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UNITED INTERNATIONAL BUREAUX FOR THE PROTECTION OF
INDUSTRIAL, LITERARY AND ARTISTIC PROPERTY
GENEVA

M A N A G E M E N T R E P O R T 1961

- I. United International Bureaux for the Protection of Industrial, Literary and Artistic Property.
- II. Bureau of the International Union for the Protection of Industrial Property (Seventy-seventh year).
- III. Bureau of the International Union for the Protection of Literary and Artistic Works (Seventy-fourth year).

BUREAUX INTERNATIONAUX RÉUNIS
POUR LA PROTECTION DE LA
PROPRIÉTÉ INTELLECTUELLE
BIBLIOTHÈQUE

(Translation)

INDEX

I.	<u>The United International Bureaux</u>	Page
	Preliminary Remarks	2
	A. The six budgetary chapters - general commentary:	
	1. Personnel	2
	2. Conferences and travel	16
	3. Collaboration of third parties	17
	4. Printing	18
	5. Premises, furniture, supplies	20
	6. Miscellaneous	23
	B. General accounts for the year 1961	25
	C. General balance-sheet for 1961	32
	D. Account and balance sheet of social service fund	32
	E. Funds for special purposes:	
	1. Statement of provision made for catalogues, indexes and publications	32
	2. Guarantee fund in respect of the management of registered trade marks	33
	3. Fund making provision for repayment by the Union of Paris of a loan from the Union of Madrid (Marks)	34
	4. Provisional fund to cover unrecovered debts .	34
	5. Special fund for the maintenance and renewal of furniture	35
II.	<u>Bureau of the International Union for the Protection of Industrial Property</u>	
	FIRST SECTION: Union of Paris for the Protection of Industrial Property	
	A. List of Unionist States as at 31 December, 1961.	37
	B. Diplomatic notifications concerning the Union (ratifications)	40
	C. Periodical Review of the Union:	
	- Summary of Contents	41
	- Administration	41
	D. Diplomatic Conferences	43
	E. Meetings of Committees of the Union	44

	Page
F. Meetings, Committees and Congresses at which the Union was represented	45
G. Administrative activity of the Bureau	46
H. Accounts for the year 1961:	
1. Accounts for the ordinary contribution (Art. 13 (6) of the Convention of Paris)	48
2. Accounts for the extraordinary contribution (Art. 13 (7) of the Convention of Paris)	49
I. Contributions in arrears	49

SECOND SECTION: Union of Madrid for the International Registration of Trademarks

A. List of Unionist States as at 31 December, 1961..	50
B. Diplomatic notifications concerning the Union ..	51
C. Periodical Review of the Union	51
D. Diplomatic Conferences	52
E. Meetings of Committees of the Union	52
F. Meetings, Committees and Congresses at which the Union was represented	53
G. Administrative activity of the Bureau	53
H. Accounts for the year 1961	57

THIRD SECTION: Union of The Hague for the International Deposit of Industrial Designs or Models

A. List of Unionist States as at 31 December, 1961.	63
B. Diplomatic notifications concerning the Union ..	64
C. Periodical Review of the Union	64
D. Diplomatic Conferences	64
E. Meetings of Committees of the Union	66
F. Meetings, Committees and Congresses at which the Union was represented	66
G. Administrative activity of the Bureau	66
H. Accounts for the year 1961	68

FOURTH SECTION: Union of Nice for the International Classification of Goods

A. List of Unionist States as at 31 December, 1961.	70
---	----

	Page
B. Diplomatic notifications concerning the Union ..	70
C. Periodical Review of the Union	71
D. Diplomatic Conferences	71
E. Meetings of Committees of the Union	71
F. Meetings, Committees and Congresses at which the Union was represented	71
G. Administrative activity of the Bureau	71
H. Accounts for the year 1961	71

FIFTH SECTION: Union of Lisbon for the Protection of Appellations of Origin and Their International Registration	73
--	----

III. Bureau of the International Union for the Protection
of Literary and Artistic Works

A. List of Unionist States as at 31 December, 1961.	75
B. Diplomatic notifications concerning the Union:	
- Adhesions or ratifications	78
- Denunciations	78
- Changes of class	78
C. Periodical Review of the Union:	
- Summary of Contents	79
- Administration	81
D. Diplomatic Conferences	82
E. Meetings of Committees of the Union	84
F. Meetings, Committees and Congresses at which the Union was represented	87
G. Administrative activity of the Bureau	88
H. Accounts for the year 1961	89
I. Contributions in arrears	90

I. - THE UNITED INTERNATIONAL BUREAUX
FOR THE
PROTECTION OF INDUSTRIAL, LITERARY AND ARTISTIC PROPERTY

PRELIMINARY REMARKS

The management report for the year 1960 presented, for the first time under a single cover, both the management reports of the United International Bureaux, as such, and the management reports of the Unions.

This new form of presentation, having aroused no objection, can be continued. The management reports should constitute as complete a record as possible of the position both of the United International Bureaux and of the different Unions. As regards each Union, the position of the Unionist countries has been set out with all desirable administrative information, together with the legal position of the countries in relation to the various activities of the International Bureaux and of the Unions themselves.

This first part, entitled "The United International Bureaux", deals with matters firstly in the traditional budgetary order, under six principal headings. Immediately following this are the general statements of accounts, then the general balance sheets and the accounts dealing with special funds.

In order to make the accounts intelligible, they are preceded by a commentary on the six budgetary chapters.

A. THE SIX BUDGETARY CHAPTERS: GENERAL COMMENTARY

1. PERSONNEL

The personnel of the United International Bureaux is divided into various categories. First, from the administrative standpoint, there is the category of permanent officials, holding specific posts; then there is the category of temporary staff, i.e. those employed on a contract basis. The essential difference between the two categories is as regards the difference in the system of retirement pensions. Permanent staff are assured against the risks of sickness, age and death,

by the payment of regular annual pensions. On the other hand, the temporary staff are only covered against these risks by the payment of a modest capital sum.

As regards the functions performed by the staff of the Bureaux, two main categories are likewise found:

- the general services, in which are incorporated the services of staffs whose contributions to the work operate to the benefit of all or part of the Unions catered for by the Bureaux;
- specific services contributed by staff more particularly attached to one Union.

The strength of the personnel on the 31st December, 1961, consisted of a total of 52 persons, compared with a total of 50 on the 31st December, 1960. Thus, the increase amounted to two persons. This results from the fact that, during the course of 1961, the Copyright Division underwent re-organisation; previously it had been administered by the Legal Division. Further, the Service for the International Deposit of Industrial Designs and Models was established as an autonomous service as from the 1st January, 1961, having previously been managed as part of the general service of the Chancellery.

In the following table will be found details of the staff distribution in different categories (the first column showing, the effective personnel on the 31st December, 1961, the second column showing; in brackets, the effective personnel in 1960, and the third column indicating increases or decreases).

On the 31st December, the personnel of the United International Bureaux was constituted as follows:

	1961	1960	Changes
Permanent staff, i.e. officials holding specific appointments	29	(28)	+ 1
Temporary staff, i.e. staff employed on a contract basis	23	(22)	+ 1
	<hr/>		
Effective total	52	(50)	+ 2

The chart on page 5 shows the inter-connection of the general and specific services.

The distribution of this staff within the United Bureaux was as follows:

A. General Services	27	(28)	- 1
B. Specific Services.....	25	(22)	+ 3
	<hr/>		
Effective total as above	52	(50)	+ 2

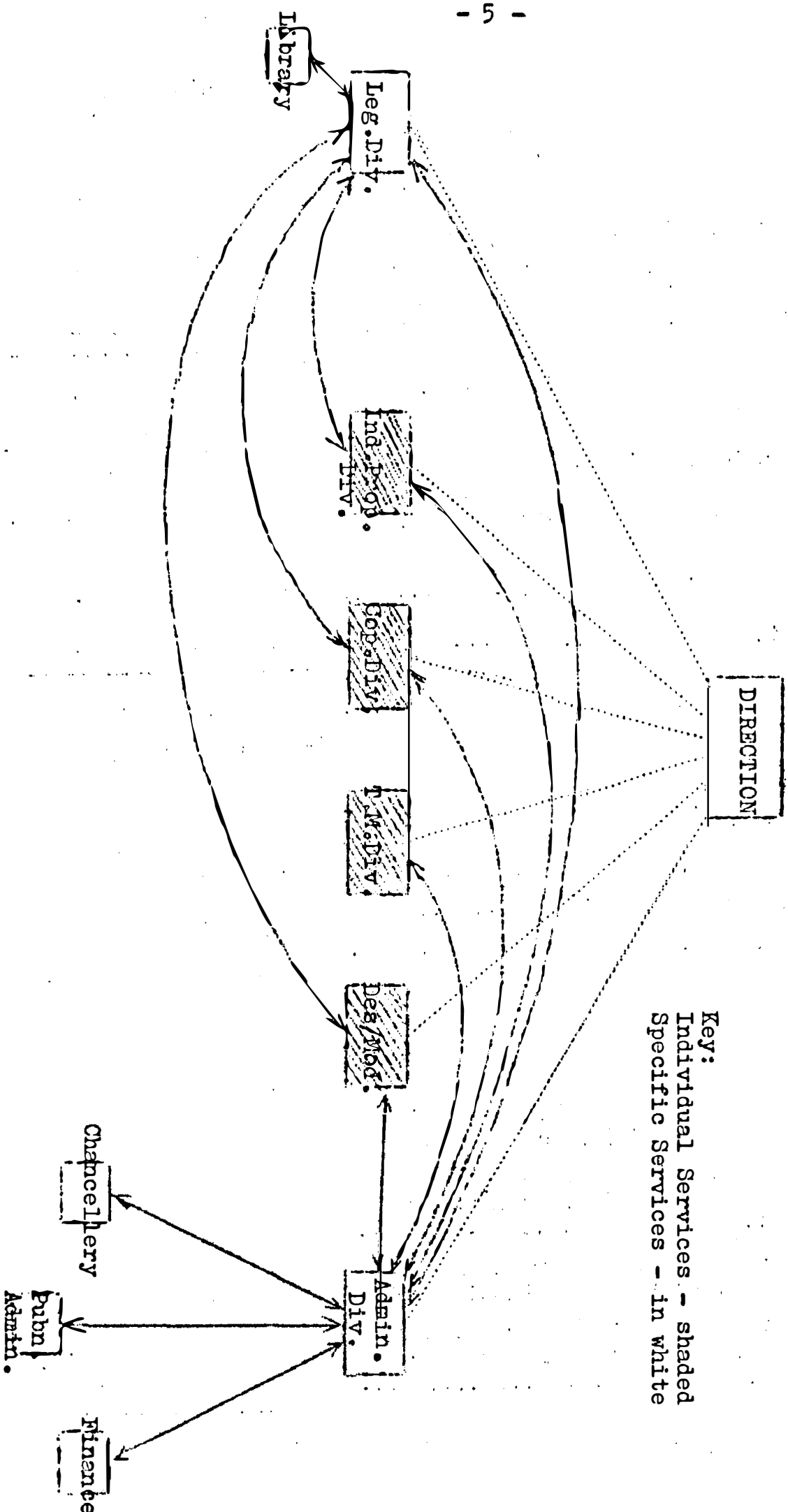
A. General Services

- Management	3	(3)	
- Administrative Division	20	(21)	- 1
- Legal Division	4	(4)	
	<hr/>		
	27	(28)	- 1

B. Specific Services

- International Union for the Protection of Industrial Property	3	(3)	
- Restricted Union of Madrid for the International Registration of Trade-marks	18	(19)	- 1
- International Union for the Protection of Literary and Artistic Works.	2	(0)	+ 2
- The Service for the International Deposit of Industrial Designs or Models	2	(0)	+ 2
	<hr/>		
	25	(22)	+ 3 (-1 +4)

Chart showing relationship of the General Services and the Specific Services of the International Bureau



Key:
 Individual Services - shaded
 Specific Services - in white

This table is illustrated by the chart on page 7 which sets out the plan of organisation of the United Bureaux.

It will be seen from the above figures that the strength of the permanent officials represents, in round figures, three fifths of the effective total, whilst the temporary staff constitutes two fifths. This disproportion may appear somewhat surprising, to the extent that the proportion of unestablished staff is so high. This somewhat abnormal situation is explained by the unstable nature of the financial resources of the United Bureaux.

The sources from which the United Bureaux derive income may be classified into two categories:

- fixed receipts, known in advance, which are the Conventional contributions to the Union of Paris, the Union of Berne and the Union of Nice, and
- variable receipts constituted, in the first instance, by monies received in respect of services for the working of the deposit of international trade marks and industrial designs and models.

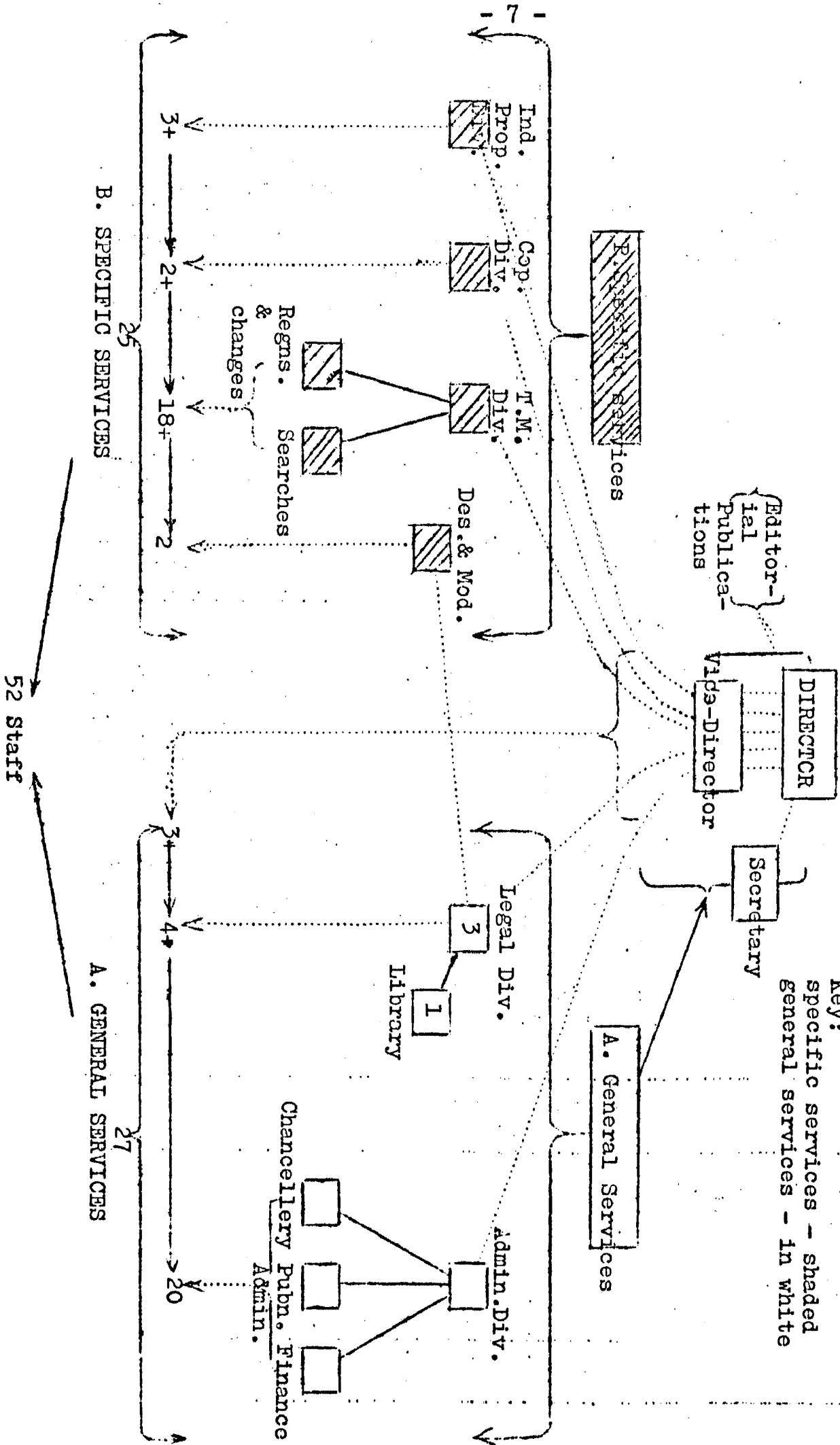
The stable and fixed receipts represent approximately 35 per cent of the total resources of the United Bureaux, whereas the monies constituting the remaining 65 per cent rest upon an unstable basis, themselves subject to the fluctuation of international economic circumstances. Since neither the Madrid Arrangement (Trade Marks) nor The Hague Arrangement (Designs and Models) contain provisions which assure the United Bureaux a minimum of receipts, the general policy as regards the personnel of the Organisation has to be very flexible, in order, when necessary, to meet substantial decreases in receipts, if needs be, by dismissal of a fairly large number of staff engaged under contract.

As regards nationality, the 52 staff in post on the 31st December, 1961, were nationals of the following countries:-

	France	Great Britain	Italy	Switzerland	Total
Unclassified Staff	2	1	1	3	7
Staff in Classes I - II	2	-	-	6	8
Staff in Classes III - VIII	3	2	2	30	37
	7	3	3	39	52

Organisation Chart of United Bureaux

Key:
 specific services - shaded
 general services - in white



Staff changes

During the course of 1961, the unestablished personnel, i.e. the non-permanent staff, underwent various internal changes, particulars of which are not set out in our management report.

