Copyright

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

5th year - No. 6

June 1969

Contents

BILATERAL AGREEMENTS

NORWAY—SPAIN

Exchange of Notes between the Government of Spain and the Government of the Kingdom of Norway concerning the extension of the term of copyright protection

(Of June 4 and July 11, 1968)

On June 4 and July 11, 1968, Notes were exchanged in Madrid between the Spanish Government and the Norwegian Government concerning the extension of the term of copyright protection *.

EMBASSY OF THE KINGDOM OF NORWAY

Sir,

I have the honor to refer to the Embassy's Note of December 22, 1964, and to the Verbal Note No. 38 of June 3, 1965, of the Ministry of Foreign Affairs concerning the reciprocal extension of the term of copyright protection.

Considering the fact that Norway, by its Act of June 3, 1966, modified Section 1, third paragraph, of the Act of December 2, 1955, relating to the provisional extension of the term of copyright as follows:

> With regard to works, the term of protection of which would, according to the provisions of this Act, otherwise expire in 1962, 1963, 1964, 1965, 1966 and 1967, the term of protection of copyright shall nevertheless last until December 31, 1968, unless the King decides otherwise.
>
> This Act shall come into force immediately.

I have the honor to propose to Your Excellency the conclusion of an agreement between Norway and Spain by virtue of which:

(a) The provisions of the Norwegian Act of June 3, 1966, modifying the Act of December 2, 1955, relating to the provisional extension of the term of copyright protection would apply in Norway to works of Spanish nationals and to those published works which are considered as having Spain as their country of origin, in the case where they have not yet fallen into the public domain in Norway.

(b) The term of protection in Spain for works of Norwegian nationals and for published works which are considered as having Norway as their country of origin would be extended until December 31, 1968, on the understanding that they are covered by the Norwegian Act of June 3, 1966, quoted above and that they have not yet fallen into the public domain in Spain.

It is understood that each contracting party reserves the right to ask, by this exchange of Notes, for modifications which might be required owing to changes that might occur in their national legislation.

If the above-mentioned provisions could be accepted by the Spanish Government, I have the honor to propose to Your Excellency that this Note and the positive reply of Your Excellency take the place of an agreement between the two countries.

I take this opportunity to express to Your Excellency the assurance of my highest consideration.

Madrid, June 4, 1968.

* * *

MINISTRY OF FOREIGN AFFAIRS

Sir,

I have the honor to acknowledge receipt of your Note of June 4, 1968, the text of which is as follows:

"Sir,

I have the honor to refer to the Embassy's Note of December 22, 1964, and to the Verbal Note No. 38 of June 3, 1965, of the Ministry of Foreign Affairs . . ."

I have the honor to inform Your Excellency that the Spanish Government agrees to everything that has been stated above and, accordingly, the Note of Your Excellency and this answer constitute an agreement between our Governments on this subject.

Please accept the assurance of my highest consideration.

Madrid, July 11, 1968.

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* Original in Spanish. BIRPI translation.

NATIONAL LEGISLATION

LIBYA

Law on the protection of copyright

(No. 9, of 1968) *

TITLE I

Works the authors of which are protected

Article 1. — Authors of original literary, artistic and scientific works shall enjoy the protection provided under this Law, regardless of the kind of work, the form of its expression, its importance, or the purpose for which it was created.

Any person or body corporate who has registered a work in his name shall be considered the author of the work, unless there is proof to the contrary. Should there be more than one registration of a single work, only the first one shall be considered legal, unless there is proof to the contrary.

Works shall be registered in accordance with the regulations prescribed by the Minister for Information and Culture.

Article 2. — Protection shall extend, in particular, to authors of:

written works;

works of drawing, painting, engraving, sculpture, architecture;

oral works such as lectures, addresses, sermons and other works of the same nature;

dramatic or dramatico-musical works;

musical compositions with or without words;

photographic or cinematographic works;

geographical maps and sketches;

three-dimensional works relative to geography, topography or science;

choreographic works intended for performance;

works of applied art;

works created specially for radio or television broadcasting.

Protection shall, in general, extend to the author of works of which the mode of expression is writing, the voice, drawing, painting or movement.

Where the title of a work is of an original nature, it shall be regarded as a trademark and shall consequently be protected under the trademark law.

Article 3. — Authors of translations, transformations, arrangements, summaries, illustrations and commentaries pertaining to literary, artistic or scientific works shall enjoy the protection provided under this Law, without prejudice to the copyright in the original work.

However, the rights of authors of photographic works shall not be prejudicial to the rights of third parties who also photograph the same view, even if the new pictures are taken from the same place and, in particular, in the same circumstances as the first picture.

Article 4. — Protection shall not extend to:

1. collections of various works, such as anthologies of poetry, prose, music and other similar collections, without prejudice to the copyright in the individual works;
2. collections of works in the public domain;
3. collections of official documents such as the texts of laws, decrees, regulations, international agreements, judicial decisions and other official texts.

However, collections which, by reason of their originality and the arrangement of their contents, or other personal efforts, constitute intellectual creations shall be protected as such.

TITLE II

Rights of authors

Chapter 1

General provisions

Article 5. — The author shall have the exclusive right to publish his work and to select the mode of its publication.

He shall also have the exclusive right to the economic exploitation of his work in any lawful way whatever. No third party may exercise this right without the written consent of the author or his successors in title.

Article 6. — The author's right of exploitation shall include:

1. direct communication of the work to the public in any way and, in particular, by: public recitation, musical performance, dramatic performance, radio or television broadcasting, presentation with a projection lantern, cinema, loudspeaker, radio or television;
2. indirect communication of the work to the public by means of copies reproduced by printing, drawing, engraving, photography, moulds or any other process of plastic arts, or by means of photographic, cinematographic or other reproduction.

Article 7. — The author shall have the exclusive right to make additions to his work or to alter it.

He shall also have the exclusive right to translate it into any other language, subject to the following provisions. No one shall have the right to translate the work or to transform it within the meaning of the provisions of Article 3 without the written consent of the author or his successors in title.

* This Law was promulgated by the Royal Decree of March 16, 1968. It entered into force on March 30, 1968, the date of its publication in the *Official Gazette* of the Kingdom of Libya (No. 10). — BIRPI translation.

Article 8. — Both the author and the translator shall forfeit their right of translation of the work into the Arabic language if the author or the translator does not exercise this right, himself or through others, within three years of the date of the first publication of the work or of the translation thereof.

Article 9. — The author shall have the exclusive right to claim authorship of his work and to oppose any infringement of his rights. He shall have the right to forbid any omission made in his work or any alteration thereof. However, the author may not object to the translator's making such omissions or alterations if they are indicated. Nevertheless, no omission or alteration may be made if the place is not indicated or if such omission or alteration is prejudicial to the honor or reputation of the author.

