# Copyright

Review of the
WORLD INTELLECTUAL PROPERTY
ORGANIZATION (WIPO)

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## Contents

WORLD INTELLECTUAL PROPERTY ORGANIZATION

# The World Intellectual Property Organization in 1973

## Member States

*Acceptance*

In 1973, Austria, Cameroon, Uganda and Yugoslavia deposited instruments of ratification or accession and became party to the Convention establishing WIPO, thus bringing the number of such States to 32 at the end of 1973. The Sudan also deposited an instrument of accession in 1973. The Convention establishing WIPO will come into force for the Sudan on February 15, 1974.

*Five-Year Privilege*

In 1973, five States — Chile, Congo, India, Madagascar, Mauritania — gave notification in terms of Article 21(2)*(a)* of the Convention establishing WIPO, thus bringing to 34 the total number of States which may, until April 26, 1975, exercise the same rights as if they had become party to the Convention.

## Administrative Bodies

The composition of the Administrative Bodies of WIPO is set forth below. The Coordination Committee met in an extraordinary session in May 1973 to consider the question of relations between the United Nations and WIPO and questions concerning the headquarters building [1]. The Coordination Committee also met in ordinary session, as did the Conference and the General Assembly of WIPO, during the fourth series of meetings of the Administrative Bodies of WIPO and of the Unions administered by WIPO and BIRPI, in November 1973 [2].

The principal decisions taken by the General Assembly of WIPO included the appointment of Dr. Arpad Bogsch as the new Director General, the approval of the reports and activities of the Coordination Committee and of the Director General, and the approval of the measures for the administration by WIPO of the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (1971) and the Vienna Agreement for the Protection of Type Faces and their International Deposit (1973). The General Assembly also decided to establish three posts of Deputy Director General. The General Assembly and the Conference of WIPO considered a progress report on the question of concluding a relationship agreement with the United Nations and approved the actions taken in this respect by the Coordination Committee at its third and fourth (extraordinary) sessions. The Conference of WIPO adopted the triennial (1974 to 1976) budget and established its triennial program of technical assistance. The Conference of WIPO also established a Permanent Program for the Acquisition by Developing Countries of Technology Related to Industrial Property and adopted the Organizational Rules of that Program. The Coordination Committee approved a new agreement concerning working relations and cooperation with the United Nations Educational, Scientific and Cultural Organization (Unesco).

## Legal-Technical Assistance to Developing Countries

Throughout 1973, WIPO continued to implement its technical assistance program for developing countries. This program was complemented by the approved programs for the year 1973 of the various Unions, which included projects also of benefit to the developing countries.

*Training Program*

In cooperation with the various national Industrial Property Offices, or Copyright Offices, 13 traineeships for a duration of two or three months were organized under the 1973 program for officials from Algeria, Argentina, Colombia, Egypt, Ghana, Kenya, Nigeria, Peru, Republic of Korea, Saudi Arabia, Sudan and Zaire and the Industrial Development Centre for Arab States (IDCAS). The training was conducted in Belgium, Egypt, Germany (Federal Republic of), Ireland, Japan, Spain, Switzerland and the United Kingdom.

*Assistance to National and Regional Institutions Concerned with Industrial Property and Copyright Services*
(The projects are listed in their alphabetical order)

*Algeria.* In November 1973, the Government of Algeria informed the International Bureau of its plans to modernize its industrial property legislation and Industrial Property Office and inquired as to the possible assistance which WIPO could provide in this respect. Discussions are taking place between the Algerian authorities and the International Bureau concerning the possible assistance which could be provided.

*Brazil.* Following the approval in June 1972 by the Governing Council of the United Nations Development Programme (UNDP) of a project to assist the Government of Brazil in carrying out a complete and basic modernization of its patent system, appropriate arrangements were made, in January 1973, between the UNDP and the Government of Brazil for the execution of the project through a contract with WIPO. Such a contract was concluded between the UNDP and WIPO in June 1973.

In July 1973, the International Bureau sent a circular to 23 examining Patent Offices, and to the International Patent Institute (IIB), advertising various positions for experts to participate in the execution of the projects. The latter started

[1] See *Copyright*, 1973, p. 106.
[2] See *ibid.*, 1973, p. 236.

in October 1973 with the arrival in Brazil of a team of six experts.

*Burundi.* The Government of Burundi had requested the assistance of the International Bureau in organizing its Industrial Property Office and in revising its industrial property legislation. After receiving information from the competent authorities with respect to the functioning of the Office and on the legislation in force, the International Bureau drew their attention to the possibility of adapting that legislation in the light of the WIPO model laws for developing countries, or of envisaging becoming a member of the African and Malagasy Industrial Property Office (OAMPI).

*Cuba.* The Government of Cuba has requested the assistance of the International Bureau in building up a collection of patent documents and selected scientific books and journals reflecting the current state of technology essential in examining patent applications. The collection should also facilitate the transfer of technology. Discussions concerning the possibilities of satisfying this request took place by correspondence and during the course of a visit to the International Bureau in April and November 1973 by officials of the Cuban Industrial Property Office.

*Egypt.* At the invitation of the Government of Egypt, an official of the International Bureau visited the Egyptian Patent Office in December 1973 and had preliminary discussions with the Egyptian authorities in connection with their plans to revise the Egyptian patent legislation so as to implement an examination system and to adapt that legislation to the Patent Cooperation Treaty (PCT) and, in addition, to modernize the Egyptian Patent Office both from a national and international perspective.

*Honduras.* An official of the International Bureau had preliminary discussions in August 1973 with the authorities of the Government of Honduras on the feasibility and scope of a possible technical assistance project for the drafting of new patent and copyright laws and for the reorganization of the Industrial Property Office. In October 1973, the International Bureau received a request from the Government of Honduras to prepare, on the basis of the discussions, a plan for such a project.

*Saudi Arabia.* The Government of Saudi Arabia has requested the assistance of the International Bureau in organizing its Industrial Property Office and in drafting laws and regulations on industrial property. Discussions took place by correspondence and during a visit to Saudi Arabia in November 1973 concerning the means of fulfilling this request, including a possible preparatory mission and the sending of an expert.

*Sudan.* At the request of the Government of Sudan, the International Bureau prepared a draft of the regulations for the new Sudanese patent law.

*Venezuela.* The International Bureau continued to assist the Government of Venezuela in the reorganization of the administrative procedures of its Industrial Property Office and in connection with the planned reform of its industrial property law. Two experts on administrative matters were sent by WIPO to Caracas, during the period from December 1972 to May 1973, to assist the Venezuelan Industrial Property Office in reorganizing its administrative procedures.

*Zaire.* At the request of the Government of Zaire, an official of the International Bureau spent two weeks during September/October 1973 in that country assisting the authorities in the drafting of a new industrial property law and regulations for its implementation. He also advised the Zairian authorities on the reorganization of their industrial property department.

*English-Speaking Countries in Africa.* The delegates of nine English-speaking countries participating in the African Seminar on Intellectual Property, held at Nairobi in October 1972, adopted a resolution in which they expressed the wish that a meeting of the Registrars General and Heads of Industrial Property Offices in the English-speaking countries of Africa, jointly sponsored by the United Nations Economic Commission for Africa (ECA) and WIPO, be convened with a view to the harmonization of the patent and industrial design laws in their respective countries and the possible creation of a common office or other link among the said countries in the field of the administration of such laws. Consultations have taken place between the International Bureau and the Secretariat of ECA, both by correspondence and during visits to Addis Ababa in January, May and November 1973, concerning the means of giving effect to this resolution, including the organization of the meeting referred to in the resolution, the undertaking of a survey of industrial property legislation of the countries concerned, and the preparation of working documents on the possible forms of cooperation among such countries.

*IDCAS.* Examination of the possibilities of creating a regional patent documentation service under the aegis of the Industrial Development Centre for Arab States (IDCAS) continued. Consultations between IDCAS and the International Bureau concerning a model law on inventions for Arab States also continued.

*OAMPI.* The Director General of the African and Malagasy Industrial Property Office (OAMPI) has submitted a request for assistance in revising the Libreville Agreement of September 13, 1962, establishing that Office, with a view to harmonizing the provisions of the Agreement with those of the Patent Cooperation Treaty (PCT), modernizing the Agreement in so far as trademarks and industrial designs are concerned, and extending the jurisdiction of the Office to questions of literary and artistic property. Work in response to this request was undertaken by the staff of the International Bureau and proceeded in 1973 in accordance with a timetable established in agreement with OAMPI.

Discussions also continued to determine the ways and means of providing other assistance requested by OAMPI, including the sending of a preparatory mission, to be financed by the United Nations Development Programme (UNDP), which would explore the possibilities of assisting OAMPI in establishing a regional patent documentation center.

*SIECA.* The Permanent Secretariat of the General Treaty on Central American Economic Integration (SIECA) has requested the assistance of the International Bureau in drafting a proposed Central American Patent Convention and regulations on the transfer of technology and in outlining the possible basis for the establishment of a Central American Regional Office for Industrial Property. Consultations took place between the two Secretariats through correspondence and during a visit in March and August 1973 at SIECA headquarters in Guatemala City, to establish a plan for the preparatory work to be undertaken.

*Model Laws for Developing Countries*

*Appellations of Origin.* A Committee of Experts on a Model Law for Developing Countries on Appellations of Origin and Indications of Source met in Geneva in April 1973 [3]. The Committee was composed of the representatives of the Governments of the following 18 developing countries: Algeria, Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Egypt, India, Liberia, Libyan Arab Republic, Mali, Morocco, Nigeria, Philippines, Sri Lanka, Syrian Arab Republic, Thailand. In addition, the African and Malagasy Industrial Property Office (OAMPI) and four international non-governmental organizations were represented as observers. The Committee examined a draft model law and commentary prepared by the International Bureau and expressed its view that the draft as a whole reflected the special needs of developing countries and represented a useful model for legislation in these countries. The model law is in the process of being revised on the basis of the Committee's discussions and will be distributed in due course.

*Copyright.* At its extraordinary session in December 1973, the Executive Committee of the Berne Union, sitting with the Intergovernmental Copyright Committee established by the Universal Copyright Convention, considered the steps which had been taken so far by the International Bureau and the Secretariat of Unesco in preparing model laws on copyright for developing countries. These steps included the preparation by the Secretariat of Unesco in cooperation with the International Bureau of a draft model law and commentary which had been submitted to a Committee of Experts charged with drafting a model law on copyright for developing countries in Africa, convened by Unesco at Abidjan, Ivory Coast, in October 1973.

The Committee decided that the two Secretariats should incorporate in the draft model law presented to the Abidjan meeting the changes recommended by that meeting and that the resulting text and a commentary should be transmitted to all African States for information purposes and to all members of the Berne Union and the Universal Copyright Convention for comment. The Committee further decided that a committee of experts, consisting of representatives of developing countries, should be convened, preferably by a developing State party to the Berne or Universal Copyright Convention in cooperation with and with the assistance of Unesco and WIPO, for establishing a model law on copyright for developing countries on the basis of the text and comments referred to which would be compatible with the Paris (1971) revisions of the two Conventions.

*Seminar*

*WIPO Industrial Property Seminar, Bangkok.* A seminar on industrial property was organized by WIPO, under the auspices of the Government of Thailand, at Bangkok in October 1973 [4]. Conference facilities were provided by the United Nations Economic Commission for Asia and the Far East (ECAFE). Eleven States sent participants: Bangladesh, India, Indonesia, Iran, Khmer Republic, Malaysia, Philippines, Republic of Korea, Republic of Viet-Nam, Sri Lanka, Thailand.

*Acquisition by Developing Countries of Technology Related to Industrial Property*

Pursuant to a recommendation made by the Committee of Experts on a Patent Licensing Convention, which met in Geneva in October/November 1972, the Director General of WIPO convened a Provisional Committee for the preparation of the WIPO Legal-Technical Program for the Acquisition by Developing Countries of Technology Related to Industrial Property. The Provisional Committee met in Geneva in June 1973. Twenty-seven States took part in the meeting as members of the Provisional Committee; seven were represented by observers, as were three intergovernmental and six international non-governmental organizations.

The Provisional Committee adopted a resolution, subsequently adopted by the WIPO Conference in November 1973 [5], providing for the establishment of the WIPO Legal-Technical Permanent Program for the Acquisition by Developing Countries of Technology Related to Industrial Property. The resolution also contains Organizational Rules for this Program, which define its objective and establish a Permanent Committee consisting of all Member States of WIPO and the Paris Union which desire to be members of the said Committee. The task of the Permanent Committee will be to keep the Program under review and to make recommendations in this connection to the WIPO Conference and Coordination Committee. The objective of the Program is to promote and facilitate, by all means within the competence of WIPO, the acquisition by developing countries, under fair and reasonable terms and conditions, of technology related to industrial property.

### Other Relations with Developing Countries

The Director General, or other officers of WIPO, visited the governments or the competent authorities of developing countries, or had contacts with the latter at international meetings.

Thus WIPO was represented at the International Seminar on the Application and Adaptation of Foreign Technology, organized in Latin America by the Latin American Institute

[3] See *Industrial Property*, 1973, p. 138.

[4] See *Industrial Property*, 1973, p. 320.

[5] See *Copyright*, 1973, p. 237.

of Social Sciences (ILDIS) together with the Chilean National Committee for Scientific and Technical Research (CONICYT), at Santiago, Chile, in May/June 1973.

WIPO was also represented at the meeting of Governmental Experts on Industrial Property Application of Technology to Development, convened by the Organization of American States (OAS) in Washington in June 1973, and at the Seminar on Transfer of Technology organized by the Government of Algeria in Algiers in October 1973.

The Director General made a visit to India in October 1973. Extensive talks on matters concerned with WIPO, industrial property and copyright were held with the competent Ministers of the Central Government and other interested government authorities and private circles.

Visits were made to Bolivia, Brazil, Chile, Cuba, Egypt, Ethiopia, Guatemala, Honduras, Kenya, Liberia, Mexico, Pakistan, Peru, Saudi Arabia, Senegal, Thailand, Venezuela and Zaire by officials of the International Bureau for the purpose of exchanging views with the government authorities in those countries on matters concerning WIPO or in the industrial property or copyright fields.

Similarly, talks took place on such matters with the Secretariats of the African and Malagasy Industrial Property Office (OAMPI), the African, Malagasy and Mauritanian Common Organization (OCAM), in Mauritius, the United Nations Economic Commission for Africa (ECA), in Addis Ababa, the United Nations Economic Commission for Asia and the Far East (ECAFE), in Bangkok, the General Treaty on Central American Economic Integration (SIECA), in Guatemala City, the Cartagena Agreement (Andean Group), in Lima, and the Organization of American States (OAS), in Washington.

## Cooperation between WIPO and Organizations of the United Nations System

In 1973, WIPO continued and further developed its cooperation with the United Nations and other organizations of the United Nations system.

### *Future Cooperation and Coordination with the United Nations*

At its fifty-fifth session (July/August 1973), the Economic and Social Council of the United Nation (ECOSOC) considered the question of relations with WIPO. This item had been placed upon the agenda of ECOSOC following the adoption by the Coordination Committee of WIPO in September 1973 of a resolution in which the Coordination Committee of WIPO considered that a relationship agreement with the United Nations under Articles 57 and 63 of the United Nations Charter appeared desirable. This resolution was transmitted by the Director General to the Secretary General of the United Nations.

The text of the decision adopted by ECOSOC provides that it is desirable that WIPO be brought into relationship with the United Nations, and that ECOSOC should enter into negotiations with a view to achieving that end in accordance with Articles 57 and 63 of the United Nations Charter; it designates representatives of Algeria, Barbados, Brazil, Chile, France, Hungary, Japan, Kenya, Madagascar and Malaysia as members of the ECOSOC Committee on Negotiations with Intergovernmental Agencies (CNIA) for that purpose; it instructs that Committee to take into account, inter alia, the views expressed in the debate, the draft agreement submitted by WIPO, and the comparative analysis of that text with the texts of existing agreements with the specialized agencies prepared by the Secretariat of the United Nations; finally, the decision requests the Committee to submit a report, including a draft agreement, as soon as possible and in any case not later than the fifty-seventh session (July 1974) of ECOSOC.