On the other hand, and in accordance with practice, the present report gives particulars of the changes which occurred in 1961 as regards established staff.

This concerns 10 international officials whose position has been changed, either as a result of promotion, establishment or resignation:

Promotions

The under-mentioned staff, already in service, benefitted from promotion, with effect from the 1st January, 1961:

The following have advanced from the Fourth to the Third Class, that is to say, from Chancellery Secretary, Second Class, to Chancellery Secretary, First Class:

- Mr. John Lamb, British nationality,
- Mr. Jean Thoma, Swiss nationality, and
- Mrs. Isabelle Soutter, Swiss nationality.

The following person has been promoted from the Fifth to the Fourth Class, that is to say from the position of Chancellery Clerk to that of Chancellery Secretary, Second Class:

- Mr. Théo Georges Keller, Swiss nationality.

Finally, the following person has been promoted from the Sixth to the Fifth Class, that is to say from the position of Chancellery Assistant, First Class, to the post of Chancellery Clerk:

- Mr. Henri Graf, Swiss nationality.

Establishment

Three staff have been nominated as permanent officials:

- Mr. Charles Masouyé, French nationality, to the rank of Counsellor, with effect from the 1st May, 1961,
- Miss Edvige Perelli, Swiss nationality, to the rank of Chancellery Secretary, Second Class, with effect from the 13th June, 1961,

- Mrs. Alba Baraké, Italian nationality, previously un-established, appointed Chancellery Assistant, First Class, and classified in Class 6 for salary purposes, with effect from the 1st January, 1961.

Resignations

Two permanent members left the service of the Bureaux during 1961 in order to take up other activities:

- Mrs. Veronika Wyss, née Rothenanger, Swiss nationality, whose resignation took effect from the 31st March, 1961, and
- Miss Suzanne Robert, Swiss nationality, whose resignation took effect from the 30th April, 1961.

The loss of these two collaborators, who were particularly qualified, was much regretted.

The Swiss Federal Council, in accordance with its competence under the Conventions, decided on the 13th October, 1961, to modify the salary scale of permanent staff, with effect from the 1st January, 1961. This decision of the Swiss Government had the effect of incorporating in the basic salaries the cost of living increases previously granted (17 per cent), to which were added the levelling-up increases of 5 per cent. In other words, the salary scales of 1943 have been re-evaluated at 122 per cent.

The two tables on pages 10 and 11 show the salary changes in the United Bureaux since 1939, first in actual figures and then as percentage increases on the basis of the 1939 situation.

As regards the social service grant from which staff of the United Bureaux benefit, the following arrangements will be retained, viz, two co-existing systems, the earlier regime up to the 1st July, 1953, on the one hand, and the regime subsequent to the 1st July, 1953, on the other hand.

These two regimes have been approved by a decree of the Federal Council concerning the rules governing retirement funds of the United International Bureaux for the Protection of Industrial, Literary and Artistic Property of the 26th February, 1954. This Decree has been adopted by the Supervisory Authority, within the framework of the re-organisation effected in 1953-4.

As regards each of the two regimes, retirement pensions and grants to widows and orphans are treated separately.

TABLE SHOWING SALARY CHANGES SINCE 1939

Salary Category	1939		1947		1950		1953		1955		1959		1960		1961	
	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.
	Retraction in accordance with decision of Federal Council of 29/12/58 7%															
	Cost of Living Increase															
	Cost of Living Increase															
	Cost of Living Increase 3% for Classes 1-8 only															
	Cost of Living Increase 7%															
	Cost of Living Increase 17%															
	Cost of Living Increase 17%															
	Cost of Living Increase 22%															
Director	27,900	40,000	51,600	51,600	55,212	60,372	60,372	62,952								
Vice-Director	(I) 22,320 (max.)	32,400	40,000	40,000	42,800	46,800	46,800	48,800								
Counsellor	(II) 16,740 (max.)	24,300	31,000	31,000	33,170	36,270	36,270	37,820								
(III) I	8,370	13,020	17,000	24,000	17,510	24,720	18,190	25,680	19,890	28,080	19,890	28,080	20,740	29,280		
(IV) II	7,905	11,160	11,400	21,000	15,450	21,630	16,050	22,470	17,550	24,570	17,550	24,570	18,300	25,620		
(V) III	6,975	10,230	10,100	17,200	11,742	17,716	12,198	18,404	13,338	20,124	13,338	20,124	13,908	20,984		
(VI) IV	6,045	9,300	8,700	14,900	10,403	15,347	10,807	15,943	11,817	17,433	11,817	17,433	12,322	18,178		
(VII) V	5,115	8,370	7,400	13,500	8,961	13,905	9,309	14,445	10,179	15,795	10,179	15,795	10,614	16,470		
(VIII) VI	4,185	7,440	6,500	12,200	7,622	12,566	7,918	13,054	8,658	14,274	8,658	14,274	9,028	14,884		
(IX) VII	2,790	5,580	4,500	10,800	6,695	11,124	6,955	11,556	7,605	12,636	7,605	12,636	7,930	13,176		
(X) VIII	2,697	5,487	-	8,500	4,635	8,755	4,815	9,095	5,265	9,945	5,265	9,945	5,490	10,370		

PERCENTAGE OF INCREASE IN RELATION TO THE YEAR 1939

Salary Category	1939		1947		1950		1953		1956		1959		1960		1961	
	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.	min.	max.
Director	100	100	143,3	145,1	184,9	184,3	194,9	189,8	197,8	197,2	215,3	215,6	216,3	215,6	225,6	224,8
Vice-Director	100	100	145,1	145,1	178,9	188,1	178,9	193,8	191,7	201,3	209,6	220,1	209,6	220,1	218,6	229,5
Counselor	100	100	145,1	145,1	185,1	185,1	185,1	185,1	198,1	198,1	215,6	215,6	216,6	216,6	225,9	225,9
(III) I	100	100	150,5	145,1	203,1	184,3	203,1	189,8	217,3	197,2	237,6	215,6	237,6	215,6	247,7	224,8
(IV) II	100	100	144,2	145,1	189,7	188,1	195,4	193,8	203,0	201,3	222,0	220,1	222,0	220,1	231,4	229,5
(V) III	100	100	144,8	145,6	163,4	168,1	168,3	173,1	174,8	179,9	191,2	196,7	191,2	196,7	199,3	205,1
(VI) IV	100	100	143,9	145,1	167,0	160,0	172,0	165,0	178,7	171,4	195,4	187,4	195,4	187,4	203,8	195,4
(VII) V	100	100	144,6	145,7	170,0	161,2	175,1	166,1	181,9	172,5	199,0	188,7	199,0	188,7	207,5	196,7
(VIII) VI	100	100	155,3	145,1	176,8	163,9	182,1	168,8	189,1	175,4	206,8	191,8	206,8	191,8	215,7	200,0
(IX) VII	100	100	161,2	152,3	232,9	193,5	239,9	199,3	249,2	207,0	272,4	226,4	272,4	226,4	284,2	236,1
(X) VIII	100	100	-	-	166,8	154,9	171,8	159,5	178,5	165,7	195,2	181,2	195,2	181,2	203,5	188,9

A. Regime prior to 1st July, 1953

This regime is applicable to officials appointed prior to the 1st July, 1953. On the 31st December, 1961, it continued to apply to 14 officials. This regime will die out as the officials appointed before the 1st July, 1953, and their possible survivors, cease to have a connection with the Organisation.

a) Retirement pensions

Retirement pensions granted to the Director and Vice-Director cannot, in any event, exceed 50 per cent of their annual salary.

The annual amount of the retirement pension of the other officials is fixed in accordance with the following scale:

<u>Number of years service completed at the time when the right to a pension is acquired</u>	<u>Percentage of annual salary payable by way of retirement pension</u>
Less than one year	15
One year	20
2 years	25
3 years	33
4 years	34
5 years	35
6 years	36
7 years	37
8 years	38
9 years	39
10 years	40
11 years	41
12 years	42
13 years	43
14 years	44
15 years	45
16 years	46
17 years	47
18 years	48
19 years	49
20 years	50

21 years	51
22 years	52
23 years	53
24 years	54
25 years	55
26 years	56
27 years	57
28 years	58
29 years	59
30 years and over	60 (maximum)

in accordance with Article 24, paragraph (1) of the Regulations in respect of the organisation and operation of the International Bureaux placed under the supervision of the Authorities of the Swiss Confederation (31st January, 1947/21 March, 1949). The maintenance of these retirement pensions is assured by means of a closed pensions fund, of which the capital has been built up by the Unions. The amount of this capital on the 31st December, 1961, was 3,242,032 francs 57 centimes. According to expert examination on 16th May 1959, the technical accounts of the Closed Pension Fund may be considered as balanced. The actuarial calculations are revised at five-year intervals. The capital sum is designed to cover the maintenance of retirement pensions falling due in respect of seven staff who have already retired and of fourteen staff still in active service.

Under this regime of a closed fund, neither the staff of the Bureaux nor the Bureau itself is required to contribute as employee or employer.

b) Grants to widows and orphans

Widows and orphans do not receive any pension, but receive a capital sum constituted under the name of "Assurance Fund", the detailed functioning of which is governed by Article 22 of the aforesaid Regulations of 31 January 1947/21 March, 1949.

At the beginning of each year, the International Bureaux set aside from their budget of expenditure a sum representing 15 per cent of the salaries fixed in respect of staff who are subject to the regime operating prior to the 1st July, 1953. This annual sum of 15 per cent is and remains the property of the United International Bureaux, who deposit it with the Swiss National Bank, as an individual deposit in the name of each official concerned.

By means of the funds so established, the International Bureaux purchase securities on a trustee basis, or pay life insurance premiums in the name of the official concerned.

All operations concerning the placing and the utilisation of the Assurance Fund are submitted to the Supervisory Authority, for authorisation.

Upon the death of an official, his survivors receive the capital and the International Bureaux are acquitted of all further liability.

This paternalist system, having given rise to numerous criticisms, was abandoned on the occasion of the re-organisation of 1953-4.

The defects of the system are twofold: when the deceased official is young, the capital sum which his widow and orphans receive is manifestly insufficient; on the other hand, if the official dies at a very advanced age, the capital sum which his survivors may receive is an exaggerated amount and without useful purpose.

B. Regime since the 1st July, 1953

a) Retirement pensions

Under Article 23 of the Regulations of the 8th November, 1955, governing the organisation and operation of the BIRPI, and now in force, the staff, upon retirement, will receive a pension, which will be assured by the establishment of the "Retirement Fund maintained by contributions from the United International Bureaux for the Protection of Industrial, Literary and Artistic Property".

The regulations of this Retirement Fund, dated the 23rd May, 1960, govern its operation. Its essential characteristics are: an employers' contribution representing 14 per cent of salary, charged to the budget of the Bureaux, and an employees' contribution representing 7 per cent of salary, this amount being retained from salaries payable.

The maximum age of entry is fixed at 35. Above this age, the assured person is required to pay an entrance premium; further, it is desirable, though optional, for him to pay an additional premium if he wishes his entry to the Fund to be retroactive.

The retirement pension is equivalent to 30 per cent of assured salary, plus a supplement of one per cent of assured salary for each additional reckonable year, subject to a maximum of 60 per cent of salary. The retirement pension is calculated in relation to the most recent salary.

b) Grants to widows and orphans

Widows and orphans receive a pension. The amount payable to a widow is equal to 30 per cent of the salary assured to her deceased husband. Orphans are entitled to a pension of 10 per cent of the assured salary of their deceased father, up to the time they attain the age of 20.

On the 31st December, 1961, the capital of the Retirement Fund as maintained by contributions amounted to 475,187 francs, 30 centimes.

On the 31st December, 1961, this Fund extended to 15 assured persons, i.e. all staff appointed since the 1st July, 1953.

Unestablished or temporary staff are not assured. They are required to pay into the Pension Fund a contribution of 7 per cent of their salary, whilst the employer makes a contribution of 14 per cent.

When the arrangements for service between the temporary official and the International Bureaux are terminated, the temporary official receives a capital sum consisting of the payments he has made, to which is added, in certain cases, a portion of the payments made by the employer.

Grants in respect of children

Staff are entitled to a grant of 600 francs a year in respect of each child under 18 years of age for whom they are responsible, and who has no full time paid occupation.

This grant will continue to be paid beyond the age of 18 up to a maximum age of 21 in respect of children who are the responsibility of a member of the staff, if regularly receiving instruction in a school, university, or any other professional instructional establishment.

A proposal for the continuance of children's grants to retired staff and to the orphans of staff who die in service is at present being studied by the Supervisory Authority.

Accidents

In order to cover the grievous consequences of accidents sustained by staff in the course of duty, the United Bureaux have entered into a collective assurance contract with a private company.

In the event of accident, the payments made by the Assurance Company are designed to cover medical expenses. If a member of the staff should die as the result of the accident, his

survivor will receive a lump sum; if he is rendered incapable of working as a consequence of the accident, he will receive compensation.

The annual premium for this assurance, chargeable in the budget of the International Bureaux, is 3136 francs.

As regards accidents sustained whilst off duty, the United International Bureaux undertake responsibility for 10 per cent of the premiums individually payable by staff who desire insurance against accidents sustained away from their duties. The purpose of this subsidy is to encourage and stimulate staff to insure themselves against this type of accident.

The subsidy involves an annual charge to the budget of the United Bureaux of the sum of 137 francs 50 centimes.

Sickness

There is no provision in the regulations of the Bureaux specifically dealing with the position of staff who fall sick.

The Supervisory Authority has before it a proposal of the International Bureaux designed to encourage the conclusion of a sickness assurance for the Bureaux staff.

The proposition under study proposes that the United Bureaux should accept responsibility for part of the premiums which would be payable by staff, who would become parties to a collective sickness fund. Such a system would be similar to that which operates in respect of the international organisations in Geneva.

2. CONFERENCES AND TRAVEL

This budgetary chapter falls into three sections.

The first section deals with travelling expenses and the day-to-day expenses chargeable to the United Bureaux in respect of missions carried out by the staff; the second section deals with the cost of the secretariat and interpreting services for International Committees, and for receptions organised by the United Bureaux. The third section deals with expenses in respect of International Committees and Diplomatic Conferences.

As from 1962, this presentation will be modified to the extent that there will be further clarification of the second section. In future, the cost of receptions will be included in

it, as such (for example, meals, cocktails, etc.), whilst the costs of providing secretariat and interpreting will be put under the heading "International Committees".

During the year 1961, journeys on duty outside Switzerland were undertaken by 9 members of the staff of the United Bureaux, who had occasion to carry out 40 missions in 12 countries, namely

Austria	Israel
Canada	Italy
Denmark	Moraco
France	Netherlands
Germany (Federal Republic)	Spain
Great Britain	United States of America

These 40 missions represented a total of 342 days.

On the 10th February, 1961, the earlier rulings of the Supervisory Authority concerning travel were regrouped, codified and issued in the form of a service order No. 3/1961, in which appear, in detailed form, the rules governing the rights and obligations of the Bureaux and their staff. The tariff of daily expenses, their allocation as between day and night and according to the various meals taken, is not laid down by the Director of the Bureaux, but by the Supervisory Authority itself. The tariff actually in force covers 23 countries.

3. COLLABORATION OF THIRD PARTIES

The expenses dealt with in this chapter concern the editing of periodical publications, more particularly "La Propriété Industrielle" and "Le Droit d'Auteur". The intellectual value of these publications is measured by the quality of their specialist collaborators and the quality of the translations.

Original articles are remunerated on the basis of 50 centimes for each line of original text and 15 centimes for each line of quotation.

The increasingly numerous translations which the United Bureaux are required to make are undertaken, as regards day-to-day requirements, by the Bureaux staff. However, the volume of these translations is not such that the existence of one or more posts of translator attached to the organisation would be justified. An experiment in this direction was made in 1954;

the two translators attached to the Bureaux involved expense substantially in excess of the system under which recourse is made to the commissioning of third parties.

With translations thus entrusted to third parties, a very flexible and advantageous system results; but it is necessary for it to be organised in a precise manner. During the course of 1961, the United Bureaux drew up directives concerning translations, both as regards propositions for making use of contracts and as regards their conclusion. The tariff of translations is that of the Organisation of the United Nations, namely 45 francs per thousand words, without question of excess charge or urgency supplements; the words which constitute the basis of calculation are those of the original language from which the translation is made; the words in the language into which the translation is made are not determining.

Figures in arabic or roman characters do not count; on the other hand, they do count if they are fully spelt out. Composite words count as a single word if the components are hyphenated, except in the case of lengthy composite words in the German language; these can be broken down into as many basic words as are, in fact, joined together. It falls to the translator to submit his account at the same time as his manuscript and to propose the number of unitary words which serve as the basis of calculation of his payment. The official responsible for the contract undertakes the verification of the number of words counted. He then checks the account, making any necessary revision in respect of the calculation of the number of words.

A list of translators constituting, in some measure, a network at the disposal of the Bureaux has been established; it consists of some sixty persons to whom our Bureaux can apply, according to need, and who are competent to make translations.

PRINTING

This is a very important item, costing 364,866 francs

45 centimes, which represents, for the Bureaux as a whole, some 16 per cent of their costs.

