |
| Egypt | VIII | July 1, 1951 | Stockholm: March 6, 1975 ² |
| Finland | IV | September 20, 1921 | Stockholm, Articles 1 to 12: October 21, 1975 Stockholm, Articles 13 to 30: September 15, 1970 |
| France ⁵ | I | July 7, 1884 | Stockholm: August 12, 1975 |
| Gabon | VIII | February 29, 1964 | Stockholm: June 10, 1975 |
| Gambia | S | January 21, 1992 | Stockholm: January 21, 1992 |
| Germany | I | May 1, 1903 | Stockholm: September 19, 1970 |
| Ghana | IX | 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 |

| State | Contribution class* | Date on which State became party to the Convention | Latest Act ¹ of the Convention to which State is party and date on which State became party to that Act |
|---------------------------------------|---------------------|--|---|
| Hungary | V | January 1, 1909 | Stockholm, Articles 1 to 12: April 26 or May 19, 1970 ³ Stockholm, Articles 13 to 30: April 26, 1970 ² |
| Iceland | VII | May 5, 1962 | <i>London: May 5, 1962</i> Stockholm, Articles 13 to 30: December 28, 1984 |
| Indonesia | VI | December 24, 1950 | <i>London: December 24, 1950</i> Stockholm, Articles 13 to 30: December 20, 1979 ² |
| <i>Iran (Islamic Republic of)</i> . . | VI | <i>December 16, 1959</i> | <i>Lisbon: January 4, 1962</i> |
| Iraq | VII | January 24, 1976 | Stockholm: January 24, 1976 ² |
| Ireland | IV | December 4, 1925 | Stockholm, Articles 1 to 12: April 26 or May 19, 1970 ³ Stockholm, Articles 13 to 30: April 26, 1970 |
| Israel | VI | March 24, 1950 | Stockholm, Articles 1 to 12: April 26 or May 19, 1970 ³ 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 | IX | July 17, 1972 | Stockholm: July 17, 1972 |
| Kenya | IX | June 14, 1965 | Stockholm: October 26, 1971 |
| Lebanon | IX | September 1, 1924 | <i>London: September 30, 1947</i> Stockholm, Articles 13 to 30: December 30, 1986 ² |
| Lesotho | S | September 28, 1989 | Stockholm: September 28, 1989 ² |
| Libya | VI | September 28, 1976 | Stockholm: September 28, 1976 ² |
| Liechtenstein | VII | July 14, 1933 | Stockholm: May 25, 1972 |
| Luxembourg | VII | June 30, 1922 | Stockholm: March 24, 1975 |
| Madagascar | S | 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 | IX | October 20, 1967 | <i>Lisbon: October 20, 1967</i> Stockholm, Articles 13 to 30: December 12, 1977 ² |
| Mauritania | S | April 11, 1965 | Stockholm: September 21, 1976 |
| Mauritius | IX | 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 | IX | April 21, 1985 | Stockholm: April 21, 1985 ² |
| Morocco | VIII | July 30, 1917 | Stockholm: August 6, 1971 |
| Netherlands ⁶ | III | July 7, 1884 | Stockholm: January 10, 1975 |
| New Zealand ⁷ | V | July 29, 1931 | <i>London: July 14, 1946</i> Stockholm, Articles 13 to 30: June 20, 1984 |
| Niger | S | July 5, 1964 | Stockholm: March 6, 1975 |
| <i>Nigeria</i> | VI | <i>September 2, 1963</i> | <i>Lisbon: September 2, 1963</i> |
| Norway | IV | July 1, 1885 | Stockholm: June 13, 1974 |
| Philippines | VIII | September 27, 1965 | <i>Lisbon: September 27, 1965</i> Stockholm, Articles 13 to 30: July 16, 1980 |
| Poland | V | November 10, 1919 | Stockholm: March 24, 1975 ² |
| 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 ³ Stockholm, Articles 13 to 30: April 26, 1970 ² |
| Russian Federation | I | December 25, 1991 | Stockholm: December 25, 1991 |
| Rwanda | S | March 1, 1984 | Stockholm: March 1, 1984 |
| San Marino | VII | March 4, 1960 | Stockholm: June 26, 1991 |
| Senegal | IX | December 21, 1963 | Stockholm, Articles 1 to 12: April 26 or May 19, 1970 ³ Stockholm, Articles 13 to 30: April 26, 1970 |
| Slovak Republic | V | January 1, 1993 | Stockholm: January 1, 1993 |
| Slovenia | VII | June 25, 1991 | Stockholm: June 25, 1991 |
| South Africa | IV | December 1, 1947 | Stockholm: March 24, 1975 ² |

| State | Contribution class* | Date on which State became party to the Convention | Latest Act ¹ of the Convention to which State is party and date on which State became party to that Act |
|---|---------------------|--|--|
| Spain | IV | July 7, 1884 | Stockholm: April 14, 1972 |
| Sri Lanka | IX | December 29, 1952 | London: December 29, 1952 Stockholm, Articles 13 to 30: September 23, 1978 |
| Sudan | S | April 16, 1984 | Stockholm: April 16, 1984 |
| Suriname | IX | November 25, 1975 | Stockholm: November 25, 1975 |
| Swaziland | IX | May 12, 1991 | Stockholm: May 12, 1991 |
| 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 ³ Stockholm, Articles 13 to 30: April 26, 1970 |
| Syria | VIII | September 1, 1924 | London: September 30, 1947 |
| Togo | S | September 10, 1967 | Stockholm: April 30, 1975 |
| Trinidad and Tobago | VIII | August 1, 1964 | Stockholm: August 16, 1988 |
| Tunisia | VIII | July 7, 1884 | Stockholm: April 12, 1976 ² |
| 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 |
| Ukraine | VII | December 25, 1991 | Stockholm: December 25, 1991 ² |
| United Kingdom ⁸ | I | July 7, 1884 | Stockholm, Articles 1 to 12: April 26 or May 19, 1970 ³ 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 ⁹ | I | May 30, 1887 | Stockholm, Articles 1 to 12: August 25, 1973 Stockholm, Articles 13 to 30: September 5, 1970 |
| Uruguay | VIII | March 18, 1967 | Stockholm: December 28, 1979 |
| Viet Nam | IX | March 8, 1949 | Stockholm: July 2, 1976 ² |
| Yugoslavia | VI | February 26, 1921 | Stockholm: October 16, 1973 |
| Zaire | S | January 31, 1975 | Stockholm: January 31, 1975 |
| Zambia | S | April 6, 1965 | Lisbon: April 6, 1965 Stockholm, Articles 13 to 30: May 14, 1977 |
| Zimbabwe | IX | April 18, 1980 | Stockholm: December 30, 1981 |

(Total: 107 States)

* Contributions in classes I to IX correspond to 25, 20, 15, 10, 5, 3, 1, 1/2 and 1/4 units, respectively. In class S, they correspond to 1/8 of one unit.

¹ "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 2, 1934 (London Act); "The Hague" means the Paris Convention as revised at The Hague on November 6, 1925 (Hague Act).

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

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

⁴ Denmark extended the application of the Stockholm Act to the Farøe Islands with effect from August 6, 1971.

⁵ Including all Overseas Departments and Territories.

⁶ Ratification for the Kingdom in Europe, the Netherlands Antilles and Aruba.

⁷ 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.

⁸ 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.

⁹ 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 |
| Czech Republic | January 1, 1993 | Lisbon: January 1, 1993 | January 1, 1993 |
| Dominican Republic | April 6, 1951 | <i>The Hague: April 6, 1951</i> | – |
| Egypt | July 1, 1952 | Lisbon: March 6, 1975 | March 6, 1975 |
| France ¹ | July 15, 1892 | Lisbon: June 1, 1963 | August 12, 1975 |
| Germany | June 12, 1925 | 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 |
| Lebanon | September 1, 1924 | <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 |
| Morocco | July 30, 1917 | <i>Lisbon: May 15, 1967</i> | – |
| New Zealand | July 29, 1931 | <i>London: May 17, 1947</i> | – |
| Poland | December 10, 1928 | <i>The Hague: December 10, 1928</i> | – |
| Portugal | October 31, 1893 | <i>London: November 7, 1949</i> | – |
| San Marino | September 25, 1960 | Lisbon: June 26, 1991 | June 26, 1991 |
| Slovak Republic | January 1, 1993 | Lisbon: January 1, 1993 | January 1, 1993 |
| Spain | July 15, 1892 | Lisbon: August 14, 1973 | August 14, 1973 |
| Sri Lanka | December 29, 1952 | <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 |
| Syria | September 1, 1924 | <i>London: September 30, 1947</i> | – |
| Tunisia | July 15, 1892 | <i>London: October 4, 1942</i> | – |
| Turkey | August 21, 1930 | <i>London: June 27, 1957</i> | – |
| United Kingdom | July 15, 1892 | Lisbon: June 1, 1963 | April 26, 1970 |

(Total: 31 States)

¹ Including all Overseas Departments and Territories.

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 ¹ | 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 ² | July 15, 1892 | Stockholm: February 12, 1975 |
| Bulgaria | August 1, 1985 | Stockholm: August 1, 1985 |
| China ³ | October 4, 1989 | Stockholm: October 4, 1989 |
| Croatia | October 8, 1991 | Stockholm: October 8, 1991 |
| Cuba ³ | December 6, 1989 | Stockholm: December 6, 1989 |
| Czech Republic | January 1, 1993 | Stockholm: January 1, 1993 |
| Democratic People's Republic of Korea | June 10, 1980 | Stockholm: June 10, 1980 |
| Egypt | July 1, 1952 | Stockholm: March 6, 1975 |
| France ⁵ | July 15, 1892 | Stockholm: August 12, 1975 |
| Germany | December 1, 1922 | Stockholm: September 19, or December 22, 1970 ⁴ |
| Hungary | January 1, 1909 | Stockholm: September 19, or December 22, 1970 ⁴ |
| Italy | October 15, 1894 | Stockholm: April 24, 1977 |
| Liechtenstein | July 14, 1933 | Stockholm: May 25, 1972 |
| Luxembourg ² | September 1, 1924 | Stockholm: March 24, 1975 |
| Monaco | April 29, 1956 | Stockholm: October 4, 1975 |
| Mongolia ³ | April 21, 1985 | Stockholm: April 21, 1985 |
| Morocco | July 30, 1917 | Stockholm: January 24, 1976 |
| Netherlands ^{2,6} | March 1, 1893 | Stockholm: March 6, 1975 |
| Poland ³ | March 18, 1991 | Stockholm: March 18, 1991 |
| Portugal | October 31, 1893 | Stockholm: November 22, 1988 |
| Romania | October 6, 1920 | Stockholm: September 19, or December 22, 1970 ⁴ |
| Russian Federation | December 25, 1991 | Stockholm: December 25, 1991 |
| San Marino | September 25, 1960 | Stockholm: June 26, 1991 |
| Slovak Republic | January 1, 1993 | Stockholm: January 1, 1993 |
| Slovenia | June 25, 1991 | Stockholm: June 25, 1991 |
| Spain ⁷ | 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 ⁴ |
| Ukraine | December 25, 1991 | Stockholm: December 25, 1991 |
| Viet Nam | March 8, 1949 | Stockholm: July 2, 1976 |
| Yugoslavia | February 26, 1921 | Stockholm: October 16, 1973 |

(Total: 33 States)

¹ All the States have declared, under Article 3*bis* of the Nice or Stockholm Act, that the protection arising from international registration shall not extend to them unless the proprietor of the mark so requests (the dates in parentheses indicate the effective date of the declaration in respect of each State): Algeria (July 5, 1972), Austria (February 8, 1970), Belgium (December 15, 1966), Bulgaria (August 1, 1985), China (October 4, 1989), Croatia (October 8, 1991), Cuba (December 6, 1989), Czech Republic (January 1, 1993), Democratic People's Republic of Korea (June 10, 1980), Egypt (March 1, 1967), France (July 1, 1973), Germany (July 1, 1973) (October 25, 1967, in respect of the German Democratic Republic), 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), Poland (March 18, 1991), Portugal (December 15, 1966), Romania (June 10, 1967), Russian Federation (December 25, 1991), San Marino (August 14, 1969), Slovak Republic (January 1, 1993), Slovenia (June 25, 1991), Spain (December 15, 1966), Sudan (May 16, 1984), Switzerland (January 1, 1973), Ukraine (December 25, 1991), Viet Nam (July 2, 1976) (May 15, 1973, in respect of the Republic of South Viet-Nam), Yugoslavia (June 29, 1972).

² 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.

³ 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; Poland: March 18, 1991.

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

⁵ Including all Overseas Departments and Territories.

⁶ 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.

⁷ 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),¹ supplemented by the Additional Act of Monaco (1961),² the Complementary Act of Stockholm (1967) and the Protocol of Geneva (1975),³ 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 ¹ | Date on which State became party to the Complementary Act of Stockholm |
|---|---|--|--|--|
| Belgium ^{4,5} | April 1, 1979 | – | August 1, 1984 | May 28, 1979 |
| Benin | November 2, 1986 | November 2, 1986 | November 2, 1986 | January 2, 1987 |
| Democratic People's Republic of Korea . . | May 27, 1992 | – | May 27, 1992 | May 27, 1992 |
| Egypt | July 1, 1952 | July 1, 1952 | – | – |
| France ⁶ | October 20, 1930 | June 25, 1939 | August 1, 1984 | September 27, 1975 |
| Germany | June 1, 1928 | June 13, 1939 | August 1, 1984 | September 27, 1975 |
| Holy See | September 29, 1960 | September 29, 1960 | – | – |
| Hungary ⁷ | 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 ⁵ | 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 ^{4,5} | April 1, 1979 | – | August 1, 1984 ⁸ | May 28, 1979 ⁸ |
| Romania | July 18, 1992 | – | July 18, 1992 | July 18, 1992 |
| 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: 21 States)

¹ 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, Italy, Liechtenstein, Monaco, Netherlands, Switzerland.

² The Additional Act of Monaco (1961) is in force in respect of the following States as from the dates indicated: France (December 1, 1962), Germany (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.

³ 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 (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.

⁴ 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.

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

⁶ Including all Overseas Departments and Territories.

⁷ With the declaration that Hungary does not consider itself bound by the Protocol annexed to the Hague Act (1960).

⁸ 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 |
| Croatia | October 8, 1991 | Geneva: October 8, 1991 |
| Czech Republic | January 1, 1993 | Geneva: January 1, 1993 |
| Denmark ¹ | November 30, 1961 | Geneva: June 3, 1981 |
| Finland | August 18, 1973 | Geneva: February 6, 1979 |
| France ² | April 8, 1961 | Geneva: April 22, 1980 |
| Germany | 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 ³ |
| Italy | April 8, 1961 | Geneva: February 19, 1983 |
| Japan | February 20, 1990 | Geneva: February 20, 1990 |
| <i>Lebanon</i> | <i>April 8, 1961</i> | <i>Nice: April 8, 1961</i> |
| 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 ⁴ | August 20, 1962 | Geneva: August 15, 1979 |
| Norway | July 28, 1961 | Geneva: July 7, 1981 |
| Portugal | April 8, 1961 | Geneva: July 30, 1982 |
| Russian Federation | December 25, 1991 | Geneva: December 25, 1991 |
| Slovak Republic | January 1, 1993 | Geneva: January 1, 1993 |
| Slovenia | June 25, 1991 | Geneva: June 25, 1991 |
| 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 |
| <i>Tunisia</i> | <i>May 29, 1967</i> | <i>Nice: May 29, 1967</i> |
| 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: 36 States)

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

² Including all Overseas Departments and Territories.

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

⁴ 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 |
| Czech Republic | January 1, 1993 | Stockholm: January 1, 1993 |
| France ¹ | 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 | Stockholm: April 17, 1991 |
| Slovak Republic | January 1, 1993 | Stockholm: January 1, 1993 |
| Togo | April 30, 1975 | Stockholm: April 30, 1975 |
| Tunisia | October 31, 1973 | Stockholm: October 31, 1973 |

(Total: 17 States)

¹ 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 |
|-------------------------------|---|------------------------------------|---|
| Austria | September 26, 1990 | Netherlands ² | March 30, 1977 |
| Croatia | October 8, 1991 | Norway | April 27, 1971 |
| Czech Republic | January 1, 1993 | Russian Federation | December 25, 1991 |
| Denmark | April 27, 1971 | Slovak Republic | January 1, 1993 |
| Finland | May 16, 1972 | Slovenia | June 25, 1991 |
| France ¹ | September 13, 1975 | Spain | November 17, 1973 |
| Germany | October 25, 1990 | 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: 19 States)

¹ Including all Overseas Departments and Territories.

² 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 | Luxembourg | April 30, 1978 |
| Austria | April 23, 1979 | Madagascar ⁵ | January 24, 1978 |
| Barbados | March 12, 1985 | Malawi | January 24, 1978 |
| Belgium | December 14, 1981 | Mali | October 19, 1984 |
| Benin | February 26, 1987 | Mauritania | April 13, 1983 |
| Brazil | April 9, 1978 | Monaco | June 22, 1979 |
| Bulgaria ¹ | May 21, 1984 | Mongolia | May 27, 1991 |
| Burkina Faso | March 21, 1989 | Netherlands ⁶ | July 10, 1979 |
| Cameroon | January 24, 1978 | New Zealand | December 1, 1992 |
| Canada | January 2, 1990 | Niger | March 21, 1993 |
| Central African Republic | January 24, 1978 | Norway ² | January 1, 1980 |
| Chad | January 24, 1978 | Poland ⁷ | December 25, 1990 |
| Congo | January 24, 1978 | Portugal | November 24, 1992 |
| Côte d'Ivoire | April 30, 1991 | Republic of Korea | August 10, 1984 |
| Czech Republic | January 1, 1993 | Romania ¹ | July 23, 1979 |
| Democratic People's Republic of Korea | July 8, 1980 | Russian Federation ¹ | December 25, 1991 |
| Denmark | December 1, 1978 | Senegal | January 24, 1978 |
| Finland ² | October 1, 1980 | Slovak Republic | January 1, 1993 |
| France ^{1, 3} | February 25, 1978 | Spain ⁴ | November 16, 1989 |
| Gabon | January 24, 1978 | Sri Lanka | February 26, 1982 |
| Germany | January 24, 1978 | Sudan | April 16, 1984 |
| Greece ⁴ | October 9, 1990 | Sweden ² | May 17, 1978 |
| Guinea | May 27, 1991 | Switzerland ⁴ | January 24, 1978 |
| Hungary ¹ | June 27, 1980 | Togo | January 24, 1978 |
| Ireland | August 1, 1992 | Ukraine | December 25, 1991 |
| Italy | March 28, 1985 | United Kingdom ⁸ | January 24, 1978 |
| Japan | October 1, 1978 | United States of America ^{9, 10} | January 24, 1978 |
| Liechtenstein ⁴ | March 19, 1980 | Viet Nam | March 10, 1993 |

(Total: 56 States)

¹ With the declaration provided for in Article 64(5).

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

³ Including all Overseas Departments and Territories.

⁴ With the declaration provided for in Article 64(1)(a).

⁵ 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.

⁶ Ratification for the Kingdom in Europe, the Netherlands Antilles and Aruba.

⁷ With the declaration provided for in Article 64(2)(a)(i) and (ii).

⁸ 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.

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

¹⁰ 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 Russian Federation, 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 Russian Federation, 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 ¹ | November 12, 1975 | Luxembourg ² | April 9, 1977 |
| Austria | October 7, 1975 | Monaco ² | June 13, 1976 |
| Belgium ² | July 4, 1976 | Netherlands ³ | October 7, 1975 |
| Brazil | October 7, 1975 | Norway ¹ | October 7, 1975 |
| Czech Republic | January 1, 1993 | Portugal | May 1, 1979 |
| Denmark | October 7, 1975 | Russian Federation | December 25, 1991 |
| Egypt | October 17, 1975 | Slovak Republic | January 1, 1993 |
| Finland ¹ | May 16, 1976 | Spain ^{1, 2} | November 29, 1975 |
| France ² | October 7, 1975 | Suriname | November 25, 1975 |
| Germany | October 7, 1975 | Sweden | October 7, 1975 |
| Ireland ¹ | October 7, 1975 | Switzerland | October 7, 1975 |
| Israel | October 7, 1975 | United Kingdom ¹ | October 7, 1975 |
| Italy ² | March 30, 1980 | United States of America | October 7, 1975 |
| Japan | August 18, 1977 | | |

(Total: 27 States)

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

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

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

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 ¹ | August 9, 1985 | | |

(Total: 5 States)

¹ 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 | Liechtenstein | August 19, 1981 |
| Austria | April 26, 1984 | Netherlands ¹ | July 2, 1987 |
| Belgium | December 15, 1983 | Norway | January 1, 1986 |
| Bulgaria | August 19, 1980 | Philippines | October 21, 1981 |
| Czech Republic | January 1, 1993 | Republic of Korea | March 28, 1988 |
| Denmark | July 1, 1985 | Russian Federation | December 25, 1991 |
| Finland | September 1, 1985 | Slovak Republic | January 1, 1993 |
| France | August 19, 1980 | Spain | March 19, 1981 |
| Germany | January 20, 1981 | Sweden | October 1, 1983 |
| Hungary | August 19, 1980 | Switzerland | August 19, 1981 |
| Italy | March 23, 1986 | United Kingdom | December 29, 1980 |
| Japan | August 19, 1980 | United States of America | August 19, 1980 |

(Total: 24 States)

¹ 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 (EPO) | November 26, 1980 |

INTERNATIONAL DEPOSITARY AUTHORITIES UNDER ARTICLE 7 OF THE BUDAPEST TREATY¹

| Institution | Country | Date status acquired |
|---|--------------------------|----------------------|
| Agricultural Research Service Culture Collection (NRRL) | United States of America | January 31, 1981 |
| All-Union Institute of Genetics and Industrial Cultivation of Microorganisms of the Corporation Pharmindustry (VKPM) | Russian Federation | August 31, 1987 |
| All-Union Scientific Centre of Antibiotics (VNIIA) | Russian Federation | August 31, 1987 |
| American Type Culture Collection (ATCC) | United States of America | January 31, 1981 |
| Australian Government Analytical Laboratories (AGAL) | Australia | September 30, 1988 |
| Belgian Coordinated Collections of Microorganisms (BCCM) | Belgium | March 1, 1992 |
| Centraalbureau voor Schimmelcultures (CBS) | Netherlands | October 1, 1981 |
| Colección Española de Cultivos Tipo (CECT) | Spain | May 31, 1992 |
| Collection Nationale de Cultures de Micro-organismes (CNCM) | France | August 31, 1984 |
| Culture Collection of Algae and Protozoa (CCAP) | United Kingdom | September 30, 1982 |
| Czechoslovak Collection of Microorganisms (CCM) ² | Czech Republic | August 31, 1992 |
| Czechoslovak Collection of Yeasts (CCI) ² | Slovak Republic | August 31, 1992 |
| DSM — Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (DSM) | Germany | October 1, 1981 |
| European Collection of Animal Cell Cultures (ECACC) | United Kingdom | September 30, 1984 |
| Institute of Biochemistry and Physiology of Microorganisms of the Russian Academy of Sciences (IBFM-VKM) | Russian Federation | August 31, 1987 |
| International Mycological Institute (IMI) | United Kingdom | March 31, 1983 |
| Korean Collection for Type Cultures (KCTC) | Republic of Korea | June 30, 1990 |
| Korean Culture Center of Microorganisms (KCCM) | Republic of Korea | June 30, 1990 |
| National Bank for Industrial Microorganisms and Cell Cultures (NBIMCC) | Bulgaria | October 31, 1987 |
| National Collection of Agricultural and Industrial Microorganisms (NCAIM) | Hungary | June 1, 1986 |
| National Collection of Food Bacteria (NCFB) | United Kingdom | February 28, 1990 |
| National Collection of Type Cultures (NCTC) | United Kingdom | August 31, 1982 |
| National Collection of Yeast Cultures (NCYC) | United Kingdom | January 31, 1982 |
| National Collections of Industrial and Marine Bacteria Limited (NCIMB) | United Kingdom | March 31, 1982 |
| National Institute of Bioscience and Human-Technology (NIBHT) | Japan | May 1, 1981 |

(Total: 25 Authorities)

¹ 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 Administered by WIPO in the Field of Industrial Property" on p. 27.

² The status of this international depositary authority, located on the territory which, before January 1, 1993, constituted the territory of Czechoslovakia, is under examination.

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 | Russian Federation | December 25, 1991 |
| Cuba | October 21, 1984 | San Marino | March 18, 1986 |
| Cyprus | August 11, 1985 | Senegal | August 6, 1984 |
| 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

China, Egypt, Ghana, Guatemala, India, Liberia, Yugoslavia, Zambia (8).

Ratification

Egypt (1).

* 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, Germany, Greece, Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Portugal, Romania, Russian Federation, Senegal, Spain, Sweden, Switzerland, United Kingdom, Yugoslavia (27).

Ratification

Spain (1).

* This instrument is not yet in force.