The CNIA was convened during the week from July 30 to August 3, 1973. It commenced but did not complete its examination of the WIPO draft agreement.

The General Assembly and the Conference of WIPO at their second ordinary sessions in November 1973 approved the actions taken by the Coordination Committee of WIPO at its third and fourth (extraordinary) sessions in 1972 and 1973, respectively.

### *Information, Studies and Reports Requested By, and Coordination of Activities With, United Nations Bodies*

*United Nations and UNCTAD.* With respect to the implementation of paragraph 10 of Resolution 39(III) of the United Nations Conference on Trade and Development (UNCTAD), the International Bureau has completed preliminary drafts of surveys of recent developments in the industrial property field on the national, regional and international levels. The surveys will form part of the International Bureau's contribution to the study which, under that Resolution, the Secretary-General of the United Nations has been invited to prepare in cooperation with the Secretary-General of UNCTAD and the Director General of WIPO. Consultations have also taken place on the intersecretariat level between UNCTAD and WIPO with respect to other decisions of UNCTAD III which call for studies to be carried out by the Secretary-General of UNCTAD, in cooperation with other United Nations bodies and with other organizations, including WIPO.

With respect to the program of work of the International Law Commission of the United Nations, the International Bureau assisted the Special Rapporteur for the question of treaties concluded by international organizations by providing information on a number of points developed by him for inclusion in a questionnaire. The information provided by the International Bureau and by the Secretariats of other organizations was circulated to the international organizations concerned for their information.

*Unesco.* On the initiative of Unesco, a general agreement concerning cooperation between WIPO and Unesco was negotiated between the two Secretariats in August 1973 and, later in the same year, was adopted by the competent bodies of WIPO and Unesco.

During 1973, close cooperation was maintained with Unesco and the International Labour Organisation (ILO) on matters relating to copyright and neighboring rights, in particular, in the preparation of model laws on copyright (see above, page 4), and on neighboring rights (see below, page 15)

and with Unesco, in the preparation for the convening of a Diplomatic Conference for the adoption of a Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite (see below, pages 13 and 14).

*Representation at Meetings of United Nations Bodies*

WIPO was represented at various meetings of United Nations bodies at which questions concerning the application of science and technology to development, scientific or technical cooperation, the creation or development of information systems, data banks, centers for the transfer of technology, and related activities were discussed.

### Cooperation with other Intergovernmental Organizations

*Working Agreement with IDCAS*

The Coordination Committee of WIPO and the Board of Directors of the Industrial Development Centre for Arab States (IDCAS) have each approved the terms of an agreement establishing working relations and cooperation between WIPO and IDCAS. The draft agreement has been submitted by the Council of the League of Arab States, of which IDCAS forms a part, to its member States for consultation and will be placed before the Council for a decision at its next session in March 1974.

### WIPO Publications

*Reviews.* The reviews *Industrial Property* and *Copyright* continued to appear every month in English and French. The review *La Propiedad Intelectual*, containing general information and studies concerning WIPO, industrial property and copyright, continued to appear every quarter.

*Other Publications.* Updated editions of the WIPO Brochure entitled *General Information* were published in Englisb, French, German and Spanish in January 1973, and in Russian in May 1973. English, French and Spanish editions of a new brochure, entitled *WIPO — Objectives, Interest to States, Structure and Finances, Activities*, were published in May and June 1973. Officials texts in various languages of the international agreements administered by WIPO were published in brochure form during the period covered by this report.

### Other Activities

*WIPO Headquarters Building.* The construction of a new building, which will be connected with the existing headquarters building of WIPO, was started in May 1973.

## Membership of the Administrative Bodies of WIPO

On January 1, 1974, the membership of the administrative bodies of the World Intellectual Property Organization was as follows:

*General Assembly:* Algeria *, Argentina *, Australia, Austria, Belgium*, Brazil*, Bulgaria, Cameroon, Canada, Chad, Chile*, Congo*, Cuba*, Czechoslovakia, Dahomey*, Denmark, Egypt*, Fiji, Finland, France*, Gabon*, German Democratic Republic, Germany (Federal Republic of), Greece*, Holy See*, Hungary, India *, Ireland, Israel, Italy *, Ivory Coast *, Japan *, Jordan, Kenya, Liechtenstein, Luxembourg *, Madagascar *, Malawi, Malta *, Mauritania *, Mexico *, Morocco, Netherlands *, Niger *, Norway *, Poland *, Portugal *, Romania, Senegal, South Africa *, Soviet Union, Spain, Sweden, Switzerland, Syrian Arab Republic *, Thailand *, Togo *, Tunisia *, Turkey *, Uganda, United Kingdom, United States of America, Upper Volta *, Yugoslavia.

*Conference:* The same States as above, with Byelorussian SSR, Sudan (as from February 15, 1974) and Ukrainian SSR.

*Coordination Committee:* Algeria, Argentina, Australia, Brazil, Cameroon, Canada, Egypt, France, German Democratic Republic, Germany (Federal Republic of), Hungary, India, Iran, Israel, Italy, Japan, Kenya, Mexico, Morocco, Netherlands, Nigeria, Philippines, Poland, Romania, Senegal, Soviet Union, Spain, Sri Lanka, Sweden, Switzerland, United Kingdom, United States of America, Yugoslavia.

*WIPO Headquarters Building Subcommittee:* Argentina, Cameroon, France, Germany (Federal Republic of), Italy, Netherlands, Switzerland, United States of America.

* Member until April 26, 1975.

# Member States of the World Intellectual Property Organization

## as on January 1, 1974

| State [1] | | Deposit of instrument [2] | | Date on which the State became a member |
|---|---|---|---|---|
| Australia | P-B | A | May 10, 1972 | August 10, 1972 |
| Austria | P-B | R | May 11, 1973 | August 11, 1973 |
| Bulgaria | P | R | February 19, 1970 | May 19, 1970 |
| Byelorussian SSR | | R | March 19, 1969 | April 26, 1970 |
| Cameroon | B | R | August 3, 1973 | November 3, 1973 |
| Canada | P-B | A | March 26, 1970 | June 26, 1970 |
| Chad | P-B | A | June 26, 1970 | September 26, 1970 |
| Czechoslovakia | P | A | September 22, 1970 | December 22, 1970 |
| Denmark | P-B | R | January 26, 1970 | April 26, 1970 |
| Fiji | B | A | December 11, 1971 | March 11, 1972 |
| Finland | P-B | R | June 8, 1970 | September 8, 1970 |
| German Democratic Republic | P-B | A | June 20, 1968 | April 26, 1970 |
| Germany, Federal Republic of | P-B | R | June 19, 1970 | September 19, 1970 |
| Hungary | P-B | R | December 18, 1969 | April 26, 1970 |
| Ireland | P-B | S | January 12, 1968 | April 26, 1970 |
| Israel | P-B | R | July 30, 1969 | April 26, 1970 |
| Jordan | P | A | April 12, 1972 | July 12, 1972 |
| Kenya | P | R | July 5, 1971 | October 5, 1971 |
| Liechtenstein | P-B | R | February 21, 1972 | May 21, 1972 |
| Malawi | P | A | March 11, 1970 | June 11, 1970 |
| Morocco | P-B | R | April 27, 1971 | July 27, 1971 |
| Romania | P-B | R | February 28, 1969 | April 26, 1970 |
| Senegal | P-B | R | September 19, 1968 | April 26, 1970 |
| Soviet Union | P | R | December 4, 1968 | April 26, 1970 |
| Spain | P-B | R | June 6, 1969 | April 26, 1970 |
| Sudan | | A | November 15, 1973 | February 15, 1974 |
| Sweden | P-B | R | August 12, 1969 | April 26, 1970 |
| Switzerland | P-B | R | January 26, 1970 | April 26, 1970 |
| Uganda | P | A | July 18, 1973 | October 18, 1973 |
| Ukrainian SSR | | R | February 12, 1969 | April 26, 1970 |
| United Kingdom | P-B | R | February 26, 1969 | April 26, 1970 |
| United States of America | P | R | May 25, 1970 | August 25, 1970 |
| Yugoslavia | P | R | July 11, 1973 | October 11, 1973 |

(Total: 33 States)

[1] "P" means State having ratified or acceded to at least the administrative provisions of the Stockholm Act of the *Paris* Convention; "B" means State having ratified or acceded to at least the administrative provisions of the Stockholm or Paris Act of the *Berne* Convention.

[2] "A" means *accession*; "R" means *ratification*; "S" means *signature* without reservation as to ratification; see Article 14(1) of the Convention Establishing WIPO.

### Notifications made under Article 21(2) of the Convention Establishing the World Intellectual Property Organization

The States listed below have availed themselves of Article 21(2)*(a)* of the Convention, which enables them to exercise, until April 26, 1975, the same rights as if they had become party to the Convention:

Algeria
Argentina
Belgium
Brazil
Chile
Congo
Cuba
Dahomey
Egypt
France
Gabon
Greece
Holy See
India
Italy
Ivory Coast
Japan
Luxembourg
Madagascar
Malta
Mauritania
Mexico
Netherlands
Niger
Norway
Poland
Portugal
South Africa
Syrian Arab Republic
Thailand
Togo
Tunisia
Turkey
Upper Volta

(Total: 34 States)

# BERNE UNION

## State of the Berne Union

### The texts of the Convention

The basic Act of the International Union for the Protection of Literary and Artistic Works is the *Berne Convention for the Protection of Literary and Artistic Works* of September 9, 1886. It came into force on December 5, 1887.

This Convention was amended and supplemented in *Paris* on May 4, 1896, by an *Additional Act* and an *Interpretative Declaration*. They entered into force on December 9, 1897.

A thorough overhaul took place in Berlin on November 13, 1908. The *Berlin Act* came into force on September 9, 1910. At the time of the revision effected in Berlin, countries were given the right to indicate, by means of reservations, those provisions of the original Convention of 1886, or of the Additional Act of 1896, which they wished to substitute for the corresponding provisions of the Convention of 1908.

On March 20, 1914, an *Additional Protocol* to the revised Berne Convention of 1908 was signed in *Berne*, in order to enable Union countries to restrict, should they deem fit, the protection given to authors who are nationals of a non-Union country. This Protocol came into force on April 20, 1915.

The Berlin Act, in its turn, underwent revision in Rome. The *Rome Act*, signed on June 2, 1928, has been in force since August 1, 1931. Countries joining the Union by direct accession to the latter Act could stipulate only one reservation, namely in respect of the right of translation into the language or languages of such countrics. Countries already members of the Union could retain the benefit of the reservations which they had previously formulated.

The Rome Act was revised in Brussels. The *Brussels Act*, signed on June 26, 1948, has been in force since August 1, 1951. As for the possibility of making reservations, the same rule as that mentioned in the preceding paragraph is applicable both to countries acceding directly to this Act and to those already members of the Union.

The Brussels Act was revised in Stockholm. The *Stockholm Act*, signed on July 14, 1967, has entered into force, but only as far as its administrative provisions and final clauses are concerned, on January 29, 1970, for States which recognized the validity of the accession of the German Democratic Republic, and on February 26, 1970, for States which did not.

Lastly, a revision Conference was held in Paris: however, the *Paris Act*, signed on July 24, 1971, has not yet entered into forcc (see below).

### Field of application of the various revised texts of the Berne Convention

Countries of the Union, or contracting countries (63 in number), and the territories for the external relations of which they are responsible, apply at present — as far as the substantive provisions are concerned — either the Berlin Act, or the Rome Act, or the Brussels Act.

#### *(a) Berlin Act*

Thailand, which has acceded neither to the Rome Act nor to the Brussels Act, is bound by the Berlin Act.

The reservations made by Thailand are indicated in the table which follows, note 13.

South West Africa also is bound by the Berlin Act.

#### *(b) Rome Act*

The Rome Act is applicable in relations between the following 15 countries which have not acceded to the Brussels Act:

Bulgaria
Canada
Cyprus
Czechoslovakia
German Democratic Republic
Hungary
Iceland
Japan
Lebanon
Malta
New Zealand
Pakistan
Poland
Romania
Sri Lanka

The Rome Act is also applicable in relations between the above-mentioned 15 countries, on the one hand, and the following 28 countries, on the other hand, which, *after having acceded to this Act*, have ratified or acceded to the Brussels Act:

Australia
Austria
Belgium
Brazil
Denmark
Finland
France
Germany, Federal Republic of
Greece
Holy See
India
Ireland
Israel
Italy
Liechtenstein
Luxembourg
Monaco
Morocco
Netherlands
Norway
Portugal
South Africa
Spain
Sweden
Switzerland
Tunisia
United Kingdom
Yugoslavia

Lastly, the Rome Act is applicable in relations between the above-mentioned 15 countries and the 19 countries which have acceded to the Brussels Act only or have made declarations of continued adherence to the latter, or which are bound

by Articles 1 to 20 of the Brussels Act by virtue of Article 29 of the Stockholm Act, i. e.:

Argentina
Cameroon
Chad
Chile
Congo
Dahomey
Fiji
Gabon
Ivory Coast
Madagascar
Mali
Mauritania
Mexico
Niger
Philippines
Senegal
Turkey
Uruguay
Zaire

The only reservations which apply in relations between the countries to which the Rome Act is applicable are those formulated by Iceland and Japan in respect of the right of translation.

*(c) Brussels Act*

Subject to what is said below in connection with the Stockholm and Paris Acts, 47 contracting countries apply the Brussels Act in their mutual relations; they are:

Argentina
Australia
Austria
Belgium
Brazil
Cameroon
Chad
Chile
Congo
Dahomey
Denmark
Fiji
Finland
France
Gabon
Germany, Federal Republic of
Greece
Holy See
India
Ireland
Israel
Italy
Ivory Coast
Liechtenstein
Luxembourg
Madagascar
Mali
Mauritania
Mexico
Monaco
Morocco
Niger
Netherlands
Norway
Philippines
Portugal
Senegal
South Africa
Spain
Sweden
Switzerland
Tunisia
Turkey
United Kingdom
Uruguay
Yugoslavia
Zaire

Sixteen countries of the Union are not yet bound by the Brussels Act (i. e., the 15 countries between which the Rome Act is applicable and Thailand).

The only reservations applicable in relations between the above-mentioned 47 countries of the Union are those formulated by Mexico, Turkey and Yugoslavia in respect of the right of translation.

*(d) Stockholm Act*

Articles 1 to 21 of this Act, and the Protocol Regarding Developing Countries which forms an integral part of it, have not entered into force. Accordingly, as far as the substantive provisions are concerned, the relations between the countries of the Union remain the same as mentioned above.

However, by virtue of the declarations made under Article 5 of the Protocol, the Protocol applies in the relations between the following countries: Bulgaria, Pakistan, Senegal, Sweden.

The other provisions of the Stockholm Act (administrative provisions and final clauses) entered into force at the beginning of 1970. As on January 1, 1974, the following countries apply these provisions:

Argentina
Australia
Austria
Belgium
Brazil
Bulgaria
Canada
Chad
Chile
Congo
Czechoslovakia
Dahomey
Denmark
Fiji
Finland
Gabon
German Democratic Republic
Germany, Federal Republic of
Greece
Holy See
India
Ireland
Israel
Italy
Ivory Coast
Japan
Liechtenstein
Luxembourg
Malta
Mauritania
Mexico
Monaco
Morocco
Netherlands
Niger
Norway
Pakistan
Portugal
Romania
Senegal
South Africa
Spain
Switzerland
Tunisia
Turkey
United Kingdom
Uruguay
Yugoslavia

*(e) Paris Act*

The substantive provisions of the Paris Act (i. e., Articles 1 to 21 and the Appendix) have not yet entered into force.