These expenses are in respect of the purchase of paper, the cost of composition of type and the cost of printing the official periodicals of the Bureaux and the other publications which they issue. Within this field, it has been possible to make important economies for the benefit of the Unions, thanks to the grouping of the purchases; it goes without saying that detailed accounts are kept as regards the consumption by each individual Union of the amount of paper used for its own publications.

Our Bureaux have been able to profit from the valuable advice of an expert.

In the course of the year 1961, a single type of printing paper has been selected for the periodical publications, and tenders were invited for it. This has resulted in a saving of some 12,000 francs. It is known that Switzerland imposes a turnover tax, the amount of which appears on the invoices which suppliers send to their clients. Thanks to the understanding attitude of the Swiss Fiscal Authorities, our Bureaux have, for several years, secured exemption from this tax on their turnover, especially as regards printing and the supply of paper. This exemption, however, is only possible in respect of a list of suppliers of the requirements of the United Bureaux. Such a list has been drawn up in the course of the year 1961, and it follows that, as a result of the transfer of the Bureaux from Berne to Geneva, certain previous suppliers in Berne have been replaced.

In view of the increasing number of leaflets, forms and miscellaneous items published by the United Bureaux, the Bureaux have instituted, as from the beginning of the year 1961, an internal system of registration and numbering of publications. A general index enables the different matters which give rise to publication to be divided into several basic categories. Thereafter, each publication bears a double marking: a letter indicating its category and a serial number individually indicating the publication. In this internal register, printed matter, service orders, duplicated circulars, reports, documents, duplicated studies or expert opinions are registered, both chronologically and according to subject.

The Head of the Library is responsible for the maintenance of the register and for the allocation to each article of its identifying code number.

Every member of the staff who prepares a registrable item for printing or duplication is required to make personal contact with the Head of the Library to ensure registration of that item.

The same person is subsequently responsible for the actual application of the code number to the manuscripts, printed copies and duplicated documents.

Shelving and storage accommodation have been installed in the basement of the Bureaux building to accommodate, in accordance with their registration, the originals of the duplicated items, printing proofs and, finally, stock. Stock is under the control of the person in charge of publishing.

Experiences acquired during the course of 1961, the first year of this registration, have been satisfactory; researches have been facilitated, and this represents substantial savings to the Unions.

5. PREMISES, FURNITURE, SUPPLIES

This important budgetary chapter consists of seven sections.

a) Rent

It may be asked why the United Bureaux, owners of the Geneva premises at 32 Chemin des Colombettes, pay rent. Actually, this term appears in the accounts as a general budgetary designation. The United Bureaux are not the tenants of a property. Nevertheless, they have to bear a charge which is analogous to rent; namely a fixed annual charge, designed to assure interest upon and amortisation of capital invested in the building, and to maintain a fund for upkeep and property repairs.

The annual amount payable to cover the charges of interest, amortisation and upkeep is 115,000 francs, this being in respect of the building as such; in addition, the United Bureaux have to pay, in their capacity of beneficiaries of the super-ficiary rights in the site, an annual ground rent of 4,000 francs to the State of Geneva.

The construction of the building was completed subject to adjustments in respect of details. The accounts were checked during the course of 1961. At the end of this exercise, however, technical and financial authorities had not completely finished their examination. Thereafter, the final consolidation of the building account could only be completed as an item in 1962.

Nevertheless, at the end of December, 1961, on the basis of indications already largely complete and resulting from current checks, the following position emerged:

Building estimate made by the Supervisory Authority at the beginning of 1959	Frs. 2,600,000
Construction charges will probably amount to .	<u>Frs. 2,575,000</u>
Leaving a very gratifying result of	<u><u>Frs. 25,000</u></u>

by which expenses fell short of the estimate, and which will not fail to be favourably welcomed by the Unions. It should be borne in mind that this result arose from plans, estimates and tenders produced under pressure, before the opening of the site. Thanks to this procedure it was possible, before work was put in hand, to deal with all the questions that would otherwise have arisen in the course of construction. Furthermore, the United Bureaux have had the good fortune to benefit from the collaboration of Mr. Pierre Brailard, a Genevese architect, who was able, at one and the same time, to conceive and to carry out the construction to the satisfaction of all concerned.

The United Bureaux also had the good fortune to have the advice of the Federal Surveyor of Construction of Lausanne, who took part in the analysis of the plans and detailed estimates, and who brought his experience to bear upon the adjudication of tenders for the work and the examination of the final accounts.

It was not possible, in 1961, to give the precise final cost of the construction. It can, however, now be established that the transfer of the United Bureaux to Geneva and the construction of their building, constitute, from a financial point of view, a very successful operation, which manifests itself in positive form in a substantial increase of the assets of the Bureaux.

Inauguration. An important event marked the activities of 1961 as regards the building of the United Bureaux. On the 17th May, on the occasion of the meeting of the Consultative Committee of the Union of Paris, an impressive ceremony marked the official inauguration of the building. The Swiss Federal Council (the Supervisory Authority) delegated one of its members, Federal Counsellor von Moos, to this event. The opening ceremony of the 17th May, 1961, was the subject of accounts published in the two official periodicals, "La Propriété Industrielle" (No.6, June, 1961, page 121 et seq) and "Le Droit d'Auteur" (No.6, June, 1961, page 153 et seq).

b) Heating, Lighting, Water.

Savings have been effected by the fact that the United Bureaux have been allowed to participate in the central purchases of the United Nations for combustible liquids (fuel oil).

c) Cleaning and maintenance.

The park of 5,000 square metres and flower beds provided by the generosity of the Principality of Monaco require careful maintenance. The United Bureaux have agreed with their neighbours, the World Meteorological Organisation, to engage, at their joint expense, a gardener, who will give regular care to the two parks. This solution has made an appreciable economy possible.

d) Furniture and supplies.

The transfer from Berne to Geneva and the construction of a new building have had important repercussions as regards the equipment of the Bureaux in matters of furniture and supplies. It was very evident that the outmoded items used at Berne would be out of place in the light and modern setting of the new building at 32, Chemin des Colombettes, Geneva.

For several years, the Supervisory Authority had expressed agreement with proposals of the United Bureaux to the effect that the financing of a general renewal of office furniture and supplies could not be dealt with in the budgetary account of a single year, but that it would be necessary to constitute for this purpose a fund for their renewal. At the beginning of 1961, the United Bureaux secured the collaboration of the Inspectorate of Federal Buildings at Berne, who kindly placed at their disposal an architect of interior lay-out, who specialised in the group-purchase of office furniture and supplies. A general plan was drawn up and submitted, together with a programme. By the end of 1961, the entire operation of replenishment and modernisation was completed. It had been financed entirely by the fund provided for the maintenance and renewal of office furniture and supplies. This fund no longer serves a purpose, and was finally exhausted and wound up on the 31st December, 1961.

e) Postage and telephones.

The changes in the costs incurred in respect of postage and telephone charges enable a general appreciation to be made of the activities of the organisation. Expenditure on postal services increased in 1961, which provides evidence of the activity of the United Bureaux. Strict rules as regards postal expenses

have been drawn up within the organisation to enable precise determination to be made in respect of the postage costs of the different Unions. Grouping of despatch is practised, in order to avoid a single addressee receiving, on the same day, several separate packages emanating from one or other Sections of the Bureaux.

Telephone conversations have been the subject of a regulation by a service instruction of February, 1961, especially as regards telephone conversations outside Switzerland, for which the charges are extremely high. The service instruction issued for this purpose specifies which persons are entitled to make international calls, and the manner in which they must keep a record of them; similarly, rules have been made to be followed in the case of private calls, and for which any staff using the office telephones are required to pay.

6. MISCELLANEOUS

This budgetary chapter consists of eight sections, certain of which will appear in it for the last time in 1961; for example, that relating to subscriptions to newspapers.

a) Library

In the course of 1961, 965 volumes were entered in the Library register of receipts, representing a total of 383 new or re-catalogued works.

The catalogues of these works are drawn up under a double heading:

- that containing the old classification ("I" for industrial property, "L" for literary property and "V" for "various"), in accordance with the order of accession of the volumes; and
- that inaugurating the system recommended by the General Report on the Library, of the 27th September, 1960, and permitting a scientific classification of works by subject.

The works dealt with have necessitated the creation of 9,482 index cards incorporated into an alphabetical card index under the names of authors and titles, a classified subject index, a geographical index and an alphabetical subject index.

A new register of receipts in respect of loose sheets was drawn up at the beginning of 1961.

The principal effort of the past year was in respect of periodicals. Henceforth they will be positively indexed and catalogued. A "Kardex" and circulation index permit the registration of periodical issues as they arrive, and trace to be kept of those issued by the various services, or outside them.

On the 31st December, 1961, the Library was in possession of 406 different periodicals, and it is estimated that, of this number, the Library was the only place in Switzerland to possess or receive more than half of them.

The catalogue of our periodicals was communicated to the National Library at Berne, for inclusion in its central index, and in the catalogues of non-Swiss and Swiss periodicals received by Swiss Libraries.

As from January, 1961, a monthly list of works and periodicals catalogued each month is published regularly, and enables the staff of the Bureaux (and even certain non-Swiss Libraries) to be kept informed of new acquisitions, and of the activities of the Library.

Finally, among the numerous related activities may be mentioned the participation of the Library of BERPI at the First International Cataloguing Congress, which was held at Paris last October, with the object of drawing up the bases of an international cataloguing code, applicable to all Libraries of the World.

b) Unforeseen and miscellaneous items.

This section covers expenses which could not be conveniently included under one or other of the principal budgetary chapters, as, for example:

- poundage on postal cheques;
- subscription to the International Association for the Protection of Industrial Property;
- tips to postmen and porters;
- expenses connected with the opening of the building.

c) Removal to Geneva.

The United Bureaux, having transferred their headquarters from Berne to Geneva, were obliged, in their capacity as employers, to accept the responsibility of the costs of removal

of their staff, who were compelled to change their place of abode. For this purpose, very detailed directives were drawn up by the Supervisory Authority, applying, by analogy, the rules and regulations concerning removals of officials of Swiss nationality, for example, members of diplomatic missions, who are subject to frequent changes.

The United Bureaux were able to benefit from the advice of specialist officials in Swiss Government services as regards agreements covering removals.

With one exception, all the staff of the United Bureaux were living in Geneva at the end of 1961.

d) Miscellaneous insurances.

Under this heading appear expenses in respect of insurance premiums guaranteeing the United Bureaux against the risks of civil responsibility, and against the risks which arise as a result of their ownership of property.

B. GENERAL ACCOUNTS FOR THE YEAR 1961⁽¹⁾

The accounts for the year 1961 are later set out in the form of three tables, namely:

- Working account for 1961: Expenditure
- Working account for 1961: Receipts
- Working account for 1961: Summary

The account for the year 1961, as regards expenditure, has been drawn up in such a manner as to give an overall view, incorporating details of the five Unions.

The six budgetary chapters, numbered 1 to 6, include, the title of the chapter and the total sum of expenditure which it covers. Immediately below these indications in heavy type will be found the normal typographical characters, indicating the details of each of the sections of the chapter.

(1) In the Management Report, the accounts are drawn up in Swiss Francs.

The hurried reader can restrict himself to reading the indications and figures in heavy type.

Apart from the left-hand column giving the wording of the accounts, expenditure is set out in 6 columns, each divided into three, in the following order:

- United Bureaux	Columns 1, 2, 3
- Union of Paris (Industrial)	" 4, 5, 6
- Union of Madrid (Marks)	" 7, 8, 9
- Union of The Hague (Designs & Models)	" 10,11,12
- Union of Nice (Classification)	" 13,14,15
- Union of Berne (Literary)	" 16,17,18

Columns 1, 2 and 3 relating to the United Bureaux set out the total expenditure of the Bureaux.

In Column 1 the grand total is set out. Thus, for example, for Chapter 1 dealing with personnel, the grand total is 1,228,602 francs 50 centimes. This grand total is subsequently split into two classes of expenditure:

- Column 2: specific expenditure;
- Column 3: common expenditure.

Specific expenditure represents expenditure incurred specifically on behalf of a given Union.

In Column 3, under common expenditure, the sums which represent the cost of common services are indicated (Management, as such, Administrative Division and Legal Division).

It will be seen that the combined amounts of Columns 2 and 3 make up the amount of Column 1.

We have indicated that the general expenditure in connection with personnel amounts (Column 1) to Frs. 1,228,602.50

This sum is divided as follows:

Specific expenditure (Column 2)	574,257.35
Common expenditure (Column 3)	<u>654,345.15</u>
Total	Frs. 1,228,602.50

which corresponds to that of Column 1.

The same presentation in three columns is repeated for each of the five Unions. Thus, for example, for the Industrial Union, the total amount of expenditure will be found in Column 4 and, immediately afterwards, in Columns 5 and 6, there will be found the division of this total, according to whether specific expenditure or a portion of common expenditure is involved.

The same general method of presentation has been adopted for the following table, which is that of receipts. There, equally, are eighteen columns; that is, three columns for the United Bureaux and three for each of the five Unions.

Subject of account	United Bureaux			Union of Paris			Total
	Grand Total	Specific expenditure	Common expenditure	Total	Specific expenditure	Portion of common expenditure	
EXPENDITURE	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.
1. Personnel	1 228 602.50	574 257.35	654 345.15	344 552.45	125 992.10	218 560.35	665 196.80
Salaries of Permanent Staff	738 216.45	345 866.39	392 350.06	223 304.10	86 792.30	136 511.80	380 209.34
Salaries of Temporary Staff	239 595.35	109 666.35	129 929.—	45 248.05	9 013.35	36 234.70	161 287.05
Cost of Living increases	16 060.20	5 346.60	10 713.60	3 070.35		3 070.35	8 901.45
Special Grants	47 564.60	22 899.85	24 664.75	25 567.20	16 149.85	9 417.35	17 495.50
Social Service Grants by Employer	187 165.90	90 478.16	96 687.74	47 362.75	14 036.60	33 326.15	97 303.46
2. Conferences and Travelling	115 869.30	109 067.30	6 802.—	47 181.35	44 164.15	3 017.20	1 177.50
Travelling costs and day-to-day expenditure	28 241.80	23 640.20	4 601.60	20 252.10	18 792.90	1 459.20	1 177.50
Cost of Secretariat, interpreting and recep- tions	2 048.90	1 601.90	447.—	1 492.90	1 246.30	246.60	
International Committees and Diplomatic Conferences	85 578.60	83 825.20	1 753.40	25 436.35	24 124.95	1 311.40	
3. Collaboration by Third Parties	21 661.12	21 661.12		10 911.40	10 911.40		
Fees and expenses of collaboration	9 763.30	9 763.30		5 262.05	5 262.05		
Fees and expenses of translation	11 897.82	11 897.82		5 649.35	5 649.35		
4. Printing	364 866.45	364 866.45		35 460.10	35 460.10		287 413.50
Official Periodicals	301 199.05	301 199.05		29 107.65	29 107.65		238 051.20
Leaflets and Forms	63 667.40	63 667.40		6 352.45	6 352.45		49 362.30
5. Rent, furniture and Supplies	373 549.48	123 746.82	249 802.66	51 730.38	6 432.39	45 297.99	265 588.27
Rent	119 000.—		119 000.—	22 719.—		22 719.—	69 434.50
Heating, lighting, water	20 444.70		20 444.70	3 902.85		3 902.85	11 929.—
Cleaning and Maintenance	14 180.65		14 180.65	2 676.90		2 676.90	8 346.20
Furniture	117 592.72	71 421.—	46 171.72	5 529.—		5 529.—	108 983.34
Office supplies	26 726.14	2 435.60	24 290.54	5 418.14	397.90	5 020.24	16 283.85
Postage	49 890.22	49 890.22		6 034.49	6 034.49		35 300.73
Telephones	25 715.05		25 715.05	5 450.—		5 450.—	15 310.65
6. Miscellaneous	123 715.55	87 524.62	36 190.93	87 637.50	79 307.60	8 329.90	22 250.44
Library	12 196.54		12 196.54	3 658.95		3 658.95	2 439.33
Subscription to newspapers	348.55		348.55	69.70		69.70	212.60
Unforeseen expenses and miscellaneous	24 392.06	10 262.62	14 129.44	11 309.55	8 018.40	3 291.15	9 324.51
Payment to guarantee fund for management of trade marks	1 000.—	1 000.—					1 000.—
Removals to Geneva	6 262.—	6 262.—		1 289.20	1 289.20		2 996.20
Payment to fund to meet unrecovered debts	10 000.—	10 000.—		10 000.—	10 000.—		
Payment to fund for ultimate repayment of loan from Madrid Arrangement	60 000.—	60 000.—		60 000.—	60 000.—		
Miscellaneous insurances	9 516.40		9 516.40	1 310.10		1 310.10	6 277.80
Total expenditure	2 228 264.40	1 281 123.66	947 140.74	577 473.18	302 267.74	275 205.44	1 241 626.51

* See pages 27 e and 27 f.