International Convention for the Protection of New Varieties of Plants (UPOV)*

UPOV Convention (1961), as revised at Geneva (1972, 1978 and 1991¹)

| 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 ^{2,3} | December 5, 1976 | 1.5 | December 5, 1976 | — |
| Canada | March 4, 1991 | 1.0 | — | March 4, 1991 |
| Czech Republic | January 1, 1993 | 0.5 | — | January 1, 1993 |
| Denmark ^{2,4} | October 6, 1968 | 1.5 | October 6, 1968 | November 8, 1981 |
| France ^{2,3,5} | October 3, 1971 | 5.0 | October 3, 1971 | March 17, 1983 |
| Germany ² | 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 ² | December 12, 1979 | 0.5 | December 12, 1979 | May 12, 1984 |
| Italy ² | July 1, 1977 | 2.0 | July 1, 1977 | May 28, 1986 |
| Japan | September 3, 1982 | 5.0 | — | September 3, 1982 |
| Netherlands ² | August 10, 1968 | 3.0 | August 10, 1968 | September 2, 1984 ⁶ |
| New Zealand | November 8, 1981 | 1.0 | — | November 8, 1981 |
| Poland | November 11, 1989 | 0.5 | — | November 11, 1989 |
| Slovak Republic | January 1, 1993 | 0.5 | — | January 1, 1993 |
| South Africa ² | November 6, 1977 | 1.0 | November 6, 1977 | November 8, 1981 |
| Spain ^{2,7} | May 18, 1980 | 1.0 | May 18, 1980 | — |
| Sweden ² | December 17, 1971 | 1.5 | December 17, 1971 | January 1, 1983 |
| Switzerland ² | July 10, 1977 | 1.5 | July 10, 1977 | November 8, 1981 |
| United Kingdom ² | August 10, 1968 | 5.0 | August 10, 1968 | September 24, 1983 |
| United States of America ⁸ | November 8, 1981 | 5.0 | — | November 8, 1981 |

(Total: 22 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.

¹ The 1991 Act is not yet in force. It was signed by the following States: Belgium, Canada, Denmark, France, Germany, Ireland, Israel, Italy, Netherlands, New Zealand, South Africa, Spain, Sweden, Switzerland, United Kingdom, United States of America (16).

² 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 (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).

³ With a notification under Article 34(2) of the 1978 Act.

⁴ With a declaration that the Convention of 1961, the Additional Act of 1972 and the 1978 Act do not bind Greenland and the Farøe Islands.

⁵ With a declaration that the 1978 Act applies to the territory of the French Republic, including the Overseas Departments and Territories.

⁶ Ratification for the Kingdom in Europe. The Netherlands extended the application of the 1978 Act to Aruba with effect from November 8, 1986.

⁷ With a declaration that the Convention of 1961 and the Additional Act of 1972 apply to the entire territory of Spain.

⁸ With a notification under Article 37(1) and (2) of the 1978 Act.

Industrial Property Treaties Not Administered by WIPO

AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI)

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 |
| (Total: 14 States) | |

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 |
| (Total: 14 States) | |

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 |
| (Total: 11 States) | |

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 |
| (Total: 3 States) | |

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 |
| (Total: 3 States) | |

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

COUNCIL OF EUROPE

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

| State | Date on which State became party to the Convention |
|-------------------------------------|--|
| Israel ¹ | May 1, 1966 |
| South Africa ¹ | December 1, 1957 |
| Spain | July 1, 1967 |
| Turkey | November 1, 1956 |
| (Total: 4 States) | |

¹ 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 | 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 |
| (Total: 11 States) | |

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 | October 7, 1977 |
| Greece | October 1, 1986 |
| Ireland | August 1, 1992 |
| Italy | December 1, 1978 |
| Liechtenstein | April 1, 1980 |
| Luxembourg | October 7, 1977 |
| Monaco | December 1, 1991 |
| Netherlands | October 7, 1977 |
| Portugal | January 1, 1992 |
| Spain | October 1, 1986 |
| Sweden | May 1, 1978 |
| Switzerland | October 7, 1977 |
| United Kingdom | October 7, 1977 |
| (Total: 17 States) | |

Governing Bodies and Committees

(Status on January 1, 1993)

WIPO

General Assembly: Algeria, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Haiti, Holy See, Honduras, 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, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, San Marino, Senegal, Slovak Republic, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe (115).

Conference: The same States as above, with Albania, Angola, Belarus, El Salvador, Guatemala, Jamaica, Latvia (as from January 21, 1993), Lithuania, Namibia, Nicaragua, Panama, Qatar, Saudi Arabia, Sierra Leone, Singapore, Somalia, United Arab Emirates, Yemen (133).

Coordination Committee: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Denmark, Egypt, France, Germany, Ghana, Hungary, India, Ireland, Italy, Japan, Kenya, Lebanon, Libya, Mexico, Namibia, Netherlands, Nicaragua, Norway, Pakistan, Panama, Poland, Portugal, Republic of Korea, Russian Federation, Senegal, Singapore, Spain, Sri Lanka, Switzerland, Syria, United Kingdom, United States of America, Uruguay, Venezuela, Yugoslavia (51).

WIPO Budget Committee: Brazil, Canada, Chile, China, Egypt, France, Germany, India, Japan,

Russian Federation, Switzerland (*ex officio*), United Republic of Tanzania, United States of America, Yugoslavia (14).

WIPO Premises Committee: Argentina, Brazil, China, Egypt, France, Germany, India, Nigeria, Russian Federation, Switzerland, United States of America (11).

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, Democratic People's Republic of Korea, Denmark, Ecuador, Egypt, El Salvador, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Lesotho, Liberia, Libya, Madagascar, 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, Russian Federation, Rwanda, Senegal, Sierra Leone, Somalia, 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 (107).

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, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Denmark, Egypt, El Salvador, Fiji, Finland, France, Gambia, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Indonesia, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Latvia, Lesotho, Malawi, Malaysia, Mali, Mauritius, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal,

Romania, Russian Federation, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Zaire, Zambia, Zimbabwe (95).

WIPO Permanent Committee on Industrial Property Information: Algeria, Argentina, Australia, Austria, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Chile, China, Congo, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominican Republic, Egypt, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Hungary, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Niger (as from March 21, 1993), Norway, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Slovak Republic, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, 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 (85).

Paris Union

Assembly: Algeria, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, China, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Egypt, Finland, France, Gabon, Gambia, Germany, 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, Russian Federation, Rwanda, San Marino, Senegal, Slovak Republic, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe (103).

Conference of Representatives: Dominican Republic, Iran (Islamic Republic of), Nigeria, Syria (4).

Executive Committee: Algeria, Australia, Brazil, Bulgaria, Chile, China, Cuba, Democratic People's Republic of Korea, Egypt, Germany, Ghana, Hungary, Japan, Kenya, Netherlands, Norway, Republic of Korea, Russian Federation, Senegal, Spain, Sri Lanka, Switzerland, Syria (*associate member*), United Kingdom, United States of America, Yugoslavia (26).

Madrid Union (Marks)

Assembly: Algeria, Austria, Belgium, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Egypt, France, Germany, Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Mongolia, Morocco, Netherlands, Poland, Portugal, Romania, Russian Federation, San Marino, Slovak Republic, Slovenia, Spain, Sudan, Switzerland, Ukraine, Viet Nam, Yugoslavia (33).

Hague Union

Assembly: Belgium, Benin, Democratic People's Republic of Korea, France, Germany, Hungary, Italy, Liechtenstein, Luxembourg, Monaco, Netherlands, Romania, Senegal, Suriname, Switzerland (15).

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

Nice Union

Assembly: Algeria, Australia, Austria, Barbados, Belgium, Benin, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, Norway, Portugal, Russian Federation, Slovak Republic, Slovenia, Spain, Suriname, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia (34).

Conference of Representatives: Lebanon, Tunisia (2).

Lisbon Union

Assembly: Algeria, Bulgaria, Burkina Faso, Congo, Cuba, Czech Republic, France, Gabon, Hungary, Israel, Italy, Slovak Republic, Portugal, Togo, Tunisia (15).

Council: Haiti, Mexico (2).

Locarno Union

Assembly: Austria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Netherlands, Norway, Russian Federation, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Yugoslavia (19).

PCT Union

Assembly: Australia, Austria, Barbados, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, Congo, Côte d'Ivoire, Czech Republic, Democratic People's Republic of Korea, Denmark, Finland, France, Gabon, Germany, Greece, Guinea, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Monaco, Mongolia, Netherlands, New Zealand, Niger (as from March 21, 1993), Norway, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Slovak Republic, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Togo, Ukraine, United Kingdom, United States of America, Viet Nam (as from March 10, 1993) (56).

IPC Union

Assembly: Australia, Austria, Belgium, Brazil, Czech Republic, Denmark, Egypt, Finland, France, Germany, Ireland, Israel, Italy, Japan, Luxembourg, Monaco, Netherlands, Norway, Portugal, Russian Federation, Slovak Republic, Spain, Suriname, Sweden, Switzerland, United Kingdom, United States of America (27).

Vienna Union

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

Budapest Union

Assembly: Australia, Austria, Belgium, Bulgaria, Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Japan, Liechtenstein, Netherlands, Norway, Philippines, Republic of Korea, Russian Federation, Slovak Republic, Spain, Sweden, Switzerland, United Kingdom, United States of America (24).

High Officials of WIPO

(Status on January 1, 1993)

| | |
|-----------------------------|------------------------------------|
| Director General: | Dr. Arpad Bogsch |
| Deputy Directors General: | Shahid Alikhan François Curchod |
| Assistant Director General: | Gust Ledakis |

High Officials of UPOV

(Status on January 1, 1993)

| | |
|-------------------------|------------------|
| Secretary-General: | Dr. Arpad Bogsch |
| Vice Secretary-General: | Barry Greengrass |

Notifications Concerning Treaties Administered by WIPO in the Field of Industrial Property

Convention Establishing the World Intellectual Property Organization and Certain Other Treaties Administered by WIPO

Declarations

CZECH REPUBLIC

The Government of the Czech Republic deposited, on December 18, 1992, the following declaration:

“The Government of the Czech Republic hereby declares that

- the Convention Establishing the World Intellectual Property Organization, signed at Stockholm on July 14, 1967, and amended on September 28, 1979,
- the Paris Convention for the Protection of Industrial Property, of March 20, 1883, as revised at Stockholm on July 14, 1967, and amended on September 28, 1979,
- the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, of April 14, 1891, as revised at Lisbon on October 31, 1958, and supplemented at Stockholm on July 14, 1967,
- the Madrid Agreement Concerning the International Registration of Marks, of April 14, 1891, as revised at Stockholm on July 14, 1967, and amended on September 28, 1979,
- the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, of June 15, 1957, as revised at Geneva on May 13, 1977, and amended on September 28, 1979,
- the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, of October 31, 1958, as revised at Stockholm on July 14, 1979, and amended on September 28, 1979,
- the Locarno Agreement Establishing an International Classification for Industrial Designs, of October 8, 1968, as amended on September 28, 1979,

- the Patent Cooperation Treaty (PCT), of June 19, 1970, as amended on September 28, 1979, and modified on February 3, 1984,
- the Strasbourg Agreement Concerning the International Patent Classification, of March 24, 1971, as amended on September 28, 1979,
- the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, of April 28, 1977, as amended on September 26, 1980,
- the Berne Convention for the Protection of Literary and Artistic Works, as revised at Paris on July 24, 1971, and amended on September 28, 1979,
- the Treaty on the International Registration of Audiovisual Works, adopted at Geneva on April 18, 1989,

continue, as from January 1, 1993, to be applicable as far as the Czech Republic is concerned.

The Government of the Czech Republic declares that, for the purpose of establishing its contribution towards the budgets of the Paris and Berne Unions, the Czech Republic wishes to belong to class V.”

WIPO Notification No. 160, Paris Notification No. 135, Madrid (Indications of Source) Notification No. 24, Madrid (Marks) Notification No. 53, Nice Notification No. 74, Lisbon Notification No. 20, Locarno Notification No. 29, PCT Notification No. 74, Strasbourg Notification No. 37, Budapest Notification No. 109, of December 21, 1992.

SLOVAK REPUBLIC

The Government of the Slovak Republic deposited, on December 30, 1992, the following declaration:

“The Government of the Slovak Republic hereby declares that

- the Convention Establishing the World Intellectual Property Organization, signed at Stockholm on July 14, 1967, and amended on September 28, 1979,
- the Paris Convention for the Protection of Industrial Property, of March 20, 1883, as revised at Stockholm on July 14, 1967, and amended on September 28, 1979,

- the Berne Convention for the Protection of Literary and Artistic Works, of September 9, 1886, as revised at Paris on July 24, 1971, and amended on September 28, 1979,
- the Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, of April 14, 1891, as revised at Lisbon on October 31, 1958, and supplemented at Stockholm on July 14, 1967,
- the Madrid Agreement Concerning the International Registration of Marks, of April 14, 1891, as revised at Stockholm on July 14, 1967, and amended on September 28, 1979,
- the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, of June 15, 1957, as revised at Geneva on May 13, 1977, and amended on September 28, 1979,
- the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, of October 31, 1958, as revised at Stockholm on July 14, 1979, and amended on September 28, 1979,
- the Locarno Agreement Establishing an International Classification for Industrial Designs, of October 8, 1968, as amended on September 28, 1979,
- the Patent Cooperation Treaty (PCT), of June 19, 1970, as amended on September 28, 1979, and modified on February 3, 1984,
- the Strasbourg Agreement Concerning the International Patent Classification, of March 24, 1971, as amended on September 28, 1979,
- the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, of April 28, 1977, as amended on September 26, 1980,
- the Treaty on the International Registration of Audiovisual Works, adopted at Geneva on April 18, 1989,

continue, as from January 1, 1993, to be applicable as far as the Slovak Republic is concerned.

The Government of the Slovak Republic declares that, for the purpose of establishing its contribution towards the budgets of the Paris and Berne Unions, the Slovak Republic wishes to belong to class V.”

WIPO Notification No. 161, Paris Notification No. 136, Madrid (Indications of Source) Notification No. 25, Madrid (Marks) Notification No. 54, Nice Notification No. 75, Lisbon Notification No. 21, Locarno Notification No. 30, PCT Notification No. 76, Strasbourg Notification No. 38, Budapest Notification No. 110, of January 6, 1993.

Patent Cooperation Treaty (PCT)

I. Amendments to the Regulations

The Assembly of the International Patent Cooperation Union (PCT Union) adopted, on September 29, 1992, amendments to the Regulations under the Patent Cooperation Treaty.

The said amendments will enter into force on January 1, 1993, with the exception of Rule 32, which entered into force on October 1, 1992, and of Rules 10.1(f), 11.9(b), 11.9(e), 48.3(a) and 48.3(b), which will come into effect on the date on which China becomes bound by the PCT. Those amendments are incorporated in the text of the Regulations under the Patent Cooperation Treaty published in *Industrial Property*.¹

PCT Notification No. 72, of November 20, 1992.

¹ See *Industrial Property Laws and Treaties*, MULTILATERAL TREATIES – Text 2-007, February 1993.

II. New Members of the PCT Union

VIET NAM

The Government of Viet Nam deposited, on December 10, 1992, its instrument of accession to the Patent Cooperation Treaty (PCT), done at Washington on June 19, 1970.

The said Treaty will enter into force, with respect to Viet Nam, on March 10, 1993.

PCT Notification No. 73, of December 11, 1992.

NIGER

The Government of Niger deposited, on December 21, 1992, its instrument of accession to the Patent Cooperation Treaty (PCT).

The said Treaty will enter into force, with respect to Niger, on March 21, 1993.

PCT Notification No. 75, of December 21, 1992.

Budapest Treaty

I. Change of Name

NATIONAL INSTITUTE OF BIOSCIENCE
AND HUMAN-TECHNOLOGY

(Japan)

(formerly known as the "Fermentation
Research Institute (FRI)")

The Government of Japan has informed the Director General of WIPO by a communication of December 23, 1992, that the assurances furnished in its communication of March 17, 1981, concerning the Fermentation Research Institute (FRI), an inter-

national depositary authority under the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure, continue to apply to the said international depositary authority under its new name: National Institute of Bioscience and Human-Technology. The address of the said international depositary authority is unchanged, that is:

Agency of Industrial Science and Technology
Ministry of International Trade and Industry
1-3, Higashi 1-chome
Tsukuba-shi
Ibaraki-Ken 305
Japan.

Budapest Communication No. 80 (this communication is the subject of Budapest Notification No. 111, of January 18, 1993).

II. Depositary Institutions Having Acquired the Status of International Depositary Authority (Status on January 1, 1993)

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 depositary authorities as on January 1, 1993, indicating the kinds of microorganisms that may be deposited with, and the amount of fees charged by, the said authorities.

| INTERNATIONAL DEPOSITARY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
|--|---|--|
| AGRICULTURAL RESEARCH SERVICE CULTURE COLLECTION (NRRL) 1815 North University Street Peoria, Illinois 61604 United States of America (See <i>Industrial Property</i> , 1981, pp. 22, 23 and 121; 1983, p. 248; 1987, p. 247.) | 1. All strains of agriculturally and industrially important bacteria, yeasts, molds and <i>Actino- mycetales</i> , EXCEPT: a. <i>Actinobacillus</i> (all species); <i>Actinomyces</i> (<i>anaerobic/microaerophilic</i> , <i>all species</i>); <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); | Applicable to patent cultures deposited after October 30, 1983. No fee charged for cultures on deposit or received before that date. (a) Deposit of each strain US\$ 500 (payable at the time of deposit) (b) Distribution of all released cultures 20 Checks, in US dollars, should be made payable to the Agricultural Research Service, United States Department of Agriculture. United States Department of Agriculture laboratories and designated cooperators are exempt from payment of fees. |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
|------------------------------------|---|------|
| NRRL (continued) | <p><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>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 <i>Guidelines for Research Involving Recombinant DNA Molecules</i>, December 1978 (<i>Federal Register</i>, Vol. 43, No. 247– Friday, December 22, 1978) and any subsequent revisions.</p> | |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
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| <p>ALL-UNION INSTITUTE OF GENETICS AND INDUSTRIAL CULTIVATION OF MICROORGANISMS OF THE CORPORATION PHARMINDUSTRY (VKPM) Dorozhnaya Street No. 8 113545 Moscow Russian Federation</p> <p>(See <i>Industrial Property</i>, 1987, p. 248; 1992, pp. 276.)</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.</p> <p>Additional information concerning fees is contained in the "Regulations on the Collection of Payments"; see <i>Industrial Property</i>, 1987, p. 250.</p> |
| <p>ALL-UNION SCIENTIFIC CENTRE OF ANTIBIOTICS (VNIIA) Nagatinskaya Street 3-a 113105 Moscow Russian Federation</p> <p>(See <i>Industrial Property</i>, 1987, p. 250; 1992, pp. 276.)</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.</p> <p>Additional information concerning fees is contained in the "Regulations on the Collection of Payments"; see <i>Industrial Property</i>, 1987, p. 250.</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; 1991, pp. 107; 1992, pp. 54.)</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 <i>Guidelines for Research Involving Recombinant DNA Molecules</i> (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 US\$ 930*</p> <p>– if the right under Rule 11.4(g) to be notified of the furnishing of samples is waived 600</p> <p>(b) Issuance of a viability statement</p> <p>– bacteria (without plasmids) 100</p> <p>– fungi (including yeast) 100</p> <p>– protozoa 100</p> <p>– algae 100</p> <p>– animal cell cultures fee must be decided (including hybridoma lines)</p> <p>– animal and plant viruses on an individual basis</p> <p>– bacteria (with plasmids) 100</p> <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 tissues, plasmids, protozoa, vectors and yeasts</p> <p>– U.S. non-profit institutions 62</p> <p>– Foreign non-profit institutions 62**</p> <p>– Other U.S. and foreign institutions 96</p> <p><i>ATCC Cell Lines, Embryos and Oncogenes</i></p> <p>– U.S. non-profit institutions 75</p> <p>– Foreign non-profit institutions 75***</p> <p>– Other U.S. and foreign institutions 115</p> <p><i>ATCC Animal and Plant Viruses, Rickettsiae and Chlamydiae</i></p> <p>– U.S. non-profit institutions 66</p> <p>* Subject to a freight charge to depositors for returning samples for verification of properties if a culture is deposited with ATCC as a test tube or flask culture.</p> <p>** Subject to an additional US \$34 per culture handling and processing charge.</p> <p>*** Subject to an additional US \$40 per culture handling and processing charge.</p> |