However, Germany (Federal Republic of) [1] and the United Kingdom [2] have declared that they admit the application of the Appendix to works of which they are the country of origin by countries which have made a declaration under Article VI(1)(i) of the Appendix or a notification under Article I of the Appendix.

As for the administrative provisions and final clauses of the said Act (i. e., Articles 22 to 38), six countries (Cameroon, France, Germany (Federal Republic of) [3], Hungary, Spain [4] and Sweden) are bound by them pursuant to Article 28(3).

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[1] See *Copyright* 1973, p. 214.
[2] *Ibid.*, 1971, p. 189.
[3] From January 22, 1974.
[4] From February 19, 1974.

# Members of the Berne Union

## as on January 1, 1974

| State | Class | Date on which membership in the Union took effect | Latest Act by which the State is bound and date on which the ratification of or accession to such Act became effective |
|---|---|---|---|
| Argentina | IV | June 10, 1967 | Brussels: June 10, 1967 [2] |
| Australia | III | April 14, 1928 [1] . . . Substance: | Brussels: June 1, 1969 [6] |
| | | Administration: | Stockholm: August 25, 1972 [7] |
| Austria | VI | October 1, 1920 . . . Substance: | Brussels: October 14, 1953 [6] |
| | | Administration: | Stockholm: August 18, 1973 [7] |
| Belgium | III | December 5, 1887 | Brussels: August 1, 1951 [2] |
| Brazil | III | February 9, 1922 | Brussels: June 9, 1952 [2] |
| *Bulgaria* | VI | *December 5, 1921* | *Rome: August 1, 1931* [2, 3] |
| Cameroon | VI | September 21, 1964 . . . Substance: | Brussels: September 21, 1964 [4, 5] |
| | | Administration: | Paris: November 10, 1973 [15] |
| *Canada* | II | *April 10, 1928* [1] . . . Substance: | *Rome: August 1, 1931* [6] |
| | | Administration: | *Stockholm: July 7, 1970* [7] |
| Chad | VII | November 25, 1971 [1] . . . Substance: | Brussels: November 25, 1971 [5, 14] |
| | | Administration: | Stockholm: November 25, 1971 |
| Chile | VI | June 5, 1970 | Brussels: June 5, 1970 [2] |
| Congo | VII | May 8, 1962 [1, 4] | Brussels: May 8, 1962 [2, 4, 5] |
| *Cyprus* | VI | *February 24, 1964* [1, 4] | *Rome: February 24, 1964* [4] |
| *Czechoslovakia* | IV | *February 22, 1921* | *Rome: November 30, 1936* [2] |
| Dahomey | VI | January 3, 1961 [1, 4] | Brussels: January 3, 1961 [2, 4, 5] |
| Denmark | IV | July 1, 1903 . . . Substance: | Brussels: February 19, 1962 [6] |
| | | Administration: | Stockholm: May 4, 1970 [7] |
| Fiji | VII | December 1, 1971 [1, 4] . . . Substance: | Brussels: December 1, 1971 [4, 5, 6] |
| | | Administration: | Stockholm: March 15, 1972 [7] |
| Finland | IV | April 1, 1928 . . . Substance: | Brussels: January 28, 1963 [6] |
| | | Administration: | Stockholm: September 15, 1970 [7] |
| France | I | December 5, 1887 . . . Substance: | Brussels: August 1, 1951 [6] |
| | | Administration: | Paris: December 15, 1972 [15] |
| Gabon | VI | March 26, 1962 [1] | Brussels: March 26, 1962 [2, 5] |
| *German Democratic Republic* | IV | *December 5, 1887* [9] . . . Substance: | *Rome: October 21, 1933* [6, 10, 11] |
| | | Administration: | *Stockholm: January 29 or February 26, 1970* [10, 16] |
| Germany, Federal Republic of | I | December 5, 1887 [9] . . . Substance: | Brussels: October 10, 1966 [6, 17] |
| | | Administration: | Paris: January 22, 1974 [15] |
| Greece | VI | November 9, 1920 | Brussels: January 6, 1957 [2] |
| Holy See | VI | September 12, 1935 | Brussels: August 1, 1951 [2] |
| *Hungary* | VI | *February 14, 1922* . . . Substance: | *Rome: August 1, 1931* [6] |
| | | Administration: | *Paris: December 15, 1972* [15] |
| *Iceland* [12] | VI | *September 7, 1947* | *Rome: September 7, 1947* |
| India | IV | April 1, 1928 [1] | Brussels: October 21, 1958 [2] |
| Ireland | IV | October 5, 1927 [1] . . . Substance: | Brussels: July 5, 1959 [6] |
| | | Administration: | Stockholm: December 21, 1970 [7] |
| Israel | V | March 24, 1950 [1] . . . Substance: | Brussels: August 1, 1951 [6] |
| | | Administration: | Stockholm: January 29 or February 26, 1970 [7, 16] |
| Italy | I | December 5, 1887 | Brussels: July 12, 1953 [2] |
| Ivory Coast | VI | January 1, 1962 [1] | Brussels: January 1, 1962 [2, 5] |
| *Japan* [12] | II | *July 15, 1899* | *Rome: August 1, 1931* [2] |
| *Lebanon* | VI | *September 30, 1947* [1] | *Rome: September 30, 1947* [8] |
| Liechtenstein | VII | July 30, 1931 . . . Substance: | Brussels: August 1, 1951 [6] |
| | | Administration: | Stockholm: May 25, 1972 [7] |
| Luxembourg | VI | June 20, 1888 | Brussels: August 1, 1951 [2] |

| State | Class | Date on which membership in the Union took effect | Latest Act by which the State is bound and date on which the ratification of or accession to such Act became effective |
|---|---|---|---|
| Madagascar | VI | February 11, 1966 [1, 4] | Brussels: February 11, 1966 [4, 5] |
| Mali | VI | March 19, 1962 [1, 4] | Brussels: March 19, 1962 [4, 5] |
| *Malta* | VII | *May 29, 1968* [1, 4] | *Rome: May 29, 1968* [2, 4, 8] |
| Mauritania | VII | February 6, 1973 [1] | Substance: Brussels: February 6, 1973 [5, 14]<br>Administration: Stockholm: February 6, 1973 |
| Mexico [12] | IV | June 11, 1967 | Brussels: June 11, 1967 [2] |
| Monaco | VII | May 30, 1889 | Brussels: August 1, 1951 [2] |
| Morocco | VI | June 16, 1917 | Substance: Brussels: May 22, 1952 [6]<br>Administration: Stockholm: August 6, 1971 [7] |
| Netherlands | III | November 1, 1912 | Brussels: January 7, 1973 [2] |
| *New Zealand* | V | *April 24, 1928* [1] | *Rome: December 4, 1947* |
| Niger | VI | May 2, 1962 [1, 4] | Brussels: May 2, 1962 [2, 4, 5] |
| Norway | IV | April 13, 1896 | Brussels: January 28, 1963 [2] |
| *Pakistan* | VI | *July 5, 1948* [1] | Substance: *Rome: July 5, 1948* [3, 6, 8, 10]<br>Administration: *Stockholm: January 29 or February 26, 1970* [10, 16] |
| Philippines | VI | August 1, 1951 | Brussels: August 1, 1951 |
| *Poland* | V | *January 28, 1920* | *Rome: November 21, 1935* |
| Portugal | V | March 29, 1911 | Brussels: August 1, 1951 [2] |
| *Romania* | V | *January 1, 1927* | Substance: *Rome: August 6, 1936* [6, 10]<br>Administration: *Stockholm: January 29 or February 26, 1970* [10, 16] |
| Senegal | VI | August 25, 1962 [1] | Substance: Brussels: August 25, 1962 [3, 5, 6, 10]<br>Administration: Stockholm: January 29 or February 26, 1970 [10, 16] |
| South Africa | IV | October 3, 1928 [1] | Brussels: August 1, 1951 [2] |
| Spain | II | December 5, 1887 | Substance: Brussels: August 1, 1951 [6]<br>Administration: Paris: February 19, 1974 [15] |
| *Sri Lanka* | VI | *July 20, 1959* [1, 4] | *Rome: July 20, 1959* [4, 8] |
| Sweden | III | August 1, 1904 | Substance: Brussels: July 1, 1961 [3, 6]<br>Administration: Paris: September 20, 1973 [15] |
| Switzerland | III | December 5, 1887 | Substance: Brussels: January 2, 1956 [6]<br>Administration: Stockholm: May 4, 1970 [7] |
| Thailand [13] | VI | July 17, 1931 | Berlin: July 17, 1931 |
| Tunisia | VI | December 5, 1887 | Brussels: May 22, 1952 [2] |
| Turkey [12] | VI | January 1, 1952 | Brussels: January 1, 1952 [2] |
| United Kingdom | I | December 5, 1887 | Substance: Brussels: December 15, 1957 [6, 17]<br>Administration: Stockholm: January 29 or February 26, 1970 [7, 16] |
| Uruguay | VI | July 10, 1967 | Brussels: July 10, 1967 [2] |
| Yugoslavia [12] | IV | June 17, 1930 | Brussels: August 1, 1951 [2] |
| Zaire | VI | October 8, 1963 [1, 4] | Brussels: October 8, 1963 [4, 5] |

(Total: 63 States)

[1] The Convention had also been applied, by virtue of the provisions concerning dependent territories, to the territories of the States listed hereafter before their accession to independence as from the following dates: Decemher 5, 1887 (Australia, Cameroon, Canada, Chad, Congo, Dahomey, Fiji, Gahon, India, Ireland, Ivory Coast, Madagascar, Mali, Malta, Mauritania, New Zealand, Niger, Pakistan, Senegal, South Africa); March 21, 1924 (Israel); August 1, 1924 (Lehanon); Octoher 1, 1931 (Cyprus, Sri Lanka); December 20, 1948 (Zaire).

[2] This country has deposited the notification provided for in Article 38(2) of the Stockholm Act or Article 38(1) of the Paris Act. It may exercise the rights provided for in Articles 22 to 26 of the Stockholm Act as if it were hound hy those Articles. It is deemed to he a memher of the Assemhly. These privileges shall expire on April 26, 1975.

[3] This conntry has made a declaration nnder Article 5(1) of the Protocol Regarding Developing Countries of the Stockholm Act. The text of that paragraph reads as follows:

" (1) Any conntry of the Union may declare, as from the signature of this Convention, and at any time before hecoming bound by Articles 1 to 21 of this Convention and by this Protocol,

*(a)* in the case of a country referred to in Article 1 of this Protocol, that it intends to apply the provisions of this Protocol to works whose conntry of origin is a country of the Union which admits the application of the reservations under the Protocol, or

*Notes — continued*

*(b)* that it admits the application of the provisions of the Protocol to works of which it is the country of origin by countries which, on becoming bound by Articles 1 to 21 of this Convention and by this Protocol, or on making a declaration of application of this Protocol by virtue of the provision of subparagraph *(a)*, have made reservations permitted under this Protocol."

The declaration became effective on the day of its deposit, namely: on November 14, 1967, for Senegal (sub-paragraph *(a)*); on January 11, 1968, for Bulgaria (sub-paragraph *(b)*); on August 12, 1969, for Sweden (sub-paragraph *(b)*); on November 26, 1969, for Pakistan (sub-paragraph *(a)*).

4 Date on which the declaration of continued adherence was sent, after the accession of the country to independence.

5 The Brussels Act had also been applied, by virtue of its Article 26, to the territories of the following States before their accession to independence as from the dates indicated: February 14, 1952 (Zaire); May 22, 1952 (Cameroon, Chad, Congo, Dahomey, Gabon, Ivory Coast, Madagascar, Mali, Mauritania, Niger, Senegal); March 6, 1962 (Fiji).

6 With regard to the substantive provisions included in the different Acts (namely, Articles 1 to 20), this country is bound by the provisions of the said Act as well as by the provisions of any previous Act which it ratified or acceded to.

7 In ratifying (or acceding to) the Stockholm Act, this country made a declaration to the effect that its ratification (or accession) did not apply to Articles 1 to 21 and to the Protocol Regarding Developing Countries (see Article 28(1)*(b)*(i) of the Stockholm Act). Accordingly, this country is bound by the Stockholm Act only as far as the administrative provisions (Articles 22 to 26) and the final clauses (Articles 27 to 38) are concerned.

8 The Rome Act had also been applied, by virtue of its Article 26, to the territories of the following States before their accession to independence as from the dates indicated: Lebanon (December 24, 1933), Malta (August 1, 1931), Pakistan (August 1, 1931) and Sri Lanka (October 1, 1931).

9 Date on which the accession of the German Empire became effective.

10 These countries deposited their instruments of ratification of (or of accession to) the Stockholm Act in its entirety on the following dates: June 20, 1968 (German Democratic Republic), September 19, 1968 (Senegal), October 29, 1969 (Romania), November 26, 1969 (Pakistan); however, Articles 1 to 21 (substantive clauses) of the Stockholm Act have not yet entered into force.

11 Date on which the accession of the German *Reich* became effective. The German Democratic Republic declared, on May 11, 1955, that it considered the Berne Convention as again applicable to the territory of the German Democratic Republic in its version of June 2, 1928 (Rome Act).

12 Accession subject to the reservation concerning the right of translation.

13 Accession subject to reservations concerning works of applied art, conditions and formalities required for protection, the right of translation, the right of reproduction of articles published in newspapers or periodicals, the right of performance, and the application of the Convention to works not yet in the public domain at the date of its coming into force.

14 In accordance with the provisions of Article 29 of the Stockholm Act applicable to the countries outside the Union which accede to the said Act, this country is bound by Articles 1 to 20 of the Brussels Act pending the entry into force of Articles 1 to 21 of the Stockholm Act.

15 This country is bound by the Paris Act only as far as the administrative provisions (Articles 22 to 26) and the final clauses (Articles 27 to 38) are concerned. Articles 1 to 21 and the Appendix have not yet entered into force.

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

17 This country has declared that it admits the application of the Appendix to the Paris Act to works of which it is the country of origin by countries which have made a declaration under Article (VI(1)(i) of the Appendix or a notification under Article I of the Appendix.

Explanation of type:

**Heavy type:** States bound by the Brussels Act (1948).

*Italics:* States bound by the Rome Act (1928).

Thailand: State bound by the Berlin Act (1908).

## Membership of the Administrative Bodies of the Berne Union

*Assembly:* Argentina *, Australia, Austria, Belgium *, Brazil *, Bulgaria *, Cameroon, Canada, Chad, Chile *, Congo *, Czechoslovakia *, Dahomey *, Denmark, Fiji, Finland, France, Gabon *, German Democratic Republic, Germany (Federal Republic of), Greece *, Holy See *, Hungary, India *, Ireland, Israel, Italy *, Ivory Coast *, Japan *, Liechtenstein, Luxembourg *, Malta *, Mauritania, Mexico *, Monaco *, Morocco, Netherlands *, Niger *, Norway *, Pakistan, Portugal *, Romania, Senegal, South Africa *, Spain, Sweden, Switzerland, Tunisia *, Turkey *, United Kingdom, Uruguay *, Yugoslavia *.

* Member until April 26, 1975.

*Conference of Representatives:* Cyprus, Iceland, Lebanon, Madagascar, Mali, New Zealand, Philippines, Poland, Sri Lanka, Thailand, Zaire.

*Executive Committee:* ORDINARY MEMBERS: Argentina, Canada, France, Germany (Federal Republic of), Hungary, India, Israel, Italy, Morocco, Senegal, Spain, Switzerland, United Kingdom, Yugoslavia. ASSOCIATE MEMBERS: Philippines, Poland.

# The Berne Union and International Copyright in General in 1973

## I. Copyright

### *1. Berne Union*

On December 31, 1973, the number of States members of the International Union for the Protection of Literary and Artistic Works was 63 (see table of member countries, above).

#### Brussels Act (1948)

The Netherlands deposited its instrument of accession to the Brussels Act. It took effect on January 7, 1973.

In accordance with the provisions of Article 29 of the Stockholm Act, Mauritania, which had deposited an instrument of accession to that Act, became bound, as of February 6, 1973, by Articles 1 to 20 of the Brussels Act.