Article 10. — No seizure of copyright may be effected, but the copies of a published work may be confiscated. No confiscation may be made if the author of the work dies before publication thereof, unless it is definitely proved that before his death he intended to publish the work.

Article 11. — When a work has been published, its author cannot object to the performance or recitation thereof before a family gathering or within a society, club or school, provided that no entrance fee or payment is charged. Military bands and other companies of musicians associated with the State or other public bodies, with the exception of radio and television broadcasting organizations, shall have the right to perform musical works without payment in respect of copyright, provided that no entrance fee or payment is charged for admission to such performances.

Article 12. — The author cannot object to a third party's making, for his own personal use, a copy of a work made available to the public.

Article 13. — The author cannot object to the making of analytical reviews or the taking of short quotations from a published work if this is done for purposes of criticism, debate, cultural development or information, and provided that the title of the work and the name of the author, if known, are clearly indicated.

Article 14. — Without the consent of the author, no reproduction may be made, in newspapers and periodicals, of scientific, literary or technical articles, serials or short stories which have been published in other newspapers and periodicals. However, quotations, summaries or short excerpts from works, books, plays or novels may be reproduced in newspapers or periodicals without the consent of the author and this may be done prior to the expiration of the period provided for in Article 8 of this Law.

The reproduction, in newspapers and periodicals, of articles on current political, economic, scientific or religious topics which are of interest to the public at a certain period of time shall be authorized, unless such reproduction has been expressly forbidden.

The protection provided under this Law shall not extend to news of the day or to miscellaneous facts having the character of mere items of information; however, in the case of reproduction, quotation or any other act analogous to those mentioned in the preceding paragraphs, the source and the name of the author, if they are known, must be clearly indicated.

Article 15. — It shall be permissible, even without the consent of the author, for the press to reproduce or the radio and television organizations to broadcast, for informatory purposes, speeches, addresses or lectures delivered in public sessions of legislative or administrative bodies or in scientific, literary, technical, political, social or religious gatherings, provided that such speeches, addresses or lectures are intended for the public.

The publication of legal debates which took place in public and within the limits of the law shall also be permissible without authorization.

Article 16. — The author shall have the exclusive right, in the cases mentioned in the two preceding Articles, to publish collections of his articles or speeches.

Article 17. — It shall be permissible, in textbooks and in literary, historic, scientific and artistic works:

(a) to make short quotations from published works;

(b) to reproduce published works in the field of graphic or plastic art or photography, provided that such publications or reproductions are confined to what is necessary to illustrate the article.

In such cases, the source and the name of the author must always be clearly indicated.

Article 18. — The heirs of the author shall have the exclusive right to publish works not published during his lifetime, unless the author has stipulated otherwise. Where the author has set a certain time limit for the publication of such works, this time limit shall be respected.

Article 19. — The heirs of the author shall have the exclusive right to exploit economically the rights provided under this Law.

Where the work is a work of joint authorship and one of the co-authors dies without leaving an heir-at-law and has designated no other heir, the share of the deceased author shall, unless otherwise agreed, be transferred to the other co-authors or to their heirs.

Article 20. — Subject to the provisions of Article 8, the economic exploitation of the rights provided under this Law shall terminate twenty-five years after the death of the author; however, the total period of protection shall not be less than fifty years from the date of the first publication of the work.

In the case of photographic or cinematographic works which merely involve photographing or filming by technical means, the period of protection shall be five years from the date on which they are first made available to the public.

In the case of works of joint authorship, the period of twenty-five years shall begin as from the death of the last surviving co-author. If one of the co-authors is a body corporate, whether public or private, the period provided for

the economic exploitation of the rights shall be thirty years from the date of the first publication of the work.

Article 21. — In the case of anonymous or pseudonymous works, the period provided for the economic exploitation of the rights shall be twenty-five years from the date of publication, unless the author reveals his identity during that period.

In such cases, the term of protection shall be that provided in the first paragraph of the preceding article.

Article 22. — Subject to the provisions of Article 20, second paragraph, of this Law, the period of protection in respect of works first published after the death of the author shall be fifty years as from the death of the author.

Article 23. — Where the heirs or successors in title do not exercise the rights provided for in Articles 18 and 19 of this Law and the Minister for Information and Culture considers that it is in the public interest that the work should be published, he may, by registered letter, require the heirs or successors in title to publish the work.

If, within a period of sixty days from the date of such letter, they fail to indicate their intentions, or if they refuse to exercise their rights, the Minister may exercise these rights after having obtained an order to that effect from the judge of the court of first instance having jurisdiction in the territory in which the Ministry for Information and Culture has its headquarters.

The Minister may also exercise these rights if they agree to his request within the period prescribed above but fail to comply with it within a suitable period of time.

The above measures must be carried out without causing prejudice to the rights of the heirs and successors in title, who shall receive fair compensation.

Article 24. — In cases where, under the provisions of this Law, the period of protection begins on the date of publication of the work, the said period shall run as from the date of the first publication, and dates of republications or later editions shall not be taken into consideration unless the author has made such substantial changes in his work that the new editions can be considered new works.

In cases where the work is composed of a number of parts or volumes published separately at different dates, each part or volume shall be considered an independent work for the purpose of calculating the term of protection.

Chapter 2

Provisions regarding certain works

Article 25. — Where a number of authors have participated in the creation of a work and the contribution of one author cannot be distinguished from that of the other authors, they shall be deemed equal owners of the work, unless otherwise agreed.

In such cases, the rights of the authors cannot be exercised separately by one of them without the consent of the other co-authors. In the event of disagreement, the dispute shall be settled by the court of first instance, without prejudice to the provisions of Articles 27, 29, 30, 32, 33 and 34 of this Law.

Each of the co-authors shall have the right to file complaints any time that the rights of the authors are infringed.

Article 26. — Where a number of authors have participated in the creation of a work and the contribution of each author is distinct from the joint work, each author shall have the right, unless otherwise agreed, to exploit separately his personal contribution, without, however, causing prejudice to the exploitation of the joint work.

Article 27. — A collective work is a work published under the direction of a person or body corporate and produced by a group of co-authors, working together to achieve the purpose sought by the person or body corporate, in such a way that the contribution of each one cannot be distinguished from that of the others.

The person or body corporate who undertakes such a work and directs it shall be considered the sole author of that work and author's rights shall be vested in him alone.

Article 28. — In the case of pseudonymous or anonymous works, the publisher shall be deemed to have been authorized by the author to exercise the rights provided by law, unless the author nominates another person to exercise these rights or reveals his name and proves his identity.

Article 29. — In cases where a number of authors participate in the creation of musical songs, the author of the musical part shall alone have the right to authorize public performance of the whole work or to publish it or put copies of it into circulation, without prejudice to the copyright of the author of the literary part.