| INTERNATIONAL DEPOSITARY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
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| <p>ATCC (<i>continued</i>)</p> | | <ul style="list-style-type: none"> - Foreign non-profit institutions 66**** - Other U.S. and foreign institutions 100 <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> <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 \$34 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; 1990, p. 99.)</p> | <p>Bacteria (including actinomycetes), yeasts and fungi other than known human and animal pathogens, that can be preserved without significant change to their properties by the methods of preservation in use (freezing and freeze-drying).</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 which may require, in the view of the curator, special attention to handling and preparation for storage.</p> | <ul style="list-style-type: none"> (a) Storage \$ 750 (b) Issuance of a viability statement 90 (c) Furnishing of samples 60 |
| <p>BELGIAN COORDINATED COLLECTIONS OF MICROORGANISMS (BCCM) Prime Minister's Services Science Policy Office Rue de la Science 8 B-1040 Brussels Belgium</p> <p><i>Collections</i> Institut d'Hygiène et d'Epidémiologie-Mycologie (IHEM) Rue J. Wytsman 14 B-1050 Brussels Belgium</p> <p>Universiteit Gent Laboratorium voor Moleculaire Biologie-Plasmidencollectie (LMBP) K.L. Ledeganckstraat 35 B-9000 Ghent Belgium</p> <p>Universiteit Gent Laboratorium voor Microbiologie-Bacteriënverzameling (LMG) K.L. Ledeganckstraat 35 B-9000 Ghent Belgium</p> <p>Mycothèque de l'Université Catholique de Louvain (MUCL) Place Croix du Sud 3 B-1348 Louvain-la-Neuve Belgium</p> <p>(See <i>Industrial Property</i>, 1992, pp. 49.)</p> | <p>IHEM: filamentous fungi and yeasts, including pathogenic fungi and yeasts that cause mycosis in man and animals, and actinomycetes;</p> <p>LMBP: plasmids as an isolated DNA preparation or plasmids in an <i>Escherichia coli</i> (host)/plasmid combination;</p> <p>LMG: all bacterial strains, including actinomycetes, but excepting pathogens belonging to a hazard group higher than Group 2 of the UK Advisory Committee on Dangerous Pathogens;</p> <p>MUCL: filamentous fungi and yeasts, including phytopathogens, but excepting pathogenic fungi causing mycosis in man and animals belonging to a hazard group higher than Group 2 of the UK Advisory Committee on Dangerous Pathogens.</p> <p>As a general rule, the BCCM collections accept only strains that can be placed in a culture under conditions technically feasible for the collection concerned and conserved, other than in continuous vegetative activity, without inducing significant changes in their characteristics.</p> <p>Exceptionally, the various BCCM collections may accept deposits that cannot be conserved other than by active culture, but acceptance of such a deposit will have to be decided, and the relevant fee determined, on a case-by-case basis after prior negotiation with the potential depositor. They may also exceptionally accept a deposit of mixtures of microorganisms, whereby non-defined or non-identifiable mixtures will be automatically excluded.</p> <p>The BCCM collections also reserve their right to refuse a deposit of biological material whose conservation involves hazards deemed to be excessive.</p> | <ul style="list-style-type: none"> (a) Storage (Rule 9.1) FB 20,000 (b) Issue of a viability statement (Rule 10.2): <ul style="list-style-type: none"> - if the viability test is to be carried out 2,000 - based on the last viability test 800 (c) Furnishing of a sample (Rule 11.2 and 11.3) 2,000 (d) Communication of information under Rule 7.6 800 (e) Issue of an attestation of amendment of the scientific description and/or taxonomic designation of the microorganism in accordance with Rule 8.2 800 <p>These prices do not include the cost of communication.</p> |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
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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; 1991, pp. 423.)</p> | <p>Fungi; yeasts; bacteria; plasmids in pure form or in a host of the kinds accepted by CBS and phages that can be maintained without significant modification during appropriate storage at low temperature, in liquid nitrogen or during storage in the lyophilized state. Strains requiring special cultural conditions can be accepted under special conditions and are subject to additional fees (on request).</p> <p>The following bacteria of pathogenic group I (PG I: World Health Organization (WHO)) are accepted only when they can be maintained by Rijks Instituut voor Volksgezondheid en Milieuhygiene (RIVM), Centraal Diergeneeskundig Instituut (CDI) or the Royal Institute for Tropical Research:</p> <p><i>Bordetella</i> (all species), <i>Brucella</i> (all species), <i>Erysipelothrix</i> (all species), <i>Leptospira</i> (all species), <i>Listeria</i> (all species), <i>Mycobacterium paratuberculosis</i>, <i>Pasteurella</i> (all species), <i>Treponema</i> (all species).</p> <p>The following bacteria of pathogenic group II (PG II (WHO)) are accepted only when they can be maintained by RIVM or CDI:</p> <p><i>Bartonella</i> (all species), <i>Francisella</i> (all species), <i>Mycobacterium bovis</i>, <i>Mycobacterium tuberculosis</i>, <i>Pseudomonas mallei</i>, <i>Pseudomonas pseudomallei</i>.</p> <p>The following bacteria are not accepted: <i>Bacillus anthracis</i> and <i>Yersinia pestis</i>.</p> | <p>(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</p> <p>(b) Issuance of a viability statement 150</p> <p>(c) Furnishing of a sample 175</p> <p>(d) Communication of information under Rule 7.6 40</p> <p>(e) Delivering of attestation pursuant to Rule 8.2 40</p> |
| <p>COLECCIÓN ESPAÑOLA DE CULTIVOS TIPO (CECT) Microbiology Department Biological Science Faculty 46100 Burjassot (Valencia) Spain</p> <p>(See <i>Industrial Property</i>, 1992, pp. 163.)</p> | <p>Bacteria, including actinomycetes, which may be preserved, without any significant alteration of their properties, by freezing or freeze-drying, and which belong to a Risk Group lower than 2 according to the definition of the UK Advisory Committee on Dangerous Pathogens (ACDP) 1984, <i>Categorisation of Pathogens according to Hazard and Categories of Containment</i> (HMSO, London, ISBN 0-11-883761-3).</p> <p>Filamentous fungi, including yeasts, with the exception of strains known to be human, plant and animal pathogens, which may be preserved by freezing or freeze-drying without any significant alteration of their properties.</p> <p>For the time being, the CECT does not accept the following biological material for deposit: anaerobic microorganisms (except <i>Clostridium</i>); algae and cyanobacteria; plasmids; embryos; protozoa; animal cell lines; plant cell lines; mycoplasma; plant seed; viruses; bacteriophages.</p> <p>Notwithstanding the foregoing, the CECT reserves the right to reject or accept for deposit any material which, in the opinion of the Director, represents a risk that is either unacceptable or too difficult to handle.</p> | <p>(a) Storage of: – original deposits Ptas 70,000 – new deposits 10,000</p> <p>(b) Issue of viability statement 10,000</p> <p>(c) Furnishing of samples 6,000</p> <p>(d) Communication of information under Rule 7.6 6,000</p> |
| <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"> – cellular cultures (animal cells, including hybridomes and plant cells); – 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</i> and <i>Laboratory Safety Monograph</i>; | <p>(a) Storage – bacteria, fungi and yeasts, lyophilized or lyophilizable F.Fr.4,000 – all other acceptable case-by-case fee cultures case fee</p> <p>(b) Furnishing of samples (except in specific cases) (plus cost of transport) 700</p> <p>(c) Issuance of a viability statement: – requiring a viability test (except in specific cases) 700</p> |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
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| CNCM (<i>continued</i>) | <p>– microorganisms liable to require viability testing that the CNCM is technically not able to carry out;</p> <p>– mixtures of undefined and/or unidentifiable microorganisms.</p> <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> | <p>– in other cases 120</p> <p>(d) Communication of information or issue of an attestation 250</p> <p>Fees are subject to Value Added Tax according to French provisions currently in force.</p> |
| <p>CULTURE COLLECTION OF ALGAE AND PROTOZOA (CCAP) INSTITUTE OF FRESHWATER ECOLOGY Windermere Laboratory Far Sawrey Ambleside, Cumbria LA22 0LP United Kingdom</p> <p>and</p> <p>DUNSTAFFNAGE MARINE 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; 1990, p. 251.)</p> | <p>(i) Freshwater and terrestrial algae and free-living protozoa (Institute of Freshwater Ecology); and</p> <p>(ii) marine algae, other than large seaweeds (Dunstaffnage Marine Laboratory).</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>CZECHOSLOVAK COLLECTION OF MICROORGANISMS (CCM) Československá sbírka mikroorganismů Masarykovy university ul. Tvrdeho č. 14 602 00 Bmo Czech Republic</p> <p>(See <i>Industrial Property</i>, 1992, pp. 211.)</p> | <p>Bacteria (including actinomycetes) and filamentous fungi capable of long-term preservation without any substantial change of their initial properties.</p> <p>The following microorganisms are not accepted:</p> <p>Dangerous pathogens and species which can be hazardous to man and animals.</p> <p>Microorganisms having special requirements for cultivation which CCM is not technically capable of carrying out.</p> <p>Mixtures and cultures without scientific description as well as cultures which cannot be identified.</p> <p>When depositing strains containing a plasmid, CCM requires information on the plasmid and its host strain in respect to their properties and classification (i.e., group P1, P2, P3 or P4). CCM accepts only plasmids and their host strains belonging to group P1.</p> | <p>(a) Storage CSK 12,000</p> <p>(b) Viability statement 400</p> <p>(c) Furnishing of samples 1,000</p> |
| <p>CZECHOSLOVAK COLLECTION OF YEASTS (CCY) Československá sbírka kvasinek při Chemickém ústavu Slovenské akademie věd Dúbravská cesta 9 842 38 Bratislava Slovak Republic</p> <p>(See <i>Industrial Property</i>, 1992, pp. 211.)</p> | <p>Yeasts which can be stored in liquid nitrogen or as active cultures without any substantial change in their properties.</p> <p>Yeasts whose storage can be accomplished by standard laboratory techniques without appreciable adapting during storage in liquid nitrogen or during storage on agar slant.</p> | <p>(a) Storage CSK 20,000</p> <p>(b) Viability statement 1,000</p> <p>(c) Furnishing of samples 1,200</p> |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
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| <p>DSM – DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH (DSM) Mascheroder Weg 1b D-3300 Braunschweig Germany</p> <p>(See <i>Industrial Property</i>, 1981, pp. 220 and 222; 1988, p. 139; 1990, pp. 71 and 249; 1991, pp. 108.)</p> | <p>Bacteria, including actinomycetes, fungi, including yeasts, bacteriophages, plasmids (a) in a host, (b) as an isolated DNA preparation, plant viruses, plant cell cultures, animal and human cell cultures. 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>DSM accepts for deposit only those bacteria, fungi, bacteriophages and plasmids which, pursuant to DIN 58 956 Part I (supplementary sheet 1), belong to hazard group I or II.</p> <p>It must be possible to process genetically manipulated strains or isolated DNA and also genetically manipulated plant viruses, plant cell cultures and animal and human cell cultures in accordance with Laboratory Safety Measures L1 or L2 contained in <i>Richtlinien zum Schutz vor Gefahren durch in-vitro neukombinierte Nukleinsäuren</i>, 1986 [guidelines on protection against hazards resulting from <i>in-vitro</i> recombinant nucleic acids].</p> <p>Plant cell cultures can only be deposited in the form of callus or suspension cultures with non-differentiated growth.</p> <p>Plant viruses which cannot multiply through mechanical infection of plants cannot be accepted for deposit.</p> <p>Before being dispatched to DSM, depositor must ensure that animal and human cell cultures are free of viruses.</p> <p>DSM reserves the right to refuse to accept for deposit material which in its view represents an unacceptable hazard. In all instances, it must be possible to preserve the deposited material by lyophilization or storage in liquid nitrogen without significant change.</p> | <p><i>I. Bacteria, fungi, bacteriophages, plasmids, plant viruses</i></p> <p>(a) Storage DM 1,100</p> <p>– conversion of a deposit made outside the Budapest Treaty into a deposit according to the Budapest Treaty 1,100</p> <p>– prolongation of the duration of the storage over the one provided by Rule 9, per year 36</p> <p>(b) Issuance of a viability statement</p> <p>– where a viability test is also requested 100</p> <p>– on the basis of the last viability test 40</p> <p>(c) Furnishing of a sample 100</p> <p>(d) Communication of information under Rule 7.6 40</p> <p>(e) Attestation referred to in Rule 8.2 40</p> <p><i>II. Plant cell cultures</i></p> <p>(a) Storage 2,500</p> <p>– conversion of a deposit made outside the Budapest Treaty into a deposit according to the Budapest Treaty 2,500</p> <p>– prolongation of the duration of the storage over the one provided by Rule 9, per year 80</p> <p>(b) Issuance of a viability statement</p> <p>– where a viability test is also requested 200</p> <p>– on the basis of the last validity test 40</p> <p>(c) Furnishing of a sample (plus current freight costs) 200</p> <p>(d) Communication of information under Rule 7.6 40</p> <p>(e) Attestation referred to in Rule 8.2 40</p> <p><i>III. Animal and human cell cultures</i></p> <p>(a) Storage 2,400</p> <p>– conversion of a deposit made outside the Budapest Treaty into a deposit according to the Budapest Treaty 2,400</p> <p>– prolongation of the duration of the storage over the one provided by Rule 9, per year 80</p> <p>(b) Issuance of a viability statement</p> <p>– where a viability test is also requested 200</p> <p>– on the basis of the last validity test 40</p> <p>(c) Furnishing of a sample (plus current freight costs) 200</p> <p>(d) Communication of information under Rule 7.6 40</p> <p>(e) Attestation referred to in Rule 8.2 40</p> <p>The fees under (a), (b), (d) and (e) 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 Germany.</p> <p>Extra charges are payable for dispatch by air.</p> |

| INTERNATIONAL DEPOSITARY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
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| <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; 1990, p. 373.)</p> | <p>Animal cell cultures, including human cell lines, genetically modified cell lines and hybridomas 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; plant cell suspension cultures; eukaryotic and viral recombinant DNA as naked DNA or cloned in a host organism. 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>I. Cell lines, plant cell suspension cultures</i></p> <p>(a) Storage £ 750 (b) Issuance of a viability statement 35 (c) Furnishing of a sample (plus cost of carriage) 60</p> <p><i>II. Viruses</i></p> <p>(a) Storage 850 (b) Issuance of a viability statement 150 (c) Furnishing of a sample 100</p> <p><i>III. Eukaryotic and viral recombinant DNA as naked DNA or cloned into a host organism</i></p> <p>(a) Storage 400 (b) Issuance of a viability statement 35 (c) Furnishing of a sample (plus cost of carriage) 60</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> |
| <p>IMET-NATIONALE SAMMLUNG VON MIKROORGANISMEN* IMET-Hinterlegungsstelle Beutenbergstrasse 11 6900 Jena Germany</p> <p>(See <i>Industrial Property</i>, 1989, pp. 251.)</p> <p>* The status of IMET-Nationale Sammlung von Mikroorganismen as an international depositary authority terminated on May 21, 1992 (see <i>Industrial Property</i>, 1992, p. 135).</p> | | |
| <p>INSTITUTE OF BIOCHEMISTRY AND PHYSIOLOGY OF MICROORGANISMS OF THE RUSSIAN ACADEMY OF SCIENCES (IBFM-VKM) Pushchino-na-Oke 142292 Moscow Region Russian Federation</p> <p>(See <i>Industrial Property</i>, 1987, p. 249; 1992, p. 276.)</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.</p> <p>Additional information concerning fees is contained in the "Regulations on the Collection of Payments"; see <i>Industrial Property</i>, 1987, p. 250.</p> |
| <p>INTERNATIONAL MYCOLOGICAL INSTITUTE (IMI) Bakeham Lane Englefield Green Egham, Surrey TW20 9TY United Kingdom</p> <p>(See <i>Industrial Property</i>, 1983, p. 83; 1989, pp. 51 and 171; 1992, p. 53.)</p> | <p>Fungal isolates (including yeasts) and bacteria (including actinomycetes), other than known human and animal pathogens that can be preserved without significant change to their properties by methods of preservation in use. Organisms up to and including ACDP Category 2* deposits are accepted by the Collection.</p> <p>Notwithstanding the foregoing, IMI reserves the right to refuse to accept any material for deposit which in the opinion of the Curator presents an unacceptable risk or is technically unsuitable to handle. IMI will accept organisms which do not significantly change after long-term nitrogen freezing or freeze-drying. A statement regarding potential pathogenicity and storage conditions is required when a deposit is made.</p> <p>* Advisory Committee on Dangerous Pathogens Categorisation of pathogens according to hazard and categories of containment, HMSO, London, 1990.</p> | <p>(a) Storage of each isolate of microorganism £ 575 (b) Issuance of a viability statement in those cases in which, in accordance with Rule 10.2, a fee may be charged 75 (c) Furnishing of a sample in accordance with Rule 11.2 or 11.3 45 (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> |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
|---|--|---|
| <p>KOREAN COLLECTION FOR TYPE CULTURES (KCTC) Genetic Engineering Research Institute Korea Institute of Science and Technology 305-333, I Oun-Dong Yusong-Gu Taejon Republic of Korea</p> <p>(See <i>Industrial Property</i>, 1990, p. 135; 1991, p. 219.)</p> | <p>Algae, bacteria (including actinomycetes), bacteria containing plasmids, bacteriophages, cell cultures (including hybridoma lines), fungi (including yeasts), protozoa and animal and plant viruses, EXCEPT:</p> <p>(a) microorganisms having properties which are or may be dangerous to health or the environment;</p> <p>(b) microorganisms which need the special containment required for experiments.</p> | <p>(a) Storage: – original deposit Won 600,000 – new deposit 50,000</p> <p>(b) Issuance of a viability statement – if the depositor requiring a viability statement has also requested a viability test 20,000 – in other cases 10,000</p> <p>(c) Furnishing of a sample 50,000</p> <p>(d) Issuance of an attestation under Rule 8.2 10,000</p> <p>(e) Communication of information under Rule 7.6 10,000</p> |
| <p>KOREAN CULTURE CENTER OF MICROORGANISMS (KCCM) College of Engineering Yonsei University Sodaemun gu Seoul 120-749 Republic of Korea</p> <p>(See <i>Industrial Property</i>, 1990, p. 135.)</p> | <p>Bacteria, actinomycetes, fungi, yeasts, plasmids, bacteria containing plasmids, viruses, bacteriophages, EXCEPT:</p> <p>– hybridomas, plant tissue cultures, rickettsiae; – microorganisms liable to require viability testing that the KCCM is technically not able to carry out; – mixtures of undefined and/or unidentifiable microorganisms.</p> <p>The KCCM reserves the right to refuse any microorganism for security reasons: specific risks to human beings, animals, plants and the environment. In cases where a microorganism cannot be lyophilized, the KCCM must be consulted in advance about the conditions for acceptance.</p> | <p>(a) Storage: – original deposit Won 600,000 – new deposit 50,000</p> <p>(b) Issuance of a viability statement – if the depositor requiring a viability statement has also requested a viability test 20,000 – in other cases 10,000</p> <p>(c) Furnishing of a sample (plus cost of transport) 50,000</p> <p>(d) Issuance of an attestation under Rule 8.2 10,000</p> <p>(e) Communication of information under Rule 7.6 10,000</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.</p> <p>The deposit of a microorganism in connection with the filing of a patent application is subject to the following fees:</p> <p>(a) For the initial deposit and 30 years' storage Leva 1,000</p> <p>(b) Upon prolongation of the deposit for each additional five-year period 150</p> <p>(c) For the furnishing of a sample of a deposited strain of microorganism 100</p> |
| <p>NATIONAL COLLECTION OF AGRICULTURAL AND INDUSTRIAL MICROORGANISMS (NCAIM) Department of Microbiology and Biotechnology University of Horticulture and the Food Industry Somló út 14-16 H-1118 Budapest Hungary</p> <p>(See <i>Industrial Property</i>, 1986, pp. 203 and 432.)</p> | <p>Bacteria (including <i>Streptomyces</i>) except obligate human pathogenic species (e.g., <i>Corynebacterium diphtheriae</i>, <i>Mycobacterium leprae</i>, <i>Yersinia pestis</i>, etc.).</p> <p>Fungi, including yeasts and molds, except some pathogens (<i>Blastomyces</i>, <i>Coccidioides</i>, <i>Histoplasma</i>, etc.), as well as certain basidiomycetous and plant pathogenic fungi which cannot be preserved reliably.</p> <p>Apart from the above-mentioned, the following may not, at present, be accepted for deposit:</p> <p>– viruses, phages, rickettsiae, – algae, protozoa, – cell lines, hybridomes.</p> | <p>(a) Storage of the microorganisms in accordance with Rule 9.1 Ft.15,000</p> <p>(b) Issuance of an attestation in accordance with Rule 8.2 500</p> <p>(c) Issuance of a viability statement, except in the cases provided for under Rule 10.2(e) 1,500</p> <p>(d) Furnishing of a sample in accordance with Rule 11.2 or 11.3 (plus cost of transport) 2,000</p> <p>(e) Communication of information under Rule 7.6 500</p> |
| <p>NATIONAL COLLECTION OF FOOD BACTERIA (NCFB) AFRC Institute of Food Research Reading Laboratory Shinfield Reading RG2 9AT United Kingdom</p> <p>(See <i>Industrial Property</i>, 1990, p. 55.)</p> | <p>Bacteria, including actinomycetes, that can be preserved without significant change to their properties by liquid nitrogen freezing or by lyophilization, and which are allocated to a hazard group no higher than Group 2 as defined by the UK Advisory Committee on Dangerous Pathogens (ACDP) (1984).</p> <p>Plasmids, including recombinants, either</p> <p>(i) cloned into a bacterial or actinomycete host,</p> | <p>(a) Storage £ 350</p> <p>(b) Issuance of viability statement 50</p> <p>(c) Furnishing of a sample (plus cost of carriage) 30</p> <p>Where applicable, charges 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> |

| INTERNATIONAL DEPOSITORY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
|--|---|--|
| NCFB (<i>continued</i>) | <p>or (ii) as naked DNA preparations.</p> <p>As regards (i), above, the hazard category of the host with or without its plasmid must be no higher than ACDP Group 2. As regards (ii), above, the phenotypic markers of the plasmid must be capable of expression in a bacterial or actinomycete host and must be readily detectable. In all cases, the physical containment requirements must not be higher than level II as defined by the UK Advisory Committee on Genetic Manipulation (ACGM), Guidance Note 15, and the deposited material must be capable of being preserved without significant change to its properties by liquid nitrogen freezing or lyophilization.</p> <p>Bacteriophages that have a hazard rating and containment requirements no greater than those cited above and which can be preserved without significant change to their properties by liquid nitrogen freezing or lyophilization.</p> <p>Notwithstanding the foregoing, the NCFB 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>NATIONAL COLLECTION OF TYPE CULTURES (NCTC) Central Public Health Laboratory 61 Colindale Avenue London NW9 5HT United Kingdom</p> <p>(See <i>Industrial Property</i>, 1982, pp. 219 and 220.)</p> | Bacteria that can be preserved without significant change to their properties by freeze-drying and which are pathogenic to man and/or animals. | <p>(a) Storage £ 250</p> <p>(b) Issuance of a viability statement, where a fee may be charged 25</p> <p>(c) Furnishing of a sample in accordance with Rule 11.2 or 11.3 40</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>NATIONAL COLLECTION OF YEAST CULTURES (NCYC) AFRC Institute of Food Research Norwich Laboratory Colney Lane Norwich NR4 7UA United Kingdom</p> <p>(See <i>Industrial Property</i>, 1982, pp. 24 and 26; 1988, p. 265; 1990, p. 25.)</p> | Yeasts other than known pathogens that can be preserved without significant change to their properties by freeze-drying or, exceptionally, in active culture. | <p>(a) Storage £ 350</p> <p>(b) Issuance of a viability statement, where a fee may be charged 50</p> <p>(c) Furnishing of a sample in accordance with Rule 11.2 or 11.3 (plus cost for postage and packing for destinations outside the United Kingdom) 30</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>NATIONAL COLLECTIONS OF INDUSTRIAL AND MARINE BACTERIA LIMITED (NCIMB) 23 St. Machar Drive Aberdeen AB2 1RY Scotland United Kingdom</p> <p>(See <i>Industrial Property</i>, 1982, pp. 121, 122 and 275; 1985, p. 25; 1986, p. 371; 1988, pp. 39 and 293; 1989, p. 24; 1990, p. 25; 1991, p. 108.)</p> | <p>(a) Bacteria, including actinomycetes, that can be preserved without significant change to their properties by liquid nitrogen freezing or by freeze-drying (lyophilization), and which are allocated to a hazard group no higher than Group 2 as defined by the UK Advisory Committee on Dangerous Pathogens (ACDP).</p> <p>(b) Plasmids, including recombinants, either (i) cloned into a bacterial or actinomycete host, or (ii) as naked DNA preparations.</p> <p>As regards (i), above, the hazard category of the host with or without its plasmid must be no higher than ACDP Group 2.</p> <p>As regards (ii), above, the phenotypic markers of the plasmid must be capable of expression in a bacterial or actinomycete host and must be readily detectable. In all cases, the physical containment requirements must not be higher</p> | <p>(a) Storage £ 400</p> <p>(b) Issuance of a viability statement, where a fee may be charged 50</p> <p>(c) Furnishing of a sample in accordance with Rule 11.2 or 11.3 (plus actual cost of carriage) 40</p> <p>Where statutory provisions require NCIMB to obtain a license or certificate prior to accepting a deposit of seeds, the actual cost of obtaining any such license or certificate will be charged to the depositor.</p> <p>The fees are payable to the National Collections of Industrial and Marine Bacteria Limited. Charges paid by individuals or organizations within the United Kingdom are subject to Value Added Tax at the current rate for carriage charges only. For details concerning the Value Added Tax liability, see <i>Industrial Property</i>, 1987, p. 203.</p> |

| INTERNATIONAL DEPOSITARY AUTHORITY | KINDS OF MICROORGANISMS THAT MAY BE DEPOSITED | FEES |
|---|---|--|
| <p>NCIMB (<i>continued</i>)</p> | <p>than level III as defined by the UK Advisory Committee on Genetic Manipulation (ACGM) and the properties of the deposited material must not be changed significantly by liquid nitrogen freezing or freeze-drying.</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>NATIONAL INSTITUTE OF BIOSCIENCE AND HUMAN-TECHNOLOGY (NIBHT) 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; 1993, p. 27.)</p> | <p>Fungi, yeasts, bacteria, actinomycetes, animal cell cultures and plant cell cultures, EXCEPT:</p> <ul style="list-style-type: none"> - 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>(a) Storage:</p> <ul style="list-style-type: none"> - original deposit Yen 200,000 - new deposit 14,000 <p>(b) Attestation referred to in Rule 8.2 1,700</p> <p>(c) Issuance of a viability statement:</p> <ul style="list-style-type: none"> - if the depositor, when requesting the issuance of a viability statement, also requests a viability test 10,000 - other cases 1,700 <p>(d) Furnishing of a sample 11,000*</p> <p>(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:</p> <ul style="list-style-type: none"> - 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. |

Notifications Concerning the UPOV Convention

International Convention for the Protection of New Varieties of Plants (UPOV)

Declarations

SLOVAK REPUBLIC

The Government of the Slovak Republic deposited, on January 12, 1993, the following declaration:

“The Government of the Slovak Republic hereby declares that the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as revised at Geneva on November 10, 1972, and on October 23, 1978, continues to be applicable to the Slovak Republic.

For the purposes of establishing the contribution towards the budget of the International Union for the Protection of New Varieties of Plants, the

Slovak Republic’s number of contribution units will be one half of unit.”

UPOV Notification No. 40, of January 15, 1993.

CZECH REPUBLIC

The Government of the Czech Republic deposited, on January 12, 1993, the following declaration:

“The Government of the Czech Republic hereby declares that the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as revised at Geneva on November 10, 1972, and on October 23, 1978, continues to be applicable to the Czech Republic.

For the purposes of establishing the contribution towards the budget of the International Union for the Protection of New Varieties of Plants, the Czech Republic’s number of contribution units will be one half of unit.”

UPOV Notification No. 41, of January 15, 1993.

Normative Activities of WIPO in the Field of Industrial Property

Permanent Committee on Industrial Property Information (PCIPI)

PCIPI ad hoc Working Group on Optical Storage (PCIPI/OS)

Eighth Session
(Geneva, October 5 to 8, 1992)

The PCIPI ad hoc Working Group on Optical Storage (PCIPI/OS) held its eighth session in Geneva

from October 5 to 8, 1992. The following 20 members of the Working Group were represented at the session: Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Germany, Hungary, Japan, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Sweden, Switzerland, United Kingdom, United States of America, European Patent Office (EPO). The Patent Documentation Group (PDG) was represented by three observers.

The Working Group noted the decisions taken by the PCIPI Executive Coordination Committee at its tenth session held in Tokyo in May 1992, and, in particular, its approval of WIPO Standard ST.40, "Recommendation Concerning Making Facsimile Images of Patent Documents Available on CD-ROM." The Working Group reworded as follows the new Task No. 48(g) assigned to the International Bureau: "Monitor the development of, and report to the appropriate body on, the performance characteristics of CD-ROM workstations, including their use with jukebox systems and in networking arrangements."

Each member of the Working Group, and also the International Bureau, reported on developments since the last session of the Working Group, held in March 1992, concerning optical storage at their offices.

As far as the standardization of mixed-mode CD-ROMs is concerned, the Working Group noted the contents of a proposal of the International Bureau that would have the effect of coordinating several tasks assigned to different working groups, including Task No. 29, itself assigned to the ad hoc Working Group on Optical Storage, namely, "Elaborate a WIPO standard concerning making patent documents available on mixed-mode CD-ROMs," and agreed that it should be submitted to the Executive Coordination Committee at the latter's eleventh session in December 1992.

Reports on surveys of performance characteristics of CD-ROM workstations were given by the representatives of the PDG and of the Spanish Office.

The Working Group requested the International Bureau to continue to provide information concerning the long-term stability of digital optical discs, especially with respect to the standardization of testing methods for CD-ROMs.