#### Stockholm Act (1967)

During 1973, Austria deposited its instrument of ratification of the Stockholm Act with the exception of Articles 1 to 21 and the Protocol Regarding Developing Countries. Articles 22 to 38 of the said Act entered into force, with respect to Austria, on August 18, 1973.

#### Paris Act (1971)

*Acceptance.* Cameroon, Germany (Federal Republic of), Spain and Sweden deposited instruments of ratification on August 3, 1973, October 18, 1973, November 14, 1973, and June 14, 1973, respectively. Articles 22 to 38 of the Paris Act (administrative provisions) entered into force for Cameroon on November 10, 1973, and for Sweden on June 14, 1973, and will enter into force for Germany (Federal Republic of) on January 22, 1974, and for Spain on February 19, 1974. (The latter three are already bound by these provisions as they appear in the Stockholm Act.) Articles 1 to 21 and the Appendix have not yet entered into force as the condition contained in Article 28(2)*(a)*(ii) has not yet been fulfilled.

*Five-year privilege.* During 1973, Chile, Congo, India, Mexico and Uruguay gave notification in terms of Article 38 of the Stockholm or Paris Act, thus bringing to 28 the number of States which may, until April 26, 1975, exercise the rights provided for under Articles 22 to 26 of the Stockholm Act as if they were bound by those Articles.

*Declarations under Article VI of the Appendix.* In accordance with Article VI(1)(ii) of the Appendix to the Paris Act, Germany (Federal Republic of) has declared that it admits the application of the Appendix to works of which it is the country of origin by countries which have made a declaration under Article VI(1)(i) of the Appendix or a notification under Article I of the Appendix. This declaration became effective on October 18, 1973.

It is to be recalled that the United Kingdom made a similar declaration which became effective on September 27, 1971.

#### Administrative Bodies

The Assembly, the Conference of Representatives and the Executive Committee of the Berne Union held ordinary sessions in November 1973 [1].

The Assembly of the Berne Union determined the program and adopted the triennial (1974 to 1976) budget of the Berne Union while the Conference of Representatives noted this budget and fixed the ceilings of contributions in the Berne Union. Furthermore, the Executive Committee of the Berne Union adopted the 1974 program and budget of the Berne Union. In addition to the usual tasks relating to publications concerning copyright and related rights, the program provides, particularly, for the convening jointly with Unesco at Brussels in 1974 of a Diplomatic Conference for the adoption of a convention relating to the distribution of programme-carrying signals transmitted by satellite. The program also provides for the preparation of model laws for developing countries in the field of copyright and neighboring rights, for an information meeting, to be held in a developing country, to make the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations better known among States and interested circles, for the study of the desirability and feasibility of establishing in the International Bureau an international service for the identification of literary and artistic works, and for the continuation of the study on the problems of the reprographic reproduction of works protected by copyright.

The Executive Committee of the Berne Union held an extraordinary session at Paris in December 1973. Sitting with the Intergovernmental Copyright Committee established under the Universal Copyright Convention, the Executive Committee dealt mainly with the question of the reprographic reproduction of works protected by copyright (see below), the transmission of programme-carrying signals via space satellites (see below), the preparation of model laws on copyright for developing countries (see page 4) and progress in the ratification of and accession to the Rome Convention and the Phonograms Convention.

#### Reprographic Reproduction of Works Protected by Copyright

A Working Group on Reprographic Reproduction of Works Protected by Copyright met at Paris in May 1973, under the joint auspices of Unesco and WIPO.

The Working Group reviewed the recommendations on the subject of photocopying formulated by a Committee of Experts in 1968 in the light of the recent revisions of the multilateral copyright conventions, the increase in the use of photocopying machines and recent developments in national legislation. The Working Group concluded that an international instrument in the form of a recommendation to States

[1] See *Copyright*, 1973, pp. 236 *et seq.*

was feasible and desirable. To that end, the Working Group adopted a series of recommendations representing principles which it agreed should be considered in elaborating national law.

These recommendations of the Working Group were put before the Executive Committee of the Berne Union and the Intergovernmental Copyright Committee established under the Universal Copyright Convention at their meetings in December 1973.

The two Committees adopted separate but parallel resolutions pursuant to which the question of the reprographic reproduction of works protected by copyright would be studied further by subcommittees of the two Committees, and the results would be submitted to the next sessions of the Executive Committee of the Berne Union and the Intergovernmental Copyright Committee.

#### Relations with Member States

During 1973, the Director General and other officials of WIPO visited the Governments of the German Democratic Republic, Honduras, India, Italy, Mexico, Pakistan, Senegal and Thailand in order to discuss questions concerning the Berne Union and copyright in general.

#### Relations with International Organizations

During 1973, WIPO was represented at meetings, or officials of the International Bureau had discussions with the secretariats, of intergovernmental and non-governmental organizations having an interest in copyright and related matters, in particular, the meeting of the Unesco International Copyright Information Centre, held at Paris in May 1973, the Committee of Experts charged with drafting a Model Law on Copyright for Developing Countries in Africa, convened by Unesco at Abidjan in October 1973, the Legal Committee on Broadcasting and Television of the Council of Europe, which met at Strasbourg in September 1973, the Legal and Legislative Commission of the International Confederation of Societies of Authors and Composers (CISAC), which met at Vienna in November 1973, and the Congress of the International Federation of Musicians (FIM), which met at London in May 1973.

#### Publications

Supplement No. 3 to the *Manual of the Berne Convention for the Protection of Literary and Artistic Works (Texts)*, containing replacement pages updating the lists of member countries, was published in English and French in October 1973.

### *2. Protection of Type Faces*

At the Vienna Diplomatic Conference on Industrial Property, 1973, held in Vienna in May and June 1973, the Vienna Agreement for the Protection of Type Faces and their International Deposit, the Regulations under that Agreement, and a Protocol to that Agreement, were adopted.

### *3. Space Satellites*

The Third Committee of Governmental Experts on Problems in the Field of Copyright and of the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Raised by Transmission Via Space Satellites, jointly convened by WIPO and Unesco, met at Nairobi, Kenya, in July 1973. This Committee produced the draft text of a multilateral treaty entitled " Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite. " Unlike an earlier draft which provided for an exclusive right of authorization in favor of the originating organization (i. e., the person or entity which decides what programme the signals will carry), the draft prepared by the Third Committee requires each Contracting State to prevent the distribution of the signal on or from its territory by any distributor (i. e., the person or entity that decides that the transmission of the signals to the general public or any section thereof should take place) for whom the signal emitted to or through the satellite is not intended. The Committee recommended that a Diplomatic Conference for the purpose of concluding an international convention on the subject be convened in 1974.

The Diplomatic Conference is expected to be convened jointly by Unesco and WIPO in Brussels from May 6 to 21, 1974.

### *4. East Asian Seminar on Copyright*

A seminar on copyright was organized by the Government of Japan in Tokyo, from October 27 to November 2, 1973. The participants included delegates from eight States: Indonesia, Japan, Khmer Republic, Malaysia, Philippines, Republic of Korea, Republic of Viet-Nam, Thailand; observers from Australia and Hong Kong; observers from international non-governmental organizations; as well as interested persons from a number of national organizations who participated in an individual capacity. About one hundred persons attended the Seminar.

Officials of WIPO and Unesco provided the participants with documents, gave lectures and actively participated in the discussions.

The main topics discussed were the following: international protection of intellectual property, copyright protection under the Universal Copyright Convention and under the Berne Convention, neighboring rights and the treaties related thereto. In addition, the delegations of the States informed the Seminar on the status and administration of the copyright and neighboring rights laws in their respective countries.

### *5. National Legislation*

Several laws, decrees and orders on copyright, some of them promulgated earlier, were published in this Review during the year 1973. They included those of the following countries: Algeria, Australia, Fiji, Germany (Federal Republic of), Iceland, Japan, Netherlands, Soviet Union, United Kingdom, United States of America.

## II. Neighboring Rights

### *1. Rome Convention*

**Acceptance**

Austria deposited, on March 9, 1973, its instrument of ratification of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention). This ratification became effective on June 9, 1973, thus bringing the number of States party to the Rome Convention to 14. The instrument of ratification of Austria contains declarations made in respect of Article 16(1) of the Convention.

**Intergovernmental Committee**

The Intergovernmental Committee established under Article 32 of the Rome Convention held its fourth session at Paris in December 1973. Among other things, the Committee considered a draft model law and commentary, prepared by the joint Secretariat (see below), concerning the protection of performers, producers of phonograms and broadcasting organizations. After an article by article review of the draft, the Committee requested the joint Secretariat to consult international non-governmental organizations concerned on certain points which had been raised during the course of the discussion and to convene an extraordinary session of the Committee during the Diplomatic Conference to be held at Brussels in May 1974. The Committee noted that the Secretariat proposed to convene in 1974 an ILO/Unesco/WIPO Caribbean Regional Seminar on the ratification and application of the Rome Convention.

**Model Law**

A Non-Governmental Study Group to Consider the Draft Model Law Relating to the Rome Convention met at Geneva, in September 1973.

This meeting was convened by the three Organizations forming the Secretariat of the Convention, namely, the International Labour Organisation (ILO), Unesco and WIPO, in accordance with decisions taken by the Intergovernmental Committee at its extraordinary session held in Geneva on September 21 and 22, 1972.

Following the decisions taken by the Intergovernmental Committee, the meeting made a number of suggestions concerning the draft model law submitted to it by the Secretariat.

The text of the draft model law, as revised by the Secretariat in the light of the discussions at the meeting, was submitted to the fourth ordinary session of the Intergovernmental Committee held at Paris in December 1973 (see above).

### *2. Phonograms Convention*

**Acceptance**

During 1973, instruments of ratification of the Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms (Phonograms Convention) were deposited by Argentina, Finland, Mexico, Sweden and the United States of America.

**Entry into force**

Five States (Fiji, Finland, France, Sweden and the United Kingdom) having deposited instruments of ratification or accession, the Phonograms Convention entered into force with respect to these States on April 18, 1973. It entered into force for Argentina on June 30, 1973, and for Mexico on December 21, 1973, and will enter into force for the United States of America on March 10, 1974.

### *3. National Legislation*

Among the laws, decrees or orders concerning copyright and published in this Review during the year 1973, some included provisions on neighboring rights. This is the case with the legislative texts of Fiji, Germany (Federal Republic of), Iceland, Japan and the United Kingdom.

# CONVENTIONS ADMINISTERED BY WIPO

## Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms

(Geneva, October 29, 1971)

### State of Ratifications and Accessions as on January 1, 1974

| Contracting States | Deposit of instrument | Entry into force | Ratification (R) or accession (A) |
|---|---|---|---|
| Argentina | March 19, 1973 | June 30, 1973 | A |
| Fiji | June 15, 1972 | April 18, 1973 | A |
| Finland | December 18, 1972 | April 18, 1973 | R |
| France | September 12, 1972 | April 18, 1973 | R |
| Mexico | September 11, 1973 | December 21, 1973 | R |
| Sweden * | January 18, 1973 | April 18, 1973 | R |
| United Kingdom | December 5, 1972 | April 18, 1973 | R |
| United States of America | November 26, 1973 | March 10, 1974 | R |

* This country has declared, in accordance with Article 7(4) of the Convention, that it will apply the criterion according to which it affords protection to producers of phonograms solely on the basis of the place of first fixation instead of the criterion of the nationality of the producer (*Copyright*, 1973, p. 35).

## International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations

(Rome, October 26, 1961)

### State of Ratifications and Accessions as on January 1, 1974

| Contracting States | Deposit of instrument | Entry into force | Ratification (R) or accession (A) |
|---|---|---|---|
| Austria * | March 9, 1973 | June 9, 1973 | R |
| Brazil | June 29, 1965 | September 29, 1965 | R |
| Congo * | June 29, 1962 | May 18, 1964 | A |
| Costa Rica | June 9, 1971 | September 9, 1971 | A |
| Czechoslovakia * | May 13, 1964 | August 14, 1964 | A |
| Denmark * | June 23, 1965 | September 23, 1965 | R |
| Ecuador | December 19, 1963 | May 18, 1964 | R |
| Fiji * | January 11, 1972 | April 11, 1972 | A |
| Germany, Federal Republic of * | July 21, 1966 | October 21, 1966 | R |
| Mexico | February 17, 1964 | May 18, 1964 | R |
| Niger * | April 5, 1963 | May 18, 1964 | A |
| Paraguay | November 26, 1969 | February 26, 1970 | R |
| Sweden * | July 13, 1962 | May 18, 1964 | R |
| United Kingdom * | October 30, 1963 | May 18, 1964 | R |

*Note:* The secretarial tasks relating to this Convention are performed jointly with the International Labour Office and Unesco.

* The instruments of ratification or accession deposited with the Secretary-General of the United Nations contain declarations made under the Articles mentioned hereafter: for Austria, Article 16(1)*(a)*(iii) and (iv) and (1)*(b)* [*Copyright*, 1973, p. 67]; for Congo, Articles 5(3) (concerning Article 5(1)*(c)*) and 16(1)*(a)*(i) [*Le Droit d'Auteur (Copyright)*, 1964, p. 127]; for Czechoslovakia, Article 16(1)*(a)*(iii) and (iv) [*ibid.*, 1964, p. 110]; for Denmark, Articles 6(2), 16(1)*(a)*(ii) and (iv) and 17 [*Copyright*, 1965, p. 214]; for Fiji, Articles 5(3) (concerning Article 5(1)*(b)*), 6(2) and 16(1)*(a)*(i) [*ibid.*, 1972, pp. 88 and 178]; for Germany (Federal Republic of), Articles 5(3) (concerning Article 5(1)*(b)* and 16(1)*(a)*(iv) [*ibid.*, 1966, p. 237]; for Niger, Articles 5(3) (concerning Article 5(1)*(c)*) and 16(1)*(a)*(i) [*Le Droit d'Auteur (Copyright)*, 1963, p. 155]: for Sweden, Articles 6(2), 16(1)*(a)*(ii) and (iv), 16(1)*(b)* and 17 [*ibid.*, 1962 p. 138]; for the United Kingdom, Articles 5(3) (concerning Article 5(1)*(b)*), 6(2) and 16(1)*(a)*(ii), (iii) and (iv) [*ibid.*, 1963, p. 244]; the same declarations were made for Gibraltar and Bermuda [*Copyright*, 1967, p. 36, and 1970, p. 108].

# Intergovernmental Committee of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations

## Fourth session

(Paris, December 3, 4 and 11, 1973)

## Report

submitted by the Secretariat and adopted by the Committee

### Introduction

1. The fourth ordinary session of the Intergovernmental Committee (hereinafter called " the Committee ") of the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (hereinafter called " the Rome Convention ") was convened, in accordance with the provisions of Article 32(6) of the Rome Convention and with Article 2 of the Rules of Procedure of the Committee, by its Chairman, Mr. G. E. Larrea Richerand (Mexico), on December 3, 4 and 11, 1973, in Paris, at the headquarters of the United Nations Educational, Scientific and Cultural Organization (Unesco).

2. The Governments of the following States which are members of the Committee were represented: Brazil, Denmark, Ecuador, Germany (Federal Republic of), Mexico, Niger, Sweden, United Kingdom; from among the States party to the Rome Convention, but not members of the Committee, the following States were represented by observers: Austria, Czechoslovakia. The following States, not party to the Convention, were also represented by observers: Australia, Canada, France, India, Italy, United States of America.

3. Certain intergovernmental and international non-governmental organizations were also represented by observers.

4. Tbe list of participants is contained in the Annex to this Report.

### Opening of the Session

5. The fourth ordinary session was opened by the retiring Chairman of the Committee, Mr. G. E. Larrea Richerand (Mexico).