Union of Madrid		Union of The Hague			Union of Nice			Union of Berne		
Specific expenditure	Portion of common expenditure	Total	Specific expenditure	Portion of common expenditure	Total	Specific expenditure	Portion of common expenditure	Total	Specific expenditure	Portion of common expenditure
Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14	Column 15	Column 16	Column 17	Column 18
Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.
358 136.25	307 060.55	79 901.95	45 495.35	34 406.60	6 689.35		6 689.35	132 261.95	44 633.65	87 628.30
197 599.09	182 610.25	45 994.95	29 280.—	16 714.95	5 804.36		5 804.36	82 903.70	32 195.—	50 708.70
90 513.—	70 774.05	20 868.20	10 140.—	10 728.20	7.80		7.80	12 184.25		12 184.25
5 346.60	3 554.85	726.50		726.50				3 361.90		3 361.90
5 950.—	11 545.50	1 145.05		1 145.05				3 356.85	800.—	2 556.85
58 727.56	38 575.90	11 167.25	6 075.35	5 091.90	877.19		877.19	30 455.25	11 638.65	18 816.60
	1 177.50	1 103.90	457.40	646.50				66 406.55	64 445.75	1 960.80
	1 177.50	1 103.90	457.40	646.50				5 708.30	4 389.90	1 318.40
								556.—	355.60	200.40
								60 142.25	59 700.25	442.—
								10 749.72	10 749.72	
								4 501.25	4 501.25	
								6 248.47	6 248.47	
287 413.50		11 662.35	11 662.35					30 330.50	30 330.50	
238 051.20		8 570.95	8 570.95					25 469.25	25 469.25	
49 362.30		3 091.40	3 091.40					4 861.25	4 861.25	
107 356.88	158 231.39	25 116.22	2 551.30	22 564.92	310.65	65.—	245.65	30 803.96	7 341.25	23 462.71
	69 434.50	14 672.—		14 672.—	97.50		97.50	12 077.—		12 077.—
	11 929.—	2 520.90		2 520.90	16.80		16.80	2 075.15		2 075.15
	8 346.20	1 720.40		1 720.40	11.35		11.35	1 425.80		1 425.80
70 101.—	38 882.34	202.87		202.87				2 877.51	1 320.—	1 557.51
1 955.15	14 328.70	1 774.35	82.55	1 691.80	120.—		120.—	3 129.80		3 129.80
35 300.73		2 468.75	2 468.75		65.—	65.—		6 021.25	6 021.25	
	15 310.65	1 756.95		1 756.95				3 197.45		3 197.45
5 352.07	16 898.37	3 536.20	565.45	2 970.75				10 291.41	2 299.50	7 991.91
	2 439.33	853.75		853.75				5 244.51		5 244.51
	212.60	24.40		24.40				41.85		41.85
1 355.87	7 968.64	1 515.60	565.45	950.15				2 242.40	322.90	1 919.50
1 000.—										
2 996.20								1 976.60	1 976.60	
	6 277.80	1 142.45		1 142.45				786.05		786.05
758 258.70	483 367.81	121 320.62	60 731.85	60 588.77	7 000.—	65.—	6 935.—	280 844.09	159 800.37	121 043.72

Subject of account	United Bureaux			Union of Paris			Total
	Grand Total	Specific receipts	Common receipts	Total	Specific receipts	Portion of common receipts	
RECEIPTS	Column 1 Fr.	Column 2 Fr.	Column 3 Fr.	Column 4 Fr.	Column 5 Fr.	Column 6 Fr.	Column 7 Fr.
1. Union of Paris	577 473.18	565 022.88	12 450.30	577 473.18	565 022.88	12 450.30	
Quota under Convention				521 979.—	521 979.—		
Subscriptions, sale of documents				42 249.78	42 249.78		
Miscellaneous receipts				794.10	794.10		
Rent				12 450.30		12 450.30	
2. Union of Madrid	1 839 793.73	1 801 132.18	38 661.55				1 839 793.73
Principal receipts							1 466 502.—
Complementary receipts							71 125.—
Surtax for lists of goods							16 298.70
Miscellaneous activities							54 294.—
Extracts from register							18 408.70
Searches for novelty							119 268.27
Subscriptions, sale of documents							46 823.79
Miscellaneous receipts							8 411.72
Rent							38 661.55
3. Union of The Hague	41 420.62	33 557.27	7 863.35				
Fees on applications							
Extension fees							
Miscellaneous activities							
Extracts from register							
Searches for novelty							
Subscriptions, sale of documents							
Miscellaneous receipts							
Rent							
4. Union of Nice	7 000.—	7 000.—					
Quota under Convention							
5. Union of Berne	253 844.09	247 291.29	6 552.80				
Quota under Convention							
Subscriptions, sale of documents							
Miscellaneous receipts							
Rent							
<i>Total receipts</i>	2 719 531.62	2 654 003.62	65 528.—	577 473.18	565 022.88	12 450.30	1 839 793.73

* See pages 27 e and 27 f.

51 (continued) *

Union of Madrid		Union of the Hague			Union of Nice			Union of Berne		
Specific receipts	Portion of common receipts	Total	Specific receipts	Portion of common receipts	Total	Specific receipts	Portion of common receipts	Total	Specific receipts	Portion of common receipts
Column 8	Column 9	Column 10	Column 11	Column 12	Column 13	Column 14	Column 15	Column 16	Column 17	Column 18
Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.
1 801 132.18	38 661.55									
1 466 502.—										
71 125.—										
16 298.70										
54 294.—										
18 408.70										
119 268.27										
46 823.79										
8 411.72	38 661.55									
		41 420.62	33 557.27	7 863.35						
		15 365.—	15 365.—							
		13 350.—	13 350.—							
		190.—	190.—							
		925.—	925.—							
		389.30	389.30							
		1 507.90	1 507.90							
		1 830.07	1 830.07							
		7 863.35		7 863.35						
					7 000.—	7 000.—				
					7 000.—	7 000.—				
								253 844.09	247 291.29	6 552.80
								231 400.—	231 400.—	
								15 705.29	15 705.29	
								186.—	186.—	
								6 552.80		6 552.80
1 801 132.18	38 661.55	41 420.62	33 557.27	7 863.35	7 000.—	7 000.—		253 844.09	247 291.29	6 552.80

SUMMARY

	United Bureaux	Union of Paris			Union of Madrid		
	Total receipts and expenditure	Total	Specific receipts and expenditure	Common receipts and expenditure	Total	Specific receipts and expenditure	Common receipts and expenditure
	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.	Fr.
RECEIPTS.	2 719 531.62						
Union of Paris		577 473.18	565 022.88	12 450.30			
Union of Madrid					1 839 793.73	1 801 132.18	38 661.55
Union of The Hague							
Union of Nice							
Union of Berne							
EXPENDITURE.	2 228 264.40						
Union of Paris		577 473.18	302 267.74	275 205.44			
Union of Madrid					1 241 626.51	758 258.70	483 367.81
Union of The Hague							
Union of Nice							
Union of Berne							
<i>First result</i>	491 267.22	—	<i>Excess of receipts</i>		598 167.22	<i>Excess of expenditure</i>	
Payment to States of a portion of profits of Madrid Union	408 000.—			<i>deduct</i>	408 000.—		
<i>Final Result of account for 1961</i> .	83 267.22			<i>Excess of receipts</i>	190 167.22	<i>Excess of expenditure</i>	

BALANCE SHEET FOR 1961 *

Union of The Hague			Union of Nice			Union of Berne		
Total	Specific receipts and expenditure	Common receipts and expenditure	Total	Specific receipts and expenditure	Common receipts and expenditure	Total	Specific receipts and expenditure	Common receipts and expenditure
Column 8 Fr.	Column 9 Fr.	Column 10 Fr.	Column 11 Fr.	Column 12 Fr.	Column 13 Fr.	Column 14 Fr.	Column 15 Fr.	Column 16 Fr.
41 420.62	33 557.27	7 863.35	7 000.—	7 000.—		253 844.09	247 291.29	6 552.80
121 320.62	60 731.85	60 588.77	7 000.—	7 000.—		280 844.09	159 800.37	121 043.72
79 900.—			—	<i>Excess of expenditure</i>		27 000.—		
79 900.—				<i>Excess of expenditure</i>		27 000.—		

* Accounts verified and found correct.

The Director of the Federal Office of Finance:

LEHMANN.

GENERAL BALANCE SHEET OF THE UNITED INTERNATIONAL SERVICE

(Before share of the profits relating to the Service of international protection)

<u>CREDIT</u>	Fr.	Fr.
Exchequer account (Liquid assets).....		955,431.51
Countries members of the Industrial Union		
Contributions before 1961	220,908.58	
Contributions during 1961	<u>541,979.—</u>	762,887.58
Arrangement relating to designs or models:		
Surplus over expenditure, 1959	67,875.82	
Surplus over expenditure, 1960	88,822.—	
Surplus over expenditure, 1961	<u>79,900.—</u>	236,597.82
Countries members of the Union of Nice		
Contributions during 1961		7,000.—
Countries members of the Literary Union:		
Contributions before 1961	244,639.42	
Contributions during 1961	<u>231,400.—</u>	476,039.42
Literary Union:		
Excess expenditure, 1961		27,000.—
Other debtors		31,756.25
Building account		2,538,228.30
Transitional accounts		31,179.16
<u>Investments:</u>		
Management Fund in respect of trade marks		157,023.75
Social arrangements in favour of personnel		<u>2,353,033.41</u>
		<u>7,576,177.20</u>

Geneva, 31st December, 1961.

BUREAU, AS AT 31st DECEMBER, 1961.

registration of trade marks in favour of members of the Madrid Arrangement)

<u>DEBIT</u>	Fr.
Trade Mark Service: portion of the profits of 1961 to be shared among member States	408,000.—
Fees and deposits	360,204.76
Sundry debts	173,730.18
 Industrial Union:	
Provision for repayment of advances made by the trade mark service	145,000.—
Provision in respect of unrecovered debts	39,141.40
 Countries members of the Madrid Arrangement: Balancing Fund	956,554.63
Provisional Fund	387,544.68
Transitional Account	30,446.70
Provision for future expenses	43,311.23
Building Fund	93,000.—
 <u>Capital:</u>	
Management Fund in respect of trade marks	1,222,023.75
Social Institutions for the benefit of personnel	3,717,219.87
	<hr/>
	7,576,177.20
	<hr/>

<u>Expenses</u>	Fr.
Pensions paid	106,189.80
Anticipated balancing amount 1960	1.30
	106,191.10

BALANCE ON

CREDIT

<u>Investments</u>		
Swiss Confederation (Account No.3,000,953-2)		1,877,846.11
Invested in building		1,364,186.46
		3,242,032.57
	Fr.	
Position on 31.12.60	3,274,838.26	
Result for 1961	32,605.69	
Position on 31.12.61	3,242,032.57	

CONTRIBUTORY
PROFIT AND

EXPENDITURE

Depositors:	Fr.	Fr.
Grants on termination of services	6,300.50	
Transfer of capital of a depositor to Fund for assured pensioners	850.00	7,150.90
 Assured persons:		
Grants on termination of services	4,547.—	
Payment by Bureaux to capital (on a retirement)	9,702.40	14,249.40
 Transferred capital of Assistance Fund up to 1st January, 1961		63,681.20
Amount transferred to capital		135,244.40
		222,329.90

LOSS ACCOUNT, 1961

Receipts

	Fr.
Gross interest on building account	93.76
Interest from Swiss Confederation	73,291.65
Balance transferred to capital	32,805.69
	106,191.10

31 DECEMBER, 1961

DEBIT

Capital

	Fr.	
Capital on 1.1.61.	3,274,838.26	
Increase	73,385.41	
	3,348,223.67	
Decrease	106,191.10	3,242,032.57
		3,242,032.57

PENSION FUND

LOSS ACCOUNT 1961

RECEIPTS

Depositors:

	Fr.	Fr.
Contributions by members	13,942.70	
Contributions by Bureaux	29,808.10	
Interest from Bureaux	1,241.45	
Interest on capital, 1961	1,875.25	
	46,867.50	
Depositors' capital transferred up to 1.1.61.	65,685.20	112,552.70

Assured persons:

Contributions by members	18,687.30	
Contributions by Bureaux	37,425.—	
Entrance Premiums:	31,479.80	
	87,592.10	
Transfer from depositors' capital to assured capital: assured person	255.—	
Bureaux	595.—	
	850.—	
Payment to capital acquired by Fund (on a retirement)		88,442.10
Confederation interest on old Pension Fund Account		9,702.40
		11,632.70
		222,329.90

CREDIT

Investment

Fr.

Fr.

Swiss Confederation (Account No. 3 000 953 6) 475,187.30

Position on 31.12.60.	274,257.70	
Transfer from capital of the Assistance Fund	65,685.20	
1961 Outcome	135,244.40	
	<u> </u>	475,187.30
Position on 31.12.61.....	475,187.30	<u> </u>

C. GENERAL BALANCE SHEET FOR 1961.

This preceding table (pages 28 and 29) does not call for any special remarks, except as regards the building.

Since the accounts in respect of construction were still subject to verification on the 31st December, 1961, the final settlement as regards building operations can only be resolved in the accounts for 1962.

D. ACCOUNTS AND BALANCE SHEET OF SOCIAL SERVICE FUND

We have already set out (pages 12 to 16) the legal and administrative bases of the two pension funds to which the staff of the United Bureaux belong.

The profit and loss account for 1961, and the balance sheet at 31st December, 1961, are set out following the general accounts.

E. SPECIAL FUND OF PROVISION...

1. Account in respect of provision for catalogues, indexes and publications.

This account was instituted in 1953 to make it possible for the United Bureaux to organise and produce publications and catalogues, the preparation and production of which would extend over several years, and could not be brought within the accounts of any one year.

On the 31st December, 1961, the account stood at 43,311 francs 23 centimes.

DEBIT

<u>Capital</u>	Fr.	Fr.
Depositors:		
Position on 1.1.61.	37,935.05	
Increase	32,464.25	
	<u> </u>	70,399.30
Assured persons:		
Position on 1.1.61.	238,554.55	
Increase	74,192.70	
	<u> </u>	312,747.25
Capital acquired in the Fund (depositors):		
Position on 1.1.61.	27,750.15	
Increase	7,252.35	
	<u> </u>	
	35,002.50	
Capital acquired in the Fund (assured persons):		
Position on 1.1.61.	35,703.15	
Increase	21,335.10	
	<u> </u>	
	57,038.25	92,040.75
		<u> </u>
		475,187.30
		<u> </u>

2. Guarantee Fund for the management of registered trade marks.

This fund was instituted by the Supervisory Authority upon the advice and recommendation of a meeting of Heads of the Offices of Industrial Property of the States of the Union of Madrid (Trade Marks), which met at Berne in the year 1953.

The justification of the fund is in the financial structure of the Madrid Arrangement relating to the international registration of trade marks. It is known that, in effect, this arrangement does not make provision for any financial contribution on the part of States. The Arrangement is limited to fixing the scale of fees and taxes in respect of marks deposited. Since the number of registrations depends, in the first instance, on the economic situation, the financial aspect of this international service presents a serious problem. The annual receipts are capable of either increasing or decreasing considerably. The guarantee fund for the management of marks has been established to offset, to a certain extent, these definite risks of fluctuation.

The total value of the fund, from the time of its inception, should represent an amount corresponding to a reserve of one franc* for each year of protection still to run in respect of

* This sum of one franc per unit, the assessment of which was studied in 1953, should be adjusted to 1 francs 50 centimes - see page 59 of "Madrid Union".

each mark deposited.

On the 31st December, 1961, this fund stood at 1,222,023 francs 75 centimes.

It should be noted, in passing, that the account for the annual working of the service of the international registration of trade marks presents, at the end of each year, a sum which is shown as a new amount: this sum constitutes, to some extent, a balancing amount, designed to supplement, if necessary, any insufficiency in the guarantee fund for the management of marks.

3. Fund making provision for repayment by the Union of Paris of a loan from the Union of Madrid (Marks).

This fund was instituted on a provisional basis upon the advice of the Meeting of Heads of Industrial Property Offices in 1960, at Geneva.

At the present moment it is known, on the basis of an expert assessment by the Supervisory Authority, that the expenses of the Industrial Union have been covered by advances from the service for the international deposit of trade marks.

It appeared to the Heads of Industrial Property Offices meeting at Geneva in 1960, that, whilst waiting for an ultimate decision of legal status on this point, it would be opportune to open, upon a purely provisional basis, a suspense account into which the Union of Paris could usefully place in reserve sums which would enable it, if necessary, to meet any future loan from the Union of Madrid (marks).

On the 31st December, 1961, this provisional account stood at 145,000 francs.

4. Provisional Fund to cover unrecovered debts.

It was also upon the advice of the Heads of Industrial Property Offices, meeting at Geneva in 1960, that this fund was established on a provisional basis. The participants of this meeting had displayed a certain amount of anxiety at the fact that certain Unionist States felt unable to pay the whole or part of their contributions, following certain events associated with international politics. This default in payments produced the result that the Swiss Confederation, charged under the Convention to make financial advances to the United Bureaux, finds itself without cover for fairly considerable sums. Certain of the Unionist countries who are thus in arrear contemplate asking the Union of Paris to waive the amount of these debts.

But such a decision of principle, having legal force, can only be taken with the unanimous consent of all the States who are members of the Union of Paris. If such a decision were taken, the Union of Paris would then have to accept liability for these irrecoverable arrears. The account has accordingly been opened on a provisional basis.

On the 31st December, 1961, the account stood at 39,141 francs 40 centimes.