Unless otherwise agreed, the author of the literary part shall have the right to publish his contribution separately, provided that he does not use it as the basis of another musical work.

Article 30. — In the case of entertainments in dumb show or other shows accompanied by music, and in all other similar cases, the author of the non-musical part shall alone have the right to authorize public performance of the whole work and to have copies made of it.

Unless otherwise agreed, the author of the musical part shall have the right to dispose of his contribution separately, provided that he does not use it as the basis of another joint work.

Article 31. — In the case of works intended for cinema, radio or television, the following shall be regarded as co-authors:

1. the author of the scenario or of the story;
2. the author of the adaptation;
3. the author of the dialogue;
4. the author of the musical composition created specially for the work;
5. the director if he directs production and accomplishes a creative activity in the making of the work.

Where a work intended for cinema, radio or television is summarized or derived from an existing work, the author of original work shall also be regarded as co-author of the new work.

Article 32. — The author of the scenario, the author of the adaptation, the author of the dialogue and the director shall jointly have the right to authorize presentation of the cinematographic work or the work produced for radio or television, notwithstanding objections on the part of the author of the original literary or musical work, provided that this is in no way prejudicial to rights deriving from his collaboration.

Unless otherwise agreed, the authors of the literary and musical parts of the work shall have the right to authorize presentation of their work by any means other than cinema, radio or televison.

Article 33. — Where one of the authors of a collective work intended for cinema, radio or television refuses to complete his contribution to the work, the other authors may use the part already complete, provided that this is not prejudicial to rigbts deriving from that contribution.

Article 34. — The person who takes upon himself to make a work intended for cinema, radio or television, and assumes the responsibility for it, and who provides the authors with the necessary material and financial means for the making and production thereof, shall be considered the maker of that work.

The maker of a cinematographic work shall be regarded as its publisher. He shall enjoy all rights in the original and in the copies thereof.

Unless otherwise agreed, the maker shall, throughout the period of exploitation of the work, represent the authors of the cinematographic work or their heirs in matters concerning contracts concluded for the presentation and exploitation of the work, without prejudice to their copyright in the literary and musical parts.

Article 35. — The official broadcasting and television organizations shall have the right to transmit works presented in a theater or any other public place. Tbe managers of such places shall facilitate the setting up of the technical means required for transmission.

Such organizations shall be obliged to broadcast the name of the author and the title of the work and to grant the author or his heirs, and where necessary the manager of the place of transmission, fair compensation.

Article 36. — No one who takes a photograph shall have the right, unless otherwise agreed, to publish it or put the original or copies thereof into circulation without the consent of the persons concerned.

The above provision shall not be valid, however, in the case of photographs published in connection with the reporting of current events where the photographs show official or internationally famous personages or where the consent of the authorities has been obtained because the photographs present a subject of interest to the public. However, notwithstanding these provisions, the presentation, publication and distribution of such photographs shall not be authorized if they are in any way prejudicial to the honor or reputation of the persons concerned.

Nevertheless, the persons shown in the photographs may, unless otherwise agreed, authorize publication thereof in newspapers, magazines or other periodicals without the consent of the photographer. The provisions of this Article shall apply to all types of pictures, whether drawn, engraved or in any other form.

Article 37. — The author shall have the exclusive right to publish his letters. However, he may not exercise this right without the consent of the addressee if such publication might be prejudicial to the latter.

Chapter 3

Transfer of copyright

Article 38. — The author shall have the right to transfer to third parties his rights of exploitation provided in Article 5, paragraph 2, Article 6, and Article 7, paragraph 2, of this Law.

Transfer of one right shall not imply transfer of other rights. The transfer must be in the form of a written authorization and must explain clearly and in detail the limits of the right or rights transferred and the purpose, place and term of exploitation of the right or rights.

The author may not object to the exercise of transferred rights.

Article 39. — Any transfer of the rights provided in Article 5, paragraph 1, Article 7, paragraph 1, and in Article 9 of this Law shall be deemed void and unlawful.

Article 40. — The author may transfer all or part of his rights in the work on the basis of an apportionment of tbe proceeds derived from exploitation. This apportionment may be calculated on an agreed percentage basis or take the form of an agreed lump sum.

However, if it is subsequently found that the rights of the author are impaired as a result of the contract or if this happens as a result of circumstances that arose after the conclusion of the contract, the judge may, depending on the circumstances of the case and the balance between the interests of the two parties, order that the author is to receive additional payment derived from the net profit on the exploitation of the work.

Article 41. — Transfer by the author of all his future works shall be deemed void and unlawful.

Article 42. — Transfer of the original of a work, whatever the nature of the work may be, shall not imply transfer of the copyright. However, the third party to whom ownership of the original has been transferred cannot, unless otherwise agreed, be obliged to authorize the author to have copies made of it or to reproduce it or present it.

Article 43. — Notwithstanding the transfer of his right of economic exploitation in a work, the author alone may, for serious moral reasons, call upon the court of first instance so as to obtain withdrawal of his work or to make the necessary changes in it.

In such cases, the author shall be obliged to pay fair compensation to the third party to whom the right of economic exploitation was transferred. The amount of compensation shall be fixed by the court which may either require the author to furnish an amount of security acceptable to the court or order him to make the payment in advance within a fixed period, at the end of which period the court order shall become null.

TITLE III

Procedure and sanctions

Chapter 1

Procedure

Article 44. — At the request of the persons concerned, the presiding judge of the court of first instance may order that a detailed description of a work unlawfully published or republished be submitted, or he may order that the original work or the copies thereof be seized, or that the materials used for that purpose be seized, provided that such materials cannot be used for other purposes.

In the case of public performance or recitation, the presiding judge of the court may order that the receipts derived therefrom be seized.

These measures may be taken in conformity with an order drawn up on official paper. Such an order may provide that the bailiff entrusted with its execution is to be assisted by one or more experts. This order may also oblige the plaintiff to furnish adequate security.

These measures shall not be regulated by the articles of the Code on Civil Procedure relating to office hours and holidays.

The plaintiff shall submit his petition to the competent court within a period of fifteen days from the date on which the order was issued; at the expiration of that period, the order shall become null and void.

Article 45. — The party against whom the court order was issued may contest it before the presiding judge of the court. In such cases, the judge may, after having heard both parties, confirm the order or cancel it wholly or in part, or appoint a trustee authorized to publish, present, produce or reproduce copies of the litigious work; the trustee shall be obliged to deposit the receipts with the court until such time as a judgment has been delivered by the competent court.

Article 46. — The court before which the litigation is brought may, in reply to the request of the author or his representative, order that the copies of the work unlawfully published be destroyed, together with the materials used for the publication, provided that such materials are of no use for other purposes.