6. Mr. Claude Lussier, Director of the Office of International Standards and Legal Affairs of Unesco, welcomed the participants on behalf of tbe Director-General of Unesco, Mr. René Maheu, and also on behalf of the joint Secretariat of tbe meeting formed by ILO, Unesco and WIPO. He expressed his pleasure in reporting to the Committee the recent election of Dr. Arpad Bogsch as Director General of WIPO and his satisfaction that Dr. Bogsch was present at this meeting of the Committee. He recalled various items on the agenda, in particular the draft model law prepared by the Secretariat to facilitate ratification and application of tbe Rome Convention and the report of the Third Committee of Experts on problems raised by transmission via space satellites, referring to the kind invitation of the Belgian Government to convene the Diplomatic Conference to consider the proposed new convention in Brussels on May 6 to 21, 1974.

### Adoption of the Agenda

7. The provisional agenda contained in document ILO/UNESCO/WIPO/ICR. 4/1 was adopted.

### Election of the Chairman

8. On the proposal of the representative of the Federal Republic of Germany, supported by the representatives of Mexico and Niger, the Committee unanimously elected as its Chairman Mr. J. F. da Costa (Brazil).

### Adoption of revised Rules of Procedure

9. The Committee considered the draft revision of the Rules of Procedure submitted by the Secretariat in document ILO/UNESCO/WIPO/ICR. 4/2.

10. In reply to a question by the representative of the Federal Republic of Germany concerning the provision relating to the quorum in Rule 29(3), the Secretariat explained, and the Committee agreed, that the requirement that six contracting States should be represented at an election meeting to constitute a quorum was a reasonable practical solution in the existing situation.

11. The representative of Niger suggested that Rule 28 should be amended to include the requirement contained in Article 32 of the Convention that members of the Committee should be chosen with due regard to equitable geographical distribution. The Committee agreed that it was not necessary to include this reference in the Rules on the understanding that in any event this requirement of the Convention would be observed in selecting members of the Committee.

12. At the suggestion of the representative of Sweden, the Committee decided to amend the draft of Rule 14 to enable any State party to the Convention to propose items for the provisional agenda.

13. Subject to this amendment to Rule 14(1), the Committee unanimously adopted the draft revision of the Rules of Procedure and authorized the Secretariat to finalize the text incorporating in it any necessary editorial changes.

### Election of two Vice-Chairmen

14. On the proposal of the representative of Sweden supported by the representative of Niger, the Committee unanimously elected as Vice-Chairmen the representatives of Fiji and the United Kingdom.

### Admission of observers

15. The Committee decided that the intergovernmental and international non-governmental organizations, listed in document ILO/UNESCO/WIPO/ICR. 4/3, and already approved by the Committee under its former Rules of Procedure for inclusion in the list of organizations to be invited to be represented by observers at the sessions of the Committee, should also be considered as approved under the revised Rules of Procedure.

16. The Committee also decided to include the International Broadcast Institute (IBI) in the list of organizations to be invited to be represented by observers at the sessions of the Committee.

17. The Committee considered an application from the " Association européenne des directeurs de bureaux de concerts et spectacles " to be included in the list of organizations to be invited to be represented by observers at the sessions of the Committee (document ILO/UNESCO/WIPO/ICR. 4/3 Add. 1). Observers representing certain international non-governmental organizations expressed reservations about this application and, at the proposal of the Chairman, the Committee decided to defer its decision on this application until its next ordinary session, requesting the Secretariat in the meantime to seek further information concerning this organization.

### Ratification of or accession to the Rome Convention since the last ordinary session

18. The Committee took note with satisfaction of the information contained in document ILO/UNESCO/WIPO/ICR. 4/4 concerning the ratification of the Rome Convention by Austria on March 9, 1973, and the accession to the Rome Convention of Fiji on January 11, 1972.

### Consideration of the conclusions of the Third Committee of Experts on Problems in the Field of Copyright and the Protection of Performers, Producers of Phonograms and Broadcasting Organizations Raised by Transmission Via Space Satellites

19. The representatives of Brazil, Mexico, and Sweden reiterated their opinion that the Rome Convention covers transmissions via space satellites and their reluctance to the preparation of any text which would upset the balance of protection provided by the Rome Convention. They added that a proposed new convention, if considered necessary, should be so drafted that it would not prejudice or impair the protection provided by the Rome Convention in any way.

20. The representative of the Federal Republic of Germany said that her Government also considered that the Rome Convention covers satellite transmissions and regretted that there was no provision for the protection of performers in the Nairobi draft. Her Government had not yet arrived at a final opinion about the proposed new convention, but its attitude would depend very largely on the attitude of broadcasters towards the Rome Convention, the further development of which might be prejudiced if the new convention were to upset the balance of protection of the three groups under the Rome Convention. In this connection, the observer of Austria expressed his personal view that the attitude of his Government to the proposed satellite convention, *inter alia*, might depend on the future attitude of the broadcasting organizations to the Rome Convention.

21. The representative of the United Kingdom, supported by the representative of Denmark, also considered that the Rome Convention covers satellite transmissions. They did not wish to do anything which would reduce the attraction of the Rome Convention and were consulting the interests involved in order to determine their attitude to the Nairobi text. They were at a loss to understand how the proposed new convention could be effective, since broadcasters almost everywhere are subject to government control, so that if there were piracy of signals transmitted via satellites, this piracy would in effect be committed by governments.

22. The representative of Ecuador supported the views expressed by the representatives of Brazil, Mexico and the United Kingdom. His Government believed that the Rome Convention covers satellite transmissions and did not believe that a new convention was needed.

23. The representative of Niger referred to the problem of cable television, which is not dealt with in the Rome Convention. Ground stations capable of receiving satellite transmissions were now relatively cheap and could also be used in combination with cable relays of audio-visual programs. He therefore regretted the exceptions in Article 11 of the Nairobi draft, though he realized that these were necessary because of the situation in the United States and Canada.

24. The observer of Czechoslovakia said that his Government had not yet arrived at a decision on the proposed convention. However, he believed that protection should also be provided in the framework of public international law, and contribute to peaceful cooperation among States.

25. The observer representing the International Federation of Actors said that the proposed new convention would in fact undermine the Rome Convention because it would change the balance of protection. No evidence had been given by broadcasters about examples of piracy of satellite transmissions. His organization would remain opposed to the proposed new satellite convention as long as broadcasters continued their opposition to the Rome Convention.

26. The observer representing the International Federation of the Phonographic Industry recognized that broadcasters need protection against piracy of their signals but could not understand why they would not admit that they have such a protection in the Rome Convention. The meetings of governmental experts had shown that there was no hope of obtaining protection for broadcasters under private international law, and the proposed new convention was in the field of public international law. He asked the broadcasters to

revise their opposition to the Rome Convention since they would have to rely on the goodwill of the governments which were parties to the Rome Convention in order to secure the adoption of the new convention.

27. The observer representing the International Writers Guild repeated his view that the proposed new text was a lesser evil, in that it did not confer any new exclusive rights and was in the framework of public international law.

28. The observer representing the European Broadcasting Union said that the new convention was urgently necessary because instances of piracy of satellite signals were occurring on an increasing scale, particularly with regard to sports and news programs. The Nairobi text offered balanced protection and his organization was in favor of it.

29. The Chairman noted with regret that some members of the Committee did not feel able to express an opinion on the proposed new convention and that there was no consensus in the Committee on this point. The views that had been expressed would be recorded in the Report.

**Report of the meeting of international non-governmental organizations convened by the Secretariat in September 1973**

30. The Committee took note of the Report annexed to document ILO/UNESCO/WIPO/ICR. 4/6.

**Consideration of a draft model law concerning the protection of performers, producers of phonograms and broadcasting organizations**

31. Under the chairmanship of Mr. Davis (United Kingdom), Vice-Chairman, the Committee considered the draft model law prepared by the Secretariat concerning the protection of performers, producers of phonograms and broadcasting organizations, and the commentary on the draft model law, also prepared by the Secretariat, contained in document ILO/UNESCO/WIPO/ICR. 4/7.

32. The representatives of Brazil, Denmark, Ecuador, Mexico and Sweden expressed the view that the draft constituted a satisfactory guide for those governments which might wish to prepare legislation in order to be able to ratify and apply the Rome Convention. The draft should be circulated to the member States of the three Organizations forming the Secretariat, together with any observations which the Committee might wish to make on it. The representatives of the Federal Republic of Germany and United Kingdom considered that the draft could not be published with the approval of the Committee since it had not had the opportunity to consider it in detail. They were also interested in knowing what were the objections of the broadcasting organizations to the draft.

33. The observer representing the International Federation of the Phonographic Industry said that the draft resolved many options that had been left open in the Rome Convention, and did so in a fair and equitable manner. At the September meeting, the organizations representing performers and producers of phonograms had made concessions in the hope of achieving a compromise that would also be acceptable to the broadcasters, but in vain. His organization remained fully in favor of the draft and hoped that it would be distributed to governments without delay.

34. The observer representing the International Federation of Musicians also considered that the draft represented a fair compromise. In his opinion, the opposition of the broadcasters was not directed against the draft model law but against the Rome Convention itself.

35. The representative of Niger, supported by the representative of the Federal Republic of Germany, suggested that the Secretariat should organize another consultation of the non-governmental organizations with a view to ascertaining whether it was possible to reach agreement on a text of the draft model law that would be acceptable to all the interested parties.

36. Before taking a decision on this suggestion, the Committee examined the text of the draft model law, and the commentary thereon.

37. With regard to Section 1, the observer representing the European Broadcasting Union said that the definition of " performers " raised difficulties for broadcasters in practice. Under this definition, " amateur " performers would be protected, and permanent employees of broadcasting organizations would have the same rights as performers who performed in return for a fee. It was pointed out that the definition of performers in the draft model law was a verbatim reproduction of that contained in the Rome Convention.

38. The observer representing the International Federation of Musicians said that the objection expressed by the observer representing the European Broadcasting Union appeared to be directed against the idea of protection of performers as such.

39. With regard to Section 2, read in conjunction with Section 9, the Committee discussed the sanctions that might be imposed for violations of the rights laid down in Section 2. It was noted that these sanctions might take the form of civil sanctions, or penal sanctions, or both, and the Committee agreed that the commentary should make this clear.

40. The observer representing the European Broadcasting Union and the representative of Niger drew attention to two further situations which were not adequately covered in Section 2 of the draft model law. The first related to the position of performers who are permanent employees of broadcasting organizations and who cede their rights to their employer as part of their contract of employment. Moreover, in many countries such employees might well have the status of public servants. Secondly, in some cases, such performers might have ceded their rights to a trade union or other organization, and broadcasting organizations should not be prevented from acquiring from them the rights under an individual contract or collective agreement.

41. The representative of the Federal Republic of Germany pointed out that both these matters were dealt with in the German copyright law.

42. With regard to paragraph 3 of Section 2, the representative of Denmark suggested that the commentary should include a reference to Article 19 of the Rome Convention.

43. With regard to paragraph 4 of Section 2, the observer of Austria noted that the copyright law in his country would not permit the interpretation suggested in paragraph 26 of the report annexed to document ILO/UNESCO/WIPO/ICR. 4/6, namely, that the question whether contractual arrangements were more favorable or not ought to be analyzed by taking into account the whole of the provisions of such arrangements.

44. With regard to Section 5, the representative of the Federal Republic of Germany said that her Government would have preferred that the original right to equitable remuneration should go to performers and that the producers should then share in the remuneration as was the case in the German law.

45. The observer representing the International Federation of the Phonographic Industry, supported by the representative of Mexico, questioned whether it was usual for the text of model laws to contain " boxes " like those appearing above Sections 5 and 8, and suggested that the fact that these provisions were optional should rather be indicated in footnotes. The observer representing the European Broadcasting Union recalled that this presentation was the result of a compromise reached at the September meeting.

46. With regard to Section 6, the observer representing the European Broadcasting Union said that the rights given to broadcasting organizations under the Rome Convention were no longer important to them since they reflected a past situation and did not correspond to recent and future technological developments including cable television and transmissions by satellite.

47. With regard to Section 7, the observer representing the European Broadcasting Union pointed out that the model law did not contain the provision in Article 15(2) of the Rome Convention that governments might provide for the same kinds of limitations on the protection of performers, producers of phonograms and broadcasting organizations as they provide in connection with the protection of copyright. Moreover, he proposed, with regard to paragraph 2*(c)* of Section 7, that the period during which an " ephemeral recording " could be retained should in all cases be the same as that laid down in copyright law.

48. The observer representing the International Federation of the Phonographic Industry, replying to the various points that had been raised by the observer representing the European Broadcasting Union, pointed out that Section 6 of the draft model law did not contain a reference to cable television, since the Rome Convention itself did not cover cable television following a decision taken by the Diplomatic Conference in Rome in 1961. As for satellite transmissions, he recalled that all but one of the members of the Committee had expressed the view that the Rome Convention covers such transmissions, the only exception being the representative of Niger. The point raised in connection with Section 7(1) about concordance with copyright law might be dealt with in the commentary by indicating that it would be easier for broadcasters if the same limitations applied. With regard to ephemeral recordings, the provisions in copyright legislation varied enormously from one country to another: for example, some laws specified that such recordings should be destroyed " at once " while others provided for periods as long as one year, usually with limitations on the number of uses. The commentary might give a number of selective examples of such provisions and leave it to the governments to make their own choice.

49. The observer representing the International Federation of Actors questioned whether there was any use in a further consultation of the non-governmental organizations and whether there was really any chance of a change in the attitude of the broadcasters.

50. The observer representing the International Federation of Musicians said that if a new consultation were to take place it should be in a spirit of genuine compromise and mutual concession. The organizations other than the European Broadcasting Union should also be able to re-open questions dealt with in the draft model law.

51. The observers of France and the United States of America welcomed the attempt that had been made to prepare a draft model law which would be very valuable to their countries where the question of ratification of the Rome Convention was under discussion. In their view, the value of the draft would be increased if it were possible to obtain the agreement of all the interested parties or, failing that, if the remaining areas of disagreement could be clearly defined.

52. The representative of the Federal Republic of Germany summarized the five points that had given rise to objections as follows: the problem of performers who are permanent employees of a broadcasting organization; the problem that arose where performers had previously ceded their rights to a trade union, a collecting society or another third person; the problem of exceptions and their concordance with copyright legislation which should be dealt with in Section 7(1) of the draft model law; the period during which ephemeral recordings might be retained; the problem of presentation of the optional character of Sections 5 and 8 of the draft model law. In response to a question by the Chairman, the observer representing the European Broadcasting Union confirmed that his organization's objections to the text of the draft model law related to the first four points only. He repeated that the broadcasters have no other objection to make, and stated that, if these points could be resolved, there was a possibility that the attitude of the broadcasters to the Rome Convention might change.

53. The Chairman then consulted the Committee with regard to the proposal that the Secretariat should organize another consultation of the non-governmental organizations with a view to achieving an agreed text of the model law and that the Committee should hold an extraordinary session either before or in connection with the Diplomatic Conference to be held in Brussels in May 1974. He pointed out that this proposal involved more than a mere revision of the draft model law; it might mean a change in the attitude of broadcasters to the Rome Convention and he recalled that certain governments had stated that their attitude towards the proposed new convention on satellite transmission would depend

on the attitude of broadcasters to the Rome Convention. Therefore, if a new consultation of the non-governmental organizations were to take place, it should be very soon and any change in the attitude of the broadcasters should be made known to governments as soon as possible. He then ascertained that there was no opposition in the Committee to the proposal.

54. On behalf of the European Broadcasting Union (EBU), it was stated that, in case an agreed text of the draft model law emerged at the proposed consultations amongst the concerned interests, the EBU would set in motion the necessary machinery so that a final decision regarding a possible change in its attitude towards the Rome Convention could be taken and made known to States before April 15, 1974. At the same time, the EBU would also inform the other unions of broadcasters of its new attitude. It was, however, stressed on behalf of the EBU that, since the other unions were free to take their own decisions, no assurances could be given on their behalf. It was also stated that any change of attitude on the part of the EBU to the Rome Convention would not cover Article 12 of the Rome Convention which would continue to be unacceptable to the EBU.