PCIPI Working Group on General Information (PCIPI/GI)

Ninth Session
(Geneva, October 12 to 16, 1992)

The PCIPI Working Group on General Information (PCIPI/GI) held its ninth session in Geneva from October 12 to 16, 1992. The following 17 members of the Working Group were represented at the session: Canada, Denmark, Finland, France, Germany, Japan, Netherlands, Norway, Poland, Romania, Russian Federation, Spain, Sweden, Switzerland, United Kingdom, United States of America, European Patent Office (EPO). The Patent Documentation Group (PDG) was represented by observers.

The Working Group approved the final wording of the draft WIPO Standard "Recommendation Concerning the Filing of Nucleotide and Amino Acid Sequence Listings in Computer-Readable Form" and agreed to recommend its adoption to the PCIPI Executive Coordination Committee.

The Working Group also approved the draft of the WIPO Standard "Recommendation Concerning the Content and Layout of Industrial Designs Gazettes" and agreed to recommend its adoption to the PCIPI Executive Coordination Committee.

The Working Group dealt with proposals for creating additional codes within WIPO Standards ST.9, "Recommendation Concerning Bibliographic Data on and Relating to Patent Documents," and ST.16, "Standard Code for Identification of Different Kinds of Patent Documents," and agreed to recommend to the PCIPI Executive Coordination Committee the adoption of two new codes relating to the publication of information on utility model applications or registrations.

The Working Group also considered the first draft of a WIPO Standard concerning the correction and alteration of patent data.

The Working Group discussed two draft questionnaires, one on filing procedures and filing requirements, the other on examination methods and publication procedures adopted in industrial property offices in the field of industrial designs, and agreed on their final versions.

Finally, the Working Group discussed possibilities of making available to users of the *WIPO Handbook on Industrial Property Information and Documentation* all two-letter codes and country names contained in International Standard ISO 3166:1988.

Furthermore, the following country codes were approved:

| <i>Country Name</i> | <i>Country Code</i> |
|---------------------|---------------------|
| Armenia | AM |
| Azerbaijan | AZ |
| Belarus | BY |
| Croatia | HR |
| Estonia | EE |
| Georgia | GE |
| Kazakhstan | KZ |
| Kyrgyzstan | KG |
| Latvia | LV |
| Lithuania | LT |
| Republic of Moldova | MD |
| Russian Federation* | RU |
| Slovenia | SI |
| Tajikistan | TJ |
| Turkmenistan | TM |
| Ukraine | UA |
| Uzbekistan | UZ |

* The former entry relating to the Soviet Union was deleted.

Registration Systems Administered by WIPO

Patent Cooperation Treaty (PCT)

Seminars

In October 1992, two WIPO officials spoke on the PCT at a PCT seminar organized in Stockholm for a group of nine patent agents and practitioners from Finland, Norway and Sweden by the Foundation for Faculty Courses (Stiftelsen Fakultetskurser) of the University of Stockholm for patent practitioners of the Nordic countries.

Also in October 1992, a WIPO official spoke on the PCT at a PCT seminar organized in Munich by Forum Institut für Management, a private company in Germany, for patent administrators. Some 30 participants attended the seminar.

Two WIPO officials spoke on the PCT at a PCT seminar organized, in October 1992, by the Regional Group of the German Association of Patent Engineers and Assessors (Verband Deutscher Patentingenieur und Patentassessoren e.V. (VPP)) in Halle (Germany). The seminar was attended by 25 participants from the *Länder* Thuringia, Saxony and Saxony-Anhalt.

Also in October 1992, a WIPO official spoke on the PCT at a PCT seminar organized in Ludwigshafen (Germany) by BASF, a private company in Germany, for some 50 participants of its Patent Department.

Also in October 1992, a WIPO official spoke on the PCT at a PCT seminar organized in Paris by Forum Institut für Management. Twenty-seven participants, 21 from the Paris area, five from the Lyons area and one from Brussels, of which nine were from law firms and 18 from industry, attended the seminar.

Two WIPO officials spoke on the PCT at a PCT seminar organized, in October 1992, in Lisbon by the National Institute of Industrial Property (INPI) of Portugal for nine of its staff members. The seminar was followed by an introductory seminar on the PCT, conducted by one of the WIPO officials and hosted by INPI, for some 30 patent agents, mostly from Lisbon.

Madrid Union

Working Group on the Application of the Madrid Protocol of 1989

Fifth Session
(Geneva, October 12 to 16, 1992)

Introduction

The Working Group on the Application of the Madrid Protocol of 1989 (hereinafter referred to as "the Working Group") held its fifth session in Geneva from October 12 to 16, 1992.¹

The following States members of the Working Group were represented: Austria, Belgium, Bulgaria, China, Croatia, Cuba, Czechoslovakia, Democratic People's Republic of Korea, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Monaco, Mongolia, Morocco, Netherlands, Portugal, Romania, Russian Federation, Senegal, Slovenia, Spain, Sudan, Sweden, Switzerland, United Kingdom, Viet Nam, Yugoslavia (32). The European Communities (EC), also a member of the Working Group, were also represented.

¹ For notes on the second, third and fourth sessions, see *Industrial Property*, 1991, pp. 193 and 280, and 1992, pp. 62, respectively.

The following States, with observer status, were represented: Canada, Japan, Mexico, Norway, Republic of Korea, United States of America (6). A representative of one intergovernmental organization and representatives of 20 non-governmental organizations also participated in an observer capacity. The list of participants follows.

Under the present heading, all references to the Agreement are to the Madrid Agreement Concerning the International Registration of Marks (1967), and all references to the Protocol are to the Madrid Protocol (1989) relating to that Agreement, whereas all references to the draft Regulations or Rules are to the *draft* Regulations or Rules contained in document GT/PM/V/2 (and the corrigendum contained in document GT/PM/V/2 Corr.), and all references to the *present* Regulations are to the Regulations under the Agreement (as in force since October 1, 1992). In the draft presented to the fifth session of the Working Group, all changes made to the draft submitted at its fourth session appear in the italic text in roman type.

General Declarations²

"The Delegation of the United States of America stated that the working document presented at this session of the Working Group incorporated the proposals made during earlier meetings. The Delegation indicated that draft legislation which would make it possible for the United States of America to adhere to the Madrid Protocol had been approved by its administration and had been submitted to Congress. The said draft legislation was consistent in all respects with the Madrid Protocol and would require no changes to any existing provisions of the trademark law of its country. The United States Senate might hold a hearing on the bill early next year. The Delegation hoped that the need for the Regulations to address specific areas of concern to the United States of America would continue to be respected, in particular, as regards the provisions relating to the requirement that an application for international registration seeking protection in the United States of America should allege a *bona fide* intention to use the mark in that country. It finally declared that the text of the declaration which applicants seeking protection in the United States of America through international registration would have to sign (see document GT/PM/V/2, page 21) was identical to the one which applicants seeking a trademark registration in the United States of America had to sign.

The Delegation of Sweden considered that the working documents took into account the prob-

lems which its country had, for example, in respect of time limits for refusal in case of opposition. It further declared that its country, together with the other Nordic countries, was preparing legislation which would enable it to become a party to the Madrid Protocol. In that respect, it stated that its Government had not yet decided whether Sweden should only adhere to the Madrid Protocol or, as it was recommended by some, adhere to both the Madrid Protocol and the Madrid Agreement. The Delegation suggested that the International Bureau of WIPO should, after the adoption of the Regulations, issue a publication containing only the text of the Madrid Protocol together with the Regulations.

The Delegation of Romania said that there should be one set of Regulations applying to all types of application for international registration. It added that its country intended to become party to the Madrid Protocol, of which it was a signatory.

The Delegation of the European Communities declared that it had no problems with most of the suggestions contained in the draft Regulations, including the question of *bona fide* intention to use the mark which was the subject of an international application designating the United States of America. It indicated that considerable progress had been made within the European Communities in respect of the future Community Trade Mark system and that further information on this matter should be available by the end of 1992 or early in 1993.

The Delegation of Hungary declared that it approved the draft Regulations as prepared by the International Bureau. It added that its country was interested in ratifying the Madrid Protocol, in view of the fact that, in Hungary, there had been a significant increase in the number of both trademark applications filed by residents and trademark applications filed by non-residents. The said ratification would take place, in compliance with an agreement concluded between Hungary and the European Communities, latest in 1995.

The Delegation of Czechoslovakia declared that it generally agreed with the draft Regulations as presented by the International Bureau and that the existence of that text would simplify the procedure for ratification of the Protocol by Czechoslovakia.

The Delegation of Germany stated that, since the last meeting of the Working Group, its country had enacted legislation in respect of the status of industrial property rights following the unification of its country on October 3, 1990. That legislation provided for an automatic extension of industrial property rights to the whole of Germany with effect on May 1, 1992, and such automatic extension also applied to designations

² Extract therefrom.

under the Madrid Agreement of the Federal Republic of Germany as it existed before October 3, 1990, and the former German Democratic Republic. The Delegation further declared that it welcomed the efforts made by the United States of America with a view to joining the Madrid Protocol.

The Delegation of the Republic of Korea declared that it generally supported the draft Regulations as prepared by the International Bureau. It added that its country intended to adhere to the Madrid Protocol.”

Discussions on the Provisions of the Draft Regulations

Draft Rule 1: Abbreviated Expressions

Draft Rule 1 of the draft Regulations as submitted by the International Bureau read as follows:

“For the purposes of these Regulations,

(i) ‘Agreement’ means the Madrid Agreement Concerning the International Registration of Marks of April 14, 1891, as revised at Stockholm on July 14, 1967, and amended on October 2, 1979;

(ii) ‘Protocol’ means the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, adopted at Madrid on June 27, 1989;

(iii) ‘Contracting Party’ means any country party to the Agreement or any State or intergovernmental organization party to the Protocol;

(iv) ‘Contracting State’ means a Contracting Party that is a State;

(v) ‘Contracting Organization’ means a Contracting Party that is an intergovernmental organization;

(vi) ‘international registration’ means the registration of a mark effected under the Agreement or the Protocol or both, as the case may be;

(vii) ‘international application’ means an application for international registration filed under the Agreement or the Protocol or both, as the case may be;

(viii) ‘international application governed exclusively by the Agreement’ means an international application whose Office of origin is the Office

– of a State bound by the Agreement but not by the Protocol, or

– of a State bound by both the Agreement and the Protocol where all the States designated in the international application are bound by the

Agreement (whether or not those States are also bound by the Protocol);

(ix) ‘international application governed exclusively by the Protocol’ means an international application whose Office of origin is the Office

– of a State bound by the Protocol but not by the Agreement, or

– of a Contracting Organization, or

– of a State bound by both the Agreement and the Protocol where the international application does not contain the designation of any State bound by the Agreement;

(x) ‘international application governed by both the Agreement and the Protocol’ means an international application whose Office of origin is the Office of a State bound by both the Agreement and the Protocol and which is based on a registration and contains the designations

– of at least one State bound by the Agreement (whether or not that State is also bound by the Protocol), and

– of at least one State bound by the Protocol but not by the Agreement or of at least one Contracting Organization;

(xi) ‘applicant’ means the natural person or legal entity in whose name the international application is filed;

(xii) ‘legal entity’ means a corporation, association or other group or organization which, under the law applicable to it, is capable of acquiring rights, assuming obligations and suing or being sued in a court of law;

(xiii) ‘basic application’ means the application for the registration of a mark that has been filed with the Office of a Contracting Party and that constitutes the basis for the international application for the registration of that mark;

(xiv) ‘basic registration’ means the registration of a mark that has been effected by the Office of a Contracting Party and that constitutes the basis for the international application for the registration of that mark;

(xv) ‘designation’ means the request for extension of protection (‘territorial extension’) under Article 3ter(1) or (2) of the Agreement or under Article 3ter(1) or (2) of the Protocol, as the case may be; it also means such extension as recorded in the International Register;

(xvi) ‘designated Contracting Party’ means a Contracting Party for which the extension of protection (‘territorial extension’) has been requested under Article 3ter(1) or (2) of the Agreement or under Article 3ter(1) or (2) of the Protocol, as the case may be, or in respect of which such extension has been recorded in the International Register;

(xvii) ‘Contracting Party designated under the Agreement’ means a designated Contracting Party for which the extension of protection (‘territorial

extension') requested under Article 3ter(1) or (2) of the Agreement has been recorded in the International Register;

(xviii) 'Contracting Party designated under the Protocol' means a designated Contracting Party for which the extension of protection ("territorial extension") requested under Article 3ter(1) of (2) of the Protocol has been recorded in the International Register;

(xix) 'refusal' means a notification by the Office of a designated Contracting Party according to Article 5(1) of the Agreement or Article 5(1) of the Protocol that protection cannot be granted in the said Contracting Party;

(xx) 'Gazette' means the periodical gazette referred to in Rule 30(1);

(xxi) 'holder' means the natural person or legal entity in whose name the international registration is recorded in the International Register;

(xxii) 'International Classification of Figurative Elements' means the Classification established by the Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks of June 12, 1973;

(xxiii) 'International Classification of Goods and Services' means the Classification established by the Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks of June 15, 1957, as revised at Stockholm on July 14, 1967, and at Geneva on May 13, 1977;

(xxiv) 'International Register' means the official collection of data concerning international registrations maintained by the International Bureau, which data the Agreement, the Protocol or the Regulations require or permit to be recorded, regardless of the medium which contains such data;

(xxv) 'Office' means the Office of a Contracting Party in charge of the registration of marks, or the common Office referred to in Article 9quater of the Agreement or Article 9quater of the Protocol, or both, as the case may be;

(xxvi) 'Office of origin' means the Office of the country of origin defined in Article 1(3) of the Agreement or the Office of origin defined in Article 2(2) of the Protocol or both, as the case may be;

(xxvii) 'official form' means a form established by the International Bureau or any form having the same contents and format;

(xxviii) 'prescribed fee' means the applicable fee set out in the Schedule of Fees;

(xxix) 'Director General' means the Director General of the World Intellectual Property Organization;

(xxx) 'International Bureau' means the International Bureau of the World Intellectual Property Organization."

The portion of the report of the Working Group concerning the discussion of Rule 1 reads as follows:

"This Rule was approved as proposed."

Draft Rule 2: Communications with the International Bureau; Signature

Draft Rule 2 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Communication in Writing; Use of Official Form; Several Documents in One Envelope] (a) Subject to paragraphs (3) and (4), communications addressed to the International Bureau shall be effected in writing and, except where the communication is by telex or telegram, shall be signed.

(b) Where the use of an official form is prescribed, the communication shall be effected by completing and signing that form.

(c) If several documents are mailed in one envelope, they shall be accompanied by a list identifying each of them.

(2) [Signature] Where a signature is required, it may consist of a handwritten, printed or stamped signature, or it may be replaced by the affixing of a seal.

(3) [Presentation of an International Application by Facsimile] The international application may be presented to the International Bureau through communication by facsimile machine of the completed official form, provided that the original of such form reaches the International Bureau within a period of one month from the day on which the communication by facsimile machine has been received. The international application may not be presented by telex or telegram.

(4) [Communications by Facsimile, Telex or Telegram] Subject to paragraph (3), communications may be addressed to the International Bureau by facsimile machine, telex or telegram, provided that, where the use of an official form is prescribed,

(i) in the case of a communication by facsimile machine, the official form is used;

(ii) in the case of a communication by telex or telegram, the official form, corresponding in its contents to the contents of the telex or telegram, reaches the International Bureau within a period of one month from the day on which the communication by telex or telegram has been made.

(5) [Acknowledgment of Receipt of Facsimile by the International Bureau] The International Bureau shall promptly and by facsimile machine inform the sender of a facsimile communication of

the receipt of the facsimile communication, and, where the facsimile communication received is incomplete or unreadable, of that fact also, provided that the sender can be identified and can be reached by facsimile machine.

(6) [Electronic Communications] Where an Office so desires, communications between that Office and the International Bureau shall be by electronic means.”

The portion of the report of the Working Group concerning the discussion of Rule 2 reads as follows:

Paragraph (1)(a). This paragraph was approved with one amendment, consisting in the replacement of the phrase ‘subject to paragraphs (3) and (4)’ with ‘subject to paragraphs (3), (4) and (6).’

Paragraph (1)(b). This paragraph was approved as proposed. The Secretariat made it clear that the expression ‘official form’ was to be understood as including forms produced by electronic means (provided that they conformed to the International Bureau’s model forms) as well as forms drawn up on paper, whether recycled or not.

Paragraph (1)(c). This paragraph was approved as proposed.

Paragraph (2). It was decided that the wording of this paragraph would be retained as proposed, in view of the fact that the final wording would be determined by the outcome of the work in progress in connection with the Draft Treaty on the Simplification of Administrative Procedures Concerning Marks.

Paragraph (3). After a discussion on the desirability of requiring the sending of the original form where the international application was presented by facsimile, it was decided that the wording of this paragraph would be retained as proposed for the time being, in view of the fact that due account would have to be taken of the progress of facsimile technology (particularly with respect to the reproduction of the mark) that might occur up to the time of the adoption of the Regulations.

Paragraph (4), title. It was decided that the phrase ‘other than the international application’ would be added between commas after the word ‘Communications’ appearing in the title of the paragraph.

Paragraph (4)(i) and (ii). These items were approved as proposed, on the understanding that due account would have to be taken of technological progress up to the time of the adoption of the Regulations.

Paragraph (5). This paragraph was approved as proposed.

Paragraph (6). This paragraph was approved as proposed, on the understanding that the provision would have to be reconsidered, before the Regulations were finally adopted, in the light of technological developments and the results of the work in progress on the Draft Treaty on the Simplification of Administrative Procedures Concerning Marks.”

Draft Rule 3: Representation Before the International Bureau

Draft Rule 3 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Representative; Address of Representative; Number of Representatives] (a) The applicant or the holder may have a representative before the International Bureau.

(b) The address of the representative shall be in the territory of a Contracting Party. Where the appointment referred to in paragraph (2)(a) is addressed to the International Bureau through an Office of a Contracting Party, such Office may require that the said address be within the territory of the said Contracting Party.

(c) The applicant or the holder may have one representative only. Where the appointment indicates several representatives, only the one indicated first shall be considered to be a representative and be recorded as such.

(d) Where a partnership or firm composed of attorneys or patent or trademark agents has been indicated as representative to the International Bureau, it shall be regarded as one representative.

(2) [Appointment and Recordal of the Representative] (a) The appointment of the representative may be made in the official form used for the international application, or it may be made in the official form used for the request for recordal of a change in the ownership of the international registration.

(b) The appointment of the representative may also be made in a separate official form designed only for appointments and signed by the applicant or the holder. If so made, the official form may be addressed by the applicant or the holder direct to the International Bureau.

(c) The International Bureau shall record the representative’s name and address in the International Register on the basis of the appointment made in accordance with subparagraph (a) or subparagraph (b).

(d) The International Bureau shall notify the recordal of the appointment to both the applicant or the holder and the representative and shall publish the recordal in the Gazette.

(3) [Communications to and by the Representative] (a) Except where these Regulations expressly require that an invitation, notification or other communication must be addressed to both the applicant or holder and the representative, the International Bureau shall address to the representative recorded under paragraph (2)(c) any invitation, notification or other communication which, in the absence of a representative, would have to be sent to the applicant or holder; any invitation, notification or other communication so addressed to the said representative shall have the same effect as if it had been addressed to the applicant or holder.

(b) Any communication addressed to the International Bureau by the representative recorded under paragraph (2)(c) shall have the same effect as if it had been addressed to the said Bureau by the applicant or holder.

(4) [Cancellation of Recordal] (a) The recordal of the representative shall be cancelled if cancellation is requested in a written communication signed by the applicant, holder or representative. The recordal of the representative shall automatically be cancelled where a new representative is appointed.

(b) If the cancellation of recordal is requested by the representative, it shall be effective from the date on which the International Bureau receives the communication appointing a new representative but not later than two months after the receipt of the request by the International Bureau; during the period until the appointment of a new representative or the expiration of the said two months all communications referred to in paragraph (3)(a) shall be addressed by the International Bureau to both the applicant or holder and the representative.

(c) The International Bureau shall notify the cancellation and its effective date to the representative whose recordal has been cancelled and to the applicant or holder. Where the cancellation has been requested by the representative, the International Bureau shall add, to the notification to the applicant or holder, copies of all communications that it has sent to the representative during the six months preceding the date of the notification of the cancellation. Where the appointment which is cancelled had been made in the international application, or where the communication of the appointment which is cancelled had been made through an Office, the International Bureau shall notify the cancellation also to that Office.

(5) [Effective Date of Appointment and Cancellation] (a) The appointment of a representative shall be effective from the date on which

the International Bureau receives the corresponding communication.

(b) Subject to paragraph (4)(b), the cancellation of the recordal of the representative shall be effective from the date on which the International Bureau receives the corresponding communication."

The portion of the report of the Working Group concerning the discussion of Rule 3 reads as follows:

"Paragraphs (1), (2)(a) to (c), (3), (4)(a) and (b). These paragraphs were approved as proposed.

Paragraph (2)(d). It was agreed that, when the instrument appointing the representative was sent to the International Bureau through an Office, the recording of the appointment would likewise be notified to that Office.

Paragraph (4)(c). This paragraph was approved as proposed, subject to the replacement in the French version (at the end of the first line), of the words 'où celle-ci' by 'à laquelle celle-ci.'

Paragraph (5). This paragraph was approved as proposed."

Draft Rule 4: Calculation of Time Limits; Interruption in the Mail Service

Draft Rule 4 of the draft Regulations as submitted by the International Bureau read as follows:

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

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

(3) [Periods Expressed in Days] The calculation of any period expressed in days shall start with the day following the day on which the relevant event occurred and shall expire accordingly.

(4) [Expiration on a Day on Which the International Bureau or an Office is Not Open to the Public] If a period expires on a day on which the International Bureau or the Office concerned is

not open to the public, the period shall, notwithstanding paragraphs (1) to (3), expire on the first subsequent day on which the International Bureau or the Office concerned is open to the public.

(5) [Indication of the Date of Expiration] The International Bureau shall, in all cases in which it communicates a time limit, indicate the date of the expiration, according to paragraphs (1) to (3), of the said time limit.

(6) [Interruption in the Mail Service] Delay by an interested party in meeting a time limit for a communication addressed to the International Bureau or an Office shall be excused if the interested party proves to the satisfaction of that Bureau or Office, as the case may be,

(i) that on any of the 10 days preceding the day of expiration of the time limit the postal service was interrupted on account of war, revolution, civil disorder, strike, natural calamity, or other like reason;

(ii) the interested party effected the mailing within five days after the mail service was resumed."

The portion of the report of the Working Group concerning the discussion of Rule 4 reads as follows:

"Paragraphs (1) to (5). These paragraphs were approved as proposed.

Paragraph (6). It was decided that, in the next draft, the provision in this paragraph should cover not only the case of an interruption in the mail service but also cases of loss of a document sent in the proper way and delays in the delivery of a document. It was suggested in that connection that the provision could be written into a separate rule, and that the rule could be modelled on Rule 82.1 of the Regulations under the Patent Cooperation Treaty (PCT), notably with a view to providing for the case in which a document was sent via a delivery service and not the postal service."

Draft Rule 5: Languages

Draft Rule 5 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [International Applications Governed Exclusively by the Agreement] International applications governed exclusively by the Agreement, as well as all communications concerning such applications, shall be in French and only in French.

(2) [International Applications Governed Exclusively by the Protocol or Governed by Both

the Agreement and the Protocol] Where the international application is governed exclusively by the Protocol or is governed by both the Agreement and the Protocol,

(i) the international application shall be in English or French according to what is prescribed by the Office of origin, it being understood that the Office of origin may allow applicants to choose between English or French;

(ii) any communication addressed to the International Bureau by the applicant or holder shall be, at the option of the applicant or holder, in English or French;

(iii) any communication addressed to the International Bureau by an Office shall be, at the option of that Office, in English or in French;

(iv) any communication by the International Bureau to an Office shall be, at the option of that Office, in English or French;

(v) any communication by the International Bureau to the applicant or holder shall be in the language of the international application, unless the applicant or holder expresses the wish to receive such communications in English although the language of the international application is French, or in French although the language of the international application is English.

(3) [Registration, Notification and Publication] (a) Registration, notification by the International Bureau to the Offices of the designated Contracting Parties and publication in the Gazette of an international registration resulting from an international application governed exclusively by the Agreement shall be in French and only in French.

(b) Registration, notification by the International Bureau to the Offices of the designated Contracting Parties and publication in the Gazette of an international registration resulting from an international application governed exclusively by the Protocol or governed by both the Agreement and the Protocol shall be both in English and in French; in each case, the registration, notification or publication shall indicate the language in which the international application was received by the International Bureau.

(c) The translations from English into French or from French into English needed for the registration, notification by the International Bureau to the Offices of the designated Contracting Parties or publication in the Gazette shall be prepared by the International Bureau. The applicant may submit a proposed translation of the indication of the goods or services. Such translation shall be annexed to the international application. If it is not considered by the International Bureau to be correct, it shall be corrected by the International Bureau, after inviting the applicant to make,

within one month from the invitation, observations on the proposed corrections.