The court may also order, at the expense of the losing party, that these copies or materials be altered or rendered unusable.

Likewise, the court may order, in lieu of destruction or alteration, preventive seizure in respect of the copies and materials with a view to paying compensation to the author in cases where the author's copyright terminates less than two years after the date of the decision of the court, subject to the condition that no prejudice be caused to the rights of the author provided in Article 5, paragraph 1, Article 7, paragraph 1, and Article 9.

In cases where the litigation concerns a translation into the Arabic language which does not comply with the provisions of Article 8, the decision of the court may be restricted to upholding the preventive seizure of the work translated into the Arabic language. The court shall fix the amount of compensation in each case.

In regard to the debt resulting from his right to compensation, the author shall in all circumstances have a right of priority in the net price of the objects sold and in the sums of money seized, after deduction of the costs of the legal proceedings, the maintenance and conservation of these objects and the collection of the sums of money.

Article 47. — In conformity with Article 10 of this Law, buildings may in no case be subject to seizure. Neither can they be demolished or confiscated for the purpose of protecting the rights of the architect whose drawings and plans were used unlawfully.

Chapter 2

Sanctions

Article 48. — Any person who commits one of the following offenses shall be liable to a fine of not less than 20 pounds and not more than 500 pounds:

1. infringes the authors' rights provided in Articles 5, 6, 7 and 9 of this Law;
2. knowingly sells or offers for sale or presents to the public, in any way whatever, or imports or exports an infringing work;
3. infringes, locally, works published abroad and protected under the provisions of this Law, or sells, imports or exports infringing works.

The court may order the confiscation of any equipment used for unlawful publications not complying with the provisions of Articles 6, 7, 8 and 10 of this Law, provided that they cannot be used for other purposes. It may also order that all copies found in the place where the offense occured be confiscated and that the judgment be published in one or more newspapers at the expense of the infringer.

If an offense is repeated, all infractions referred to in this Article shall be regarded as being equally serious.

TITLE IV

Final and transitional provisions

Article 49. — Publishers of works to be published in a number of copies shall be obliged to file five copies of the work with the Ministry of Information and Culture within the month following the date of publication. At the expiration of this term, the publisher may be liable to a fine not exceeding 25 pounds and shall remain under obligation to file the required copies.

Failure to file the required copies shall not in any respect affect the author's rights provided under this Law. These provisions shall not apply to works published in newspapers or periodicals unless they are published separately.

Article 50. — The provisions of this Law shall apply to works of Libyan and foreign authors which are published or performed for the first time in the Kingdom of Libya, as well as to works of Libyan authors published or performed for the first time in a foreign country. However, the provisions of this Law shall not apply to works of foreign authors which are published or performed for the first time in a foreign country, unless such works are protected in such foreign country and the works of Libyan nationals are protected there in the same manner as their works published or performed for the first time in Libya.

Article 51. — Without prejudice to the provisions of the preceding Article, the provisions of this Law shall apply to any work already existing at the time of its entry into force. Nevertheless, as regards the term of protection, the time period between the publication of the work and the entry into force of this Law shall be included in the period of protection.

The provisions of this Law shall apply in all cases and to all agreements subsequent to the date of its entry into force, even if such cases and such agreements are relative to works first published or performed prior to the entry into force of the Law. Agreements concluded prior to the entry into force of this Law shall not be subject to the provisions of this Law but to the legal provisions in force at the time when the agreement was signed, to the extent that it complies with Article 40.

RUMANIA

Decree amending Article 40 of Decree No. 321/1956 relating to copyright

(No. 1172, of December 28, 1968) *

Article 40. — Any false attribution of authorship concerning a scientific, literary or musical work, a three-dimensional work, a work in the field of architecture and town-planning, or other intellectual works, shall be punishable by one to twelve months imprisonment or by a fine.

The criminal action shall be instituted on the complaint of the author, of the respective authors' union or association, or of the competent State organ.

* Published in the *Buletinul Oficial* of the Socialist Republic of Rumania of December 30, 1968 (No. 174). BIRPI translation.

CORRESPONDENCE

Letter from Denmark

In my last "Letter from Denmark" (*Le Droit d'Auteur [Copyright]*, 1964, p. 167), I commented on the new Danish Copyright Act of May 31, 1961.

During the period covered by the present "Letter" — from 1964 to the beginning of 1969 — the evolution of copyright has therefore been governed by the 1961 Act which now constitutes the basic legislation in this field.

The advisory body established by the Ministry of Cultural Affairs, the "Copyright Council" (see *ibid.*, 1964, p. 167) whose membership has remained unchanged, was requested by the Ministry to review the 1961 Act, in particular with a view to the introduction of any amendments deemed necessary or desirable for Denmark's accession to the Berne Convention as resulting from the revision conference held at Stockholm in 1967.

Having regard to the fact that, as I mentioned in earlier "Letters from Denmark", the Nordic countries (that is to say, Denmark, Finland, Norway and Sweden) collaborate closely in copyright matters, particularly with respect to the enactment, of uniform legislation in these countries, to the fullest extent possible, it is only natural that the studies now in hand with a view to reforming existing legislation should proceed on the basis of cooperation between them.

According to the provisional work programme, consideration will be given first of all to amendments that should be made in the Act in the light of the new text of the Berne Convention and thereafter to any amendments that have become desirable having regard to developments since 1961.

As regards the evolution of copyright in Denmark at the national level, I should like first to refer to the problem of *moral rights*. In Denmark, effective protection was assured by the 1933 Act which, as the reader will recall, remained in force until 1961. During the author's lifetime any alteration of a protected work that would be prejudicial thereto was prohibited (right of respect), and the author always retained the right to use his name as the author of the work (right of authorship). On the other hand, no protection was provided as regards "environment". Provided no alteration was made to the work, it could be placed in an environment of an adverse nature without any infringement of the law being committed thereby.

The rules applicable after the author's death are of particular interest.

Article 9, paragraph 5, and Article 27, last paragraph, of the 1933 Act provided that the moral right then passed to the Ministry of Education and, moreover, did not terminate with the expiration of copyright. Thus, the author's heirs had nothing to do with safeguarding the moral right.

On the basis of these rules, an administrative practice developed that was interesting and of widespread application.

When the legislation was reformed, in 1961, new provisions were established on moral rights — taking account of past experience.

Under Article 3 of the new Act, the author is entitled to be mentioned by name, in accordance with the requirements of proper usage, on copies of the work as well as when the latter is made available to the public (for example, in the event of public performance).

Furthermore, no alteration may be made in the work and it must not be made available to the public in a manner or in a context (note this new criterion) that would be prejudicial to the author's literary or artistic reputation or originality.