55. The Committee decided to request the three Organizations forming the Secretariat to consult the international non-governmental organizations concerned on the five points which were of interest to the European Broadcasting Union and which had been summarized by the representative of the Federal Republic of Germany. Such consultation would be arranged by the Secretariat and would take place as early as possible, with a simplified procedure. There need be no provision for simultaneous interpretation, the working language being English only. The Committee also requested the Secretariat, in consultation with the Chairman, to convene an extraordinary session of the Committee during the Diplomatic Conference in Brussels in May 1974.

### Consideration of the proposal to hold a regional seminar on means of encouraging acceptance and implementation of the Rome Convention

56. The Committee noted with satisfaction that the Secretariat proposed to convene in 1974 an ILO/UNESCO/WIPO Caribbean Regional Seminar on the ratification and application of the Rome Convention, as outlined in document ILO/UNESCO/WIPO/ICR. 4/8. It was noted that the participants in the seminar would not represent governments or the interested parties but would be chosen by the Secretariat in consultation with the government authorities and the interested parties in the countries concerned.

### Adoption of the Report

57. The Committee unanimously adopted the present Report.

### Closing of the Session

58. After expressions of appreciation of the Chairman's conduct of the meeting from the representatives of the Federal Republic of Germany, Mexico and the United Kingdom, the Chairman declared the session closed.

## List of Participants

### I. Members of the Committee

Brazil: J. F. da Costa; L. F. Gouvêa de Athayde; C. de Souza Amaral; A. L. de Lyra Tavares (Miss). Denmark: W. Weincke; J. Nørup-Nielsen. Ecuador: C. Uribe Lasso; G. Peña Matheus; G. Ponce Benavides. Germany (Federal Repuhlic of): E. Steup (Mrs.); E. Bungerotb. Mexico: G. E. Larrea Richerand; V. C. García Moreno; E. Lizalde; J. Salinas; V. Blanco Labra. Niger: G. Straschnov. Sweden: A. H. Olsson. United Kingdom: I. J. G. Davis.

### II. Observers

#### (i) States party to the Convention

Austria: R. Dittrich. Czechoslovakia: O. Kunz.

#### (ii) Observers from other States

Australia: J. McKenzie; D. K. Catterns. Canada: A. A. Keyes; N. Senécal (Miss). France: A. Kerever; P. Nollet. India: K. Chaudhuri. Italy: G. Galtieri. United States of America: B. Ringer (Ms.); L. I. Flacks; R. M. Maxim.

#### (iii) International Organizations

##### *(a) Representatives of International Intergovernmental Organizations*

Arab Educational, Cultural and Scientific Organization (ALECSO): A. F. Sorour.

##### *(b) Representatives of International Non-Governmental Organizations*

European Broadcasting Union (EBU): M. Cazé; K. Remes; G. Straschnov. International Bureau of the Societies Administering the Rights of Mechanical Recording and Reproduction (BIEM): J. A. Ziegler. International Confederation of Professional and Intellectual Workers (CITI): G. Poulle; R. Berquier; J. Mourier. International Confederation of Societies of Autbors and Composers (CISAC): J. A. Ziegler. International Federation of Actors (FIA): F. Delahalle (Mrs.); R. Rembe. International Federation of Film Distrihutors Associations (FIAD): G. Grégoire. International Federation of Film Producers Associations (FIAPF): A. Brisson. International Federation of Musicians (FIM): J. Morton; R. Leuzinger. International Federation of the Phonographic Industry (IFPI): S. M. Stewart; G. Davies (Miss). International Federation of Variety Artistes (IFVA): F. Delahalle (Mrs.); R. Rembe. Internationale Gesellschaft für Urbeberrecbt (INTERGU) (International Copyright Society): G. Halla. International Hotel Association (IHA): R. Perego; J. David. International Literary and Artistic Association (ALAI): H. Desbois. International Publishers Association (IPA): J. A. Koutchoumow. International Secretariat of Entertainment Trade Unions (ISETU): R. G. Gupwell; J. Underwood (Miss); K. Rössel-Majdan. International Union of Cinematograph Exhihitors (UIEC): J. Handl. International Writers Guild (IWG): R. Fernay; E. Le Bris.

### III. Secretariat

International Labour Office (ILO):

E. Thompson *(Chief, Non-Manual Workers' Section)*; M. Canova (Mrs.) *(Non-Manual Workers' Section)*.

United Nations Educational, Scientific and Cultural Organization (Unesco):

C. Lussier *(Director, Office of International Standards and Legal Affairs)*; M.-C. Dock (Miss) *(Head, International Copyright Information Centre, Director a. i., Copyright Division)*; D. de San *(Lawyer, Copyright Division)*; P. Lyons (Miss) *(Legal Assistant, Copyright Division)*.

World Intellectual Property Organization (WIPO):

A. Bogsch *(Director General)*; T. S. Krishnamurti *(Counsellor, Head, Copyright Division)*; M. Stojanović *(Counsellor, Copyright Division)*.

# CONVENTIONS NOT ADMINISTERED BY WIPO

## Universal Copyright Convention

(Geneva, September 6, 1952)

### State of Ratifications and Accessions as on January 1, 1974

| Contracting States | Deposit of instrument | Entry into force | Ratification (R) or accession (A) |
|---|---|---|---|
| Algeria | May 28, 1973 | August 28, 1973 | A |
| Andorra | December 31, 1952 [1] | September 16, 1955 | R |
| | January 22, 1953 [2] | September 16, 1955 | |
| Argentina | November 13, 1957 | February 13, 1958 | R |
| Australia | February 1, 1969 | May 1, 1969 | R |
| Austria | April 2, 1957 | July 2, 1957 | R |
| Belgium | May 31, 1960 | August 31, 1960 | R |
| Brazil | October 13, 1959 | January 13, 1960 | R |
| Cameroon | February 1, 1973 | May 1, 1973 | A |
| Canada | May 10, 1962 | August 10, 1962 | R |
| Chile | January 18, 1955 | September 16, 1955 | R |
| Costa Rica | December 7, 1954 | September 16, 1955 | A |
| Cuba | March 18, 1957 | June 18, 1957 | R |
| Czechoslovakia | October 6, 1959 | January 6, 1960 | A |
| Denmark | November 9, 1961 | February 9, 1962 | R |
| Ecuador | March 5, 1957 | June 5, 1957 | A |
| Fiji [3] | December 13, 1971 | October 10, 1970 | |
| Finland | January 16, 1963 | April 16, 1963 | R |
| France | October 14, 1955 | January 14, 1956 | R |
| German Democratic Republic | July 5, 1973 | October 5, 1973 | A |
| Germany, Federal Republic of | June 3, 1955 | September 16, 1955 | R |
| Ghana | May 22, 1962 | August 22, 1962 | A |
| Greece | May 24, 1963 | August 24, 1963 | A |
| Guatemala | July 28, 1964 | October 28, 1964 | R |
| Haiti | September 1, 1954 | September 16, 1955 | R |
| Holy See | July 5, 1955 | October 5, 1955 | R |
| Hungary | October 23, 1970 | January 23, 1971 | A |
| Iceland | September 18, 1956 | December 18, 1956 | A |
| India | October 21, 1957 | January 21, 1958 | R |
| Ireland | October 20, 1958 | January 20, 1959 | R |
| Israel | April 6, 1955 | September 16, 1955 | R |
| Italy | October 24, 1956 | January 24, 1957 | R |
| Japan | January 28, 1956 | April 28, 1956 | R |
| Kenya | June 7, 1966 | September 7, 1966 | A |
| Khmer Republic | August 3, 1953 | September 16, 1955 | A |
| Laos | August 19, 1954 | September 16, 1955 | A |
| Lebanon | July 17, 1959 | October 17, 1959 | A |
| Liberia | April 27, 1956 | July 27, 1956 | R |
| Liechtenstein | October 22, 1958 | January 22, 1959 | A |
| Luxembourg | July 15, 1955 | October 15, 1955 | R |
| Malawi | July 26, 1965 | October 26, 1965 | A |
| Malta | August 19, 1968 | November 19, 1968 | A |
| Mauritius [4] | August 20, 1970 | March 12, 1968 | |
| Mexico | February 12, 1957 | May 12, 1957 | R |
| Monaco | June 16, 1955 | September 16, 1955 | R |
| Morocco | February 8, 1972 | May 8, 1972 | A |
| Netherlands | March 22, 1967 | June 22, 1967 | R |
| New Zealand | June 11, 1964 | September 11, 1964 | A |
| Nicaragua | May 16, 1961 | August 16, 1961 | R |
| Nigeria | November 14, 1961 | February 14, 1962 | A |
| Norway | October 23, 1962 | January 23, 1963 | R |
| Pakistan | April 28, 1954 | September 16, 1955 | A |
| Panama | July 17, 1962 | October 17, 1962 | A |
| Paraguay | December 11, 1961 | March 11, 1962 | A |
| Peru | July 16, 1963 | October 16, 1963 | R |
| Philippines | August 19, 1955 | November 19, 1955 | A |
| Portugal | September 25, 1956 | December 25, 1956 | R |
| Soviet Union | February 27, 1973 | May 27, 1973 | A |
| Spain | October 27, 1954 | September 16, 1955 | R |
| Sweden | April 1, 1961 | July 1, 1961 | R |
| Switzerland | December 30, 1955 | March 30, 1956 | R |
| Tunisia | March 19, 1969 | June 19, 1969 | A |
| United Kingdom | June 27, 1957 | September 27, 1957 | R |
| United States of America | December 6, 1954 | September 16, 1955 | R |
| Venezuela | June 30, 1966 | September 30, 1966 | A |
| Yugoslavia | February 11, 1966 | May 11, 1966 | R |
| Zambia | March 1, 1965 | June 1, 1965 | A |

[1] Date upon which an instrument of ratification of the Convention and of Protocols 2 and 3 was deposited on behalf of the Bishop of Urgel, co-prince of Andorra.

[2] Date upon which an instrument of ratification of the Convention and of Protocols 1, 2 and 3 was deposited on behalf of the President of the French Republic, co-prince of Andorra.

[3] In accordance with the provisions of Article XIII, the Universal Convention was already applicable, as from March 1, 1962, to the territory of this State before its independence.

[4] In accordance with the provisions of Article XIII, the Universal Convention was already applicable, as from January 6, 1965, to the territory of this State before its independence.

*Editor's Note:* The three Protocols annexed to the Convention were ratified, accepted or acceded to separately; they concern: (1) the application of that Convention to the works of stateless persons and refugees, (2) the application of that Convention to the works of certain international organizations, and (3) the effective date of instruments of ratification or acceptance of or accession to that Convention. For detailed information in this respect, and as to notifications made by governments of certain Contracting States concerning the territorial application of the Convention and the Protocols, see the *Copyright Bulletin,* quarterly review published by Unesco.

The Universal Copyright Convention was revised at Paris on July 24, 1971 (see *Copyright*, 1972, pp. 22 *et seq.).* So far, instruments of ratification have been deposited by France, Germany (Federal Republic of), Hungary, Kenya, Sweden, the United Kingdom, the United States of America and Yugoslavia, and instruments of accession by Algeria and Cameroon. The Convention so revised will comme into force three months after the deposit of twelve instruments of ratification, acceptance or accession.

# European Agreements

## State of Signatures, Ratifications and Accessions as on January 1, 1974

### European Agreement concerning Programme Exchanges by Means of Television Films

(Paris, December 15, 1958)

| Contracting States | Deposit of instrument | Entry into force | Signature without reservation in respect of ratification (S) or ratification (R) or accession (A) |
|---|---|---|---|
| Belginm | March 9, 1962 | April 8, 1962 | R |
| Cyprus | January 21, 1970 | February 20, 1970 | R |
| Denmark | October 26, 1961 | Novemher 25, 1961 | R |
| France | December 15, 1958 | July 1, 1961 | S |
| Greece | January 10, 1962 | February 9, 1962 | R |
| Ireland | March 5, 1965 | April 4, 1965 | S |
| Luxemhourg | October 1, 1963 | October 31, 1963 | R |
| Netherlands | February 3, 1967 | March 5, 1967 | R |
| Norway | February 13, 1963 | March 15, 1963 | R |
| Spain | December 5, 1973 | January 4, 1974 | A |
| Sweden | May 31, 1961 | July 1, 1961 | R |
| Tunisia | January 23, 1969 | February 22, 1969 | A |
| Turkey | February 27, 1964 | March 28, 1964 | R |
| United Kingdom | December 15, 1958 | July 1, 1961 | S |

### European Agreement for the Prevention of Broadcasts Transmitted from Stations Outside National Territories

(Strasbourg, January 22, 1965)

| Contracting States | Deposit of instrument | Entry into force | Ratification (R) |
|---|---|---|---|
| Belgium | September 18, 1967 | October 19, 1967 | R |
| Denmark | September 22, 1965 | October 19, 1967 | R |
| France | March 5, 1968 | April 6, 1968 | R |
| Ireland | January 22, 1969 | Febrnary 23, 1969 | R |
| Sweden | June 15, 1966 | October 19, 1967 | R |
| United Kingdom | November 2, 1967 | December 2, 1967 | R |

### European Agreement on the Protection of Television Broadcasts

(Strasbourg, June 22, 1960)

| Contracting States | Deposit of instrument | Entry into force | Signature without reservation in respect of ratification (S) or ratification (R) or accession (A) |
|---|---|---|---|
| Belgium * | February 7, 1968 | March 8, 1968 | R |
| Cyprus | January 21, 1970 | February 22, 1970 | R |
| Denmark * | October 26, 1961 | November 27, 1961 | R |
| France | June 22, 1960 | July 1, 1961 | S |
| Germany, Federal Republic of * | September 8, 1967 | October 9, 1967 | R |
| Norway * | July 9, 1968 | August 10, 1968 | R |
| Spain | September 22, 1971 | October 23, 1971 | A |
| Sweden ** | May 31, 1961 | July 1, 1961 | R |
| United Kingdom * | March 9, 1961 | July 1, 1961 | R |

* The instruments of ratification were accompanied by "options" in accordance with Article 3, paragraph 1, of the Agreement. As to Belgium, see *Copyright*, 1968, p. 147; as to Denmark, see *Le Droit d'Auteur*, 1961, p. 360; as to the United Kingdom, see *ibid.*, 1961, p. 152; as to Germany (Fed. Rep.), see *Copyright*, 1967, p. 217; as to Norway, see *ibid.*, 1968, p. 191.

** Sweden availed itself of the reservations contained in subparagraphs *(b)*, *(c)* and *(f)* of paragraph 1 of Article 3 of the Agreement.

### *Protocol to the said Agreement*

(Strasbourg, January 22, 1965)

| Contracting States | Deposit of instrument | Entry into force | Signature without reservation in respect of ratification (S) or ratification (R) or accession (A) |
|---|---|---|---|
| Belgium | February 7, 1968 | March 8, 1968 | R |
| Cyprus | January 21, 1970 | February 22, 1970 | R |
| Denmark | January 22, 1965 | March 24, 1965 | S |
| France | January 22, 1965 | March 24, 1965 | S |
| Germany, Federal Republic of | September 8, 1967 | October 9, 1967 | R |
| Norway | July 9, 1968 | August 10, 1968 | R |
| Spain | September 22, 1971 | October 23, 1971 | A |
| Sweden | January 22, 1965 | March 24, 1965 | S |
| United Kingdom | February 23, 1965 | March 24, 1965 | S |

# European Agreement concerning Programme Exchanges by Means of Television Films

## SPAIN

### *Accession to the Agreement*

In a letter dated December 7, 1973, the Secretary-General of the Council of Europe informed the International Bureau of WIPO that, on December 5, 1973, the Consul General of Spain in Strasbourg deposited the instrument of accession by Spain to the European Agreement concerning Programme Exchanges by Means of Television Films, signed at Paris on Decemher 15, 1958.