(4) [Refusals] (a) Refusals shall be notified to the International Bureau in French where the international registration has been published in French according to paragraph (3)(a). The recordal, notification and publication of the refusal shall be made in French and only in French.

(b) Refusals shall be notified to the International Bureau in English or French where the international registration has been published in English and French according to paragraph (3)(b) or Rule 21(5)(a). A translation from English into French or from French into English shall be prepared by the International Bureau for the purposes of the recordal, notification and publication of the refusal, which shall be made in English and French.

(5) [Subsequent Designation and Changes] (a) Requests for the recordal of subsequent designations or of changes shall be communicated to the International Bureau in French where the international registration has been published in French according to paragraph (3)(a). The recordal, notification and publication of the subsequent designation or of the change shall be made in French and only in French.

(b) Requests for the recordal of subsequent designations or of changes shall be communicated to the International Bureau in English or French where the international registration has been published in English and French according to paragraph (3)(b) or Rule 21(5)(a). A translation from English into French or from French into English shall be prepared by the International Bureau for the purposes of the recordal, notification and publication of the subsequent designation or of the change, which shall be made in English and French.

(6) [Renewal] (a) The recordal, notification and publication of the renewal of an international registration which has been published in French according to paragraph (3)(a) shall be made in French and only in French.

(b) The recordal, notification and publication of the renewal of an international registration which has been published in English and French according to paragraph (3)(b) or Rule 21(5)(a) shall be made in English and French."

The portion of the report of the Working Group concerning the discussion of Rule 5 reads as follows:

"This Rule was approved as proposed, subject to the replacement, in the French version, of the word 'exclusivement' in the last line of paragraph (4)(a) with 'seulement.' Moreover, it would have

to be made clear in paragraph (5) that the holder could, as in the case referred to in paragraph (3)(c), enclose with a request for the recording of a limitation a proposed translation of the indication of the goods and services that were the subject of the limitation in question. As for the expression 'and only in French' appearing in paragraphs (1), (3)(a), (4)(a), (5)(a) and (6)(a), it was agreed that it should be retained for the time being, even though it was not legally indispensable. Finally, Rule 5 would make it clear that the declaration of intention to use the mark (Rules 8(6)(v) and 21(2)(b)), insofar as it was intended for the United States of America, was to be submitted in English even where the language of the international application was French.

The Delegation of Spain reiterated the reservations that it had expressed at the first, second and fourth sessions of the Working Group on the subject of the solutions proposed in Rule 5."

Draft Rule 6: Notifications of Special Requirements for Certain Designations

Draft Rule 6 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Presentation of Subsequent Designations Through the Office of Origin] Where a Contracting Party requires that, where its Office is the Office of origin and the holder's address is in the territory of that Contracting Party, designations made subsequently to the international registration must be presented to the International Bureau by the said Office, it shall notify that requirement to the Director General.

(2) [Intent to Use the Mark] Where a Contracting Party requires, as a Contracting Party designated under the Protocol, a declaration of bona fide intent to use the mark, it shall notify that requirement to the Director General.

(3) [Notification] (a) Any notification referred to in paragraphs (1) or (2) may be made at the time of the deposit by the Contracting Party of its instrument of ratification, acceptance or approval of, or accession to, the Protocol, and the effective date of the notification shall be the same as the date of entry into force of the Protocol with respect to the Contracting Party having made the notification. The notification may also be made later, in which case the notification shall have effect three months after its receipt by the Director General, or at any later date indicated in the notification, in respect of any international registration whose date is the same as or is later than the effective date of the notification.

(b) The notification may be withdrawn at any time."

The portion of the report of the Working Group concerning the discussion of Rule 6 reads as follows:

“This Rule was approved as proposed, subject to the replacement, in paragraph (2) of the English version, of the phrases ‘Intent to Use’ and ‘intent to use’ with ‘Intention to Use’ and ‘intention to use.’ The Secretariat was further requested to examine whether it was necessary to specify the date on which the withdrawal referred to in paragraph (3)(b) was to come into effect. Finally, it was understood that the declarations referred to in Rule 6 would be notified by virtue of Article 16(5) of the Protocol.”

Draft Rule 7: Several Applicants

Draft Rule 7 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Two or More Applicants Applying Exclusively Under the Agreement] Two or more applicants may jointly file an international application governed exclusively by the Agreement if the basic registration is jointly owned by them and if the country of origin, as defined in Article 1(3) of the Agreement, is the same for each of them.

(2) [Two or More Applicants Applying Exclusively Under the Protocol] Two or more applicants may jointly file an international application governed exclusively by the Protocol if the basic application was jointly filed by them or the basic registration is jointly owned by them, and if each of them qualifies for filing an international application under Article 2(1) of the Protocol.

(3) [Two or More Applicants Applying Under Both the Agreement and the Protocol] Two or more applicants may jointly file an international application governed by both the Agreement and the Protocol if

(i) the basic registration is jointly owned by them,

(ii) the country of origin, as defined in Article 1(3) of the Agreement, is the same for them, and

(iii) each of them qualifies for filing an international application under Article 2(1) of the Protocol.”

The portion of the report of the Working Group concerning the discussion of Rule 7 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 8: Requirements Concerning the International Application

Draft Rule 8 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Presentation] The international application shall be presented to the International Bureau by the Office of origin.

(2) [Form and Signature] The international application shall be presented on the official form in one copy. The official form shall be completed legibly, preferably with the use of a typewriter or other machine; the international application shall be signed by the Office of origin or the applicant or both the Office of origin and the applicant. The Office of origin may require that the international application be signed by it; in that case, the Office of origin may allow the applicant to sign the international application, in addition to the signature by the Office.

(3) [Fees] The prescribed fees applicable to the international application shall be paid as provided for in Rules 9, 31 and 32.

(4) [Content of All International Applications] Subject to paragraphs (5), (6) and (7), the international application shall contain or indicate

(i) the name of the applicant; where the applicant is a natural person, the name to be indicated is the family or principal name and the given or secondary name(s) of the natural person; where the applicant is a legal entity, the name to be indicated is the full official designation of the legal entity;

(ii) the address of the applicant in such way as to satisfy the customary requirements for postal delivery; in addition, a different address for correspondence may be indicated; where there are two or more applicants with different addresses, one address for correspondence shall be indicated; where no such address is indicated, the address for correspondence shall be the address of the applicant first named in the international application;

(iii) the name and address of the representative, if any;

(iv) where the applicant wishes, under the Paris Convention for the Protection of Industrial Property, to take advantage of the priority of an earlier filing, a declaration claiming the priority of that earlier filing, together with an indication of the name of the Office where such filing was made and the date and, where available, the number of that filing;

(v) a graphic reproduction of the mark; that reproduction shall appear in the square of 8 x 8 centimeters contained in the official form; the distance between the two points of the mark farthest from each other may not be less than 15 millimeters; the reproduction shall be, depending on whether the reproduction in the basic application or the basic registration is in black and white or color, in black and white or color;

(vi) where, according to Article 3(3) of the Agreement or Article 3(3) of the Protocol, the applicant claims color as a distinctive feature of the mark, a statement to that effect, an indication by words of the color or combination of colors claimed and, in respect of each color, of the principal parts of the mark which are in that color; where the reproduction furnished under item (v) is in black and white, one reproduction of the mark in color;

(vii) where the basic application or the basic registration is in respect of a three-dimensional mark, the indication 'three-dimensional mark';

(viii) where the basic application or the basic registration is in respect of a hologram mark, the indication 'hologram mark';

(ix) where the basic application or the basic registration is in respect of a sound mark, the indication 'sound mark';

(x) where the basic application or the basic registration is in respect of a collective, certification or guarantee mark, the indication 'collective mark,' 'certification mark' or 'guarantee mark,' as the case may be;

(xi) where the applicant has submitted to the Office of origin evidence of his right to use certain elements in the mark, such as those referred to in Article 5bis of the Agreement or Article 5bis of the Protocol, this fact;

(xii) where the basic application or the basic registration contains a description of the mark by words, the same description and, where the said description is in a language other than the language of the international application, the translation of those words into the language of the international application;

(xiii) where the mark consists of or contains matter in script other than Roman script or numbers expressed in numerals other than Arabic or Roman numerals, a transliteration of such matter in Roman script and Arabic numerals; the transliteration shall follow the phonetics of the language of the international application;

(xiv) where the mark consists of or contains a word or words that may be translated into the language of the international application and the applicant wishes to give a translation of that word or those words into the said language, such a translation;

(xv) the names of the goods and services for which the international registration of the mark is sought, grouped in the appropriate classes of the International Classification of Goods and Services and presented in the order of the classes of that Classification; the goods and services shall be indicated in precise terms, preferably using the words appearing in the Alphabetical List of the said Classification; the international application may contain a limitation of the list of goods and

services in respect of one or more designated Contracting Parties;

(xvi) the amount of the fees being paid, the method by which payment is being made and the identification of the party effecting the payment.

(5) [Additional Content of an International Application Governed Exclusively by the Agreement] In the case of an international application governed exclusively by the Agreement, the international application shall contain or indicate, in addition to the indications referred to in paragraph (4),

(i) the Contracting State party to the Agreement in which the applicant has a real and effective industrial or commercial establishment; if there is no such Contracting State, the Contracting State party to the Agreement in which the applicant is domiciled; if there is no such Contracting State, the Contracting State party to the Agreement of which the applicant is a national;

(ii) the States party to the Agreement that are designated;

(iii) the date and the number of the basic registration and the date and the number of the application from which that registration resulted, together with a declaration by the Office of origin signed, where the international application is not signed by the Office of origin, by that Office and certifying the date on which it received the request of the applicant to present the international application to the International Bureau, as well as the following:

- that the applicant named in the international application is the same as the holder of the basic registration,
- that any indication referred to in paragraph (4)(vi) to (xii) and appearing in the international application appears also in the basic registration,
- that the mark that is the subject matter of the international application is the same as in the basic registration,
- that, if colors are claimed in the international application, they are the same as in the basic registration and
- that the goods and services indicated in the international application are included in the list of goods and services appearing in the basic registration.

Where the international application is based on two or more basic registrations of the same mark in the Office of origin, the declaration shall be interpreted as applying to all those basic registrations.

(6) [Additional Content of an International Application Governed Exclusively by the

Protocol] In the case of an international application governed exclusively by the Protocol, the international application shall contain or indicate, in addition to the indications referred to in paragraph (4),

(i) where the basic application has been filed with, or where the basic registration has been made by, the Office of a Contracting State of which the applicant is a national or in which the applicant is domiciled or has a real and effective industrial or commercial establishment, that Contracting State;

(ii) where the basic application has been filed with the Office of a Contracting Organization or where the basic registration has been made by such an Office, that organization and the State member of that organization of which the applicant is a national, or a statement that the applicant is domiciled in the territory in which the constituting treaty of the said organization applies, or a statement that the applicant has a real and effective industrial or commercial establishment in that territory;

(iii) the Contracting Parties party to the Protocol that are designated, it being understood that, if the Office of origin is the Office of a State party to both the Agreement and the Protocol, no State party to both the Agreement and the Protocol may be designated under the Protocol;

(iv) the date and the number of the basic application, or the date and the number of the basic registration together with the date and the number of the application from which that basic registration resulted, as the case may be, and a declaration by the Office of origin signed, where the international application is not signed by the Office of origin, by that Office and certifying the date on which it received the request of the applicant to present the international application to the International Bureau, as well as the following:

- that the applicant named in the international application is the same as the applicant named in the basic application or the holder named in the basic registration, as the case may be,
- that any indication referred to in paragraph (4)(vi) to (xii) and appearing in the international application appears also in the basic application or the basic registration, as the case may be,
- that the mark that is the subject matter of the international application is the same as in the basic application or the basic registration, as the case may be,
- that, if colors are claimed in the international application, they are the same as in the basic application or the basic registration, as the case may be, and

- that the goods and services indicated in the international application are included in the list of goods and services appearing in the basic application or basic registration, as the case may be.

Where the international application is based on two or more basic applications for or basic registrations of the same mark in the Office of origin, the declaration shall be interpreted as applying to all those basic applications and basic registrations;

(v) where a designation concerns a Contracting Party that has made a notification under Rule 6(2), a declaration of bona fide intent to use the mark in the territory of that Contracting Party, signed by the applicant and not by a representative; such declaration shall be made on a separate official form* annexed to the international application and shall be considered part of the designation of the Contracting Party requiring the said declaration.

(7) [Content of an International Application Governed by Both the Agreement and the Protocol] In the case of an international application governed by both the Agreement and the Protocol, the international application shall contain or indicate, in addition to the indications referred to in paragraph (4), the indications referred to in paragraphs (5) and (6), it being understood that only a basic registration, and not a basic application, may be indicated under paragraph (6)(iv), and that that basic registration is the same as the basic registration referred to in paragraph (5)(iii)."

* The text of the declaration to be made for the United States of America is as follows: "The undersigned—being the applicant or a member of the firm or an officer of the corporation or association applying, and being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the extension of protection—declares the following with respect to the mark referred to in the subject international application or request for subsequent extension to which this declaration is annexed: that the applicant has a bona fide intention to use the mark in commerce which may lawfully be regulated by the U.S. Congress on the goods, or in connection with the services, referred to in the said application or request for subsequent extension, that the undersigned believes that the applicant is entitled to use the mark in such commerce and that no other person, firm, corporation or association has the right to use the mark in such commerce, either in the identical form of the mark or in such near resemblance to the mark as to be likely, when used on or in connection with the goods or services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of the undersigned's own knowledge are true and all statements made on information and belief are believed to be true."

The portion of the report of the Working Group concerning the discussion of Rule 8 reads as follows:

Paragraph (1). This paragraph was approved as proposed.

Paragraph (2). This paragraph was approved on condition that it be specified in the last sentence of the paragraph that the Office of origin may not only allow the applicant to sign the international application, in addition to signature by the Office, but may also require the applicant to sign the application.

Paragraph (3). This paragraph was approved as proposed.

Paragraph (4), item (i). This item was approved as proposed. The Secretariat explained that where the official designation of a legal entity was written in letters other than Roman script, that designation had to be given in English or French translation or as a transliteration into Roman script.

Paragraph (4), items (ii), (iii) and (iv). These items were approved as proposed.

Paragraph (4), item (v). This item was approved as proposed, on the understanding that it would be for the Office of origin, if necessary, to reduce or increase the dimensions of the reproduction of a mark as contained in the basic application or in the basic registration in order to comply with the requirements laid down in the item.

In reply to questions raised by various delegations that had expressed the wish that a distinction be made between 'word' marks (which had to be reproduced by the International Bureau in standard characters) and 'figurative' marks (which would be reproduced as given in the international application), the Secretariat stated that the International Bureau would register and publish the reproduction of the mark as given in the international application since, for lack of a definition of the concept of 'word' mark, there was no legal basis for making a distinction between 'word' marks and 'figurative' marks. Various delegations, together with the representative of an observer organization, nevertheless wished that the International Bureau would continue studying the matter in order to reach a solution enabling such a distinction to be made or, in any event, enabling the applicant to state that it was a word mark which he wished to have protected. Various delegations, together with the representative of an observer organization, noted moreover that, where the international application was based on a basic application, the characters in which the mark was reproduced in the basic application (and, consequently, in the international application) were not necessarily the same characters as those in which the mark would be eventually registered by the Office of origin.

Paragraph (4), item (vi). This item was approved as proposed. It was specified that black and white could constitute colors that were capable of being claimed.

Paragraph (4), items (vii) to (xvi). These items were approved as proposed. With respect to item (ix), it was decided not to include a reference to fragrance marks.

Paragraph (5). This paragraph was approved as proposed, on condition that the International Bureau examine whether, in the fourth line of item (iii), the words 'Office of origin' would be replaced by 'that Office' and whether certification by the Office of origin should not be covered by an item separate from item (iii).

Paragraph (6). This paragraph was approved as proposed, on condition that the International Bureau examine whether, in the fifth line of item (iv), the words 'Office of origin' could not be replaced by 'that Office' and whether certification by the Office of origin should not be covered by an item separate from item (iv) and on condition that the words 'intent to use' be replaced by 'intention to use' in item (v). As regards item (v), it was agreed that this provision, and also the other provisions of the Regulations dealing with the declaration of intention to use the mark, would be amended at the appropriate time if that should prove necessary to allow for the requirements of Canadian law.

Paragraph (7). This paragraph was approved as proposed."

Draft Rule 9: Fees Accompanying the International Application

Draft Rule 9 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [International Applications Governed Exclusively by the Agreement] An international application governed exclusively by the Agreement shall be accompanied by the basic fee, the complementary fee and, where applicable, the supplementary fee, specified in item 1 of the Schedule of Fees. Those fees shall be paid in two installments of 10 years. In connection with the payment of the second installment, Rule 27(2) to (6) shall apply.

(2) [International Applications Governed Exclusively by the Protocol] An international application governed exclusively by the Protocol shall be accompanied by the basic fee, the complementary fee and/or the individual fee and, where applicable, the supplementary fee, specified in item 2 of the Schedule of Fees. Those fees shall be paid for 10 years.

(3) [International Applications Governed by Both the Agreement and the Protocol] An international application governed by both the Agreement and the Protocol shall be accompanied by the basic fee, the complementary fee and/or the individual fee and, where applicable, the supplementary fee, specified in item 3 of the Schedule of Fees. As far as the Contracting Parties designated under the Agreement are concerned, paragraph (1) shall apply. As far as the Contracting Parties designated under the Protocol are concerned, paragraph (2) shall apply.”

The portion of the report of the Working Group concerning the discussion of Rule 9 reads as follows:

“This Rule was approved as proposed, subject to replacing the reference ‘27(2) to (6)’ in the last line of paragraph (1) by ‘27(2) and (4) to (6)’.”

Draft Rule 10: Irregularities Other Than Those Concerning the Classification of Goods and Services or their Indication

Draft Rule 10 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Irregularities to Be Remedied by the Applicant] (a) If the International Bureau considers that the international application contains irregularities other than those referred to in paragraphs (2) to (4) and in Rules 11 and 12, it shall notify the applicant of the irregularity and inform at the same time the Office of origin.

(b) The irregularity may be remedied by the applicant within three months from the date of the notification of the irregularity by the International Bureau. If the irregularity is not remedied within three months from the date of the notification of the irregularity by the International Bureau, the international application shall be considered abandoned, any fees already paid shall be reimbursed, and the International Bureau shall notify accordingly and at the same time the applicant and the Office of origin.

(2) [Irregularities to Be Remedied by the Office of Origin] (a) If the International Bureau considers that the international application contains irregularities relating to the entitlement of the applicant to file an international application or relating to the declaration of the Office of origin referred to in Rule 8(5)(iii) or (6)(iv), it shall notify the Office of origin and inform at the same time the applicant.

(b) The irregularity may be remedied by the Office of origin within three months from the date of notification of the irregularity by the International Bureau. If the irregularity is not

remedied within three months from the date of the notification of the irregularity by the International Bureau, the international application shall be considered abandoned, any fees already paid shall be reimbursed, and the International Bureau shall notify accordingly and at the same time the Office of origin and the applicant.

(3) [Missing or Irregular Declaration of Bona Fide Intent to Use the Mark] If the International Bureau considers that a declaration of bona fide intent to use the mark is required according to Rule 8(6)(v) or (7) but is missing or does not comply with the applicable requirements, the international application shall be deemed not to contain the designation of the Contracting Party for which such declaration is required. The International Bureau shall notify accordingly and at the same time the applicant and the Office of origin, indicating that the designation of such a Contracting Party may be effected as a subsequent designation under Rule 21, provided that such designation is accompanied by the required declaration.

(4) [Irregularity concerning the Type of International Application] (a) Where an international application presented as an international application governed by both the Agreement and the Protocol does not comply with the requirements applicable to such international application but complies either with the requirements applicable to an international application governed exclusively by the Agreement or with the requirements applicable to an international application governed exclusively by the Protocol, such international application shall be treated by the International Bureau as an international application governed exclusively by the Agreement or as an international application governed exclusively by the Protocol, as the case may be.

(b) Where subparagraph (a) applies, the International Bureau shall notify accordingly and at the same time the Office of origin and the applicant.”

The portion of the report of the Working Group concerning the discussion of Rule 10 reads as follows:

“Paragraph (1). This paragraph was approved as proposed.

Paragraph (2). This paragraph was approved as proposed, subject to replacing the reference ‘Rule 8(5)(iii) or (6)(iv)’ by ‘Rule 8(5)(iii), (6)(iv) or (7).’ It was observed that, under certain circumstances, the three-month time limit for correction could be insufficient.

Paragraph (3). This paragraph was approved, on condition that it be specified that where, by

virtue of that paragraph, the international application was deemed not to contain the designation of the Contracting Party for which a declaration of *bona fide* intention to use was required, the designation fee for that Contracting Party would be refunded. Additionally, the words 'intent to use' in the first and third lines were to be replaced in each case by 'intention to use.' Finally, it was suggested that the Secretariat should examine whether paragraph (3) should not be supplemented to allow for the case where the declaration was transmitted (or was corrected) afterwards, but still within the two-month time limit mentioned in Article 3(4) of the Protocol.

Paragraph (4). It was suggested that the International Bureau should examine whether the provision did not contradict draft Rule 14(1)."

Draft Rule 11: Irregularities With Respect to the Classification of Goods and Services

Draft Rule 11 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Proposal for Classification] (a) If the International Bureau considers that the requirements of Rule 8(4)(xv) are not complied with, it shall make a proposal of its own for the classification and grouping and shall send a notification of its proposal to the Office of origin and inform at the same time the applicant.

(b) The notification of the proposal shall also state that the classification fee and any difference in the amount of the fees already paid and the amount of the fees due as a consequence of the proposed classification and grouping shall be payable. The notification shall indicate the applicable amount or amounts.

(2) [Opinion Differing from the Proposal] The Office of origin may communicate to the International Bureau an opinion on the proposed classification and grouping within three months from the date of the notification of the proposal.

(3) [Withdrawal of Proposal] If, in the light of the opinion communicated under paragraph (2), the International Bureau withdraws its proposal, it shall notify accordingly the Office of origin and inform at the same time the applicant.

(4) [Modification of Proposal] If, in the light of the opinion communicated under paragraph (2), the International Bureau modifies its proposal, it shall notify the Office of origin and inform at the same time the applicant of such modification and of any consequent changes in

the amount or amounts indicated under paragraph (1)(b).

(5) [Confirmation of Proposal] If, notwithstanding the opinion referred to in paragraph (2), the International Bureau confirms its proposal, it shall notify accordingly the Office of origin and inform at the same time the applicant.

(6) [Fees] (a) If no opinion has been communicated to the International Bureau under paragraph (2), the amount or amounts referred to in paragraph (1)(b) shall be payable within four months from the date of the notification, failing which the application shall be considered abandoned and the International Bureau shall notify accordingly the Office of origin and inform at the same time the applicant.

(b) If an opinion has been communicated to the International Bureau under paragraph (2), the amount or amounts referred to in paragraphs (1)(b) and, where applicable, paragraph (4) shall be payable within three months from the date of the communication by the International Bureau of the withdrawal, modification or confirmation of its proposal under paragraph (3), (4) or (5), as the case may be, failing which the application shall be considered abandoned and the International Bureau shall notify accordingly the Office of origin and inform at the same time the applicant.

(7) [Classification in the Registration] Subject to the conformity of the international application with the other applicable requirements, the mark shall be registered with the classification and grouping that the International Bureau considers to be correct."

The portion of the report of the Working Group concerning the discussion of Rule 11 reads as follows:

"Paragraph (1). This paragraph was approved as proposed. The Secretariat explained that the fact that the applicant was informed of a proposed classification and grouping notified by the International Bureau to the Office of origin would enable the applicant to take action before that Office in order to give his view on the proposal by the International Bureau.

Paragraphs (2) to (5). These paragraphs were approved as proposed.

Paragraph (6). This paragraph was approved, subject to the addition of a provision providing for the refunding of fees already paid.

Paragraph (7). This paragraph was approved as proposed."

Draft Rule 12: Irregularities With Respect to the Indication of Goods and Services

Draft Rule 12 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Communication of Irregularity by the International Bureau to the Office of Origin] If the International Bureau considers that any of the goods and services is indicated in the international application by a term that is too vague for the purposes of classification or is incomprehensible or is linguistically incorrect, it shall notify accordingly the Office of origin and inform at the same time the applicant. In the same notification, the International Bureau may suggest a substitute term, or the deletion of the term.

(2) [Time Allowed to Remedy Irregularity] (a) The Office of origin may make a proposal for remedying the irregularity within three months from the date of the notification referred to in paragraph (1).

(b) If no proposal acceptable to the International Bureau for remedying the irregularity is made within the period indicated in subparagraph (a), the International Bureau shall include in the international registration the term as appearing in the international application, provided that the Office of origin has specified the class in which such term should be classified; the international registration shall contain an indication to the effect that, in the opinion of the International Bureau, the specified term is too vague for the purposes of classification or is incomprehensible or is linguistically incorrect, as the case may be. Where no class has been specified by the Office of origin, the International Bureau shall delete the said term *ex officio* and shall notify accordingly the Office of origin and inform at the same time the applicant.”