During the author's lifetime, action is reserved — as was the case under the former legislation — to the author himself. After his death, the entitlement passes to his descendants, spouse and near relatives. Public supervision of the moral right has not completely disappeared, however. The public authorities can also allege that an infringement of the moral right has been committed if there is reason to consider that cultural interests have been harmed, and this right of the public authorities is not extinguished upon expiration of the copyright in general. Thus, it always remains possible to take action against infringements of moral rights even with respect to very old works, and the basis for administrative intervention always exists. The courts may also be called upon to deal with infringements of moral rights, as in the case of the decision rendered by the Supreme Court (referred to below) in 1965, concerning the "Venetian Serenade" by Johan Svendsen.

In order to give some guidance to groups using old works (as for example publishers, film producers, theaters and many others), the Ministry of Education published a notice, dated December 27, 1967, which is entitled: "Directives on criteria to be adopted by the Ministry of Education with respect to declarations relating to protection of the intellectual rights of deceased authors (moral rights), etc...".

Under Article 53, paragraph 2, of the Copyright Act, the Ministry of Education is called upon to give its opinion in the two cases that, under the aforementioned provisions, can give rise to public proceedings. If requested to do so, the Ministry must state whether or not, in its opinion, utilization of a work constitutes an infringement of the moral right that would give rise to public proceedings after the author's death, and similarly it must state its opinion as to whether or not the utilization of a work is considered to be contrary to the special rule provided in Article 53, paragraph 1.

A committee of experts has been appointed to assist the Ministry in an advisory capacity on matters relating to infringements of the provisions governing the moral rights of deceased authors, and to infringements of Article 53, para-

graph 1; its members include experts on law, history of literature, music, and history of arts, as well as representatives of the various authors' associations.

In giving an opinion pursuant to Article 53, paragraph 2, of the Act, the Ministry is expected to observe the following guide-lines.

General

In accordance with Article 53, paragraph 1, the objective of protecting personal intellectual rights, by means of intervention by the public authorities, is to preserve the cultural tradition.

The authorities can take action only where an infringement of cultural interests is presumed to have taken place. As a general rule, such a case arises only where the work used contrary to legal provisions is of such a level that it can reasonably be considered as falling within the framework of the cultural tradition. The Ministry would, nevertheless, be inclined to consider that cultural interests are being infringed also in the case of an unauthorized use of a work that, taken separately, would not fall within this definition where the author is an artist who has created other works that are likely to endure.

The Ministry will take into account the fact that action by the public authorities should not stand in the way of adaptation of classical works, that is appropriate from the literary or artistic aspect, so as to make such works accessible to the general public.

Indication of the author's name on copies of the work or in relation to a utilization thereof

1. In accordance with Article 3, paragraph 1, of the Copyright Act, the author's name must be indicated in the usual way on all copies of the work and on the occasion of any performance, exhibition or distribution of the work.

The requirement of indicating the author's name is therefore not mandatory in every case, since it is recognized that tradition, the circumstances of presentation, or practical or artistic considerations may justify the omission of such an indication. Thus, for example, one could not require that persons attending a religious service should be told who composed the various pieces of music played by the organist. It can also happen that a work of art or a work of a decorative applied art is made of a material — glass, for example — on which it would not be feasible, for artistic reasons, to indicate the author's name.

The general rule applicable to the great majority of cases is, nevertheless, that the author's name or his *nom d'artiste* must be made known to the public, even if this requirement gives rise to practical difficulties or involves additional expenditure for the person using the work.

2. When works of art are exhibited in public, for example when they are placed in buildings accessible to the public, in museums or parks, or on or near the public highway, the author's name must be shown on the work itself or, if it is feasible or justified by artistic considerations, be indicated nearby. If the work does not bear a signature so as clearly to indicate the artist's name to the public, then a label or name-plate should be provided.

3. In the case of a translation, adaptation or arrangement of a work, the name of the translator or arranger must be indicated in addition to that of the author, in such a way as to make it clear that a translation or adaptation is being presented.

4. The requirement of indicating the author's name is complied with by indicating the name under which he published the work.

Requirement to abstain from making any derogatory use of the work or of its form or content

1. Under Article 3, paragraph 2, of the Copyright Act (also referred to in Article 53 of that Act), a literary or artistic work may not be altered or made available to the public in any way likely to be prejudicial to the author's literary or artistic reputation or originality. This obligation to respect the work and its author applies in cases where only copies are to be made of it as well as in those where it is made accessible to the public by performance or by exhibition or distribution of copies of it.

2. Modifications, abbreviations or alterations that are not effected in connection with adaptation of the work to another artistic medium (see point 4 below) are permitted only on condition that they are deemed consistent with proper usage and that they do not go further than the objective calls for.

Care must be taken in making any modifications or any abbreviations and adaptations of classical works of music, literature, sculpture, painting or the theater.

As regards reproductions of paintings and sculptures, attention must be paid to ensuring that colours are not altered or that there are no cuts that distort the proportions of the work.

In the case of poetry and other literary works that are largely characterized by their form (Andersen's tales, for example), any modifications, abbreviations or alterations of any importance could be deemed unlawful. Depending on the circumstances of the case, however, it may be considered permissible to omit one or more verses of a hymn or song.

3. If modifications, abbreviations or alterations of any notable importance are made in a literary or artistic work, a clear and unequivocal indication should be given that this is a modified, abbreviated or altered reproduction of the work concerned. Thus, in the case of publication of books in an altered, reconstituted or abridged form, it must be stated on the title page that this is a revised edition of the work. If the reproduction comprises only part of the work, then it must be clearly stated that the reproduction includes only a part or a detail of the work.

4. Where a work is adapted for another artistic medium — as, for example, when a book or story is "made" into a film — the necessary adjustments in the action, script etc. must be made in such a way that the spirit and the artistic level of the original work are respected. It should be indicated clearly and unequivocally that the work transposed into another medium is a re-arranged version of the original work on which it is based.

5. Regardless whether or not any modifications have been made to a literary or artistic work, the latter must not — pursuant to Article 3, paragraph 2, of the Copyright Act — be made available to the public in a manner or in a context which would be prejudicial to the author's literary or artistic reputation or originality. Thus, it must not be presented in a context or material execution that would be offensive to religious feeling or artistic appreciation. In view of the fact that Article 53 of the Act makes a general reference to Article 3, the fact of making accessible to the public a work corresponding to the original without any modification could likewise be considered unlawful if such publication took place in an improper manner or in unacceptable circumstances, as provided for in Article 3.

Foreign authors

In accordance with Article 58, paragraph 1, of the Copyright Act, the provisions of the Act are directly applicable only to works by Danish authors or works having some specific relation with Denmark.

Under Order No. 251 dated September 23, 1965, the provisions of the Act now apply to works originating in countries that have acceded to the Berne Convention for the Protection of Literary and Artistic Works, or to the Universal Copyright Convention.