5. Special Fund for the maintenance and renewal of furniture.

As previously set out in Part A, Chapter 5, letter d (page 22), this fund permitted the financing of the renewal of the furniture of the United Bureaux, following their transfer from Berne to Geneva. The account was finally wound up on the 31st December, 1961.

This is merely cited as a matter of record.

II. - PARIS UNION FOR THE PROTECTION OF
INDUSTRIAL PROPERTY

(Seventy-seventh year)

FIRST SECTION

PARIS UNION FOR THE PROTECTION OF INDUSTRIAL PROPERTY

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961)

Country	Class	Date of entry: General Union*	
Australia	III	5th August	1907
Territory of Papua and Territory under Mandate of New Guinea . . .	-	12th February	1933
Territory of Norfolk Island . . .	-	29th July	1936
Territory under Mandate of Nauru	-	29th July	1936
Austria	VI	1st January	1909
Belgium	III	commencement (7th July 1884)	
Brazil	III	commencement	
Bulgaria	V	13th June	1921
Canada	II	1st September	1923
Ceylon	VI	22nd December	1952
Cuba	VI	17th November	1904
Czechoslovakia	IV	5th October	1919
Denmark	IV	1st October	1894
Dominican Republic	VI	11th July	1890
Finland	IV	20th September	1921
France (Metropolitan Departments, Alger- ian Departments, Departments of the Sahara, Departments of Guadeloupe, Guiana, Martinique and Reunion and Overseas Territories)	I	commencement	

* The date given is that of the entry into force of the Convention.

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961) (contd).

Country	Class	Date of entry: General Union	
Germany	I	1st May	1903
Great Britain and Northern Ireland	I	commencement	
Territory of Tanganyika	-	1st January	1938
Trinidad and Tobago	-	14th May	1908
Singapore	-	12th November	1949
Greece	V	2nd October	1924
Haiti	VI	1st July	1958
Hungary	V	1st January	1909
Indonesia	IV	1st October	1888
Iran	IV	16th December	1959
Ireland	IV	4th December	1925
Israel	V	24th March	1950
Italy	I	commencement	
Japan	II	15th July	1899
Lebanon	VI	1st September	1924
Liechtenstein	VI	14th July	1933
Luxemburg	VI	30th June	1922
Mexico	III	7th September	1903
Monaco	VI	29th April	1956
Morocco ¹⁾	VI	30th July	1917

1) The Industrial Property Laws and the Offices of the three parts of this Unionist country (former French and Spanish Protectorates and Zone of Tangier) have not yet been coordinated.

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961) (contd).

Country	Class	Date of entry: General Union	
Netherlands	IV	commencement	
Surinam	-	1st July	1890
Netherlands Antilles	-	1st July	1890
Netherlands New Guinea	-	1st October	1888
New Zealand	IV	7th September 1891	
Western Samoa	-	29th July	1931
Norway	IV	1st July 1885	
Poland	III	10th November 1919	
Portugal	IV	commencement	
Rhodesia and Nyasaland (Federation of -)	VI	1st April 1958	
Roumania	IV	6th October 1920	
San Marino	VI	4th March 1960	
South Africa	IV	1st December 1947	
Spain	IV	commencement	
Sweden	III	1st July 1885	
Switzerland	III	commencement	
Syrian Arab Republic ²⁾	VI	1st September 1924	
Tunisia	VI	commencement	
Turkey	IV	10th October 1925	
United Arab Republic ²⁾	IV	1st July 1951	

2) Following the dissolution of the former United Arab Republic, the former Provinces of Egypt and Syria now appear as the United Arab Republic and the Syrian Arab Republic respectively.

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961) (contd).

Country	Class	Date of entry: General Union*	
United States of America	I	30th May	1887
Vatican (State of the City of the -)	VI	29th September	1960
Viet-Nam	VI	commencement	
Yugoslavia	IV	26th February	1921

B. DIPLOMATIC NOTIFICATIONS CONCERNING THE UNION
(RATIFICATIONS)

During 1961, the Swiss Federal Political Department informed the International Bureau for the Protection of Industrial Property that the following countries had deposited their instruments of ratification in respect of the Convention of Paris for the Protection of Industrial Property, as signed at Lisbon on 31st October, 1958: France (97)*, German Federal Republic (189), Czechoslovakia (229), Monaco (230), Great Britain (230) and United States of America (277). The Swiss Federal Political Department also informed the International Bureau that two States, Iran and Haiti, had notified their adhesion to the Lisbon text of the Convention of Paris (278). In accordance with Article 18 (1) of the Convention of Paris as revised at Lisbon on 31st October, 1958, the Lisbon text came into force on 4th January, 1962, as between the eight above-mentioned States.

During 1961, there were no new adhesions, denunciations or changes of class with respect to the Union of Paris.

*) The figures in brackets refer to pages in "La Propriété Industrielle" of 1961.

C. PERIODICAL REVIEW OF THE UNION : LA PROPRIETE INDUSTRIELLE

1. Summary of Contents

Material published in the course of 1961 included:

- a) Legislation from the following thirteen countries (eleven of which are Unionist countries): Austria, Denmark, Federal Republic of Germany, France, Great Britain, Ireland, Italy, Japan, Luxemburg, Norway and Yugoslavia, and two non-Unionist countries, Afghanistan and Kuwait.
- b) General studies in the form of "Letters" concerning the following eight countries: Austria, Afghanistan, Great Britain, New Zealand, Panama, Salvador, Yugoslavia, and Singapore, the Federation of Malaya and North Borneo.
- c) Case law from the following three Unionist countries: Belgium, Switzerland and Turkey.
- d) Reports of International Congresses and Meetings attended by representatives of the International Bureau.
- e) General statistics on industrial property received from Unionist States.

A number of other articles from contributors were published, covering a wide field of subjects such as new plant products, the Soviet patent and trade mark legislation, the "Spanish Champagne" case, harmonisation of patent legislation, national industrial property rights, nuclear patents, the organisation of the United International Bureaux, simultaneous use of the mark, the right of the inventor to exploit his invention and the European patent.

2. Administration

The monthly print of the ordinary edition of "La Propriété Industrielle" in French has remained at 1660. The total number of pages printed for 1961 reached 300 (3 issues with 20 pages, 6 issues with 24 pages, 2 issues with 28 pages and 1 issue with 40 pages).

Distribution was as follows:

Copies sent free of charge to Administrations	....	331
" for exchange purposes	.....	77
" distributed free of charge	.....	39
" to paying subscribers	.....	883
Reserve in stock	.....	330

Special edition

With regard to the special edition (printed on separate sheets on one side only), the monthly print has remained at 55, one copy being sent to an Administration, 50 copies to paying subscribers and 4 copies in reserve stock.

Industrial Property Quarterly

During the year we continued to publish the "Industrial Property Quarterly" which contained a considerable amount in English of the material published before or after in "La Propriété Industrielle".

The print for the "Industrial Property Quarterly" in English has remained for 1961 at 850 for each quarterly issue, with a total of 263 printed pages.

Distribution was as follows:

Copies sent free of charge to Administrations	109
" for exchange purposes	12
" distributed free of charge.....	12
" to paying subscribers	515
Reserve in stock	202
	<hr/>
	850
	<hr/>

It will be noted, however, that the Lisbon text of the Convention of Paris came into force on 4th January, 1962, and this text requires that for the purposes set out in Article 13 (2) and (5) of the Convention, the English language shall be employed as well as French. One of these purposes is the production of the review "La Propriété Industrielle" in English and accordingly, as from January 1962, there will be an English edition of this periodical to be entitled "Industrial Property".

This latter publication will appear monthly and will contain substantially the same material as contained in the French edition "La Propriété Industrielle". The appearance, however, of this official monthly review obviously implies the disappearance of the "Industrial Property Quarterly".

Efforts are being currently made in order that former subscribers to the "Industrial Property Quarterly" will become subscribers to the new "Industrial Property".

D. DIPLOMATIC CONFERENCES

There are now 50 States Members of the Union of Paris for the Protection of Industrial Property which are bound by four different texts. The following lists indicate the text by which each State is bound.

The Washington text of 1911: Bulgaria, Cuba and Roumania.

The Hague text of 1925: Brazil, Dominican Republic, Hungary, Poland, and Yugoslavia.

The London text of 1934: Australia¹⁾, (including the territory of Papua and Territory under Mandate of New Guinea; Territory of Norfolk Island), Austria, Belgium, Canada, Ceylon, Denmark, Finland, Greece, Indonesia, Ireland, Israel, Italy, Japan, Lebanon, Liechtenstein, Luxemburg, Mexico, Morocco, Netherlands (including Surinam, Netherlands Antilles and Netherlands New Guinea), New Zealand (including Western Samoa), Norway, the Federation of Rhodesia and Nyasaland, San Marino, South Africa, Spain, Sweden, Switzerland, Syrian Arab Republic, Tunisia, Turkey, United Arab Republic, Vatican and Viet-Nam.

The Lisbon text of 1958: Czechoslovakia, France (including Metropolitan Departments, Algerian Departments, Departments of the Sahara, Departments of Guadeloupe, Guiana, Martinique and Reunion and Overseas Territories), Germany, Great Britain and Northern Ireland 2), Haiti, Iran, Monaco and United States of America.

International Conference for the Protection of New Plant Products

(Paris, 21st November to 2nd December, 1961)

This important Conference, held under the Chairmanship of M. Henri Ferru (France), was a conclusion to the first Conference which took place in Paris from 7th to 11th May 1957, and which ended its work by drawing up a final Act determining the fundamental principles for the protection of new plant products and entrusting a Committee of Experts with the task of preparing a draft Convention.

-
- 1) The Territory under Mandate of Nauru is still bound by the text of The Hague (1925).
 - 2) The Territory of Tanganyika and Singapore are still bound by the text of London (1934), whereas Trinidad and Tobago are still bound by the text of The Hague.

Delegates from the following twelve countries participated at the Conference which was held in Paris from 21st November to 2nd December, 1961, at the "Centre des Conférences internationales": German Federal Republic, Austria, Belgium, Denmark, Spain, Finland, France, Italy, Netherlands, Great Britain, Sweden and Switzerland.

The discussion on all 38 Articles of the draft Convention first took place in the Committees appointed at the first session and in the General Commission and then at the last session, in the plenary Conference which approved the final text of the 41 Articles of the Convention, the Annex and a Recommendation.

It is important to note here that the new Union will, on the one hand, provide for the financial and administrative autonomy desired by the States participating in the Conference and, on the other hand, the operation of its Bureau within the general framework of the United International Bureaux in Geneva.

The Conference, in an aim to achieve both economy and technical and administrative cooperation between the three Unions, approved the regulation relating to such cooperation and the competence of the Swiss Confederation with regard to the supervision of the new Bureau, including its responsibilities as the Diplomatic Authority of the new Union.

The Conference took note of the reserve expressed by the Delegation of the Swiss Confederation to leave open for final decision by the Swiss Federal Council the acceptance of its mandate of supervising and controlling authority, after consultations with the Unions of Paris and Berne.

E. MEETINGS OF COMMITTEES OF THE UNION

In accordance with Resolution No. II adopted at the last Conference of Revision of the Paris Convention for the Protection of Industrial Property, held in Lisbon in October, 1958, the Swiss Government invited all the States Members of the Paris Union to attend the first meeting of the Consultative Committee set up as a result of that Resolution.

The Meeting took place at Geneva in the Conference Hall of the new administrative building from the 15th to 20th May, 1961, and was attended by representatives of thirty-seven States Members. The Meeting appointed M. Guillaume Finnis (France), Inspector-General of Industry and Commerce, Chairman

of the Conference.

This Committee adopted its own Regulations and these provide, in Article 6, for the establishment of a Permanent Bureau of 15 Members having as its object (a) the preparation, in agreement with the International Bureau, of the meetings of the Consultative Committee, and (b) the examination of the steps taken on its advice and to report on them. The Consultative Committee asked the competent authorities of the Swiss Confederation to put the Permanent Bureau in a position to call on the services of a group of three experts (as a maximum) on questions of organisation and finance with the object of making all necessary examination on the basis of documents and on the spot and to make a report on the present organisation and working of the International Bureau and on the method by which the expenses are and should be shared between the Paris Union and the other Unions.

In deference to this request, the Swiss Government appointed three experts to make the necessary examination and establish the required report. This report will be submitted to the Consultative Committee at its next meeting.

The first meetings of the Permanent Bureau took place immediately after the closing session of the Consultative Committee. Reports of these meetings were published in "La Propriété Industrielle", page 169, and in the "Industrial Property Quarterly", page 197.

F. MEETINGS, COMMITTEES AND CONGRESSES
AT WHICH THE UNION WAS REPRESENTED

During the course of 1961, the International Bureau for the Protection of Industrial Property was represented at the following Meetings and Congresses:

Working Party of Heads of European Examining Patent Offices (Munich, 16th to 21st January, 1961);

Expanded Bureau of the Committee of Experts on Patents of the Council of Europe (Paris, 16th and 17th March, 1961);

Committee of Experts on Patents of the Council of Europe (Strasbourg, 2nd to 6th May, 1961);

Congress of the International League against Unfair Competition (Dusseldorf, 8th to 10th May, 1961);

XVIIIth World Congress of the International Chamber of Commerce (Copenhagen, 22nd to 27th May, 1961);

Working Party of Heads of European Examining Patent Offices (Vienna, 19th June to 1st July, 1961);

General Assembly of the European Alliance of Press Agencies (Geneva, 12th July, 1961);

Executive Committee of the International Association for the Protection of Industrial Property (Ottawa, 25th to 29th September, 1961);

Committee of Experts on Patents of the Council of Europe (Strasbourg, 7th to 11th November, 1961);

Commission on the International Protection of Industrial Property of the International Chamber of Commerce (Paris, 23rd and 24th November, 1961);

The International Conference for the Protection of New Plant Products (Paris, 21st November to 2nd December, 1961).

G. ADMINISTRATIVE ACTIVITY OF THE BUREAU

During 1961, the Industrial Property Division of the International Bureau received and sent 2,639 letters, circulars, etc.

It should be noted that with regard to general correspondence, every effort has been made to answer letters in the language in which they were received. This has naturally involved a considerable amount of translation and correspondence is now currently carried on in French, English, German and occasionally, Italian.

The Industrial Property Bureau published the following:

Supplements for the year 1959 and 1960 to the "Tableau des Brevets" (in French only).

The English, German, Italian and Spanish official translation of the Lisbon texts of the Union Convention of Paris and the Arrangement of Lisbon for the Protection of Appellations of Origin and their International Registration; these translations have been published in booklet form with the French on opposite pages. The Portuguese translation will be published as soon as the text becomes available.

The English and French texts of the Agreement of The Hague for the International Deposit of Industrial Designs as

last revised at The Hague on 29th November 1960 (separate booklets contain the French and the English texts).

The Regulations of the Consultative Committee of the International Union for the Protection of Industrial Property (English and French versions contained in the same booklet). The Industrial Property Division was also directly responsible for preparing with the Swiss Government the first meeting of the Consultative Committee of the Paris Union. A number of working documents were prepared and established in French, English and Spanish. Later, full records of the meeting were despatched to States Members in English and in French.

The Industrial Property Division was also called upon to prepare a number of reports entailing research on behalf of Member Governments. These covered problems dealing with unfair competition, regulations governing the licencing of marks in the countries parties to the Union of Paris, etc.

Close contacts have been maintained throughout 1961 with the International Organisation for Standardisation, ISO, with a view to facilitating the work and aim of Technical Committee 81 which is to preserve ISO-adopted names for pesticides from becoming proprietary names through their registration as trade marks, sought the assistance of the International Bureau. Following an enquiry with all the States Members of the Paris Union, the International Bureau sent lists of ISO-adopted names for pesticides to all those Administrations which had intimated that they were prepared to take measures with a view to preventing such names from becoming registered trade marks. The majority of those who replied appeared able to take useful measures within their national laws.

In compliance with the provisions of Article 6 ter of the Paris Convention, the International Bureau transmitted to the Member States a list of official hall-marks communicated by the Italian Administration. It is expected that with the coming into force, on 4th January, 1962, of the Lisbon text of the Paris Convention, the flow of insignia from international organisations will require the establishment of a new register and possibly the publication of a loose leaf volume containing all such insignia.

H. ACCOUNTS FOR THE YEAR 1961

1. Accounts for the ordinary contribution
(Art.13 (6) of the Convention of Paris

	Fr.	Fr.
<u>Expenditures:</u> Personnel	314,552.45	
Conferences and travel	47,181.35	
Fees paid to outside collaborators	10,911.40	
Printing	35,460.10	
Offices, furniture, supplies	51,730.38	
Miscellaneous	87,637.50	
<u>Receipts:</u> Subscriptions, sale of documents .		42,249.78
Rent		12,450.30
Miscellaneous receipts		794.10
	<hr/>	
	577,473.18	55,494.18
		<hr/>
	577,473.18	577,473.18
	<hr/>	

This amount will be recovered, in Swiss francs, according to the following scale:

Class	Units per Class	Amount per Unit	Amount per Class	Number of Administrations	Totals	
					of units	of contributions
			Fr.			Fr.
I	25	437 fr.14,3 c.	10,928.60	5	125	54,643.—
I	25	758 fr.07,6 c.	18,951.90	4	100	75,807.60
II	20		8,742.85	2	40	17,485.70
II	20		15,161.70	1	20	15,161.70
III	15		6,557.15	7	105	45,900.05
III	15		11,371.15	7	105	79,598.05
IV	10		4,371.45	15	150	65,571.75
IV	10		7,580.75	13	130	98,549.75
V	5		2,185.70	5	25	10,928.50
V	5		3,790.30	3	15	11,370.90
VI	3		1,311.40	15	45	19,671.—
VI	3		2,274.25	12	36	27,291.—
Recapitulation:						521,979.—
				49	490	214,200.—
				40	406	307,779.—
						<hr/>
						521,979.—

Notes: I. The above scale contains two lines for each class, change of class or adhesion. On the first lines, the amounts of contributions indicated are calculated on the basis of the Conventional contribution of Sw.Frs. 214,200.— to be paid by all 49 Member States of the Union of Paris.