The portion of the report of the Working Group concerning the discussion of Rule 12 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 13: Registration of the Mark in the International Register

Draft Rule 13 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Registration of the Mark in the International Register] Where the International Bureau finds that the international application conforms with the applicable requirements, it shall register

the mark in the International Register and send a certificate to the holder.

(2) [Content of the Registration] The international registration shall contain

(i) all the data contained in the international application,

(ii) the date of the international registration,

(iii) the number of the international registration,

(iv) the term of the international registration,

(v) where the mark can be classified according to the International Classification of Figurative Elements, the relevant classification symbols of the said Classification as determined by the International Bureau,

(vi) an indication, with respect to each designated Contracting Party, as to whether it is a Contracting Party designated under the Agreement or a Contracting Party designated under the Protocol.”

The portion of the report of the Working Group concerning the discussion of Rule 13 reads as follows:

“This Rule was approved as proposed. In reply to a question, the Secretariat explained that notification of the international registration to the Office of origin was covered by Article 3(4) of the Agreement and the Protocol and that it was not therefore necessary to say so expressly in the Regulations.”

Draft Rule 14: Date of the International Registration in Special Cases

Draft Rule 14 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Premature Request] Where the Office of origin received a request to present to the International Bureau an international application governed exclusively by the Agreement or governed by both the Agreement and the Protocol before the mark which is the subject of that application is registered in its own register, the date of the receipt of the said request, for the purposes of Article 3(4) of the Agreement and Article 3(4) of the Protocol, shall be considered to be the date of the registration of the mark in the register of the said Office.

(2) [Irregular International Application] (a) Where the international application received by the International Bureau does not comply with all of the following requirements:

(i) sufficient indications concerning the identity or address of the applicant,

(ii) the indications referred to in Rule 8(5)(i) or Rule 8(6)(i) or (ii),

(iii) the indications and the declaration referred to in Rule 8(5)(iii) or Rule 8(6)(iv),

(iv) a reproduction of the mark,

(v) the specification of the goods and services for which registration of the mark is sought,

(vi) the identification of the designated Contracting Parties under Rule 8(5)(ii) or Rule 8(6)(iii),

(vii) the payment of the prescribed fees to the International Bureau,

the date of the international registration shall be the date on which the international application is put in order.

(b) Where the international application received by the International Bureau does not comply with requirements of Rule 8(4), (5), (6)(i) to (iv) and (7) other than those referred to in subparagraph (a), the date of the international registration shall not be affected by the irregularity if the application is put in order within three months from its receipt by the International Bureau.

(c) The date of the international registration shall not be affected by an irregularity in respect of the classification of goods and services if the sum corresponding to the classification fee and, where applicable, the sum corresponding to the supplementary fee or the supplement to the individual fee have been paid within the applicable period referred to in Rule 11(6)."

The portion of the report of the Working Group concerning the discussion of Rule 14 reads as follows:

Paragraph (1). The Secretariat was requested to examine whether the provision could be drafted in simpler terms, without changing the substance, however.

Paragraph (2). This paragraph was approved as proposed."

Draft Rule 15: Time Limit for Refusal in Case of Oppositions

Draft Rule 15 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Notification] (a) Where a declaration has been made by a Contracting Party pursuant to Article 5(2)(b) and (c), first sentence, of the Protocol, the Office of such Contracting Party shall, where applicable, inform the International Bureau of the number, and the name of the holder, of the international registration in respect

of which oppositions may be filed after the expiry of the 18-month time limit referred to in Article 5(2)(b) of the Protocol and, once known, of the date on which the opposition period ends.

(b) Where, with respect to a given international registration, the time limit for filing oppositions with the Office of a Contracting Party having made the declaration referred to in subparagraph (a) expires within the month preceding the expiry of the 18-month time limit referred to in Article 5(2)(b) of the Protocol and an opposition is filed within that month, a refusal based on that opposition may be notified to the International Bureau within one month from the date of filing of the opposition, provided that the said Office has, before the expiry of the 18-month time limit, informed the International Bureau of the fact that the time limit for filing oppositions will expire within the month preceding the expiry of the 18-month time limit and of the possibility that oppositions may be filed during that month.

(2) [Transmittal of Copies of Notifications] The International Bureau shall transmit a copy of the notification received under paragraph (1) to the Office of origin, unless that Office has informed the International Bureau that it does not wish to receive such copies, and, at the same time, to the holder of the international registration concerned."

The portion of the report of the Working Group concerning the discussion of Rule 15 reads as follows:

"This Rule was approved as proposed. The Secretariat was requested to examine whether the provision contained in paragraph (1)(b) could be drafted in simpler terms."

Draft Rule 16: Notification of Refusal

Draft Rule 16 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Refusals Not Based on an Opposition] (a) Where the decision of refusal is not based on an opposition, the notification of refusal under Article 5(1) of the Agreement, under Article 5(1) of the Protocol or under both shall be signed and shall contain or indicate

- (i) the Office communicating the refusal,*
- (ii) the number of the international registration,*
- (iii) the name and address of the holder of the international registration,*
- (iv) the grounds on which the refusal is based and the corresponding essential provisions of the law,*

(v) where the grounds on which the refusal is based refer to a prior mark with which the mark that is the subject of the international registration appears to be in conflict, the filing date, the priority date (if any), the registration date (if available), the name and address of the owner, and a reproduction, of that prior mark, together with the list of goods and services in the application or registration of the prior mark, it being understood that the said list may be in the language of the said application or registration,

(vi) if the refusal does not affect all the goods and services, those which are affected by the refusal,

(vii) whether or not the refusal may be subject to review or appeal and, if so, the time limit, reasonable under the circumstances, for any request for review of, or appeal against, the refusal and the authority to which such request for review or appeal shall lie, with the indication, where applicable, that the request for review or the appeal has to be filed through the intermediary of a representative whose address is within the territory of the Contracting Party whose Office has pronounced the refusal,

(viii) the date on which the refusal was pronounced.

(b) The International Bureau shall record the refusal in the International Register, with an indication of the date on which the notification of refusal was sent or is regarded under Rule 18(1)(c) as having been sent to the International Bureau.

(c) Where the notification of refusal under subparagraph (a) indicates that the refusal may be subject to review or appeal, the Office that communicated the refusal

(i) may, where a request for review or an appeal has been lodged or where the applicable time limit has expired without a request for review or an appeal having been lodged, inform the International Bureau of that fact;

(ii) shall, where it has informed the International Bureau that a request for review or an appeal has been lodged, notify as soon as possible the International Bureau of the final decision taken on the review or appeal or, where the request for review or the appeal has been withdrawn, inform as soon as possible the International Bureau of that withdrawal;

(iii) shall, where a request for review or an appeal has been lodged without the International Bureau having been informed accordingly, notify as soon as possible the International Bureau of the final decision taken on the review or appeal, except where the final decision consists of rejecting completely the request for review or the appeal.

(d) The International Bureau shall record in the International Register the relevant facts and data referred to in subparagraph (c) of which it has been informed.

(2) [Refusals Based on an Opposition] (a) Where the decision of refusal is based on an opposition or on an opposition and other grounds, the notification of refusal under Article 5(1) of the Agreement, under Article 5(1) of the Protocol or under both shall, in addition to complying with the applicable requirements referred to in paragraph (1)(a), contain an indication of that fact and of the name and address of the opponent, as well as an indication of whether or not a decision entirely or partially rejecting the opposition may be subject to review or appeal.

(b) The International Bureau shall record the refusal in the International Register, with an indication of the date on which the notification of refusal was sent or is regarded under Rule 17(1)(c) as having been sent to the International Bureau.

(c) Where the notification of refusal under subparagraph (a) indicates that the refusal may be subject to review or appeal, either in respect of the refusal or in respect of a rejection of an opposition, the Office that communicated the refusal

(i) may, where a request for review or an appeal has been lodged or where the applicable time limit has expired without a request for review or an appeal having been lodged, inform the International Bureau of that fact;

(ii) shall, where it has informed the International Bureau that a request for review or an appeal has been lodged, notify as soon as possible the International Bureau of the final decision taken on the review or appeal or, where the request for review or the appeal has been withdrawn, inform as soon as possible the International Bureau of that withdrawal;

(iii) shall, where a request for review or an appeal has been lodged without the International Bureau having been informed accordingly, notify as soon as possible the International Bureau of the final decision taken on the review or appeal, except where the final decision consists of rejecting completely the request for review or the appeal.

(d) The International Bureau shall record in the International Register the relevant facts and data referred to in subparagraph (c) of which it has been informed.

(3) [Transmittal of Copies of Notifications] The International Bureau shall transmit copies of notifications received under paragraph (1) or (2)

to the Office of origin, unless that Office has informed the International Bureau that it does not wish to receive such copies, and, at the same time, to the holder of the international registration concerned."

The portion of the report of the Working Group concerning the discussion of Rule 16 reads as follows:

"This Rule was approved as proposed, subject to the reference 'Rule 18(1)(c)' in paragraph (1)(b) being replaced by '17(1)(c)' and to the Secretariat examining whether, in paragraph (2), the words 'as well as an indication of whether or not a decision entirely or partially rejecting the opposition may be subject to review or appeal' should not be deleted."

Draft Rule 17: Irregular Refusals

Draft Rule 17 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Contracting Party Designated under the Agreement] (a) In the case of a refusal concerning the effect of the international registration in a Contracting Party designated under the Agreement, the notification of refusal shall not be regarded as such by the International Bureau

(i) if it does not identify the Office which communicated the refusal,

(ii) if it is not signed on behalf of the said Office,

(iii) if it does not indicate the number of the international registration,

(iv) if it does not indicate any grounds for refusal,

(v) if it is sent too late to the International Bureau, that is, if it is sent after the expiration of one year from the date on which the recordal of the international registration or the recordal of the designation made subsequently to the international registration has been effected, it being understood that the said date is the same as the date of sending the notification of the international registration or of the designation made subsequently. In the case of a notification of refusal sent by post, the date of dispatch shall be determined by the postmark. If the postmark is illegible or missing, the International Bureau shall treat such notification as if it had been sent 20 days before the date of its receipt by the International Bureau. However, if the date of dispatch thus determined is earlier than the date on which the refusal was pronounced, the International Bureau shall treat such notification as if it had been sent on the latter date.

(b) Where subparagraph (a) applies, the International Bureau shall nevertheless transmit a copy of the notification to the holder, shall inform, at the same time, the holder and the Office that sent the notification that the notification of refusal is not regarded as such by the International Bureau, and shall indicate the reasons therefor.

(c) If the notification of refusal does not contain

(i) where applicable, the details of the prior mark with which the mark that is the subject of the international application appears to be in conflict (Rule 16(1)(a)(v)),

(ii) where applicable, the name and address of the opponent (Rule 16(2)(a)),

(iii) where the refusal indicates that not all the goods and services are affected, the indication of those goods and services that are affected by the refusal (Rule 16(1)(a)(vi)),

(iv) where applicable, the indication of the authority to which a request for review or an appeal lies and the applicable time limit for lodging such a request or appeal (Rule 16(1)(a)(vii)),

(v) the indication of the date on which the refusal was pronounced (Rule 16(1)(a)(viii)),

the International Bureau shall invite the Office which communicated the refusal to rectify its notification within three months from the invitation. If the notification is so rectified, the rectified notification shall be regarded as having been sent to the International Bureau on the date on which the defective notification had been sent to it, provided that the time limit referred to in item (iv) shall be reasonable under the circumstances. The International Bureau shall transmit copies of the rectified notification to the Office of origin, unless that Office has informed the International Bureau that it does not wish to receive such copies, and to the holder. If the notification is not so rectified, it shall not be regarded as a notification of refusal.

(2) [Contracting Party Designated under the Protocol] Paragraph (1) shall also apply in the case of a refusal concerning the effect of the international registration in a Contracting Party designated under the Protocol, it being understood that the time limit referred to in paragraph (1)(a)(v) shall be the time limit applicable under Article 5(2)(a), (b) or (c) of the Protocol."

The portion of the report of the Working Group concerning the discussion of Rule 17 reads as follows:

"This Rule was approved, subject to the word 'trop' in the French version being deleted from

the first line of paragraph (1)(a)(v) and to the wording of the paragraph being drafted to allow for up-to-date document transmission means which might no longer bear a postmark.”

Draft Rule 18: Invalidations in Designated Contracting Parties

Draft Rule 18 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Content of the Notification of Invalidation] Where Article 5(6) of the Agreement or Article 5(6) of the Protocol applies and the invalidation is no longer subject to appeal, the Office of the Contracting Party whose competent authority has pronounced the invalidation shall notify the International Bureau accordingly. The notification shall state that the invalidation is no longer subject to appeal and shall contain or indicate

(i) the authority which pronounced the invalidation,

(ii) the number of the international registration which is the subject of the invalidation,

(iii) the name and address of the holder of the international registration which is the subject of the invalidation,

(iv) if the invalidation does not affect all the goods and services, those in respect of which the invalidation has been pronounced,

(v) the date on which the invalidation was pronounced.

(2) [Recordal of the Invalidation, Cancellation and Information of the Holder] The International Bureau shall record the invalidation in the International Register, together with the data contained in the notification of invalidation, and cancel, in totality or for the goods and services concerned, the designation of the Contracting Party in respect of which the invalidation has been pronounced, and shall inform the holder accordingly.”

The portion of the report of the Working Group concerning the discussion of Rule 18 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 19: Recordal of Decisions Restricting the Rights of the Holder

Draft Rule 19 of the draft Regulations as submitted by the International Bureau read as follows:

“Where the Office of a Contracting Party informs the International Bureau that a judicial

or administrative decision that is no longer subject to appeal has the effect of restricting the rights of the holder in respect of the international registration in the territory of that Contracting Party, the International Bureau shall record that information in the International Register and shall inform the holder accordingly.”

The portion of the report of the Working Group concerning the discussion of Rule 19 reads as follows:

“This Rule was approved as proposed, on the understanding that any interested person could obtain from the Office concerned any additional information with respect to the decision that had led to the recordal referred to in the Rule.”

Draft Rule 20: Ceasing of Effect of Basic Application or Basic Registration

Draft Rule 20 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Notification Relating to Ceasing of Effect of a Basic Application or Basic Registration] (a) Where Article 6(3) and (4) of the Agreement or Article 6(3) and (4) of the Protocol, or both, apply, the Office of origin shall notify the International Bureau accordingly and shall indicate

(i) the number of the international registration,

(ii) the name and address of the holder of the international registration,

(iii) the facts and decisions affecting the basic registration, or, where the international registration concerned is based on a basic application which has not resulted in a registration in the country of origin, the facts and decisions affecting the basic application, and the effective date of those facts and decisions,

(iv) where the said facts and decisions affect the international registration only in part, the said part.

(b) Where a judicial action referred to in Article 6(4) of the Agreement, or a proceeding referred to in item (i), (ii) or (iii) of Article 6(3) of the Protocol, began before the expiry of the five-year period but has not, before the expiry of that period, resulted in the final decision referred to in Article 6(4) of the Agreement, or in the final decision referred to in the second sentence of Article 6(3) of the Protocol or in the withdrawal or renunciation referred to in the third sentence of Article 6(3) of the Protocol, the Office of origin shall, as soon as possible after the expiry

of the said period, notify the International Bureau accordingly and shall give the indications referred to in subparagraph (a)(i) to (iv).

(2) [Rectification of the Notification] If the notification referred to in paragraph (1) does not comply with the requirements of that paragraph, the International Bureau shall invite the Office of origin to rectify the notification within three months from the date of the invitation.

(3) [Cancellation of the International Registration; Recordal and Transmittal of the Notification] (a) Where the notification referred to in paragraph (1) requests cancellation of the international registration and complies with the requirements of that paragraph, the International Bureau shall cancel, to the extent applicable, the international registration in the International Register and shall transmit a copy of the notification to the Offices of the designated Contracting Parties and the holder.

(b) The International Bureau shall record the notification referred to in paragraph (1)(b) in the International Register and shall transmit a copy of the notification to the Offices of the designated Contracting Parties and to the holder."

The portion of the report of the Working Group concerning the discussion of Rule 20 reads as follows:

"This Rule was approved as proposed."

Draft Rule 21: Designation Subsequent to the International Registration

Draft Rule 21 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Presentation; Form and Signature] (a) A designation made subsequently to the international registration shall be presented to the International Bureau by the holder or by the Office of origin, provided that, where Rule 6(1) applies, it must be presented by the Office of origin.

(b) The designation referred to in subparagraph (a) shall be presented on the official form in one copy. The official form shall be completed legibly, preferably with the use of a typewriter or other machine; the designation shall be signed by the holder where the designation is presented by the holder. Where the designation is presented by the Office of origin, it shall be signed by the Office of origin or the holder or both the Office of origin and the holder. The Office of origin may require that the official form be signed by it; in the latter case, the Office of origin may allow the

holder to sign the official form, in addition to the signature by the Office.

(2) [Content] (a) The designation referred to in paragraph (1)(a) shall indicate

(i) the number of the international registration concerned,

(ii) the name and address of the holder of the international registration,

(iii) the Contracting Party that is designated, with an indication of the goods and services listed in the international registration that are covered by the designation,

(iv) the amount of the fees being paid, the method by which payment is being made and the identification of the party effecting the payment.

(b) Where the designation concerns a Contracting Party that has made a notification under Rule 6(2), a declaration of bona fide intent to use the mark in the territory of that Contracting Party, signed by the holder and not by a representative, shall be made on a separate official form annexed to the designation; such declaration shall be considered part of the designation of the Contracting Party requiring the said declaration.

(3) [Fees] The designation referred to in paragraph (1)(a) shall be accompanied by the fees specified in item 8 of the Schedule of Fees.

(4) [Date of Subsequent Designation] A designation made subsequent to the international registration shall bear the date on which the designation was received by the Office of origin, provided that, where the International Bureau receives the designation from the Office of origin after the expiration of a period of two months from the date of its receipt by the Office of origin, the designation shall bear the date of its receipt by the International Bureau.

(5) [Special Cases] (a) The holder of an international registration resulting from an international application governed exclusively by the Agreement may designate Contracting Parties bound by the Protocol but not by the Agreement, provided that, at the time of that designation, the Contracting Party whose Office is the Office of origin, or, where a change in ownership has been recorded, the Contracting Party in respect of which the new holder fulfills the conditions to be the holder of an international registration, is bound by both the Agreement and the Protocol. In the case of the first such designation, the International Bureau shall effect a new publication, in both English and French, of the international registration which is the subject of the subsequent designation; Rule 5(3)(c) shall apply *mutatis mutandis*.

(b) The holder of an international registration resulting from an international application governed exclusively by the Protocol may designate Contracting Parties bound by the Agreement but not by the Protocol, provided that

(i) at the time of that designation, the Contracting Party whose Office is the Office of origin, or, where a change in ownership has been recorded, the Contracting Party in respect of which the new holder fulfills the conditions to be the holder of an international registration, is bound by both the Agreement and the Protocol, and

(ii) either the international registration is based on a basic registration, or, if it is based on a basic application and the said application resulted in a registration, the Office of origin has sent, at the request of the holder of the international registration, a declaration to the International Bureau certifying that fact and indicating the date of the registration and the list of goods and services comprised in that registration, and the International Bureau has recorded the contents of that declaration.

(6) [Applicable Provisions] Rules 10, 13, 14(2) and 15 to 17 shall apply *mutatis mutandis*."

The portion of the report of the Working Group concerning the discussion of Rule 21 reads as follows:

Paragraph (1)(a). This paragraph was approved as proposed.

Paragraph (1)(b). This paragraph was approved subject to it being specified, in the last sentence of the paragraph, that the Office of origin may not only allow the holder to sign the subsequent designation, in addition to signature by the Office, but may also require the holder to sign the designation.

Paragraph (2). This paragraph was approved as proposed, subject to the words 'intent to use' in paragraph (2)(b) being replaced by 'intention to use.'

Paragraph (3). This paragraph was approved as proposed, subject to the reference to 'item 8' being replaced by 'item 6.'

Paragraph (4). This paragraph was approved, subject to the addition of a sentence specifying that, where subsequent designation was made by the holder directly with the International Bureau, the designation was to be entered on the date on which it had been received by the International Bureau.

Paragraphs (5)(a) and (b)(i). These paragraphs were approved as proposed.

Paragraph (5)(b)(ii). This paragraph was approved as proposed, subject to the word 'que' being added ahead of the words 'l'Office d'origine' in the third line of the French version.

Paragraph (6). This paragraph was approved as proposed."

Draft Rule 22: Request for Recordal of a Change

Draft Rule 22 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Presentation of the Request] (a) A request for the recordal of a change concerning an international registration, such as a change in the ownership of the international registration in respect of all or some of the goods and services or all or some of the designated Contracting Parties, a limitation of the list of goods and services in respect of all or some of the designated Contracting Parties, a renunciation of protection in a designated Contracting Party, or changes in the name or address of the holder or of the representative, shall be presented on an official form to the International Bureau.

(b) The request shall be presented by an interested Office or by the holder, provided that the request for recordal of a change other than a change in the name or address of the holder or of the representative must be presented by an interested Office where the change affects any Contracting Party designated under the Agreement.

(2) [Content of the Request] The request for the recordal of a change shall, in addition to the requested change, indicate

(i) the number of the international registration concerned,

(ii) the name and address of the holder of the international registration,

(iii) in case of a change in the ownership of the international registration, the name and address, indicated in accordance with Rule 8(4)(i) and (ii), of the natural person or legal entity mentioned in the request as the new holder of the international registration (hereafter referred to as 'the transferee'),

(iv) in case of a change in the ownership of the international registration, the Contracting Party or Parties in respect of which the transferee fulfills the conditions, under Articles 1(2) and 2 of the Agreement or under Article 2(1) of the Protocol, to be the holder of an international registration,

(v) the amount of the fees being paid, the method by which payment is being made and the identification of the party effecting the payment.

(3) [Request Not Admissible] A change in the ownership of an international registration may not be recorded in respect of a given designated Contracting Party if that Contracting Party

(i) has been designated under the Agreement and the Contracting Party indicated under paragraph (2)(iv) is not bound by the Agreement, or none of the Contracting Parties indicated under that paragraph is bound by the Agreement,

(ii) has been designated under the Protocol and the Contracting Party indicated under paragraph (2)(iv) is not bound by the Protocol, or none of the Contracting Parties indicated under that paragraph is bound by the Protocol.”

The portion of the report of the Working Group concerning the discussion of Rule 22 reads as follows:

“This Rule was approved as proposed, including the corrigendum contained in document GT/PM/V/2 Corr. The Secretariat explained that the words ‘interested Office’ given in paragraph (1)(b) were intended to refer to any Office that considered itself an interested Office. It was further said that, as long as the international registration had not been cancelled, amendments concerning the registration could be entered in the international register.”

Draft Rule 23: Irregularities in Requests for Recordal of Changes

Draft Rule 23 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Irregular Request] If the request for the recordal of a change does not comply with the applicable requirements, the International Bureau shall notify that fact to the party (holder or Office) that presented the request.

(2) [Time Allowed to Remedy Irregularity] If the irregularity is not remedied within three months from the date of the notification of the irregularity by the International Bureau, the request shall be considered abandoned and any fees already paid shall be reimbursed.”

The portion of the report of the Working Group concerning the discussion of Rule 23 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 24: Recordal and Notification of Changes; Refusal of the Effect of a Change in Ownership

Draft Rule 24 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Recordal and Notification of a Change] The International Bureau shall, provided that the request for the recordal of a change is in order, promptly record the change in the International Register and shall notify accordingly and at the same time the holder and the Offices of the designated Contracting Parties in which the change has effect. The change shall be recorded with the date of receipt by the International Bureau of the request complying with the applicable requirements. Where the modification consists of a renunciation of protection in a designated Contracting Party, the designation of that Contracting Party shall be cancelled from the International Register.

(2) [Recordal of Partial Change in Ownership] Assignment or other transfer of the international registration in respect of some only of the goods and services or some only of the designated Contracting Parties shall be recorded in the International Register under the number of the international registration of which a part has been assigned or otherwise transferred; any assigned or otherwise transferred part shall be cancelled under the number of the said international registration and recorded as a separate international registration. The separate international registration shall bear the number of the registration of which a part has been assigned or otherwise transferred, together with a capital letter.

(3) [Recordal of Merger of International Registrations] Where the same natural person or legal entity becomes the holder of two or more international registrations referred to in paragraph (2), the registrations shall be merged on the request of the said person or entity, and paragraph (1) and Rules 22 and 23 shall apply mutatis mutandis.

(4) [Refusal of the Effect of a Change in Ownership] (a) The Office of a designated Contracting Party which is notified, by the International Bureau, of a change in ownership affecting that Contracting Party may declare that the effect of the change in ownership in the said Contracting Party is refused. Such declaration shall indicate the grounds on which the refusal is based and the corresponding essential provisions of the law. It shall be notified to the International Bureau which shall notify accordingly the party (holder or Office) that presented the request for the recordal of a change in ownership and the new holder.

(b) Any final decision relating to the refusal referred to in subparagraph (a) above shall be notified to the International Bureau which shall record the final decision, notify accordingly the party (holder or office) that presented the request for the recordal of a change in ownership and the new holder. If the final decision confirms the refusal, the publication of the change in ownership shall be modified accordingly.”