The Arrangement, which is already in force with respect to the following eleven Member States: Belgium, Cyprus, Denmark, France, Ireland, Luxembourg, Netherlands, Norway, Sweden, Turkey, United Kingdom, as well as to Greece — which ratified it when it was a member of the Council of Europe — and to Tunisia (which accoded to it), took effect, for Spain, on January 4, 1974, in accordance with paragraph (2) of its Article 8.

# BIBLIOGRAPHY

## Book List

From July 1 to December 31, 1973, the WIPO Library has entered in its catalogue a number of works or other publications on copyright, among which the following are mentioned which are most important or most relevant to recent developments:

### Books

BEIER (Friedrich-Karl), FIKENTSCHER (Wolfgang), KRASSER (Rudolf) & SCHRICKER (Gerhard). *Rechtsvergleichung, Interessenausgleich und Rechtsfortbildung. Festschrift für Eugen Ulmer zum 70. Geburtstag.* Studies concerning copyright: Bergström (Svante), "Schutzprinzipien der Berner Übereinkunft nach der Stockholm-Pariser Fassung — Eine Übersicht über Artikel 3 bis 6"; Boguslavsky (M. M.), "Das Übersetzungsrecht im sowjetischen Urheberrecht"; Boytha (György), "Nutzungsorientierte Entwicklung im internationalen Urheberrecht"; Desbois (Henri), "Le pacte de préférence consenti aux éditeurs"; Dittrich (Robert), "Zur urheberrechtlichen Beurteilung von Münzkopierautomaten nach österreichischem Recht"; Eminescu (Yolanda), "Les particularités de la protection des œuvres cinématographiques en droit roumain"; Françon (André), "L'auteur d'une œuvre de l'esprit épuise-t-il son droit de divulgation par le premier usage qu'il en fait?"; Godenhielm (Berndt), "Rule and Reality in Copyright Law with Regard to Artistic Works"; Huhmann (Heinrich), "Die Entscheidungen des Bundesverfassungsgerichts zum Schutz des geistigen Eigentums"; Katzenherger (Paul), "Wechsel der Anknüpfungspunkte im deutschen und internationalen Urheberrecht"; Kleine (Heinz), "Gedanken zur deutschen Urheberrechtsnovelle 1972"; Knap (Karel), "Der Lizenzvertrag als ein besonderer Vertragstypus"; Krasser (Rudolf), "Verpflichtung und Verfügung im Immaterialgüterrecht"; Krieger (Alhrecht), "Urheberrecht und gewerhlicher Rechtsschutz im Zeichen der internationaleu Entwicklung"; Krieger (Ulrich), "Lichthildschutz für die photomechanische Vervielfältigung?"; Krüger-Nieland (Gerda), "Zitatensammlungen und Urheberschutz"; Masouyé (Claude), "La réglementation internationale des transmissions par satellites — Un nouvel aspect du droit international privé"; Mentha (Bénigne), "Einige Gedanken zum Urheberpersönlichkeitsrecht"; Möhring (Philipp), "Das Problem des Schadenersatzes hei der Gefährdung des Urheberrechts"; Nimmer (Melville B.), "Who is the Copyright Owner Whcu Laws Conflict?"; Nordemann (Wilhelm), "Der Begriff der 'angemessenen Bedingungen' in § 6 Ahs. 1 Wahrnehmungsgesetz"; von Rauscher auf Weeg (Hans Hugo), "Die Rechte der Rom-Konvention — Ein Rückhlick auf 12 Jahre in- und ausländischer Gesetzgebung und internationaler Rechtsentwicklung"; Reimer (Dietrich), "Urheberrechtsfragen der neuen audio-visuellen Medien"; Roeher (Georg), "Zur urheherrechtlichen Relevanz des Filmherstellungsbeginns"; Rotondi (Mario), "Spiele, Rätsel und Schutz geistigeu Schaffens"; De Sanctis (Valerio), "Einige Gedanken zu den Rechtsprohlemen des Auftragswerkes"; Schulze (Erich), "Neue Nutzungsarten an Werken der Musik"; Steup (Elisaheth), "Der Schutz des Urhebers bei Satellitensendungen"; Straschnov (Georges), "Evolution des législations modernes sur le droit d'auteur dans les pays anglophones en voie de développement"; Strömholm (Stig), "Verwertungsrecht und Nutzungsrecht — Gedanken zur Systematik der deutschen Urheherrechtsgesetze"; Wallace (William), "Control over the Monopoly Exercise of Copyright". Gewerhlicher Rechtsschutz und Urheherrecht, Internationaler Teil, 1973, Nos 6/7 (pp. 207-532).

BLAUSTEIN (Albert P.) & GORMAN (Rohert A.). *Intellectual Property 1960-1971. Cases and materials ... prepared for use as a supplement to Kaplan and Brown: Cases on Copyright, Unfair Competition and Other Topics.* Mineola, N. Y., Foundation Press, 1972. - I-350 p.

BRELOER (Bernhard-Dietrich). *Verfilmung, Verfilmungsrecht und Fernsehfilm.* Berlin, J. Schweitzer, 1973. - XVII-96 p. Schriftenreihe der UFITA, Heft 44.

BOGUSLAVSKY (M. M.). *Voprosy avtorskogo prava v mezhdunarodnykh otnosheniak* [1]. Moscow, "Nauka" Edition, 1973. - 336 p.

BUSH (George P.). *Technology and Copyright: Annotated Bibliography and Source Materials.* Mt. Airy, Maryland, Lomond Systems, Inc., 1972. - VIII-454 p. Pref. Lowell H. Hattery.

COLINO (Richard R.). *The INTELSAT definitive arrangements: Ushering in a new era in satellite telecommunications.* Geneva, EBU, 1973. - VII-196 p. Monograph No. 9 of the European Broadcasting Union.

DEWALL (Hans von). *Gegendarstellungsrecht und Right of Reply. Eine rechtsvergleichende Untersuchung über Hörfunk und Fernsehen in der Bundesrepublik Deutschland und den USA.* Berlin, J. Schweitzer, 1973. - XXX-152 p. Schriftenreihe der UFITA, Heft 45.

FRESNE (Bertrand). *Les dérogations au droit de reproduction des auteurs en droit français.* Paris, 1973. - 267 p. Thesis.

GRZYBOWSKI (S.), KOPFF (A.) & SERDA (J.). *Zagadnienia prawa autorskiego.* Warsaw, Państwowe Wydawnictwo Naukowe, 1973. - 456 p.

HERSCHEL (Wilhelm), KLEIN (Friedrich) & REHBINDER (Manfred). *Festschrift für Georg Roeber.* Contrihutions hy: Bappert (Walter), "Vom Ertragsrecht zum Verlagsrecht"; Boytha (György), "Film und Fernsehen im ungarischen Urheberrecht"; Brugger (Gustav) & Wedel (Lothar), "Das Recht des Filmherstellers zur audiovisuellen Verwertung von Filmen unter Berücksichtigung der Zweckühertragungstheorie"; Desbois (Henri), "La protection des artistes interprètes et exécutants d'œuvres musicales et dramatiques en France"; Dittrich (Rohert), "Die Vervielfältigung zum eigenen Gehrauch"; Dünnwald (Rolf), "Inhalt und Grenzen des künstlerischen Leistungsschutzes"; Handl (Josef), "Urheherrechtsprohleme der Filmherichterstattung in Österreich"; Herschel (Wilhelm), "Urheherhegriff und Kausalität"; Hirsch (Ernst E.), "Krise des internationalen Urheherrechts?"; Hirsch Ballin (E. D.), "D'Après-Werke"; Hubmann (Heinrich), "Die geplante Konvention gegen unerlauhte Weitersendung von Satellitensendungen"; van Isacker (Frans), "Vom tieferen Sinn des Urheherrechts und der Rolle, die die Verwertungsgesellschaften dabei spielen"; Jöstlein (Hans), "Kitsch und kommerzielle Werkproduktion"; Klein (Friedrich) & Wilke (Dieter), "Verfassungsänderungen durch 'systemimmanente Modifikationen elementarer Verfassungsgrundsätze'?"; Knap (Karel), "Urheherrechtliche Fragen auf dem Gehiet der elektronischen Musik"; Krüger-Nieland (Gerda), "Die Rechtsstellung des Bühnenregisseurs aus urheherrechtlicher Sicht"; Lögdherg (Åke), "Einige aktuelle Fragen im schwedischen Urheherrecht"; Lukes (Rudolf), "Zum Inhalt des Sortenschutzrechts im Hinhlick auf § 20 GWB"; Masouyé (Claude), "Le nouveau régime international des œuvres cinématographiques et télévisuelles dans la Convention de Berne"; Mentha (Bénigne), "Urheherrecht und Entwicklungsländer"; Möhring (Philipp), "Der Re-import von Ton- und Bildträgern"; Müller (Arndt), "Über 'Rauhdrucke'"; Neumann-Duesherg (Horst), "Geldliche Genugtuung nehen Widerruf und Unterlassung?"; Oekonomidis (Dimitrios S.), "Die neueste griechische Rechtsprechung auf dem Gehiet des Urheherrechts"; von Olenhusen (Alhrecht Götz), "Urheher- und Persönlichkeitsrechtsschutz hei Briefen und Dokumentationsfreiheit"; Pedrazzini (Mario

[1] See *Copyright*, 1973, p. 193.

M.), "Das neue System der Zwangslizenzen in den internationalen Urbeberrechtsabkommen"; Plaisant (Rohert), "Le traité de C. E. E., art. 85 et 86 et les droits de propriété littéraire et artistique"; Rehbinder (Manfred), "Recht am Arbeitsergebnis und Urheberrecht"; Rie (Rohert), "Der amerikanische Oberste Gerichtshof und 'Immorality'"; Runge (Kurt), "Die urheberrechtlichen Nutzungsrechte"; Samson (Benvenuto), "Die urheberrechtliche Regelung in Dienst- und Tarifverträgen"; Savatier (René), "La distinction, en droit français, de l'œuvre collective et de l'œuvre de collaboration"; Schmieder (Hans-Heinrich), "Zur Rechtsstellung des Bühnenregisseurs"; Schramm (Carl), "Das Konkurrenzverbot im Verlagsvertrag"; Strömholm (Stig), "Zum Persönlichkeitsschutz im Urheberrecht und im gewerblichen Rechtsschutz"; Strunkmann-Meister (Karl), "Leistungsschutz und Industrieform"; Troller (Alois), "Das Urbeberrecht und die Gerechtigkeit"; Wiese (Günther), "Freiheit und Bindung des Arbeitnehmers bei der Gestaltung seines Äusseren"; Windisch (Ernst), "Gemeinsamer Markt und Schutzrechtsverbrauch". Berlin, J. Schweitzer, 1973. - VIII-745 p. Schriftenreihe der UFITA, Heft 46.

HOWARD LAW JOURNAL. Symposium 1970. *Copyright Law as it Relates to Entertainers.* Washington, Howard University School of Law, 1971. - [53] p. Extr. Howard Law Journal, Vol. 16, No. 3, 1971, pp. 439-491.

JONES (Erich Bain). *Earth Satellite Telecommunications Systems and International Law.* Austin, University of Texas, 1970. - XIII-167 p. Pref. Wernher von Braun.

KENT (Allen) & LANCOUR (Harold). *Copyright, Current Viewpoints on History, Laws, Legislation.* New York & London, R. R. Bowker, 1972. - VII-125 p.

KLAVER (Francesca). *Massmedia en modern auteursrecht* [2]. Amsterdam, Wetenschappelijke Uitgeverij, 1973. - 262 p.

KLINTER (Werner). *Satellitenrundfunk und die Problematik des internationalen Urheber- und Leistungsschutzes* [3]. Berlin, J. Schweitzer, 1973. - XXV-292 p. Schriftenreihe der UFITA, Heft 47.

KOPFF (Andrzej). *Koncepcja praw do intymnosci i do prywatnosci zycia osobistego (Zagadnienia konstrukcyjne).* Warsaw & Krakow, Państwowe Wydawnictwo Naukowe, 1972. - 40 p. Extr. Studia cywilistyczne, Vol. 20, 1972, pp. 1-40.

LATMAN (Alan). *Current Developments in Copyright Law.* New York, Practising Law Institute, 1972. - 152 p. Patent, Copyright, Trademark and Literary Property. Course Handbook Series, 31.

LENHARDT (Helmut). *Die Zukunft von Rundfunk und Fernsehen in der Auseinandersetzung mit den neuen elektronischen Medien.* Vienna, etc., F. Molden, 1972. - 176 p. 2nd Ed.

MAYER (Jean-Paul). *Contrats d'exploitation d'une œuvre de l'esprit et techniques nouvelles.* Paris, 1972. - 142 p. Mémoire D. E. S. Paris, 1972.

MOUCHET (Carlos). *America latina y el derecho de autor.* Buenos Aires, CISAC, Consejo Panamericano, 1973. - 61 p. Pref. Roberto A. Talice.

PROSI (Gerbard). *Ökonomische Theorie des Buches. Volkswirtschaftliche Aspekte des Urheber- und Verlegerschutzes.* Düsseldorf, Bertelsmann, 1971. - 155 p. Gesellschaft und Kommunikation, Bd. 10.

REBELLO (Luíz Francisco). *Visita guiada ao mundo do direito de autor* [4]. Porto, 1973. - 64 p. Instituto da Conférência.

SAMSON (Benvenuto). *Urheberrecht. Ein kommentierendes Lehrbuch.* Pullach/Munich, Dokumentation, 1973. - 259 p. Uni-Taschenbücher, 24.

[2] *Ibid.*, 1973, p. 165.
[3] *Ibid.*, 1973, p. 194.
[4] *Ibid.*, 1973, p. 165.

SPREITZER (Francis F.). *Developments in Copying, Micrographics, and Graphic Communications, 1972.* Fulton, Missouri, American Library Association. Resources and Technical Services Division, 1973. - 24 p. Extr. Library Resources & Technical Services, Vol. 17, No. 2, 1973.

TAUBMAN (Joseph). *Performing Arts Management and Law.* New York, Law-Arts Publishers, 1972. - XLVIII-1417 p. (2 vol.). Introd. Jed Harris.

ZWEIGERT (Konrad) & KROPHOLLER (Jan). *Law of Copyright, Competition and Industrial Property — Droit de la propriété intellectuelle et de la concurrence — Immaterialgüter- und Wettbewerbsrecht.* Leiden, A.W. Sijthoff, 1973. - XXXVI-1384 p. Sources of International Uniform Law, 3. Max-Planck-Institut für ausländisches und internationales Privatrecht.

## Articles

ALBERT-SOREL (Jean). *La protection du droit d'auteur et les nouvelles perspectives de diffusion des œuvres de l'esprit.* In "Revue des Lettres", 1973, Vol. 108, No. 1, pp. 20-30.

AMRI (Abderrahmane). *The problems of authors' societies in developing countries.* In "Interauteurs", 1972, No. 183, pp. 92-96.

AZAOLA (José Miguel de). *The International Copyright Information* Centre. In "UNESCO Chronicle", 1973, Vol. 19, Nos. 6-7, pp. 252-256.

BENJAMIN (Curtis G.). *Some Observations on Certain Consequences of the Soviet Union's Accession to UCC.* In "Bulletin of the Copyright Society of the U. S. A.", 1973, Vol. 20, No. 6, pp. 391-397.

BUNGEROTH (Erhard). *Die Pariser Fassungen des Welturheberrechtsabkommens und der Berner Übereinkunft.* In "UFITA", 1973, Vol. 68, pp. 27-70 [summaries in English and French].

DESBOIS (Henri). *Le droit d'auteur en France depuis la loi du 11 mars 1957.* In "NIR — Nordiskt Immateriellt Rättsskydd", 1973, No. 3, pp. 251-266.

DEWALL (Hans von). *Die heutige Bedeutung des Kabelfernsehens in Kanada.* In "Film und Recht", 1973, Vol. 17, No. 11, pp. 554-556.

DIETZ (Adolf). *Die Änderung des sowjetischen Urheberrechts anlässlich des Beitritts der Sowjetunion zum Welturheberrechtsabkommen.* In "Film und Recht", 1973, Vol. 17, No. 5. pp. 214-226.