The above-mentioned rules on moral rights therefore apply without restriction to foreign authors whose works fall within the purview of those Conventions.

Under Article 58, paragraph 2, however, the provisions of Article 53 are applicable to all works regardless of their place of origin.

* * *

The 1961 Act includes an interesting innovation in another field because of the fact that, in certain cases, works that are otherwise protected may be used subject to payment of a fee; this rule applies, for example, to broadcasting which may be permitted subject to compliance with the provisions set forth in the Act, in particular the obligation to pay a fee. If the parties fail to reach agreement on the amount of the fee, either of them may refer the matter to a special committee (Committee on Compulsory Licenses) for a final administrative decision. The Committee has acted in a number of cases and, among these, in one of very great economic significance: this concerned the determination of rules to govern the remuneration of performers when their performances are broadcast in radio or television programmes. Under the 1961 Act, performers in such programmes are entitled to a fee, the amount of which has to be determined — in the absence of an amicable agreement between the parties (namely, the Danish broadcasting organization, on the one hand, and the performers represented by their organizations, on the other hand) — by the above-mentioned Committee. This entitlement also extends to performers originating in countries parties to the so-called Rome Convention.

In the period under consideration (1965-1969), a number of cases concerning copyright were brought before the courts. I shall report briefly on some of the most important decisions.

1. The case in which the Supreme Court handed down a decision on January 27, 1965 (see report in *Ugeskrift for Retsvaesen (U. f. R.)*, 1965, p. 137) concerned distortion of the composition " Venetian Serenade " by the Norwegian-Danish composer Johan Svendsen, who died in 1911. It was alleged that the moral right in this composition had been infringed. (As regards the new Danish legislation on moral rights, the reader may refer to the preceding section.) Since the composition had been used later than 1961 — that is to say, more than 50 years after the composer's death — the decision depended on a determination as to whether or not (1) the author's reputation or artistic originality had been adversely affected (Article 3, paragraph 2, of the Act) and (2) the use made of the composition had been prejudicial to cultural interests (Article 53 of the Act).

Johan Svendsen was of Norwegian origin and lived for many years in Copenhagen where, among other functions, he was the first conductor of the Royal Opera Orchestra. He had a high reputation as a composer, in Norway as well as in Denmark, his works were known and played outside the Nordic countries, and he is still considered to have been one of the leading Nordic composers; his " *Polonaise de fête* " is still very popular.

The " Venetian Serenade " was composed around 1880; it is an attractive, langorous melody that won great public favour.

In 1962 (i. e. after the expiration of copyright in the " Venetian Serenade "), a Danish record publisher issued a disc carrying a recording of this composition in a different form, with English words. The eminent Danish composer Knudåge Riisager states on this subject that " this so-called adaptation of the romance by Johan Svendsen is characterised by excessive distortions of the melody, rhythm and harmony and by alterations of quite shameless vulgarity. From the artistic and vocal aspect, the reproduction is of the lowest level imaginable ".

The Advisory Committee on moral rights of the Ministry of Education, composed of experts in matters of art and copyright, was unanimous in stating that the recording in question was of such a nature that it must be considered prejudicial to the artistic reputation and originality of Johan Svendsen — indeed, to such a degree that there was also reason to consider that it constituted a violation of cultural interests.

In the light of that opinion, proceedings were brought against the record publishers with a plea for penal sanctions to be imposed in respect of this infringement of moral right and for all remaining copies of the disc in stock to be destroyed. Following an acquittal before the Copenhagen Court and a finding by the Eastern Regional Court, that the defendant had been guilty of such infringement, the case came before the Supreme Court.

The judges of the Supreme Court found unanimously that the disc had altered the original composition in such a way as to be prejudicial to the artistic reputation and originality of the composer, and that the condition set forth under (1) above for a finding of guilt was fulfilled. Furthermore, five judges held that the condition set forth under (2) above was fulfilled, and that there had been a violation of cultural

interests. As a result each of the parties summoned — that is to say, the directors of the firm concerned — was sentenced to pay a fine of 300 crowns. In addition, an order was given for destruction of any copies of the disc remaining in stock.

As regards the controversial question whether or not there had been any violation of cultural interests, on which the Supreme Court had not reached an unanimous opinion, the dissenting judges expressed the view that, in order to decide on that question, account must be taken not only of the fact that Johan Svendsen was an eminent, well-known and original composer but also — and above all — of the value of the composition concerned. The opinions expressed during the hearings did not expressly refer to that aspect and, on the basis of the evidence available, these judges did not consider that they could classify the composition among the works to which protection is afforded pursuant to Article 53, paragraph 1, of the Act.

It should be noted that, during the hearings, the defendants cited, in support of their plea for an acquittal, the « musical distortions occurring, for example, in radio and television programmes ». The judgment did not refer to this point, however. In general, one can say that the judgment is in conformity with the views of the Ministry — namely, that the original work had been distributed in a form that constituted an alteration from the point of view of melody, rhythm and harmony, with a mediocre vocal performance and with words of a very poor standard. The recording constituted a vulgar distortion of the original musical composition, deliberately adapted to modern dance rhythms. The composer has such a well-established reputation as a serious and original musician that publication of the disc in question constituted a violation of cultural interests.

2. *Question of the protection of an opera production.* — On April 5, 1965, the Supreme Court handed down a decision concerning the protection of a production of Pergolesi's little opera "*La serva padrona*". This work had been performed at the Copenhagen Royal Theater during the 1961-1962 season, in a new production by the opera singer Holger Boland, and was a great success. Subsequently, on March 17, 1962, the Danish broadcasting organization had sponsored a performance in a Copenhagen concert hall, with the participation of the singers, ballet-master, conductor and pianist who had taken part in the Royal Theater production, and using the same costumes and accessories.

Before the television broadcast (which was transmitted throughout the Scandinavian countries), the Entertainment Department of the television organization had tried in vain to contact Mr. Holger Boland.

On being informed about the programme, Mr. Boland claimed remuneration for the use of his production, but this was refused. He then brought proceedings against the Danish broadcasting organization, alleging that, under Article 4 of the new Copyright Act of 1961, his production should be deemed to be a work of art eligible for protection against reproduction. During the hearing, reference was made to the 1961 Copyright Act in connection with the question at issue. The Parliamentary Committee had, *inter alia*, stated that it was in agreement with the comments made on the original draft legislation, according to which a production could, depending on the circumstances, be eligible for copyright protection, it being understood, however, that such protection was not afforded to each and every production. Eligibility for protection was conditional on the existence of a personal creative contribution by the producer.