The second lines are reserved for the additional amounts due by 40 Member States of the Union of Paris which have notified their agreement to the increase of the contributions of the Bureau, for 1961, according to Resolution No. III of the Conference of Revision of the Convention of Paris, held at Lisbon from 6th to 31st October, 1958.

II. Those communications relating to the increase of contributions, which reached this Office after the date on which the accounts were closed, have not been taken into consideration in the establishment of the above scale.

2. Accounts for the extraordinary contribution
(Art.13 (7) of the Convention of Paris)

<u>Expenditure:</u>	Printing of the Acts of the Lisbon Conference	Fr. 20,000.—	
<u>Receipts:</u>	Conventional contribution	"	20,000.—
		Fr. 20,000.—	20,000.—

This amount will be recovered, in Swiss francs, according to the following scale:

Class	Units per class	Amount per unit	Amount per class	Number of Administrations	Totals	
					of units	of contributions
I	25	40 fr.81,6 c.	Fr. 1,020.40	5	125	Fr. 5,102.—
II	20		816.30	2	40	1,632.60
III	15		612.25	7	105	4,285.75
IV	10		408.15	15	150	6,122.25
V	5		204.10	5	25	1,020.50
VI	3		122.45	12	36	1,469.40
VI	3		122.50	3	9	367.50
				49	490	20,000.—

I. CONTRIBUTIONS IN ARREARS

On the 31st December, 1961, the situation with regard to contributions due in arrears and not paid was as follows:

Part of the contribution for 1939 is due by one Administration; the contributions from 1940 to 1944 are due by one Administration; the contributions from 1948 to 1951 are due by one Administration; the contribution for 1953 is due by one Administration and in part by one Administration; the contributions for 1954 to 1957 are due by two Administrations and in part by one Administration; the contributions for 1958 and 1959 are due by three Administrations and in part by one Administration; the contributions for 1960 are due by nine Administrations and in part by two Administrations.

The total sum of contributions in arrears amounted to SwFr. 220,908.58 at the end of 1961.

SECOND SECTION

MADRID UNION CONCERNING THE INTERNATIONAL REGISTRATION
OF TRADE MARKS

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961)

Country	Date of entry into Union:
Austria	1st January 1909
Belgium	commencement (15th July, 1892)
Czechoslovakia	5th October 1919
France (Metropolitan Departments, Algerian Departments, Departments of the Sahara, Departments of Guadeloupe, Guiana, Martinique and Reunion and Overseas Territories)	commencement
Germany	1st December 1922
Hungary	1st January 1909
Italy	15th October 1894
Liechtenstein	14th July 1933
Luxemburg	1st September 1924
Monaco	29th April 1956
Morocco	30th July 1917
Netherlands	1st March 1893
Portugal	31st October 1893
Roumania	6th October 1920
San Marino	25th September 1960
Spain	commencement

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961) (contd).

Country	Date of entry into Union:
Switzerland	commencement
Tunisia	commencement
United Arab Republic	1st July 1952
Viet-Nam	commencement
Yugoslavia	26th February 1921

B. DIPLOMATIC NOTIFICATIONS CONCERNING THE UNION

The Madrid Union has not been subject to any change during the year 1961.

C. PERIODICAL OF THE UNION: "LES MARQUES INTERNATIONALES"

Publication of 12079 marks and all operations dealing with the status of the marks in force, for all member countries.

A "Notice by the International Bureau on the reception of electrotypes for the registration of trade marks and their return to the owners" was published in the last two numbers of the year (11 and 12/1961).

<u>Printing and distribution</u>	<u>Ordinary Edition</u>	<u>Special Edition</u>
Copies for the Administrations of the countries of the Restricted Union	1949	94
Copies for propaganda	8	-
" " exchange	13	-
" " subscribers	695	32
Stock	195	14
	<u>2860</u>	<u>140</u>

12 numbers, appearing on the 20th of each month, containing in all 2267 pages. (Grand total: 3000 copies).

D. DIPLOMATIC CONFERENCES

The following 17 countries are parties to the London texts (1934) of the Arrangement of Madrid concerning the International Registration of Trade Marks: Austria, Belgium, France, Germany (Federal Republic), Italy, Liechtenstein, Luxemburg, Monaco, Morocco, Netherlands, Portugal, San Marino, Spain, Switzerland, Tunisia, United Arab Republic (Province of Egypt), Viet-Nam.

The three following countries: Czechoslovakia, Hungary and Yugoslavia, have remained bound by the text of The Hague (1925).

Rumania is still bound by the text of Washington (1911).

At the beginning of the year, the Principality of Monaco ratified the Arrangement of Madrid concerning the Registration of Trade Marks, as revised at Nice on 15th June, 1957.

The Nice text of the Arrangement has thus been ratified by the six following countries: Czechoslovakia, France, Italy, Principality of Monaco, Portugal and Spain. Rumania adhered to it, since she was not represented at the Conference of Nice.

E. MEETINGS OF COMMITTEES OF THE UNION

None.

F. MEETINGS, COMMITTEES AND CONGRESSES
AT WHICH THE UNION WAS REPRESENTED

None.

G. ADMINISTRATIVE ACTIVITIES

- I. Table of marks registered; }
II. Table of refusals. } See pages 54 to 56.

The marks registered during 1961 numbered 12079. For the first time since its creation, the International Marks Service has therefore registered, on an average, over one thousand marks a month.

Out of these 12079 marks, use was made in the case of 2535 (21%), of the possibility at the time of deposit of paying a fee covering ten years of protection.

Out of the 1484 marks registered in 1951 and for which the fee paid at the time of deposit covered only a period of protection of 10 years, the complementary payment to cover maintenance of the registration for the full period of 20 years was made in the case of 1105 marks, thus resulting in a percentage which appreciably exceeds that of the previous years (74.46% for 1961, as compared with 53% for 1960).

Applications for international registration comprising extension of one or several previous international registrations numbered 1449 (12.49%).

A colour or a set of colours was claimed as a characteristic, distinctive element in the case of 438 marks (3.62%).

There were 25615 notifications of refusal (total or partial) and of qualified acceptance (acceptance with a specific priority). There were 15310 "sequels to refusals", i.e., notifications establishing confirmation, modification or cancellation of the initial decision. Table II indicates the origin and number of these refusals.

During the year the Marks Service recorded 1476 assignments and 3036 "miscellaneous operations", this term being applied to limitations on the list of products for all contracting countries, to modifications of firms, changes in domicile or address, corrections and all changes which may affect the status of a mark for all countries.

STATISTICS OF INTERNATIONAL MARKS FROM COMMENCEMENT (1893 to 1961)
I. Marks Registered

Country of Origin	1893 - 1941 49 years	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	Total
Austria	7,058	.	.	.	.	.	34	498	339	346	328	251	278	242	329	341	302	394	326	368	373	11,807
Belgium	4,786	184	155	216	275	419	385	365	358	380	347	377	345	332	367	309	472	453	795	567	740	12,587
Brazil 1)	205	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	205
Cuba 2)	162	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	162
Czechoslovakia	3,808	219	432	385	62	182	438	481	221	182	148	69	103	122	102	104	170	188	160	116	161	7,853
Danzig 3)	56	.	.	.	.	.	.	.	.	.	.	.	.	19	19	3	1	5	2	4	13	56
Egypt	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	66
(Prov. of UAR)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	66
France	36,341	919	1105	894	1513	1968	1762	1893	1651	1557	1561	1401	1509	1837	1629	1463	1891	2383	2593	2643	2640	71,113
Germany	23,580	1284	2818	1868	676	2	.	.	36	1306	2708	3000	2678	2647	2628	2370	2137	2520	3104	3227	2963	64,380
(Fed. Rep.)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	64,380
(Dem. Rep.)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	2,209
Hungary	1,316	33	92	35	9	42	38	64	72	73	22	21	41	39	24	24	65	83	50	22	44	2,209
Italy	3,987	153	51	.	.	124	190	522	342	362	395	449	393	612	523	638	548	880	872	976	1225	13,243
Liichtenstein	12	.	.	.	.	.	1	18	3	11	20	20	41	33	107	59	76	27	21	17	83	657
Luxemburg	175	3	3	10	17	25	27	34	14	26	14	20	11	14	17	16	23	21	17	30	19	536
Mexico 4)	133	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	133
Monaco	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	10	.	.	.	.	180
Morocco	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	24	46	37	180
former French Zone } former Spanish Zone }	120	10	.	1	4	16	13	27	52	80	39	38	45	69	50	47	37	32	37	21	20	1,012
Zone of Tangier	.	.	.	.	.	1	.	19	9	10	23	16	20	21	26	37	21	31	16	4	.	21,369
Netherlands	8,295	293	304	355	139	534	502	903	743	796	591	571	736	618	760	723	657	785	876	1056	1132	21,369
Portugal	1,184	16	28	24	40	40	62	49	75	53	73	74	47	74	75	53	71	45	66	44	48	2,243
Rumania	66	.	3	2	.	.	.	.	.	.	.	.	.	.	.	.	.	.	3	27	13	114
San Marino	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	114
Spain	3,548	112	178	181	193	237	179	276	171	206	280	242	235	188	214	226	173	218	313	287	462	8,119
Switzerland	12,344	325	443	527	748	940	980	843	700	906	984	977	1061	1176	1073	1113	1182	1303	1430	1708	1745	32,508
Tunisia	48	.	.	4	5	14	4	17	12	6	16	6	4	12	6	4	1	4	6	5	3	177
Turkey 5)	67	.	.	.	1	16	1	2	1	7	20	9	7	1	2	2	.	.	.	.	.	136
Viet-Nam	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1
Yugoslavia	146	.	.	.	.	.	.	10	1	2	.	11	17	13	4	3	1	3	1	2	8	222
Latvia 6)	1	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1
Total	107,444	3551	5612	4502	3682	4560	4616	5981	4801	6309	7569	7552	7572	8069	7955	7909	8501	9873	11296	11662	12079	251,095

Footnotes: See page 55

Footnotes:

- 1) Brazil which became a Member of the Restricted Union in 1896 withdrew with effect from 8th December, 1934.
- 2) Cuba which became a Member of the Restricted Union in 1905 withdrew with effect from 22nd April, 1932.
- 3) As a result of its attachment to Poland, Dantzig ceased to be a Member of the Union set up under the Arrangement of Madrid.
- 4) Mexico which became a Member of the Restricted Union in 1909 withdrew with effect from 10th March, 1943.
- 5) Turkey which became a Member of the Restricted Union in 1925 withdrew with effect from 10th September, 1956.
- 6) Latvia which became a Member of the Restricted Union in 1925 withdrew with effect from 1926.

Note: The 12079 registrations of marks carried out in 1961 by the BIRPI correspond to 241 324 individual deposits which were reported to have been carried out directly in the various countries. This latter figure is reached by multiplying 12079 by 20 (the number of States of the Arrangement at the close of 1961, minus the country of origin, exclusive of the Colonies), and deducting from this total the 256 total immediate renunciations relating to a specific country.

The deposits carried out through the BIRPI over a period of 69 years between 1893 and 1961 are the approximate equivalent of 4 910 019 deposits of marks which had reportedly been carried out directly in the contracting countries.

Countries Refusing	Refusals from 1963 to 1961	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	Total	
Austria	7,037	.	.	.	.	.	49	692	713	1007	1786	1442	1004	753	864	1156	1390	1914	1970	2449	1752	25,688	
Belgium	70	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	70
Brazil (withdrawn)	4,525	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	4,525
Cuba (withdrawn)	24,863	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	24,863
Czechoslovakia	6,182	244	349	528	37	912	820	535	901	677	894	567	565	587	427	547	522	656	1462	1376	1250	20,110	
Denmark	10	.	.	.	.	.	.	.	.	.	.	6	91	120	37	30	25	48	35	62	69	531	
Egypt (Prov. of U.S.S.R.)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
France	83	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	83
Germany (Fed. Rep.)	31,260	988	1312	1187	179	.	.	.	.	1053	1916	2966	2662	3710	3179	3224	3732	3302	3461	6943	5934	81,435	
Germany (Dem. Rep.)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	295	450	644	644	977	1078	1291	.
Hungary	4,461	323	409	452	.	372	649	533	591	877	1520	1722	732	713	527	469	435	516	952	1282	2114	18,675	
Italy	43	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	43
Liechtenstein	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	1
Luxembourg	17	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	17
Mexico (withdrawn)	4,556	39	14	8	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	4,716
Morocco	27	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	27
(French Zone)	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Netherlands	31,753	1324	2211	1266	870	770	2613	1967	2410	2655	4826	4669	3775	3198	2853	2975	2651	2757	1972	4344	5111	86,500	
Indonesia, Surinam and Netherlands Antilles (withdrawn)	20,430	.	.	.	9	2	2	2	3	4	3	4	1	1	.	.	.	.	.	.	.	.	20,461
Portugal	3,435	307	208	277	192	.	353	634	673	644	674	633	665	865	1007	1162	1855	1568	1561	1953	1953	19,816	
Rumania	23	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	23
San Marino	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Spain	4,435	1571	231	394	138	431	682	732	662	1095	1156	2632	6256	3774	4425	3461	3921	5744	6147	7331	6937	60,695	
Switzerland	3,755	204	269	382	248	280	342	350	626	351	497	485	469	448	442	285	272	282	423	346	442	11,178	
Tenglova	.	.	.	.	.	1	1	.	.	.	.	.	.	.	2	1	1	11	5	1	1	27	
Turkcia	36	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	36
Turkey (withdrawn)	94	.	.	.	.	.	.	.	.	.	.	.	.	.	2	1	.	.	.	.	.	97	
Viet-Nam	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Yugoslavia	2,772	.	.	.	.	.	.	.	.	.	.	.	3	4	5	1	8	2	3	43	.	2,841	
Latvia (withdrawn)	2	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	2
Total	140,910	3685	5003	4464	1673	2769	5520	5426	6773	8374	13272	14542	16140	14169	12773	13519	14631	18235	19978	26718	25615	374,075	

* During the year 1961 we received communications regarding a total of 15,310 marks of decisions establishing confirmation, cancellation or modification of their initial notification of refusal.

There were 668 cancellations of marks for the contracting countries as a whole. Of these cancellations, 310 took place as a result of renunciation, 356 following failure to pay the complementary fee, and 2 resulting from the assignment of two marks to assignees who were not authorised to deposit an international mark (Article 9 bis (3) of the Arrangement of Madrid). The Service also recorded the cancellation of 465 national registrations which had served as a basis for that number of international registrations. These national cancellations do not, however, entail cancellations of the corresponding international registrations (a note to that effect was published in the Management Report of the year 1952, page 16).

There were 3448 total or partial renunciations (as compared with 2378 in 1960) for one or several of the contracting countries - but not for all. Out of these 3448, 1330 were "simultaneous renunciations", i.e., renunciations which were notified to us simultaneously with the application for international registration.

Total or partial invalidation decisions affected 116 marks. These decisions were of an administrative nature in the case of 107 marks and of a judiciary nature for 9.

Searches for anticipation numbered 3976 (as compared with 3577 in 1960, hence an increase of 10 per cent). Of these 3976 searches, 3885 referred to denominations, 77 to device marks and 14 to firms. We issued 2430 registration certificates referring to 2782 marks. In addition, we made out 62 "identity certificates" and took note of the re-assignment of 315 marks of German origin which, by reason of their origin, had been sequestrated in various countries as enemy property.

Correspondence of the Marks Division: 76182 letters, circulars, etc.

The new building enabled the Marks Service to operate and to serve in much more favourable conditions than the previous ones.

On 27th November, 1961, the 250,000th mark was registered. It represented the device of a sun, and may perhaps be thought a good omen!

H. ACCOUNTS FOR THE YEAR 1961

These accounts call for the following observations:

between 1933 and 1952, numbered 80,000. Counting the administrative management costs of these 80,000 marks at 1 franc per mark per year of protection still remaining to be covered, the capital of the Management Fund should have been at that time 1,000,000 francs in round figures, to cover the full administrative management costs of the 80,000 international marks still enjoying protection.

Since then the situation has radically changed:

- the number of international marks at present enjoying protection is no longer 80,000, but 130,000.
- the management costs, estimated at 1 franc per mark per year of protection should be readjusted, to take into account the increase in staff salaries, and costs of paper, printing and chancellery.

The value of management costs should be increased from 1 franc to 1.50 fr. per mark per year of protection.

Further on there will be found a recapitulative table drawn up during the year 1961, for the purpose of accurately fixing the capital sum which the Marks Management Fund should comprise, if it is to fulfil its function.