The portion of the report of the Working Group concerning the discussion of Rule 24 reads as follows:

“This Rule was approved as proposed, including the corrigendum contained in document GT/PM/V/2 Corr. The Secretariat explained that the separate international registration resulting from assignment of an international registration for some only of the goods and services or for some only of the designated Contracting Parties could itself be assigned for some only of the goods and services or some only of the designated Contracting Parties. It was further decided that it was not necessary to lay down a time limit within which a refusal of the effect of a change in ownership had to be notified.”

Draft Rule 25: Corrections in the International Register

Draft Rule 25 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Correction] Where the International Bureau, acting *ex officio* or at the request of the holder or of an Office, considers that there is an error concerning an international registration in the International Register, it shall modify the Register accordingly.

(2) [Notification] The International Bureau shall notify accordingly the holder and, at the same time, the Offices of the designated Contracting Parties in which the correction has effect.

(3) [Refusal of Effects of Correction] Any Office referred to in paragraph (2) shall have the right to declare in a notification to the International Bureau that it refuses to recognize the effects of the correction. Article 5 of the Agreement or Article 5 of the Protocol and Rules 15 to 17 shall apply *mutatis mutandis*, it being understood that the date of sending the notification of the correction shall be the date from which the time limit for pronouncing a refusal is counted.”

The portion of the report of the Working Group concerning the discussion of Rule 25 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 26: Unofficial Notice of Expiration

Draft Rule 26 of the draft Regulations as submitted by the International Bureau read as follows:

“The unofficial notice of expiration which is sent, according to Article 7(4) of the Agreement and Article 7(3) of the Protocol, six months before the expiration of the term of protection to the holder and his representative, if any, as a reminder of the exact date of expiration of the international registration, shall include an indication of the designated Contracting Parties at the date of the notice. Where, at the said date, the international registration shows that a refusal or an invalidation relating to all or some of the goods and services is recorded in respect of a designated Contracting Party, this fact shall be indicated in the said notice.”

The portion of the report of the Working Group concerning the discussion of Rule 26 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 27: Fees Concerning Renewal

Draft Rule 27 of the draft Regulations as submitted by the International Bureau read as follows:

“(b) [Period for Which Renewal Fees Are Paid] The fees required for each renewal shall be paid for 10 years, irrespective of the fact that the international registration contains, in the list of designated Contracting Parties, only Contracting Parties designated under the Agreement, only Contracting Parties designated under the Protocol, or both Contracting Parties designated under the Agreement and Contracting Parties designated under the Protocol.

(2) [Kinds of Fees] The fees referred to in paragraph (1) are

- (i) the basic fee,
- (ii) subject to paragraph (3), the complementary fee,
- (iii) where applicable, the supplementary fee, it being understood that, where the renewal is made only for Contracting Parties designated under the Protocol and having made a notification

under Article 8(7)(a) of the Protocol, no supplementary fee shall be payable, and

(iv) where the period of grace of six months provided for in Article 7(5) of the Agreement or in Article 7(4) of the Protocol is made use of, the surcharge, specified in item 5 of the Schedule of Fees.

(3) [Individual Fee] Where a Contracting Party designated under the Protocol has made a notification under Article 8(7)(a) of the Protocol, the payment of a complementary fee for that Contracting Party, as referred to in paragraph (2)(ii), is replaced by the payment of the individual fee specified in item 5 of the Schedule of Fees.

(4) [Time Limit for Payment] If the fees referred to in paragraphs (2)(i) to (iii) and (3) are paid earlier than three months before the date on which the renewal of the international registration is due, they shall be considered as having been paid three months before that date. The fees shall be paid, at the latest, on the date on which the renewal of the international registration is due, except where the surcharge referred to in paragraph (2)(iv) is payable, in which case both the surcharge and the other required fees shall be paid within six months from the date on which the renewal of the international registration was due.

(5) [Insufficient Fees] (a) *If the amount of the fees received is less than the amount required, the International Bureau shall promptly notify at the same time both the holder and the representative, if any, accordingly.*

(b) *If the amount of the fees received is, at the expiration of the time limit under paragraph (4), less than the amount required, the International Bureau shall not record the renewal and shall reimburse the amount received to the party having paid it.*

(6) [Renewal for Less Than All the Designated Contracting Parties] *The fact that the fees required for renewal are not paid in respect of all the designated Contracting Parties shall not be considered to constitute a change for the purposes of Article 7(2) of the Agreement or Article 7(2) of the Protocol.*

The portion of the report of the Working Group concerning the discussion of Rule 27 reads as follows:

“Paragraph (1). After a discussion on the compatibility of this paragraph with Article 7(1) of the Madrid Agreement, the Secretariat was requested to amend the wording of the paragraph, for instance by adding a sentence along the

following lines: ‘As regards payments under the Agreement, the payment for 10 years shall be considered to be a payment for an installment of 10 years.’

Paragraphs (2) to (4). These paragraphs were approved as proposed.

Paragraphs (5) and (6). The Secretariat noted a number of suggestions regarding the action that could be taken by the International Bureau in cases where fees paid for the purposes of renewal were insufficient in relation to the Contracting Parties for which renewal was sought. It was in particular considered that one might provide that when, in spite of reminders sent by the International Bureau, the outstanding amount was not paid upon expiration of the period of grace, the International Bureau could advance the amount in question to the applicant, provided that the amount already paid represented a substantial portion of the fees payable. The advance made by the International Bureau would have to be repaid within a certain period, together with a surcharge representing 50 percent of the advance. It was also suggested that the possibility of the International Bureau making such an advance could also be made available in the case of insufficient payment of fees payable on the filing of the international application. Reference was made in that connection to the former Rule 16bis of the Regulations under the Patent Cooperation Treaty.”

Draft Rule 28: Recordal of the Renewal; Notification and Certificate

Draft Rule 28 of the draft Regulations as submitted by the International Bureau reads as follows:

“(1) [Effective Date of the Renewal] Renewal shall be recorded in the International Register with the date on which renewal was due, even if the fees required for renewal are paid within the period of grace referred to in Article 7(5) of the Agreement and in Article 7(4) of the Protocol.

(2) [Contracting Parties Not Covered by the Renewal] Where the fees required for renewal are not paid in respect of any designated Contracting Party, the designation of that Contracting Party shall be cancelled in the International Register and the International Bureau shall notify the Office of such Contracting Party accordingly.

(3) [Notification and Certificate] The International Bureau shall notify the Offices of the designated Contracting Parties concerned of the renewal and shall send a certificate to the holder.”

The portion of the report of the Working Group concerning the discussion of Rule 28 reads as follows:

“This rule was approved as proposed, subject to the possibility of an amendment to paragraph (2) in response to whatever action was taken in connection with Rule 27(5) and (6) (see the preceding paragraph).”

Draft Rule 29: Gazette

Draft Rule 29 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Information Concerning International Registrations] The International Bureau shall publish in the Gazette relevant data recorded since the last preceding issue of the Gazette in the International Register concerning international registrations, notifications under Rule 15(1), refusals (without the grounds for refusal, however), renewals (together with information on the status of any refusal or invalidation), designations subsequent to the international registration, changes (with an indication of the class or classes of the International Classification covered by the international registration), cancellations, corrections, invalidations as well as information recorded under Rules 19 and 20(1)(b). Where color is claimed and the reproduction of the mark contained in the international application according to Rule 8(4)(v) is in black and white, the Gazette shall contain both the reproduction of the mark in black and white and the reproduction in color furnished by the applicant according to Rule 8(4)(vi). The Gazette shall also publish the numbers of international registrations which have not been renewed.

(2) [Information Concerning Particular Requirements and Certain Declarations of Contracting Parties, and Other General Information] The International Bureau shall publish in each issue of the Gazette

- (i) any notifications made under Rule 6,
- (ii) any declarations made under Article 5(2)(b) and (c), first sentence, of the Protocol,
- (iii) a list of the days on which the International Bureau is not scheduled to be open to the public during the current and the following calendar year and such a list for each Office which has communicated it to the International Bureau.

(3) [Yearly Index] In respect of every year, the International Bureau shall publish an index indicating, in alphabetical order, the names of the holders of the international registrations

concerning which one or more entries were published in that year in the Gazette. The name of the holder shall be accompanied by the number of the international registration, the page number of the Gazette issue in which the entry affecting the international registration was published and the indication of the nature of the entry, such as registration, renewal, refusal, invalidation, cancellation or change.

(4) [Number of Copies for Offices of Contracting Parties] The International Bureau shall send each Office copies of the Gazette in its paper, microfiche or CD-ROM (Compact Disc Read Only Memory) or other form. Each Office shall be entitled, free of charge, to two copies and, where during a given calendar year the number of designations recorded with respect to that Contracting Party exceeded 2,000, in the following year one additional copy and further additional copies for each 1,000 designations in addition to 2,000 designations. Each Contracting Party may purchase each year the same number of copies as the number to which it is entitled free of charge, at half of the subscription price.”

The portion of the report of the Working Group concerning the discussion of Rule 29 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 30: Electronic Data Base

Draft Rule 30 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Maintenance of Electronic Data Base] The International Bureau shall maintain an electronic data base.

(2) [Data Recorded in the International Register] All the data recorded in the International Register shall be entered in the electronic data base.

(3) [Data Concerning Pending International Applications and Subsequent Designations] If an international application or a designation under Rule 21 is not recorded in the International Register within three working days following the receipt by the International Bureau of the international application or designation, the International Bureau shall enter, under a provisional number, in the electronic data base, notwithstanding any irregularities that may exist in the international application or designation as received, all the data contained in the international application or designation.

(4) *[Public Access to Electronic Data Base]* The electronic data base shall be made accessible to the Offices of the Contracting Parties and, against payment of the prescribed fee, to the public, by on-line access and through other appropriate means determined by the International Bureau. The cost of accessing shall be borne by the user. Data entered under paragraph (3) shall be accompanied by a warning to the effect that the International Bureau has not yet made a decision on the international application or designation under Rule 21."

The portion of the report of the Working Group concerning the discussion of Rule 30 reads as follows:

"This Rule was approved as proposed."

Draft Rule 31: Payment of Fees

Draft Rule 30 of the draft Regulations as submitted by the International Bureau read as follows:

"(1) [Modalities of Payment] The fees indicated in the Schedule of Fees may be paid

- (i) by debit to a current account with the International Bureau,
- (ii) by payment into the Swiss postal cheque account or to any of the specified bank accounts of the International Bureau,
- (iii) by a banker's cheque,
- (iv) by payment in cash at the International Bureau.

(2) [Indications Accompanying the Payment] At the time of the payment of any fee, an indication must be given,

- (i) before international registration, of the name of the applicant, the mark concerned and the purpose of the payment,
- (ii) after international registration, of the name of the holder, the number of the international registration concerned and the purpose of the payment,
- (iii) where the amount of the fees paid for renewal is less than what would be required for renewal in respect of all the designated Contracting Parties, of the Contracting Parties to which the renewal extends or does not extend.

(3) [Date of Payment] (a) Subject to subparagraph (b), any fee shall be considered to have been paid on the day on which the International Bureau receives the required amount.

(b) Where the required amount is available in an account opened with the International Bureau and that Bureau has received an instruction from the holder of the account to debit it, the fee shall be considered to have been paid on the day on which the International Bureau receives an international application, a subsequent designation, a request for the recordal of a change or correction, or an instruction to renew an international registration, which is in conformity with these Regulations.

(4) [Change in the Amount of the Fees] (a) Where the amount of the fees payable in respect of the filing of an international application is changed between, on the one hand, the date of the receipt, by the Office of origin, of the request to present the international application to the International Bureau and, on the other hand, the date of the receipt of the international application by the International Bureau, the fee that was valid at the first date shall be applicable.

(b) Where a designation under Rule 21 is presented by the Office of origin and the amount of the fees payable in respect of that designation is changed between, on the one hand, the date of receipt, by the Office of origin, of the request by the holder to present the said designation and, on the other hand, the date on which the designation is recorded by the International Bureau, the fee that was valid at the first date shall be applicable.

(c) Where the amount of the fees payable in respect of the renewal of an international registration is changed between the date of payment and the due date of the renewal, the fee that was valid at the date of payment, or at the date considered to be the date of payment under Rule 27(4), shall be applicable. Where the payment is made after the due date, the fee that was valid at the due date shall be applicable.

(d) Where the amount of any fee other than the fees referred to in paragraphs (a), (b) and (c) is changed, the amount valid at the date on which the fee was received by the International Bureau shall be applicable."

The portion of the report of the Working Group concerning the discussion of Rule 31 reads as follows:

"This Rule was approved as proposed. It was confirmed that an amount could be debited to a current account provided that the holder of the account had authorized the International Bureau to debit the amount in question for a particular operation, even where the actual amount to be debited had not been specified by the holder."

Draft Rule 32: Currency of Payments

Draft Rule 32 of the draft Regulations as submitted by the International Bureau read as follows:

“(1) [Obligation to Use Swiss Currency] All payments due under these Regulations shall be made in Swiss currency.

(2) [Establishment of the Amount of Individual Fees in Swiss Currency] (a) Where a Contracting Party makes a declaration under Article 8(7)(a) of the Protocol that it wants to receive an individual fee, the amount of the individual fee indicated to the International Bureau shall be expressed in the currency used by its Office.

(b) Where the fee is indicated in the declaration in a currency other than Swiss currency, the Director General shall, after consultation with the Office of the Contracting Party concerned, establish the amount of the individual fee in Swiss currency on the basis of the official exchange rate of the United Nations.

(c) Subject to subparagraph (d), where, for more than 30 consecutive days, the official exchange rate of the United Nations between Swiss currency and the other currency in which the amount of an individual fee has been indicated by a Contracting Party is higher or lower by at least 5% than the last exchange rate applied to establish the amount of the individual fee in Swiss currency, the Office of that Contracting Party may ask the Director General to establish a new amount of the individual fee in Swiss currency according to the official exchange rate of the United Nations prevailing on the day preceding the day on which the request is made. The Director General shall proceed accordingly. The new amount shall become applicable as from a date which shall be fixed by the Director General, provided that such date is between one and two months after the date of the publication of the said amount in the Gazette.

(d) Where, for more than 30 consecutive days, the official exchange rate of the United Nations between Swiss currency and the other currency in which the amount of an individual fee has been indicated by a Contracting Party is higher or lower by at least 10% than the last exchange rate applied to establish the amount of the individual fee in Swiss currency, the Director General shall, after consultation with the Office of that Contracting Party, establish a new amount of the individual fee in Swiss currency according to the official exchange rate of the United Nations prevailing on the day preceding the day on which the consultation is initiated by the Director General. The new amount shall become applicable as from a date which shall be fixed by the

Director General, provided that such date is between one and two months after the date of the publication of the said amount in the Gazette.”

The portion of the report of the Working Group concerning the discussion of Rule 32 reads as follows:

“This Rule was approved as proposed.”

Draft Rule 33: Exemption from Fees

Draft Rule 33 of the draft Regulations as submitted by the International Bureau read as follows:

“Recordal of the following shall be exempt from fees:

(i) the recordal of an appointment of a representative and the cancellation of such a recordal;

(ii) the total cancellation of the international registration,

(iii) the renunciation of protection in respect of a Contracting Party,

(iv) the limitation of the list of goods and services in respect of a Contracting Party if effected in the international application itself,

(v) the limitation of the list of goods and services requested by an Office in accordance with Article 6(4), first sentence, of the Agreement or Article 6(4), first sentence, of the Protocol,

(vi) the existence of a judicial proceeding or of a final judgment affecting the basic application or the basic registration,

(vii) a refusal under Rule 16, Rule 24(4) or Rule 25(3) or a notification under Rule 16(2)(c),

(viii) the invalidation of an international registration,

(ix) a decision, notified under Rule 19, restricting the holder's rights in respect of an international registration,

(x) a correction in the International Register.”

The portion of the report of the Working Group concerning the discussion of Rule 33 reads as follows:

“This Rule was approved as proposed, subject to item (i) specifying that the recordal of changes concerning the representative, and not only the recordal of the appointment of the representative and its cancellation, were exempted from fees, and the word ‘total’ being deleted in item (ii). One delegation considered that any fee that did not bring the International Bureau substantial revenue in relation to the corresponding work done by the Bureau should in principle be eliminated.”

Draft Rule 34: Distribution of Supplementary Fees and Complementary Fees

Draft Rule 34 of the draft Regulations as submitted by the International Bureau read as follows:

“The coefficient referred to in Article 8(5) and (6) of the Agreement and Article 8(5) and (6) of the Protocol shall be as follows:

- (a) for Contracting Parties which examine only the absolute grounds of refusal two
- (b) for Contracting Parties which also examine anticipations (ex officio, following opposition by third parties, or both) three”

The portion of the report of the Working Group concerning the discussion of Rule 34 reads as follows:

“After a discussion on the desirability of retaining the system of coefficients as provided in Rule 35 of the Regulations under the Madrid Agreement, which was advocated by the majority of the delegations that spoke on the subject, or on the other hand of approving the new system presented by the International Bureau, as a certain number of other delegations proposed, it was decided that the wording of Rule 34 of the draft Regulations should be identical to the text of Rule 35 of the Regulations under the Madrid Agreement currently in force, on the understanding that, when the Regulations were submitted to the Madrid Union Assembly for adoption, any delegation wishing to have the present system amended could make a proposal to that end.”

Draft Rule 35: Transfer of Individual Fees to the Contracting Parties Concerned

Draft Rule 35 of the draft Regulations as submitted by the International Bureau read as follows:

“Any individual fee paid to the International Bureau in respect of a Contracting Party having made a declaration under Article 8(7)(a) of the Protocol shall be credited to the account of that Contracting Party with the International Bureau within the month following the month in the course of which the recordal of the international registration, designation subsequent to the international registration or renewal for which that fee has been paid was effected.”

The portion of the report of the Working Group concerning the discussion of Rule 35 reads as follows:

“This Rule was approved as proposed, subject to its title being amended to reflect its contents better.”

Draft Rule 36: Entry Into Force

Draft Rule 36 of the draft Regulations as submitted by the International Bureau read as follows:

“These Regulations shall enter into force on ... and shall, as of that date, replace all earlier Regulations under the Agreement.”

The portion of the report of the Working Group concerning the discussion of Rule 36 reads as follows:

“This Rule was approved as proposed.”

New Rule

It was further indicated in the report of the Working Group that the next version of the draft Regulations would contain the text of the new Rule 38 of the Regulations under the Madrid Agreement (“Continuation of Effects of International Registrations in Certain Successor States”), adopted at the twenty-fourth session of the Madrid Union Assembly, which was held in Geneva from September 21 to 29, 1992.

Future Work

The portion of the report of the Working Group concerning the discussion on future work reads as follows:

“Several delegations and representatives of observer organizations expressed the wish that the International Bureau should draw up as rapidly as possible a new version of the draft Regulations taking into account the result of the present session of the Working Group. The Secretariat said that one could also consider preparing a general information document that described the system set up by the future Regulations under the Madrid Agreement and the Protocol.

It was finally suggested that the International Bureau should organize, before the entry into force of the Protocol, meetings of users in order to familiarize them with the new system.

It was agreed that the Working Group would be convened for its next session when the entry into force of the Protocol was close. At that session, the Working Group would approve the overall draft Regulations, so that the Madrid

Union Assembly would not be required, when called upon to adopt the Regulations, to examine them in every detail.”

LIST OF PARTICIPANTS**

I. Members

Austria: H. Preglau; H.M. Schally. **Belgium:** W.J.S. Peeters. **Bulgaria:** V. Borissova Chamandoura. **China:** Yin Puhai; Wu Zhenxiang. **Croatia:** N. Kopčić. **Cuba:** M. Azcuy Quesada. **Czechoslovakia:** L. Jakl; V. Zamrzla. **Democratic People's Republic of Korea:** Pak Chang Rim. **Denmark:** J.E. Carstad; B. Kromann. **Finland:** S.-L. Lahtinen. **France:** B. Vidaud-Rousseau; C. Girard; P. Delacroix; C. Schweickhardt. **Germany:** A. von Mühlendahl; E.G. Miehle. **Greece:** P. Geroulakos; A. Cambitsis. **Hungary:** I. Iványi; B. Tidrenczel. **Ireland:** J. O'Shea. **Italy:** P. Iannantuono; I. Nicotra. **Monaco:** J. L'Herbon de Lussats. **Mongolia:** D. Zolboot. **Morocco:** F. Baroudi. **Netherlands:** H.R. Furstner; D. Verschure. **Portugal:** J. Mota Maia; R. Morrais Serrão; A. Queiros Ferreira. **Romania:** D. Pitu; E.-R. Udrea; C. Moraru. **Russian Federation:** I. Korzoun. **Senegal:** D. Sagna. **Slovenia:** M. Pečar. **Spain:** A. Casado Cerviño; C. Muñoz; M.T. Yeste. **Sudan:** A.E.A. Ibrahim. **Sweden:** H. Olsson; K. Sundström. **Switzerland:** J.-D. Pasche. **United Kingdom:** M. Todd; E.A. Scarff; S. Davey. **Viet Nam:** Tran Viet Hung; Nguyen Thanh Long. **Yugoslavia:** O. Spasić. **European Communities (EC):** E. Nooteboom; G. Heil.

II. Observer States

Canada: G. Bisson. **Japan:** Y. Takagi. **Mexico:** D. Jiménez. **Norway:** J. Togersen; E.S. Helgesen. **Republic of Korea:** M.-H. Kim; J.-K. Kim; T.K. Rhee. **United States of America:** J.M. Samuels; C. Walters; L. Beresford.

III. Intergovernmental Organization

Benelux Trademark Office (BBM): L. van Bauwel.

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

IV. Non-Governmental Organizations

Arab Society for the Protection of Industrial Property (ASPIP): M. Doofesh. **Chamber of Trademark and Design Specialists (CSMM):** N. Thibon. **Chartered Institute of Patent Agents (CIPA):** A.C. Serjeant. **Committee of National Institutes of Patent Agents (CNIPA):** A. Hansmann; A. Serjeant. **Common Law Institute of Intellectual Property (CLIP):** J.N. Adams. **European Association of Industries of Branded Products (AIM):** G. Kunze. **European Communities Trade Mark Association (ECTA):** C. Sautory. **Federal Chamber of Patent Attorneys (FCPA):** A. Hansmann. **Federation of German Industry (BDI):** D. Füllkrug. **French Association of Practitioners in Trademark and Design Law (APRAM):** R. Baudin. **International Association for the Protection of Industrial Property (AIPPI):** R. Harlé. **International Chamber of Commerce (ICC):** A.L. de Sampaio; J. Kraus. **International Federation of Industrial Property Attorneys (FICPI):** A. Hansmann; A.L. de Sampaio. **Japan Trademark Association (JTA):** S. Takeuchi. **New York Patent, Trademark and Copyright Law Association, Inc. (NYPTC):** V.R. Richard; J.R. Olsen. **Trade Marks, Patents and Designs Federation (TMPDF):** D.H. Tatham. **Union of European Practitioners in Industrial Property (UEPIP):** R. Wiclander. **Union of Industrial and Employers' Confederations of Europe (UNICE):** D.H. Tatham; C. Sautory. **Union of Manufacturers for the International Protection of Industrial and Artistic Property (UNIFAB):** M. Deroulers. **United States Trademark Association (USTA):** Y. Chicoine.

V. Officers

Chairman: M. Todd (United Kingdom). *Vice Chairmen:* M. Azcuy Quesada (Cuba); J.-D. Pasche (Switzerland). *Secretary:* P. Maugué (WIPO).

VI. International Bureau of WIPO

A. Bogsch (*Director General*); F. Curchod (*Deputy Director General*); L. Baeumer (*Director, Industrial Property Division*); P. Maugué (*Head, Trademark and Industrial Design Law Section, Industrial Property Division*); B. Ibos (*Senior Legal Officer, Trademark and Industrial Design Law Section*); S. Di Palma (*Head, International Trademark and Industrial Design Registries*).

Activities of WIPO in the Field of Industrial Property Specially Designed for Developing Countries

Africa

Assistance With Training, Legislation and Modernization of Administration

Algeria. In October 1992, a WIPO official undertook a mission to the Algerian Institute for Standardization and Industrial Property (INAPI) in Algiers to install the CD-ROM workstation supplied to that office by WIPO under the Madrid Agreement Concerning the International Registration of Marks, to provide training in the Read-Only Memory of Madrid Actualized Registry Information (ROMARIN) system for the staff of INAPI, and to explain the System of Electronic Marks' Interrogation, Registration and Administration (SEMIRA) and the Marks Information Optically Stored (MINOS) systems used at WIPO for the international registration of marks.

Botswana. In October 1992, a WIPO official undertook a mission to Gaborone in order to review with government and United Nations Development Programme (UNDP) officials a draft document for a possible UNDP-financed country project for the modernization and strengthening of the Department of the Registrar of Companies, Business Names, Trade Marks, Patents and Designs.

Egypt. In October 1992, at the request of the government authorities, the International Bureau prepared and sent to them a draft law, with a commentary, on patents and utility models.

Lesotho. In October 1992, a WIPO official undertook a mission to Maseru in order to review with government and UNDP officials a draft document for a possible UNDP-financed country project for the modernization and strengthening of the industrial property functions of the Registrar General's Office. The WIPO official also examined, together with a WIPO consultant from Sweden, progress in the implementation of the trademark computerization system.