The statement of reasons in the decisions handed down in this case refers in detail to the considerations that can be adduced for or against protection of the kind envisaged in this case. The producer must be protected: (1) against the use by other persons of his plans for performance of a play, as a basis for rehearsal in another theater — in other words, protection against imitation; (2) against any fixation of the performance by technical means, with a view to using it for public presentation, for example on radio or television; and (3) against transfer of the theatrical work to another stage, without his consent.

The Regional Court was of the opinion that Boland's production should be deemed to be an artistic work that, by virtue of its content and character, presented individual and original features such as to bring it within the purview of Article 1 of the Copyright Act, having regard to the conditions that a work was normally required to comply with in order to be eligible for copyright protection. The defendant — the Danish broadcasting organization — was ordered to pay damages of 1,000 crowns.

One of the judges considered, however, that the plaintiff had not created a work or arrangement that could be deemed eligible for special protection under Article 1 or Article 4 of the Act.

According to the finding of the Supreme Court, protection can be granted only on condition that the production can be deemed to be a work of an essentially new and original character, resulting from a personal creative effort. In the case concerned, this condition had not been shown to have been fulfilled, and the Court therefore granted the Danish broadcasting organization's plea for acquittal.

During the hearings, the view was expressed that the courts could have considered granting protection in pursuance of Article 45 of the Act, which affords some protection for performers, if this had been requested.

In my opinion, this would not in any way have assisted Boland's case, because the substance of the protection afforded to performers is quite different from that of copyright protection in the strict sense.

3. *Other court decisions.* — I shall endeavour briefly to review some other court decisions rendered in Denmark since 1964 on matters of copyright.

In the years up to 1964, there appeared in the market a great many forged copies of works by well-known painters or of pictures falsely represented as being works by such painters. The public Prosecutor requested seizure of the forgeries; in a judgment dated November 26, 1964, however, the Eastern Regional Court decided that Article 57 of the Copyright Act, which provides for the seizure or destruction of unlawful copies, was not applicable to persons who had acquired them in good faith. The general rules on confiscation provided in the Criminal Code could not be applied either, because the

rules set forth in the Copyright Act had to be considered as being comprehensive in such cases (*U.f. R.*, 1965, p. 215).

An architect had designed a one-family house, comprising one-and-a-half stories; it was characterized by a large, steeply-sloping roof and by gable windows. A great many houses of this type were built, they were very successful and other people began to imitate them. Proceedings were then brought against an architect who had been responsible for the building of a house that, in many respects, resembled that of the plaintiff, and the latter therefore entered a plea for penal sanctions, for damages and for destruction of the plans, sketches, blue-prints and zinc plates. In a decision dated December 21, 1964, the Eastern Regional Court granted damages of 5,000 crowns to the plaintiff, who had alleged that the imitations were prejudicial to his renown and reputation, because many of the imitations had been very poorly carried out. In addition, the Court granted the plaintiff's request for destruction of the material still in the defendant's possession. On the other hand, no criminal action was brought against the defendant because the Court held that no evidence had been adduced to invalidate his plea of having acted in good faith (*U. f. R.*, 1965, p. 365).

In another case, concerning a house designed by an architect, the defendant was a building contractor who had built a family dwelling that in some respects resembled the house designed by the plaintiff (the architect); the defendant was acquitted, because the details cited were not eligible, taken individually, for protection as artistic property and because, taken as a whole, the two houses presented fairly pronounced differences, so that there seemed to be no conclusive proof that the defendant had used the plans of the plaintiff or had imitated the houses designed by him (*U. f. R.*, 1965, p. 711).

With respect to yet another case concerning a model house, see *U. f. R.*, 1965, p. 720.

In a case brought before the Supreme Court in May 1965, where it had been decided that the pleated lamp-shades produced by the plaintiff — in particular a so-called "orange-lamp" shade — were eligible for copyright protection, it was established that the producer of the lamp-shades, an artist well-known in the field of applied decorative art, had for several years known of the existence of an imitation so close as to constitute an infringement of the rules on artistic property. It therefore had to be ascertained whether the passive attitude shown by the holder of the right constituted an obstacle to his right to request that an end be put to the production of the defendant. The Supreme Court did not reach a decision on this issue (3 votes in favour, 2 against — *U. f. R.*, 1965, p. 447).

In a case concerning the alleged imitation of a furnishing fabric (*U. f. R.*, 1965, p. 530), the Western Regional Court considered that it had not been sufficiently established that the designs were eligible for protection under the copyright rules; on the other hand, it was considered that, by closely imitating the plaintiff's designs, the defendant had committed an action that constituted an unfair business practice, and he was therefore sentenced to pay a substantial sum by way of damages.

A journalist and writer had for several years used the title "North Pole's Neighbour" for his articles and lectures on Spitzbergen. The Danish broadcasting organization infringed the copyright rules on the protection of literary works (Article 1) by presenting a film on Spitzbergen under this same title. The court of first instance found the broadcasting organization guilty of infringement, pursuant to Article 51 of the Act, under which it is forbidden to make available to the public a literary or artistic work under a title capable of causing confusion with a previously disseminated work or with its author (*U. f. R.*, 1966, p. 676).

According to the judgment rendered by the Eastern Regional Court on November 21, 1967, the protection afforded by the 1961 Copyright Act was not granted to a lamp designed by an architect and composed of vertical wooden strips aranged around a cylindrical lamp-shade lined with fabric (*U. f. R.*, 1968, p. 189).

On June 10, 1968, the Supreme Court rendered its decision on a case concerning bookshelves; a competing firm had produced another set of bookshelves that, in a number of respects, resembled the plaintiff's, although there were certain differences of detail. In a majority decision, the Supreme Court found that the plaintiff's bookshelves did not fulfil the necessary conditions to be eligible for protection under the Copyright Act, but that the imitation was such as to constitute an infringement of Article 15 of the Unfair Competition Law. Under that article, acts committed for pecuniary gain and which are contrary to fair business practices give rise to entitlement to redress and may be forbidden by court decision. I cannot go into the details of the case in this article, but the reader may refer to the abundantly motivated decision, published (with illustrations) in *U. f. R.*, 1968, p. 576.

Yet another case (*U. f. R.*, 1968, p. 785), like the preceding one, comprises a great many details and we cannot relate it here in full. It concerned a collection of furnishing fabrics designed by an architect. The plaintiff acknowledged that, taken individually, the various fabrics in the series could not be eligible for protection, but he submitted that the series as a whole constituted an artistic work eligible for protection because of the effect of the colour combination and the harmony of the colours with the fabric and the design. In a decision dated October 25, 1968, the Supreme Court held that a collection of designs created by the plaintiff in the form of a series of fabrics which, taken individually, could not be protected, and which were intended to be used separately or in combination with only a few components of the series, could not be considered to be a work eligible for protection under the Copyright Act.