It should be recalled that over the period of its protection (20 years, or one period of 10 years, or two periods of 10 years) the legal status of a mark may vary. Two types of operations may take place:

- those which are registered and notified by means of payment of a special fee, and
- those which have to be carried out by the International Bureau free of charge, i.e., without collecting any ad hoc fee. Having paid the registration dues of his mark at the time of deposit, the applicant has thus met all his commitments. The International Bureau, however, cannot dispose as it pleases of the whole amount of the dues paid. The most elementary caution would lead the International Bureau to set aside a small part of this fee to cover the management costs of the mark which would be incurred throughout the whole period of protection of the said mark.

As will be seen by the Tables on pages 60 and 61, the Marks Management Fund should reach at present a total of Frs.2,243,218.50

The capital of the Marks Management Fund was, at 31st December, 1961	"	1,222,023.75
It might suitably be completed by possibly using the equalisation account which amounted at 31st December, 1961, to	"	956,554.63
Total		<u>Frs.2,178,578.38</u>

AMOUNT OF CAPITAL DUE TO THE MANAGEMENT FUND

Year of Registration	Number of marks registered for a duration of protection of			Years of protection remaining to be covered			Total of Management Costs
	20 years	10 years 1st period	10 years 2nd period	at Pcs.1.50 per annum per mark			
1960	9,500	2,162	551	20	10	10	285,000.— 32,450.— 8,265.—
1959	8,923	2,373	547	19	9	9	254,205.50 32,035.50 7,334.50
1958	7,813	2,060	481	18	8	8	210,951.— 24,720.— 5,772.—
1957	6,609	1,892	301	17	7	7	168,529.50 19,866.— 3,160.50
1956	6,312	1,597	374	16	6	6	151,488.— 14,373.— 3,356.—
1955	6,558	1,397	265	15	5	5	147,555.— 10,477.50 1,967.50
1954	6,676	1,393	379	14	4	4	140,196.— 8,358.— 2,274.—
1953	6,150	1,422	425	13	3	3	119,925.— 6,099.— 1,012.50
1952	6,121	1,431	512	12	2	2	110,178.— 4,293.— 1,536.—
1951	6,085	1,484	412	11	1	1	100,402.50 2,226.— 618.—
1950	5,273	1,036	327	10	10 protection expired		79,095.— 15,540.—
						Carry forward	1,974,619.50

(continued on following page)

AMOUNT OF CAPITAL DUE TO THE MANAGEMENT FUND (contd).

Year of Registration	Number of marks registered for a duration of protection of			Years of protection remaining to be covered	Total of Management Costs
	20 years	10 years 1st period	10 years 2nd period	at Frs.1.50 per annum per mark	
1949	3,963	858	341	9 protection expired protection expired	brought forward ... 1,974,619.50 53,500.50
1948	5,132	849	413	8 protection expired protection expired	61,584.--
1947	3,920	696	493	7 protection expired protection expired	41,160.--
1946	3,817	743	329	6 protection expired protection expired	34,353.--
1945	3,115	567	402	5 protection expired protection expired	23,362.50
1944	3,701	801	540	4 protection expired protection expired	22,206.--
1943	4,605	1,007	633	3 protection expired protection expired	20,722.50
1942	2,806	745	651	2 protection expired protection expired	8,418.--
1941	2,195	718	566	1 protection expired protection expired	3,292.50
					Total 2,243,218.50

If this capital of Frs.2,178,578,38 had to be reduced or diminished, another method would have to be found to guarantee applicants for marks that their files would be looked after throughout the whole period of protection still remaining to be covered.

Accounts of Financial Year 1961

	Fr.	Fr.
<u>Expenditure:</u> Personnel	665,196.80	
Conferences & travel ..	1,177.50	
Printing	287,413.50	
Offices, furniture & supplies	265,588.27	
Miscellaneous	22,250.44	
<u>Receipts:</u> Fees		1,745,896.67
Subscriptions, sale of documents		46,823.79
Rent		38,661.55
Miscellaneous		8,411.72
	<u>1,241,626.51</u>	<u>1,839,793.73</u>
Profit from the financial year 1961 before distribution of Frs.408,000 to the Member States	598,167.22	
	<u>1,839,793.73</u>	<u>1,839,793.73</u>
Surplus receipts for 1961	598,167.22	
There remained from the surplus receipts of the previous years	766,387.41	
Total	<u>1,364,554.63</u>	
 The International Bureau will pay:		
8,000 Swiss francs to each of the 21 States who were Members of the separate Union throughout the whole year 1961, i.e.	168,000.---	
12,000 Swiss francs in addition, to each of the 20 States in which the new regime introduced by the Conference of The Hague has been in force throughout the whole year 1961, i.e.	240,000.---	
Total distribution	408,000.---	
There will remain to be carried forward	956,554.63	
Total	<u>1,364,554.63</u>	

THIRD SECTION

UNION OF THE HAGUE CONCERNING THE INTERNATIONAL DEPOSIT
OF INDUSTRIAL DESIGNS OR MODELS

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961)

Country	Date of entry into the Restricted Union
Belgium	27th July 1929
France (Metropolitan Departments, Algerian Departments, Departments of the Sahara, Departments of Guadeloupe, Guiana, Martinique and Reunion and Overseas Territories)	20th October 1930
Germany	commencement (1st June, 1928).
Indonesia	commencement
Liechtenstein	14th July 1933
Monaco	29th April 1956
Morocco	20th October 1930
Netherlands	commencement
Surinam	commencement
Dutch West Indies	commencement
Dutch New Guinea	commencement
Spain	commencement
Switzerland	commencement
Tunisia	20th October 1930
United Arab Republic	1st July 1952
Vatican (State of the City of the -)	29th September 1960
Viet-Nam	commencement

B. DIPLOMATIC NOTIFICATIONS CONCERNING THE UNION

No accessions, ratifications or denunciations occurred during the year 1961.

C. PERIODICAL REVIEW OF THE UNION

The periodical "International Designs and Models": 12 monthly numbers including 312 pages were published.

Printing and distribution

Copies for the Administrations of the countries of the Arrangement	96
" for propaganda	11
" " exchange	1
" " subscribers	102
Stock	40
	<hr/>
	250

D. DIPLOMATIC CONFERENCES

The Diplomatic Conference of Monaco (13th to 18th November, 1961), was convened by the Government of the Principality of Monaco, with the assistance of the International Bureau for the Protection of Industrial Property, with a view to adopting an Agreement on the financial equilibrium of the Union of The Hague for the International Deposit of Industrial Designs or Models, and an Additional Act to the Arrangement of The Hague, of 6th November, 1925, revised in London on 2nd June, 1934. The Conference met under the Chairmanship of H.E. Mr. Arthur Crovetto, Head of the Monegasque Delegation.

Mr. Guillaume Finmiss, Inspector-General of the French Ministry of Industry and Commerce, Director of the National Institute of Industrial Property, in Paris, and President of the International Patents Institute of The Hague, was appointed Vice-President of the Conference and President of the General Commission. Mr. C.J. de Haan (Netherlands), President of the Octrooirad, of The Hague, acted as Rapporteur General,

and Mr. Morf (Switzerland), Director of the Federal Bureau of Intellectual Property, in Berne, was President of the General Drafting Commission.

The following sixteen countries were represented: Austria, Belgium, France, Germany (Federal Republic), Hungary, Italy, Liechtenstein, Monaco, Morocco, Netherlands, San Marino, Spain, Switzerland, United Arab Republic, Vatican (State of the City of the -), Yugoslavia.

Austria, Hungary, Italy, San Marino, the United Arab Republic and Yugoslavia attended the Conference in the capacity of observers.

The Additional Act to the Arrangement of The Hague, of 6th November, 1925, revised on 2nd June, 1934, in London, instituting additional fees for the international deposits and for all other operations provided for under the above Arrangement, was signed by the representatives of the following seven countries: France, Germany (Federal Republic), Liechtenstein, Monaco, Netherlands, Switzerland and the State of the City of the Vatican.

The Act, composed of eight articles, will enter into force upon the expiry of one month from the date of despatch by the Government of the Swiss Confederation to the contracting countries, of notification of the deposit of the second instrument of ratification.

The Conference adopted a Voëu inviting each member country of the Union of The Hague to take all necessary steps to ratify the Additional Act as soon as possible.

The Conference also adopted a Resolution stating that the final settlement of the deficit of the Union of The Hague would be carried out under conditions which would be determined subsequently through the intermediary of the Swiss Government, after submission of the conclusions of the experts appointed by that Government at the request of the Consultative Committee of the Union of Paris.

There are at present 14 Member States of the Restricted Union of The Hague concerning the International Deposit of Industrial Designs or Models which are all bound by the Text of London of 1934:

Belgium, France (Metropolitan Departments, Algerian Departments, Departments of the Sahara, Departments of Guadeloupe, Guiana, Martinique and Reunion and Overseas Territories), Germany, Indonesia, Liechtenstein, Monaco, Morocco, Netherlands (Surinam, Dutch West Indies, Dutch New Guinea), Spain, Switzerland, Tunisia, United Arab Republic, Vatican (State of the City of the -), Viet-Nam.

E. MEETINGS OF COMMITTEES OF THE UNION

A Committee of Experts met at Monaco from 29th to 31st May, 1961, to consider the documents prepared by the International Bureau, with a view to drawing up the final text of the Agreement concerning the financial equilibrium of the Union of The Hague, and of the Additional Act.

This meeting was attended by experts belonging to certain Unionist countries which might have possibly to bear the surplus expenditure, i.e., France, Germany and Switzerland, under the Chairmanship of the Monegasque expert.

F. MEETINGS, COMMITTEES AND CONGRESSES AT WHICH THE UNION WAS REPRESENTED

None.

G. ADMINISTRATIVE ACTIVITY OF THE BUREAU

- Letters

In 1961 the correspondence relating to the Union of The Hague included 4980 items.

- Preliminary Documents

A first draft proposal was prepared with a view to solving the financial problems involved in the service for the international deposit of industrial designs or models. That draft was first framed in the form of an Additional Declara-

tion to the Arrangement of The Hague of 6th November, 1925,
revised in London on 2nd June, 1934, with a view to cover-
ing the annual expenses and the surplus expenditure which
had occurred, dating from 1938, by surtaxes fixed for
deposits, their extensions and for the other operations.
The Additional Declaration (6 pages), composed of an Ex-
planatory Note and of 4 articles was amended and trans-
formed into a Transitional Agreement on the additional
fees concerning the international deposit of industrial
designs or models. The document (17 pages) was composed of
explanatory notes, a transitional Preliminary Draft Agree-
ment to fix the additional fees (3 articles), and a Preli-
minary Draft Additional Agreement to cover the surplus
expenditure for the year 1939-1960. This preliminary docu-
ment was sent on 8th May, 1961, to all the administrations
of the Member countries of the separate Union of The Hague.
Then the preliminary Draft was amended in the form of an
Agreement concerning the financial equilibrium of the Union
of The Hague for the International Deposit of Industrial
Designs or Models and an Additional Act to the Arrangement
of The Hague (text of London) (17 pages), which was also
sent to the Member countries of the separate Union.

These documents were examined by a Committee of Experts
(Cf. Letter E above), with a view to drafting the final text.
They formed the preliminary Documents - Proposals with Ex-
planatory Notes concerning the Agreement and the Additional
Act - published in August 1961 (24 pages) and sent to the
Governments of the 14 countries of the separate Union of The
Hague, and to the Governments of the Member countries of the
separate Union of Madrid concerning the International Regis-
tration of Trade Marks. These countries were also concerned
in the financial equilibrium of the Union of The Hague on
account of the loans made to the latter by the separate
Union of Madrid.

- Practical cases handled.

During the year, 40 practical cases of an administrative
character and 15 questions of a legal nature were handled in
the form of letters, and telephone or verbal replies to those
concerned.

To simplify matters, the International Bureau abandoned
the method of requiring representatives to produce a power of
attorney signed by the applicants for the deposit of designs
or models.

2125 deposits were registered, of which 1177 were single
deposits and 948 were multiple deposits. In all, these
deposits comprised 31,182 articles. There were 499 applica-
tions for extension, of which 290 concerned single deposits

and 209 multiple deposits. The extended deposits originated from Belgium 29, France 132, Germany (Federal Republic) 116, and (Democratic Republic) 2, Liechtenstein 7, Monaco 2, Morocco 3, Netherlands 9, Spain 4, Switzerland 194, United Arab Republic 1. Note was taken of 50 assignments of international deposits or other operations related thereto. 172 certificates of registration and other identification certificates were issued. 282 deposits were consulted and 42 searches were carried out in the index of applicants.

The tables on page 69 indicate the number, nature and origin of the deposits registered since the inception of the service, and the number of articles. They also supply information on the total and origin of the deposits extended.

<u>H. ACCOUNTS FOR THE YEAR 1961</u>		Fr.	Fr.
<u>Expenditure:</u>	Staff	79,901.95	
	Conferences & travel .	1,103.90	
	Printing	11,602.35	
	Offices, furniture and supplies	25,116.22	
	Miscellaneous	3,536.20	
<u>Receipts:</u>	Fees		30,219.30
	Subscriptions, sale of documents		1,507.90
	Rent		7,863.35
	Miscellaneous receipts		1,830.07
		<u>121,320.62</u>	<u>41,420.62</u>
Surplus expenditure for the finan- cial year 1961			<u>79,900.--</u>
		<u>121,320.62</u>	<u>121,320.62</u>
Surplus expenditure at 31 Dec.1959			67,875.82
Surplus expenditure at 31 Dec.1960			88,822.--
Surplus expenditure at 31 Dec.1961			79,900.--
Total surplus at 31 Dec.1961			<u>236,597.82</u>

Year	Deposits Registered	Open Deposits	Sealed Deposits	Single Deposits	Multiple Deposits	No. of Objects contained in Deposits	Deposits Prolonged
1928 to 1946 ..	10,819	4,041	6,778	4,067	6,752	621,647	1,937
1947	564	206	358	300	264	14,452	110
1948	645	218	427	311	334	20,177	114
1949	752	298	454	389	363	25,127	112
1950	847	372	475	455	392	21,029	143
1951	788	300	488	390	398	22,395	158
1952	922	379	543	473	449	24,257	162
1953	1,196	480	716	600	596	26,753	202
1954	1,319	621	698	667	652	29,964	264
1955	1,257	565	692	618	639	29,317	261
1956	1,294	537	757	632	662	26,284	277
1957	1,392	681	711	704	688	25,540	316
1958	1,744	797	947	861	883	29,871	404
1959	1,959	987	972	912	1,047	33,653	486
1960	2,017	931	1,086	1,044	973	31,663	616
1961	2,125	948	1,177	1,177	948	31,182	499
Total	29,640	12,361	17,279	13,600	16,040	1,013,311	6,061

TOTAL AND ORIGIN OF DEPOSITS PROLONGED

Country of Origin	1928 to 1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	Total of Deposits Registered	Total of Deposits Prolonged
Belgium	671	55	61	70	65	68	80	87	104	98	109	1468	359
France	2886	192	252	315	281	278	331	387	474	450	437	6283	1745
Germany	1684	.	.	.	.	.	.	.	.	.	.	1684	483
Fed.Rep.	141	80	119	170	162	195	211	227	313	470	532	2620	620
Dem.Rep. ....	.	.	.	.	.	3	1	5	6	15	9	39	2
Indonesia .....	.	-	-	-	-	-	-	-	-	-	-	-	-
Liechtenstein .	11	3	1	14	5	18	11	12	10	16	14	115	30
Monaco .....	.	.	.	.	.	2	2	10	2	7	7	30	3
Morocco (with Tangier)	18	5	2	6	8	10	8	8	10	2	4	81	29
Netherlands ...	338	9	10	11	20	8	30	39	56	60	55	636	117
Spain	69	9	4	4	16	7	4	56	34	33	38	274	45
Switzerland ...	8595	568	747	729	698	703	709	913	948	865	920	16395	2625
Tunisia	2	-	-	-	-	-	2	-	1	1	-	6	1
United Arab Republic	.	1	-	-	2	2	3	-	-	-	-	8	2
Vatican (State of the City of the)	.	.	.	.	.	.	.	.	.	-	-	-	-
Viet-Nam .....	.	.	.	.	.	-	-	-	1	-	-	1	-
Total ...	14415	922	1196	1319	1257	1294	1392	1744	1959	2017	2125	29640	6061

FOURTH SECTION

UNION OF NICE CONCERNING THE INTERNATIONAL CLASSIFICATION OF PRODUCTS

A. LIST OF UNIONIST STATES (AS AT 31st DECEMBER, 1961)

Country	Class	Date of entry: Restricted Union
Australia	III	commencement (8.4.1961.)
Czechoslovak Socialist Republic	IV	commencement
Denmark	IV	30th October, 1961.
France (Metropolitan Departments, Algerian Departments, Depart- ments of the Sahara, Depart- ments of Guadeloupe, Guiana, Martinique and Reunion and Overseas Territories)	I	commencement
Germany	I	29th December, 1961.
Israel	V	commencement
Italy	I	commencement
Lebanon	VI	commencement
Monaco	VI	commencement
Norway	IV	28th June, 1961.
Poland	III	commencement
Portugal	IV	commencement
Spain	IV	commencement
Sweden	III	28th June, 1961.