Also in October 1992, at the request of the government authorities, the International Bureau prepared and sent to them draft provisions for amending the Industrial Property Order of 1989.

Mauritius. In October 1992, at the request of the government authorities, the International Bureau

prepared and sent to them a draft industrial property law with a commentary.

Morocco. In October 1992, a WIPO official and two WIPO consultants from the European Patent Office (EPO) visited Casablanca and Rabat to advise the Moroccan Industrial Property Office in the field of patent classification, searching and examination, as well as in patent documentation and information. This activity was carried out under the UNDP-financed country project. The WIPO official also had discussions with government and UNDP officials on further activities to be carried out under the project.

Also in October 1992, WIPO organized a study visit for two officials from the Moroccan Industrial Property Office to the National Institute of Industrial Property (INPI) of France in Paris. The visit was funded by the same project.

Also in October 1992, a WIPO official undertook a mission to the Moroccan Industrial Property Office in Casablanca to install the CD-ROM workstation supplied by WIPO to that Office under the Madrid Agreement Concerning the International Registration of Marks, to provide training in the ROMARIN system for the staff of that Office, and to explain the SEMIRA and MINOS systems used at WIPO for the international registration of marks.

Mozambique. In October 1992, a government official had discussions with WIPO officials in Geneva on matters of cooperation.

Namibia. In October 1992, a WIPO official visited Windhoek to review with government and UNDP officials a possible UNDP-financed country project for the modernization and strengthening of the Registry of Companies, Trade Marks, Patents and Designs.

Nigeria. In October 1992, WIPO organized a study visit for a government official to the EPO in Vienna, on the occasion of the European Patent Information and Documentation System (EPIDOS) Users Meeting. The visit was funded by the UNDP-financed country project.

Sudan. In October 1992, Mr. Abdel Rahman Ibrahim, Commercial Registrar, had discussions with

WIPO officials in Geneva on the reinforcement of cooperation between Sudan and WIPO in the field of trademark automation.

Tunisia. In October 1992, a WIPO official undertook a mission to the National Institute for Standardization and Industrial Property in Tunis to install the

CD-ROM workstation supplied by WIPO to that Institute under the Madrid Agreement Concerning the International Registration of Marks, to provide training in the ROMARIN system for the staff of that Institute, and to explain the SEMIRA and MINOS systems used at WIPO for the international registration of marks.

Asia and the Pacific

Training Courses, Seminars and Meetings

WIPO/UNDP Intercountry Consultation on Intellectual Property and Trade (Philippines). On October 27 and 28, 1992, the WIPO/UNDP Intercountry Consultation on Intellectual Property and Trade was held in Manila. The meeting was organized by UNDP in association with WIPO in the framework of the UNDP Intercountry Programme for the fifth UNDP programming cycle. It was attended by 38 officials in charge of intellectual property administration and trade development and external assistance coordination from Bangladesh, China, Fiji, India, Indonesia, the Republic of Korea, Malaysia, the Philippines, Sri Lanka, Thailand and Viet Nam, and officials of WIPO, the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), the United Nations Conference on Trade and Development (UNCTAD), the International Trade Centre (ITC) and UNDP, in addition to five resource persons, invited by UNDP, from the Philippines, the Republic of Korea, the East West Center in Hawaii (United States of America) and UNDP. The two-day meeting took stock of the status of intellectual property in the Asia and Pacific region, identified current issues that needed attention and adopted a program of action to address those issues in the framework of the UNDP Intercountry Programme under the fifth cycle.

WIPO National Symposium on Intellectual Property Law Teaching and Research (Philippines). From October 26 to 28, 1992, a WIPO National Symposium on Intellectual Property Law Teaching and Research was organized in Manila by WIPO in cooperation with the Bureau of Patents, Trademarks and Technology Transfer (BPTTT), the Department of Trade and Industry (DTI) of the Government of the Philippines, the Intellectual Property Association of the Philippines (IPAP) and the Council to Combat Counterfeiting and Piracy of Patents, Copyright and Trademarks (COMPACT). The Symposium was attended by 54 participants from government departments, the offices of certain Senators in the Philippine Congress, universities, the legal profession and technical institutes. Papers were presented by two lecturers from the United States of America and four

professors from Philippine universities. Two WIPO officials attended the Symposium and presented papers.

Philippines. In October 1992, two WIPO officials attended the celebration of the 45th anniversary of the establishment of the Bureau of Patents, Trademarks and Technology Transfer (BPTTT).

Republic of Korea. In October 1992, two WIPO consultants from the EPO and the United Kingdom participated as speakers in the Seminar on New Developments in Biotechnology and Patent Protection, organized in Seoul by the Korean Industrial Property Office.

Assistance With Training, Legislation and Modernization of Administration

Malaysia. In October 1992, a WIPO official had discussions in Kuala Lumpur with government and UNDP officials and also two WIPO consultants from Canada and the United Kingdom who were attached to the Intellectual Property Division, Ministry of Domestic Trade and Consumer Affairs, to review the progress of implementation of the UNDP-financed preparatory assistance project for the strengthening of the industrial property system of Malaysia, and to assess the needs for a possible follow-up project. The mission was undertaken under the UNDP-financed country project.

Mongolia. In October 1992, WIPO organized study visits on the operation of the PCT for two government officials to the Russian Patent Office in Moscow and, for one of them, also to WIPO in Geneva.

Singapore. In October 1992, at the request of the government authorities, the International Bureau prepared and sent to them draft provisions, with explanatory notes, on the post-grant revocation procedure envisaged under the draft patent bill.

Viet Nam. In October 1992, an official from the National Office on Inventions had discussions with WIPO officials in Geneva on questions of mutual interest.

Latin America and the Caribbean

Training Courses, Seminars and Meetings

WIPO Regional Seminar on Industrial Property Management Strategies for Small and Medium-Size Enterprises in Latin America (Mexico). From October 14 to 16, 1992, WIPO organized in Mexico City, in cooperation with the Federal Government of Mexico and with the assistance of the Government of France, a WIPO Regional Seminar on Industrial Property Management Strategies for Small and Medium-Size Enterprises in Latin America. Seventeen participants representing industrial property offices and industry from Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Guatemala, Peru and Venezuela attended the Seminar, together with some 70 participants from industry and research institutions in Mexico. Presentations were made by six consultants from France, Argentina, Brazil and Mexico and by two WIPO officials.

Brazil. In October 1992, a WIPO official attended and presented a paper at the Fourth International Seminar on Technology Transfer (First Brazilian National Congress on Transfer of Technology) organized in Rio de Janeiro by the Brazilian Federation of Engineers' Associations (FEBRAE) and the World Federation of Engineering Organizations (WFEO). The Seminar was attended by over 100 Brazilian participants, most of them engineers, economists and businessmen in industry and private practice.

Assistance With Training, Legislation and Modernization of Administration

Argentina. In October-November 1992, a WIPO consultant from the EPO visited Buenos Aires to give advice to the Directorate of Technology, Quality and Industrial Property on the classification, search and substantive examination of patent applications in the fields of chemistry and biotechnology.

Brazil. In October-November 1992, a WIPO consultant from the EPO undertook a mission to Rio de Janeiro in order to advise the National Institute of Industrial Property (INPI) on the substantive examination of patent applications in the field of electronics.

Also in October-November 1992, another WIPO consultant from the EPO undertook a mission to Rio

de Janeiro in order to advise INPI on the substantive examination of patent applications in the field of biotechnology.

Chile. In October-November 1992, a WIPO national consultant provided advice and evaluation at the Industrial Property Department on the operation of the automated system for trademark and patent registration and administration. The mission was financed through funds made available by the UNDP-financed regional project.

Costa Rica. In October 1992, a WIPO official and two WIPO consultants from Chile and Venezuela visited San José to give advice to the Government on the modernization of the national intellectual property system. The WIPO mission had meetings with government officials and representatives of the private sector. The mission was financed by funds made available to WIPO by the Inter-American Development Bank. The WIPO official present in San José also attended the handing-over ceremony of the CD-ROM workstation supplied by WIPO and the Government of Spain to the Intellectual Property Registry.

Also in October 1992, Mrs. Elisabeth Odio Benito, Minister of Justice, had discussions with WIPO officials in Geneva on Costa Rica's possible accession to the Paris Convention for the Protection of Industrial Property, and also on cooperation between Costa Rica and WIPO.

Honduras. In October-November 1992, a WIPO consultant from Chile undertook a mission to Tegucigalpa to advise the Industrial Property Registry on the development of an automated system for trademark operations. The mission was funded by the UNDP-financed country project.

Also in October-November 1992, a WIPO consultant from the Spanish Patent and Trademark Office undertook a mission to Tegucigalpa in order to advise the Industrial Property Registry on the computerization of its trademark procedures. The mission was financed through funds made available by the UNDP-financed country project.

Organization of Eastern Caribbean States (OECS). In October 1992, the International Bureau prepared and sent to the Central Secretariat of OECS, at its request, a draft industrial property law, with a commentary, for the member States of the Organization.

Development Cooperation (in General)

Assistance With Training, Legislation and Modernization of Administration

Sweden. In October 1992, in Stockholm, a WIPO official met with officials of the Swedish Patent and Registration Office, the Swedish International Development Agency (SIDA) and the Swedish Agency for International Technical and Economic Cooperation (BITS) to discuss the plans of WIPO and Sweden for cooperation in industrial property and copyright in favor of developing countries.

General

Joint Inspection Unit (JIU). In October 1992, Mr. Junkala Kabango, Inspector, accompanied by

two officials from JIU, visited WIPO to receive information for a study of the Joint Inspection Unit on transfer of technology activities undertaken by the United Nations system of organizations.

WIPO Medals. In October 1992, three WIPO medals were awarded, for an outstanding invention, to an outstanding woman inventor and to an outstanding young inventor, at the International Exhibition of Inventions in Beijing.

Also in October 1992, two WIPO medals were awarded, to an outstanding inventor and to the best woman inventor, at the National Exhibition of Inventions and New Techniques in Pyongyang.

Activities of WIPO in the Field of Industrial Property Specially Designed for European Countries in Transition to Market Economy

Regional Activities

WIPO International Symposium "Trademarks and Markets" (Sofia). From October 19 to 22, 1992, the Institute of Inventions and Rationalizations of Bulgaria, the Bulgarian Chamber of Commerce and Industry and the Union of Patent Experts in Bulgaria organized in Sofia, with the assistance of WIPO, the International Symposium "Marks and Markets." The purpose of the Symposium was to underline the importance played by trademarks in market economy countries and to celebrate the 100th anniversary of the first Bulgarian Law on Trademarks. The Symposium was attended by some 150 participants from Czechoslovakia, France, Germany, Hungary, Poland, the Republic of Korea, Romania, Slovenia and the United Kingdom, and also by many officials from the Bulgarian Institute of Inventions and Rationalizations. Papers were presented by a WIPO official and

a WIPO consultant from the United Kingdom, by 18 speakers from national administrations, universities and research institutes, and by lawyers and industrial property attorneys invited by the Government of Bulgaria. The Symposium was followed by a Round Table on the Automation of Trademark Registrations, in the course of which a demonstration of WIPO's ROMARIN CD-ROM product was given by a WIPO official.

WIPO Symposium on Employee Inventions (Bucharest). On October 6 and 7, 1992, WIPO organized in Bucharest, in cooperation with the State Office for Inventions and Trademarks of Romania, a Symposium on Employee Inventions. Some 200 participants, heads and senior officials of patent offices and patent attorneys, mainly from Romania but also from Bulgaria, Czechoslovakia, Hungary, Poland and Slovenia, attended the Symposium.

Papers were presented by WIPO consultants from France, Germany, Japan, Sweden and the United States of America and by an expert from Canada and two experts from Romania invited by the Government of Romania.

National Activities

Belarus. In October 1992, Mr. Valery Kudashov, Head of the State Patent Office, accompanied by another official of that Office, had discussions with WIPO officials in Geneva concerning, in particular, the activities of WIPO within the Permanent Committee on Industrial Property Information (PCIPI) and in the field of CD-ROM technology.

Bulgaria. In October 1992, an official from the Institute of Inventions and Rationalizations had discussions with WIPO officials in Geneva on computerization issues under the PCT.

Croatia. In October 1992, Mr. Nikola Kopčić, Director of the State Patent Office, had discussions with WIPO officials in Geneva on the protection of industrial property in Croatia.

Also in October 1992, two officials from the State Patent Office underwent one week's training at the headquarters of WIPO in administrative procedures under the Madrid Agreement Concerning the International Registration of Marks.

Latvia. In October 1992, Mr. Zigrīds Aumeisters, Director of the Patent Office, accompanied by an official of the same Office, visited WIPO to discuss with WIPO officials the preparation of industrial property legislation in Latvia before visiting, later in October, the Swiss Federal Intellectual Property Office in Berne on a study visit organized by WIPO.

Mongolia. In October 1992, an official from the Patent and Trademark Office had discussions with WIPO officials in Geneva on administrative procedures under the PCT.

Contacts of the International Bureau of WIPO with Governments and International Organizations in the Field of Industrial Property

United Nations

United Nations Administrative Committee on Coordination (ACC). In October 1992, the Director General and another WIPO official attended a meeting of the Administrative Committee on Coordination held in New York.

Organizational Committee of the ACC. In October 1992, a WIPO official attended a meeting of the Organizational Committee of the ACC, held in New York.

Consultative Committee on Administrative Questions (Personnel and General Administrative Questions) (CCAQ (PER)) of the ACC. In October 1992, a WIPO official participated in a meeting of the CCAQ (PER), held in Vienna.

United Nations Inter-Agency Information Fair. In October 1992, the Director General and another WIPO official attended the United Nations Inter-Agency Information Fair, organized in New York by the United Nations to mark its 47th anniversary. WIPO also had a stand at the Fair.

General Agreement on Tariffs and Trade (GATT). In October 1992, four WIPO officials delivered lectures on WIPO's activities and on basic aspects of intellectual property, at the headquarters of WIPO, to 20 GATT trainees participating in the regular GATT Trade Policy Course.

United Nations Institute for Training and Research (UNITAR). In October 1992, two WIPO officials attended, in Geneva, the Forum on Access and Use of the United Nations Information Systems

by the Diplomatic Communities organized by UNITAR. One of the WIPO officials presented a paper and the other gave a demonstration of the IPC:CLASS CD-ROM product.

Intergovernmental Organizations

European Communities (EC). In October 1992, a WIPO official attended, in Brussels, a meeting of governmental experts convened by the Commission of the European Communities (CEC) to consider the plan for the establishment of a European Community Regulation on supplementary protection for plant health products.

European Patent Organisation (EPO). In October 1992, two WIPO officials attended, in The Hague, a meeting of the EPO's Working Party on Technical Information.

Also in October 1992, a WIPO official attended, in Munich, the 45th (Extraordinary) Meeting of the Administrative Council of the EPO, which was devoted to technical matters and to the EPO's pricing policy for patent information products.

Also in October 1992, a WIPO official attended, in Munich, the 25th meeting of the EPO's Working Party on Statistics.

Also in October 1992, two WIPO officials attended, in Munich, the 15th Meeting of the EPO's *Ad Hoc* Working Party on Harmonisation. On that occasion, a number of substantive issues concerning WIPO's draft Patent Law Treaty were discussed.

Other Organizations

Association of International Libraries (AIL). In October 1992, a WIPO official participated, in Geneva, in a meeting of the Executive Committee of AIL.

Institut de recherche en propriété intellectuelle Henri-Desbois (IRPI). In October 1992, the Director General participated in and presided over part of the Colloquium on the Future of Intellectual Property, organized by IRPI in Paris.

International Association for the Protection of Industrial Property (AIPPI). In October 1992, a WIPO official attended, in Berlin, a meeting of the AIPPI Working Committee on Harmonization of Patent Laws.

International Institute of Administrative Sciences (IIAS). In October 1992, a WIPO official participated, in Paris, in a meeting of a working group of IIAS dealing with the international civil service.

International League of Competition Law (LIDC). In October 1992, a WIPO official attended, in Amsterdam, the 32nd Congress of LIDC. The Congress was attended by over 150 participants.

National Contacts

France. In October 1992, the Director General was decorated, at the Ministry of Education and Culture in Paris, with the National Order of the Legion of Honor (with the rank of officer) by Mr. Jean-Noël Jeanneney, Secretary of State, Ministry of Education and Culture.

Germany. In October 1992, a WIPO official attended, in Dresden, the Annual Meeting of the German Association for Industrial Property and Copyright (DVGR).

Japan. In October 1992, Mr. Naotoshi Tsuchiya, President of the Japan Patent Information Organization (JAPIO), accompanied by a JAPIO official, visited WIPO to discuss PCT issues with a number of WIPO officials. A presentation of the ROMARIN CD-ROM product for trademarks was also given on that occasion.

Also in October 1992, two representatives of Japanese industry visited WIPO to discuss the use of the PCT and proposed PCT developments with a number of WIPO officials.

Portugal. In October 1992, two WIPO officials who had conducted a seminar on the PCT on the premises of the National Institute of Industrial Property (INPI) of Portugal had discussions in Lisbon with the President of INPI and other INPI officials on the functions of INPI as a receiving Office and designated or elected Office under the PCT.

Also in October 1992, an official of INPI visited WIPO to discuss the possibility of WIPO supplying INPI with PCT-related information on magnetic tape.

Sweden. In October 1992, two WIPO officials visited the Patent and Registration Office in Stockholm to discuss the functions of that Office as a receiving Office and as an International Searching Authority and International Preliminary Examining Authority under the PCT.

Switzerland. In October 1992, a WIPO official participated and presented a paper at the Geneva Global Arbitration Forum.

Turkey. In October 1992, a WIPO official represented WIPO and presented a paper on the PCT at the International Symposium on Patent Systems and Patent Office Organizations held in Ankara. The Symposium was attended by some 150 participants.

United Kingdom. In October 1992, a WIPO official attended and delivered a paper at a Conference in Amsterdam entitled "Global Technology Transfer (The Opportunities of International Patenting and Licensing)," jointly organized by the United Kingdom Patent Office and the British Technology Group (BTG) (formerly a government agency, now a private organization). Some 100 participants, patent agents and representatives of universities and research institutes from all over the world attended the Conference.

United States of America. In October 1992, two officials from the United States Patent and Trademark Office visited WIPO to discuss, in particular, the functions of that Office as a receiving Office and

International Searching Authority and International Preliminary Examining Authority, and also as a designated and elected Office under the PCT.

Also in October 1992, a representative of Dow Chemical Company, a private company in Midland (Michigan) and a user of the PCT, visited WIPO to discuss various aspects of the PCT with a number of WIPO officials.

United States of America/Switzerland. In October 1992, 14 students from the Hobart and William Smith Colleges (New York and Geneva) visited WIPO and were briefed by WIPO officials on WIPO's activities and intellectual property in general.

Miscellaneous News

National News

Germany. The Second Order for the Amendment of the Utility Model Deposit Order, of June 12, 1992, entered into force on June 13, 1992.

Indonesia. Law No. 19 of 1992 of the Republic of Indonesia Concerning Trademarks is scheduled to enter into force on April 1, 1993.

Saint Lucia. Act No. 14 of 1989 to Amend the Commercial Code, Chapter 244, of December 30, 1989, was assented to on December 28, 1989. The Act introduced the protection of service marks.

Ukraine. The Interim Regulations on the Legal Protection of Industrial Property Subject Matter and Rationalization Proposals in Ukraine was approved by Presidential Decree of September 18, 1992, and entered into force on the same date.

Calendar of Meetings

WIPO Meetings

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

1993

May 10 to 21 (Geneva)

Committee of Experts on the Settlement of Intellectual Property Disputes Between States (Fifth Session) and Preparatory Meeting for the Diplomatic Conference for the Conclusion of a Treaty on the Settlement of Intellectual Property Disputes Between States

The Committee of Experts will continue the preparations for a possible multilateral treaty on the settlement of intellectual property disputes between States. The Preparatory Meeting will decide what substantive documents should be submitted to the Diplomatic Conference and which States and organizations should be invited to the Diplomatic Conference. The Preparatory Meeting will also establish the draft Rules of Procedure of the Diplomatic Conference.

Invitations: States members of the Paris Union, the Berne Union or WIPO or party to the Nairobi Treaty and, as observers, certain organizations.

June 14 to 18 (Geneva)

Committee of Experts on the Harmonization of Laws for the Protection of Marks (Fifth Session)

The Committee will continue to examine a draft trademark law treaty, with particular emphasis on the harmonization of formalities with respect to trademark registration procedures.

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.

June 21 to 25 (Geneva)

Committee of Experts on a Possible Protocol to the Berne Convention (Third Session)

The Committee will continue to examine the question of the preparation of a possible protocol to the Berne Convention for the Protection of Literary and Artistic Works.

Invitations: States members of the Berne Union, the Commission of the European Communities and, as observers, States members of WIPO not members of the Berne Union and certain organizations.

June 28 to July 2 (Geneva)

Committee of Experts on a Possible Instrument on the Protection of the Rights of Performers and Producers of Phonograms (First Session)

The Committee will examine the question of the preparation of a possible new instrument (treaty) on the protection of the rights of performers and producers of phonograms.

Invitations: States members of WIPO, the Commission of the European Communities and, as observers, certain organizations.

July 12 to 30 (Geneva)

Diplomatic Conference for the Conclusion of a Treaty Supplementing the Paris Convention as far as Patents are Concerned (Second Part)

The Diplomatic Conference should adopt the Treaty Supplementing the Paris Convention as far as Patents are Concerned. It is the second part of the Diplomatic Conference whose first part took place at The Hague (Netherlands) in 1991.

Invitations: States members of the Paris Union, the European Patent Organisation (EPO) and the African Intellectual Property Organization (OAPI) and, as observers, States members of WIPO not members of the Paris Union and certain organizations.

September 20 to 29 (Geneva)

Governing Bodies of WIPO and the Unions Administered by WIPO (Twenty-Fourth 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 1993, the Governing Bodies will, *inter alia*, review and evaluate activities undertaken since July 1992, and adopt the program and budget of the International Bureau for the 1994-95 biennium.

Invitations: States members of WIPO or the Unions and, as observers, other States members of the United Nations and certain organizations.

November 8 to 12 (Geneva) **Committee of Experts on a Model Law on the Protection of the Rights of Performers and Producers of Phonograms (Second Session)**

The Committee of Experts will continue to consider a draft Model Law dealing with the protection of the rights of producers of phonograms, and it will consider (for the first time) provisions for the Model Law dealing with the rights of performing artists.

Invitations: States members of the Berne Union or WIPO, or party to the Rome Convention or the Phonograms Convention and, as observers, certain organizations.

UPOV Meetings

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

1993

- April 21 and 22 (Geneva)** **Administrative and Legal Committee**
Invitations: Member States of UPOV and, as observers, certain non-member States and inter-governmental organizations.
- April 23 (Geneva)** **Consultative Committee (Forty-Sixth Session)**
Invitations: Member States of UPOV.
- October 27 (Geneva)** **Administrative and Legal Committee**
Invitations: Member States of UPOV and, as observers, certain non-member States and inter-governmental organizations.
- October 28 (Geneva)** **Consultative Committee (Forty-Seventh Session)**
Invitations: Member States of UPOV.
- October 29 (Geneva)** **Council (Twenty-Seventh Ordinary Session)**
Invitations: Member States of UPOV and, as observers, certain non-member States and inter-governmental and non-governmental organizations.

Other Meetings

1993

- May 8 to 12 (New Orleans) United States Trademark Association (USTA): 115th Annual Meeting
- May 23 to 26 (Bournemouth) Union of European Practitioners in Industrial Property (UEPIP): Congress
- June 2 to 5 (Madrid) European Communities Trade Mark Association (ECTA): Annual General Meeting and Conference
- June 7 to 11 (Vejde) International Federation of Industrial Property Attorneys (FICPI): Executive Committee
- June 12 to 16 (Lisbon) International Association for the Protection of Industrial Property (AIPPI): Council of Presidents
- June 26 to July 1 (Berlin) Licensing Executives Society International (LESI): Annual Meeting
- September 12 to 16 (Colombo) Law Association for Asia and the Pacific (LAWASIA): 13th LAWASIA Conference
- September 20 to 24 (Antwerp) International Literary and Artistic Association (ALAI): Congress
- October 6 to 8 (Cincinnati) Pacific Industrial Property Association (PIPA): International Congress

1994

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| February 2 to 8 (Queenstown) | International Federation of Industrial Property Attorneys (FICPI): Executive Committee |
| May 8 to 11 (Seattle) | United States Trademark Association (USTA): 116th Annual Meeting |
| May 25 to 28 (Luxembourg) | European Communities Trade Mark Association (ECTA): Annual General Meeting and Conference |
| June 12 to 18 (Copenhagen) | International Association for the Protection of Industrial Property (AIPPI): Executive Committee |
| June 20 to 24 (Vienna) | International Federation of Industrial Property Attorneys (FICPI): Congress |

**Selected WIPO Publications****Corrigendum**

The price of the book *The First 25 Years of the World Intellectual Property Organization (with an essay by Arpad Bogsch)* (No. 881(E)), indicated on page 387 of the December 1992 issue of *Industrial Property*, is incorrect. The actual price of the book is 100 Swiss francs.