DITTRICH (Robert). *The 1972 Act amending the Austrian Copyright Act.* In "EBU Review", 1973, Vol. XXIV, No. 4, pp. 46-53.

DREYFUS (John). *Why Type Faces Merit Protection by New International Law.* In "Industrial Property", 1973, No. 2, pp. 58-63.

DUNLAP (Kent). *Copyright Protection for Oral Works, Expansion of the Copyright Law into the Area of Conversations.* In "Bulletin of the Copyright Society of the U. S. A.", 1973, Vol. 20, No. 5, pp. 285-315.

FRANK (Richard). *Der Schutz der Hersteller von Tonträgern oder: Aspekte eines urheberrechtsverwandten Leistungsschutzes.* In "Schweizerische Juristen-Zeitung — Revue suisse de jurisprudence", 1973, Vol. 69, No. 11, pp. 161-169.

FREITAS (Denis de). *The task of authors' societies vis-à-vis new techniques of communication and exploitation of intellectual works.* In "Interauteurs", 1972, No. 183, pp. 64-70.

GAUDEL (Denise). *Les producteurs de vidéogrammes et leurs partenaires.* In "Semaine juridique" (édition générale), 1973, Vol. 47, No. 37, Art. 2571 (Doctrine).

— *Videogrammes in search of their identity.* In "Revue internationale du droit d'auteur", 1973, No. LXXVI, pp. 2-52 [in French, with parallel English translation].

HADL (Rohert D.). *Current developments in communications law in the United States.* In "EBU Review", 1973, Vol. XXIV, No. 4, pp. 56-63.

JAPAN. *Copyright in Japan:*
— ITÖ (Nobuo). *The History* (pp. 59-65).
— ONAKA (Hiroko). *On Works in the New Copyright Law* (pp. 67-79).
— CHINO (Naokuni). *Neighbouring Rights* (pp. 81-95).
In " Revue internationale du droit d'auteur ", 1973, No. LXXVII.

JOUBERT (Claude). *Commentary on the Algerian Copyright Law.* In " Revue internationale du droit d'auteur ", 1973, No. LXXVIII, pp. 2-64 [in French, with parallel English translation].

KAHN-ACKERMANN (Georg). *Bibliotheksgroschen, Schulbuchprivileg und Folgerecht.* In " Österreichische Autorenzeitung ", 1973, Vol. 25, No. 3, pp. 5-10.

LEVY (Howard A.). *Copyright Law and Computerized Legal Research.* In " Bulletin of the Copyright Society of the U. S. A.", 1973, Vol. 20, No. 3, pp. 159-180.

LIMPERG (Th.). *De problemen van de reprografische reproduktie van auteursrechtelijk beschermde geschriften.* In " Bijblad Bij De Industriële Eigendom ", 1973, Vol. 41, No. 10, pp. 163-171.

Mc DAVID (J. Gary). *Tape recording for home use: the right of delayed enjoyment.* In " Revue internationale du droit d'auteur ", 1973, No. LXXVIII, pp. 67-119.

MATVEEV (Yuri). *Copyright Protection in the USSR. The Eleventh Annual Jean Geiringer Memorial Lecture on International Copyright Law.* In " Bulletin of the Copyright Society of the U. S. A.", 1973, Vol. 20, No. 4, pp. 219-233.

NORDEMANN (Wilhelm). *Der Beitritt der Sowjetunion zum Welturheberrechtsabkommen.* In " Film und Recht ", Vol. 17, No. 5, pp. 211-213.

PETER (Franz-Wilhelm). *Das Welturheberrechtsabkommen und die Sowjetunion.* In " Börsenblatt für den Deutschen Buchhandel ", 1973, Vol. 29, No. 65, pp. 1305-1309.
— *Urheberrechtssituation in der Sowjetunion.* In " Film und Recht ", 1973, Vol. 17, No. 8, pp. 367-370.

RADOJKOVIĆ (Živan). *Copyright law in Bulgaria (As amended on 5 May 1972).* In " Revue internationale du droit d'auteur ", 1973, No. LXXVII, pp. 2-36 [in French, with parallel English translation].

RIE (Rohert). *Der urheberrechtliche Schutz der amerikanischen Tonträgerfabrikanten.* In " UFITA ", 1973, No. 67, pp. 19-29 [summaries in English and French].

ROEBER (Georg). *Zur rechtlichen Problematik der audiovisuellen Systeme.* In " Film und Recht ", 1973, Vol. 17, No. 7, pp. 311-319.

SANCTIS (Valerio De). *The future of international copyright in the light of the Revision Conferences of July 1971.* In " Interauteurs ", 1972, No. 183, pp. 47-54.

SCHARF (Albert). *Aktuelle Fragen des Satellitenrechts unter internationalen Aspekten.* In " Film und Recht ", 1973, Vol. 17, No. 5, pp. 205-211.

STEUP (Elisabeth) & BUNGEROTH (Erhard). *Die Pariser Revisionen der internationalen Urheberrechtsabkommen.* In " UFITA ", 1973, Vol. 68, pp. 1-25 [summaries in English and French].

STRÖMHOLM (Stig). *Ordinateurs et droit. (A propos d'un projet de loi suédois sur les ordinateurs.).* In " Revue internationale de droit comparé ", 1973, Vol. 25, No. 1, pp. 55-67.

SWITZERLAND. *Vorarbeiten zur schweizerischen Urheberrechtsreform.* In " UFITA ", 1973, Vol. 66, pp. 173-286.

ULMER (Eugen). *Der Beitritt der Sowjetunion zum Welturheberrechtsabkommen.* In " Gewerhlicher Rechtsschutz und Urheherrecht, Internationaler Teil ", 1973, No. 3, pp. 93-95.

WALTER (Michel M.). *Gemeinschaftsantennen und Rundfunkvermittlungsanlagen im österreichischen Urheberrecht.* In " Juristische Blätter ", 1973, Vol. 95, Nos. 17/18, pp. 445-451.

YARNELL (Jules E.). *Recording Piracy is Everybody's Burden: An Examination of its Causes, Effects and Remedies.* In " Bulletin of the Copyright Society of the U. S. A.", 1973, Vol. 20, No. 4, pp. 234-244.

# CALENDAR

## WIPO Meetings

**February 6 to 8, 1974 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)**

**February 11 to 15, 1974 (Geneva) — International Patent Classification (IPC) — Working Group II of the Joint ad hoc Committee**

**March 4 to 8, 1974 (Geneva) — International Patent Classification (IPC) — Working Group I of the Joint ad hoc Committee**

**March 18 to 22, 1974 (Geneva) — WIPO Permanent Legal-Technical Program for the Acquisition hy Developing Countries of Technology Related to Industrial Property — Permanent Committee**

**March 25 to 29, 1974 (Geneva) — International Patent Classification (IPC) — Working Group III of the Joint ad hoc Committee**

**April 2 to 5, 1974 (Kingston) — Regional Symposium on the Ratification and Application of the Rome Convention (Neighhoring Rights)**
*Invitations:* Bahamas, Barhados, Guyana, Jamaica, Trinidad and Tobago — *Observers:* International non-governmental organizations concerned
*Note:* Meeting convened jointly with the International Labour Organisation and Unesco

**April 22 to 26, 1974 (Geneva) — ICIREPAT — Technical Committee for Shared Systems (TCSS)**

**April 23 to 26, 1974 (Geneva) — Inventions Relating to Microorganisms — Committee of Experts**

April 29 to May 3, 1974 (Geneva) — ICIREPAT — Technical Committee for Standardization (TCST)

May 6 to 21, 1974 (Brussels) — Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite — Diplomatic Conference (jointly organized with Unesco)

May 13 to 17, 1974 (Geneva) — International Patent Classification (IPC) — Working Group IV of the Joint ad hoc Committee

June 10 to 14, 1974 (Geneva) — Nice Classification — Committee of Experts

June 17 to 20, 1974 (Geneva) — Protection of Computer Programs — Advisory Group

June 17 to 21, 1974 (Geneva) — Madrid Union — Assembly and Committee of Directors (Extraordinary Session)

June 25 to July 1, 1974 (Geneva) — WIPO Coordination Committee (Extraordinary Session)

June 26 to 28, 1974 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)

July 1 to 5, 1974 (Geneva) — International Patent Classification (IPC) — Working Group II of the Joint ad hoc Committee

July 8 to 10, 1974 (Geneva) — Industrial Property Statistics — Working Group

September 2 to 6, 1974 (Geneva) — International Patent Classification (IPC) — Working Group V of the Joint ad hoc Committee

September 9 to 13, 1974 (Geneva) — International Patent Classification (IPC) — Working Group III of the Joint ad hoc Committee

September 9 to 13, 1974 (Geneva) — PCT Interim Advisory Committee for Administrative Questions — Working Group on Forms

September 18 to 20, 1974 (Geneva) — ICIREPAT — Plenary Committee

September 24 to October 1, 1974 (Geneva) — Session of certain Administrative Bodies of WIPO and of certain Unions administered by WIPO

September 30 to October 4, 1974 (Geneva) — International Patent Classification (IPC) — Working Group I of the Joint ad hoc Committee

October 2 to 4, 1974 (Geneva) — Scientific Discoveries — Working Group

October 7 to 11, 1974 (Moscow) — Symposium on the Role of Patent Information in Research and Development
Participation open to all interested persons subject to a registration fee — *Note:* Meeting organized in cooperation with the State Committee for Inventions and Discoveries of the Council of Ministers of the USSR

October 21 to 25, 1974 (Geneva) — ICIREPAT — Technical Committee for Shared Systems (TCSS)

October 28 to November 1, 1974 (Geneva) — ICIREPAT — Technical Committee for Standardization (TCST)

November 4 to 8, 1974 (Geneva) — International Protection of Appellations of Origin — Committee of Experts

November 4 to 8, 1974 (Geneva) — International Patent Classification (IPC) — Working Group IV of the Joint ad hoc Committee

November 12 to 19, 1974 (Geneva) — PCT Interim Committees — Annual Sessions

December 9 to 13, 1974 (Geneva) — International Patent Classification (IPC) — Bureau of the Joint ad hoc Committee

December 16 to 18, 1974 (Geneva) — ICIREPAT — Technical Coordination Committee (TCC)

February 17 to 28, 1975 (Munich) — International Patent Classification (IPC) — Working Group II of the Joint ad hoc Committee

April 14 to 25, 1975 (Rijswijk) — International Patent Classification (IPC) — Working Group III of the Joint ad hoc Committee

May 12 to 23, 1975 (Washington) — International Patent Classification (IPC) — Working Group I of the Joint ad hoc Committee

June 9 to 13, 1975 (Geneva) — International Patent Classification (IPC) — Working Group V of the Joint ad hoc Committee

September 15 to 26 (Rijswijk) — International Patent Classification (IPC) — Working Group IV of the Joint ad hoc Committee

September 23 to 30, 1975 (Geneva) — Sessions of the Administrative Bodies of WIPO and the Unions administered by WIPO

November 3 to 14, 1975 (Berne) — International Patent Classification (IPC) — Working Group II of the Joint ad hoc Committee

December 1 to 12, 1975 (Munich) — International Patent Classification (IPC) — Working Group III of the Joint ad hoc Committee

## UPOV Meetings

March 12 and 13, 1974 (Geneva) — Technical Steering Committee

April 2 to 4, 1974 (Geneva) — Consultative Working Committee

October 21 to 25, 1974 (Geneva) — Council

## Meetings of Other International Organizations concerned with Intellectual Property

February 24 to March 2, 1974 (Melbourne) — International Association for the Protection of Industrial Property — Executive Board

March 18 to 20, 1974 (Rijswijk) — International Patent Institute — Administrative Board

May 6 to 30, 1974 (Luxembourg) — Conference of the Member States of the European Communities concerning the Convention on the European Patent for the Common Market

November 11 to 15, 1974 (Santiago) — Inter-American Association of Industrial Property — Congress

May 3 to 10, 1975 (San Francisco) — International Association for the Protection of Industrial Property — Congress

# ANNOUNCEMENT OF VACANCIES

## *Competitions Nos. 227, 228 and 229*

## *Deputy Directors General*

At its last session (Novemher 1973), the General Assemhly of WIPO decided on the creation of three Deputy Director General posts, of equal rank and remuneration, the latter to he equivalent to that of the grade D. 2. One of these posts will he filled hy a national of a developing country (Competition No. 227), another hy a national of a socialist country (Competition No. 228) and another hy a national of a country other than a developing country or a socialist country (Competition No. 229).

*Duties* *

In general, the duties consist in assisting the Director General of WIPO

(i) in organizing and implementing certain of the tasks of the International Bureau and

(ii) in directing and supervising certain units of that Bureau.

*Qualifications*

*(a)* Wide experience in the fields of industrial property law and copyright law — particularly in their international aspects — or at least in one of these two fields, and preferahly with some experience in the other.

*(b)* Wide experience in administrative matters, preferably in connection with international organizations.

*(c)* University degree in a field relevant to the activities of WIPO.

*(d)* Excellent knowledge of English or French and at least a good knowledge of the other. Knowledge of additional languages would he an advantage.

* The delimitation of the respective tasks of the three Deputy Directors General will depend on the individual qualifications of each of them.

*Nationality*

Any candidate for Competition No. 227 must he a national of a developing country which is a memher of WIPO or of the Paris Union or of the Berne Union.

Any candidate for Competition No. 228 must he a national of a socialist country which is a memher of WIPO or of the Paris Union or of the Berne Union.

Any candidate for Competition No. 229 must he a national of a country which is a memher of WIPO or of the Paris Union or of the Berne Union and which is neither a developing country nor a socialist country.

*Age limit*

For persons other than staff memhers of WIPO, less than 55 years of age at the date of appointment where the appointment is made for a prohationary period, and less than 60 years where the appointment is for a fixed term (see helow).

*Date of taking up duties*

Octoher 1, 1974, or a later date as mutually agreed.

*Type of appointment*

The appointment will he made either for a fixed term (3 to 5 years) or for a prohationary period of two years after satisfactory completion of which a permanent appointment will he offered.

*Applications*

Application forms and details regarding the conditions of employment may he ohtained from the Director, Administrative Division, WIPO, 32 chemin des Colomhettes, 1211 Geneva 20, Switzerland. Please refer to the numher of the Competition and enclose a hrief curriculum vitae.

Only applications duly completed on the ahove-mentioned forms which reach WIPO *by June 15, 1974,* will he taken into consideration.

## *Competition No. 225*

## *Counsellor*
## *(or "Assistant" *)*

## Office of the Director General

*Category and grade:* P. 4/P. 3, according to qualifications and experience of the selected candidate.

*Principal duties:*

The incumhent will, under the supervision of the Director of the Office of the Director General, assist the Director General and the said Director by performing in particular the following tasks:

*(a)* contacts with the various services of WIPO, particularly as regards the control of progress on various assignments and liaison among such services on questions requiring coordinated activity;

*(b)* collahoration in the preparation of WIPO meetings;

*(c)* representing WIPO in international meetings; contacts with representatives of Memher States and other visitors.

*Qualifications:*

*(a)* University degree in Social Sciences (law, economics, political sciences, husiness and public administration, etc.) or equivalent qualifications.

*(b)* Experience in the diplomatic service or international organizations.

*(c)* Excellent knowledge of English or French; knowledge of the other is desirahle; knowledge of other languages would he an advantage.

*Nationality:*

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

*Type of appointment:*

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

*Age limit:*

Less than 50 years of age at date of appointment.

*Date of entry on duty:*

As mutually agreed.

*Applications:*

*Application forms* and full information regarding the *conditions of employment* may be obtained from the Director of the Administrative Division, WIPO, 32, chemin des Colombettes, 1211 Geneva 20, Switzerland. Please refer to the numher of the Competition and enclose a hrief curriculum vitae.

*Closing date:* March 15, 1974.

* Title applicahle if appointment at P. 3 level.