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NEWS ITEMS

AUSTRALIA

Ratification of the Universal Copyright Convention (with effect from May 1, 1969)

In a letter dated March 7, 1969, the Director-General of Unesco informed us that the instrument of ratification hy Australia of the Universal Copyright Convention had been deposited with that Organization on Fehruary 1, 1969.

In accordance with Article IX, paragraph 2, of the Convention, the latter came into force for Australia on May 1, 1969, that is, three months after the instrument of ratification had heen deposited.

TUNISIA

Accession to the Universal Copyright Convention (with effect from June 19, 1969)

In a letter dated April 29, 1969, the Director-General of Unesco informed us that the instrument of accession of Tunisia to the Universal Copyright Convention and annexed protocols 1, 2 and 3 had heen deposited with that Organization on March 19, 1969.

In accordance with Article IX, paragraph 2, of the Convention, the latter will come into force for Tunisia on June 19, 1969, that is, three months after the instrument of accession had been deposited.

Protocols 1 and 2, in accordance with the provisions formulated in paragraph 2*(b)* thereof will come into force for Tunisia on the same day as the Convention. Protocol 3, in application of paragraph 6*(b)* thereof, came into force for Tunisia on the day on which the instrument of accession had heen deposited.

CALENDAR

BIRPI Meetings

June 20 and 21, 1969 (Geneva) — Permanent Committee of the Berne Union (Extraordinary Session)

Object: Consideration of various questions concerning copyright — *Invitations:* Belgium, Brazil, Denmark, France, Germany (Fed. Rep.), India, Italy, Portugal, Rumania, Spain, Switzerland, United Kingdom — *Observers:* All other memher States of the Berne Union; Unesco

August 29, 1969 (Geneva) — Information Meeting of International Non-Governmental Organizations

Object: To appoint observers to the International Copyright Joint Study Group — *Invitations:* Interested Organizations — *Note:* Meeting convened jointly with Unesco

September 17, 1969 (Geneva) — Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) — Technical Coordination Committee (2nd Session)

Septemher 18 and 19, 1969 (Geneva) — Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT) — First Annual Meeting

Septemher 22 to 26, 1969 (Geneva) — Interunion Coordination Committee (7th Session)

Object: Program and Bndget of BIRPI for 1970 — *Invitations:* Argentina, Australia, Austria, Belgium, Brazil, Cameroon, Denmark, France, Germany (Fed. Rep.), Hungary, India, Iran, Italy, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Portngal, Rnmania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America

Septemher 22 to 26, 1969 (Geneva) — Executive Committee of the Conference of Representatives of the Paris Union (5th Session)

Object: Program and Budget (Paris Union) for 1970 — *Invitations:* Argentina, Anstralia, Anstria, Cameroon, France, Germany (Fed. Rep.), Hungary, Iran, Japan, Kenya, Morocco, Mexico, Netherlands, Poland, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America — *Observers:* All the other memher States of the Paris Union; United Nations; International Patent Institnte

Septemher 22 to 26, 1969 (Geneva) — Council of the Lishon Union for the Protection of Appellations of Origin and their International Registration (4th Session)

Object: Annnal Meeting — *Invitations:* All member States of the Lishon Union — *Observers:* All other memher States of the Paris Union

Septemher 29 to Octoher 3, 1969 (Washington) — International Copyright Joint Stndy Group

Object: To examine all qnestions concerning international copyright relations — *Invitations:* Argentina, Australia, Brazil, Canada, Ceylon, Czechoslovakia, France, Germany (Fed. Rep.), India, Italy, Ivory Coast, Japan, Kenya, Mexico, Netherlands, Nigeria, Peru, Philippines, Rumania, Senegal, Spain, Sweden, Tunisia, United Kingdom, United States of America, Yugoslavia — *Observers:* Organizations to he designated — *Note:* Meeting convened jointly with Unesco

Septemher 30 to Octoher 2, 1969 (Geneva) — Committee of Experts on the Estahlishment of a "Priority Fee" (Paris Convention)

Object: Implementation of the Recommendation adopted hy the Stockholm Conference — *Invitations:* Algeria, Argentina, Anstria, France, Germany (Fed. Rep.), Iran, Italy, Japan, Kenya, Netherlands, Rnmania, Soviet Union, Spain, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia — *Observers:* Intergovernmental and international non-governmental Organizations concerned

October 21 to 24, 1969 (Munich) — Joint Ad Hoc Committee on the International Classification of Patents (2nd Session)

Object: Practical application of the classification — *Invitations:* Czechoslovakia, France, Germany (Fed. Rep.), Japan, Netherlands, Soviet Union, Spain, Switzerland, United Kingdom, United States of America — *Observers:* International Patent Institute — *Note:* Meeting convened jointly with the Council of Europe

Octoher 27 to 31, 1969 (Geneva) — Committee of Experts on a Model Law for Developing Countries on Industrial Designs

Object: To study a Draft Model Law — *Invitations:* Developing countries memhers of the United Nations — *Observers:* Intergovernmental and international non-governmental Organizations concerned

Novemher 3 to 8, 1969 (Cairo) — Arah Seminar on Industrial Property

Decemher 10 to 12, 1969 (Paris) — Intergovernmental Committee Rome Convention (Neighboring Rights), convened jointly hy BIRPI, ILO and Unesco (2nd Session)

December 15 to 19, 1969 (Paris) — Permanent Committee of the Berne Union (14th Ordinary Session)

March 9 to 20, 1970 (Geneva) — Preparatory Study Group on PTC Regulations

Object: Study of Draft PCT Regulations — *Invitations:* All memher States of the Paris Union — *Observers:* Intergovernmental and international non-governmental Organizations concerned

May 25 to June 19, 1970 — Diplomatic Conference for the adoption of the Patent Cooperation Treaty (PCT)

Invitations: All member States of the Paris Union — *Observers:* Other States; Intergovernmental and international non-governmental Organizations concerned — *Note:* The exact place of the Conference will be announced later

Meetings of Other International Organizations Concerned with Intellectual Property

June 16 and 17, 1969 (Stockholm) — International Federation of Inventors Associations (IFIA) — Annual meeting

June 23 to 27, 1969 (Paris) — Unesco — Subcommittee of the Intergovernmental Copyright Committee

June 23 to 28, 1969 (Caracas) — VIIth Interamerican Meeting on Copyright

Jnne 24 to 26, 1969 (The Hague) — International Patent Institute (IIB) — 101st Session of the Administrative Council

July 1 to 5, 1969 (Moscow) — Moscow Jubilee Symposium 1969 (Industrial Property)

July 2 to 7, 1969 (Moscow) — International Writers Guild (IWG) — 2nd Congress

Septemher 8 to 12, 1969 (Nuremherg) — International Federation of Musicians — 7th Ordinary Congress