B. DIPLOMATIC NOTIFICATIONS CONCERNING THE UNION

Adhesions or ratifications

The Arrangement entered into force on 8th April, 1961, between the following countries: Australia, Czechoslovak Socialist Republic, France, Israel, Italy, Lebanon, Monaco, Poland, Portugal and Spain.

It was ratified from that date by the following countries: Norway, 28th June, 1961; Sweden, 28th June, 1961; Denmark, 30th October, 1961; Germany, 29th December, 1961.

Denunciations: none.

Changes in classes: none.

C. PERIODICAL REVIEW OF THE UNION

No special publication. Under Article 4, paragraph 2, of the Arrangement of Nice, any possible notifications are published concerning the said Arrangement in the two periodicals "La Propriété Industrielle" and "Les Marques internationales."

The entry into force of the Arrangement was dealt with in a communication which appeared on page 49/1961, of "La Propriété Industrielle".

D. DIPLOMATIC CONFERENCES

None.

E. MEETINGS OF COMMITTEES OF THE UNION

None.

F. MEETINGS, COMMITTEES AND CONGRESSES
AT WHICH THE UNION WAS REPRESENTED

None.

G. ADMINISTRATIVE ACTIVITY OF THE BUREAU

120 items of correspondence were received and despatched.

Among reports prepared and despatched by the International Bureau, mention should be made of the report on classification of the services (reply to the Memorandum submitted by the Scandinavian experts in 1960) and the General Report on the session of the Provisional Committee of Experts, held in Geneva in 1960.

Further, the Bureau continued to assemble and prepare the documentation relating to the new publication of the alphabetical list of products to which trade marks apply.

H. ACCOUNTS FOR THE YEAR 1961

- a) Accounts for the ordinary contribution, Article 5, paragraph (1) of the Arrangement of Nice.

<u>Expenditure:</u>	Staff	Fr. 6,689.35	Fr.
	Offices, furniture & supplies	310.65	
<u>Receipts:</u>	Contractual contribution		7,000.--
		7,000.--	7,000.--

This sum will be collected in Swiss francs according to the following table:

Class	Units per class	Amount of the Unit	Amount per class	Number of Administrations	Totals	
					units	contributions
		Fr.	Fr.			Fr.
I	25		1,251.--	2	50	2,502.--
II	-	50,04	-	-	-	-
III	{ 15		{ 750.60	{ 2	{ 30	{ 1,501.20
	{ 10		{ 500.40	{ 1	{ 10	{ 500.40
IV	{ 10		{ 500.40	{ 3	{ 30	{ 1,501.20
	{ 2,222		{ 111.20	{ 1	{ 2,222	{ 111.20
	{ 6,666		{ 333.60	{ 1	{ 6,666	{ 333.60
V	5		250.20	1	5	250.20
VI	3		150.10	2	6	300.20
				13	139.898	7,000.--

b) Accounts for the extraordinary contribution, Article 5, paragraph (2) of the Arrangement of Nice.

No use was made of this extraordinary contribution during the financial year 1961.

FIFTH SECTION

UNION OF LISBON CONCERNING THE PROTECTION OF APPELLATIONS
OF ORIGIN AND THEIR INTERNATIONAL REGISTRATION

The Arrangement of Lisbon of 31st October, 1958, signed by 12 countries mentioned below has not yet come into force. It will enter into force as soon as it has been ratified by five countries, one month after the deposit of the fifth ratification has been notified by the Government of the Swiss Confederation, and in the case of the countries on behalf of which it will be ratified subsequently, one month after notification of each of these ratifications.

List of signatory countries of the Arrangement: Cuba, Czechoslovakia, France, Greece, Hungary, Israel, Italy, Morocco, Portugal, Rumania, Spain, Turkey.

France and Czechoslovakia have ratified the Arrangement. (Notes of the Swiss Federal Council of 29th May, 1961, and 3rd October, 1961).

III. - BUREAU OF THE INTERNATIONAL UNION FOR THE PROTECTION
OF LITERARY AND ARTISTIC WORKS

(Seventy-fourth year)

INTRODUCTION

As was the case last year, the Director of the BIRPI stressed the increasing number of activities of the Bureau of the Berne Union. This increase is due to the accelerated development which is taking place daily in the field of literary and artistic property. Since the beginning of the century, the invention and the stupendous development of new processes of diffusion of intellectual works, and the introduction of new forms of art, have resulted in the publication of works of such wide scope and variety, as to place them on a world basis. Printing, photography, phonography, films, radio broadcasting, television, have offered large outlets to intellectual creators, who through these technical methods have the means of transmitting their ideas to neighbouring countries and to the world at large. The protection and safeguarding of their interests thus raises increasingly complex problems, and the Bureau of the Berne Union has tasks to perform which are steadily growing and have to be accomplished, if the maintenance and development of copyright is to be pursued. The following analytical report is evidence of the above.

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961)

Country	Class	Date of entry into Union	
Australia	III	14th April	1928
with Territories of Papua, Norfolk Island, New Guinea and Nauru		29th July	1936
Austria	VI	1st October	1920
Belgium	III	commencement (5th December, 1887).	
Brazil	III	9th February	1922
Bulgaria	V	5th December	1921
Canada	II	10th April	1928
Ceylon	VI	1st October	1931
Czechoslovakia	IV	22nd February	1921
Dahomey	VI	26th May	1930
Denmark	IV	1st July	1903

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961)(contd).

Country	Class	Date of entry into Union	
Finland	IV	1st April	1928
France with overseas territories	I	commencement	
Germany	I	commencement	
Great Britain and Northern Ireland with Colonies, Possessions and certain Protectorate Territories	I	commencement various dates	
Greece	VI	9th November	1920
Holy See (Vatican City)	VI	12th September	1935
Hungary	VI	14th February	1922
Iceland	VI	7th September	1947
India	IV	1st April	1928
Ireland	IV	5th October	1927
Israel	V	24th March	1950
Italy	I	commencement	
Ivory Coast	VI	26th May	1930
Japan	VI	15th July	1899
Lebanon	VI	1st August	1924
Liechtenstein	VI	30th July	1931
Luxemburg	VI	20th June	1888
Monaco	VI	30th May	1889
Morocco	VI	16th June	1917
Netherlands with Surinam, Netherlands Antilles and New Guinea	III	1st November	1912
New Zealand with Western Samoa	IV	24th April 4th December	1928 1947

A. LIST OF UNIONIST COUNTRIES (AS AT 31st DECEMBER, 1961)(contd).

Country	Class	Date of entry into Union	
Norway	IV	13th April	1896
Pakistan	VI	5th July	1948
Philippines	VI	1st August	1951
Poland	III	28th January	1920
Portugal	III	29th March	1911
Rumania	V	1st January	1927
South Africa	IV	3rd October	1928
with South West Africa		28th October	1931
Spain	II	commencement	
Sweden	III	1st August	1904
Switzerland	III	commencement	
Syria (Province of U.A.R.) ¹⁾	VI	1st August	1924
Thailand	VI	17th July	1931
Tunisia	VI	commencement	
Turkey	VI	1st January	1952
Yugoslavia	IV	17th June	1930

1) In a Note of 12th January, 1961, the Embassy of the United Arab Republic in Berne denounced the Convention, to take effect on 12th January, 1962, on behalf of Syria, as a province of the U.A.R.

B. DIPLOMATIC NOTIFICATIONS CONCERNING THE UNION

1. Adhesions. During the year 1961, the adhesions of the following countries took place:
 - a) Dahomey. Declaration of continuity in respect of the Convention of Berne, as revised at Brussels on 26th June, 1948. In a letter of 3rd January, 1961, the Prime Minister of the Republic of Dahomey notified the Swiss Federal Political Department that his country would continue without interruption to be a Member of the Berne Union to which Dahomey was party as a result of the adhesion which France had formerly made on its behalf. Notification of this fact was given by the Swiss Government to the Governments of the Unionist countries on 28th February, 1961.
 - b) Sweden. Adhesion to the Convention of Berne, as revised at Brussels on 26th June, 1948. In a Note by the Embassy of Sweden in Berne sent to the Swiss Federal Political Department on 22nd February, 1961, Sweden adhered to the Act of Brussels, the decision to take effect on 1st July, 1961. Notification of this adhesion was given by the Swiss Government to the Governments of the Unionist countries on 25th April, 1961.
 - c) Ivory Coast. Adhesion to the Convention of Berne, as revised at Brussels on 26th June, 1948. In a letter dated 8th July, 1961, to the Swiss Federal Political Department, the Minister of State holding the office of President of the Republic of the Ivory Coast ad interim, sent an application for adhesion of that country to the Act of Brussels, to take effect on 1st January, 1962. Notification of that adhesion was given by the Swiss Government to the Governments of the Unionist countries on 13th September, 1961.
2. Denunciation. In a Note sent on 12th January, 1961, by the Embassy of the United Arab Republic in Berne to the Swiss Federal Political Department, the United Arab Republic denounced the Convention of Berne, revised in Rome on 1st June, 1928, on behalf of Syria in its capacity as a province of the former country, to take effect on 12th January, 1962. Notification of that denunciation was given by the Swiss Government to the Governments of the Unionist countries.
3. Changes of class. On the occasion of their adhesion to the Convention of Berne in its Brussels text, Dahomey and the Ivory Coast asked to be placed in the sixth class.

C. PERIODICAL REVIEW OF THE UNION: "LE DROIT D'AUTEUR"

1. Summary of Contents

During the year 1961, our monthly review "Le Droit d'Auteur" published documents classified as follows :

- a) Bilateral Relations. Two bilateral agreements concluded by Italy with Yugoslavia and the Netherlands.
- b) Domestic legislation. 21 laws, decrees or regulations originating from the 10 following countries: Argentina, Denmark, Great Britain, India, Ireland, Italy, Kuwait, Norway, Sweden and the United States of America.
- c) General Studies. In 1961 "Le Droit d'Auteur" published 8 general studies on the following subjects:
 - Des droits exclusifs de l'auteur et de l'utilisation radiophonique des disques du commerce, by T. Collovà;
 - Traitement national de droits voisins, by G. Straschnov;
 - Article VI of the Universal Copyright Convention: definition of publications, by A. Bogsch, translated into French and adapted by Th. Illosvay;
 - The new Swedish legislation on Copyright, by T. Hesser;
 - Protection of cinematographic works under the Universal Copyright Convention, by R. Colby;
 - Some questions relating to the future revision of the Berne Convention, by T. Hesser;
 - La publication pour les imprimés de l'oeuvre musicale, by D. Vaughan;
 - Towards a general revision of the United States legislation in the field of copyright, by A. Bogsch.
- d) Correspondence. Independently of these general studies on questions relating to copyright, our review for the year 1961 contains 9 Letters from our correspondents in the following countries: Denmark (T. Lund), France (L. Vaunois), Germany (Federal Republic)(E. Ulmer), Great Britain (P. Abel), Hungary (R. Palagyi), Israel (A.A. Blum), Italy (V. de Sanctis), Norway (B.S. Lassen), United States of America (W.J. Derenberg). Through this valuable cooperation, we have been able to inform our readers of the development of legislation and case law in the above countries...

- e) Chronicle of international activities. In 1961 "Le Droit d'Auteur" published records of the following meetings :
- Third Congress of the International Association of Plastic Arts (Vienna, 26th September - 1st October, 1960);
 - Fifth Session of the Intergovernmental Copyright Committee (London, 31st October - 4th November, 1960);
 - Eleventh Session of the UNESCO General Conference (Paris, 14th November - 15th December, 1960);
 - Committee of Experts on Extension of the Term of Protection (Geneva, 9th - 11th January, 1961);
 - Commission on Legislation of the CISAC (Paris, 24th - 26th January, 1961);
 - Commission on Legislation of the CISAC (Tel Aviv, 5th - 7th June, 1961);
 - Study Group for the International Protection of Cinematographic Works (Geneva, 20th - 23rd June, 1961);
 - General Assembly of the European Alliance of Press Agencies (Florence, 11th - 16th September, 1961).
 - 10th Session of the Permanent Committee and 6th Session of the Intergovernmental Copyright Committee (Madrid, 25th - 30th September, 1961);
 - Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, 10th - 26th October, 1961).
- f) Jurisprudence. Under the heading "Jurisprudence" of our Review in 1961, reports are published of 124 decisions in the 10 following countries, i.e., Belgium 2, Brazil 1, France 26, Germany (Federal Republic) 4, Hungary 22, India 1, Italy 15, Norway 8, United Kingdom 21, United States of America 24. These judiciary decisions were for the most part quoted or summarised, with a few exceptions which were simply commented upon in the "Letters" of our correspondents mentioned above. We have published in the summary for the year 1961 the "Tables of Jurisprudence" enumerating the 124 decisions in question.
- g) Documentary studies. "Le Droit d'Auteur" also published in 1961 two documentary studies, one on the

protection of cinematographic works, the other on the book by Mr. Jenks concerning international immunities.

- h) Miscellaneous news. The miscellaneous news appearing in 1961 related to the 10 following countries: Brazil, China, Denmark, Great Britain, Italy, Malaya, Nicaragua, Nigeria, Sweden and the United States of America.
- i) Obituaries. Obituaries were published in the review on the decease of four distinguished men - Amedeo Giannini, Marcel Henrion, René Jouglet and Thomas Braun.
- j) Bibliography. During the year 1961, having mentioned the list of books registered by the Library of the International Bureau, our review published bibliographical accounts of 29 books relating to literary and artistic property.

2. Administration

In 1961, the 12 issues of "Le Droit d'Auteur" totalled 360 printed pages, or an average of 30 pages per issue (340 pages in 1960).

As in previous years, the review was printed on the basis of 1350 copies, distributed as follows :

Copies sent free of charge to Administrations ...	279
" for exchange purposes	110
" distributed free of charge for propaganda (instead of 126 in 1960)	61
" to paying subscribers	505
Reserve in stock	395
	<hr/>
	1350
	<hr/>

D. DIPLOMATIC CONFERENCES

1. Copyright. During the year 1961, no diplomatic conferences for the revision of the Berne Convention were held, the next one to be held being in 1965 at Stockholm at the kind invitation of the Swedish Government.

The position of the Unionist countries with regard to the Union Convention was as follows in 1961 :

a) Act of Rome of 1928.

Countries having made no reservations: Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Ceylon, Czechoslovakia, Denmark, Finland, Great Britain and Northern Ireland, Germany (Federal Republic), Holy See (Vatican), Hungary, Italy, Israel, Lebanon, Liechtenstein, Luxemburg, Monaco, Morocco, Netherlands, New Zealand, Norway, Pakistan, Poland, Portugal, Rumania, South Africa, Sweden, Switzerland, Syria.

Countries having made reservations: France (works of art applied to industry), Greece (translation rights), Ireland (translation rights), Iceland (translation rights), Japan (translation rights), Tunisia (works of art applied to industry), Yugoslavia (translation rights).

b) Act of Brussels of 1948.

Countries having made no reservations: Austria, Belgium, Brazil, Dahomey, Denmark, France, Great Britain and Northern Ireland, Greece, Holy See (Vatican), India, Ireland, Israel, Italy, Liechtenstein, Luxemburg, Monaco, Morocco, Philippines, Portugal, South Africa, Sweden, Switzerland, Tunisia.

Countries having made reservations: Turkey (translation rights), Yugoslavia (translation rights).

2. So-called "Neighbouring rights". Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, 10th - 26th October, 1961).

On the generous invitation of the Italian Government, the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organisations was held in Rome at the Palazzo dei Congressi (EUR), from 10th to 26th October, 1961, following decisions taken by the

Governing Body of the International Labour Organisation and the General Conference and Executive Council of Unesco, and following the views expressed by the Permanent Committee of the Berne Union, in accordance with the vœux expressed in Brussels in 1948 by the Conference of Revision of the Berne Convention.

Forty-two countries sent delegates to that Conference, two attended it as observers. In addition, certain international organisations, societies or associations, in particular those of performers, producers of phonograms, broadcasting organisations, authors' societies, producers of films, had the status of observers at the Conference. The President of the latter was H.E. Ambassador Talamo Atenolfi Brancaccio di Castelnuovo, Head of the Italian delegation, and the secretariat was undertaken jointly by the three international organisations, the I.L.O., UNESCO and BIRPI. The general Report was entrusted to Mr. Kaminstein, Register of Copyrights, of the Copyright Office of Washington, Head of the United States Delegation.

At the close of the deliberations, which took as their basis the draft international Convention prepared in May, 1960, by a Committee of Experts and which gave rise to the deposit of approximately one hundred amendments, an international Convention was adopted by the participants in English, French and Spanish, and a Final Act.

This Final Act was signed by the plenipotentiaries of 35 States and the Convention itself was signed by the plenipotentiaries of the following 18 States : Argentina, Austria, Belgium, Brazil, Cambodia, Chile, Denmark, France, Germany (Federal Republic), Holy See, India, Iceland, Italy, Mexico, Spain, Sweden, United Kingdom and Yugoslavia.

However, the Convention will remain open for signature until 30th June, 1962, or subsequently for accession, to the other States who were invited to the Diplomatic Conference of Rome, or any other Member State of the United Nations Organisation, provided they are parties to the Universal Copyright Convention or members of the Berne Union.

When three months have elapsed after the date of deposit with the Secretary-General of UNO of the sixth instrument of ratification, acceptance or accession, this new Convention will enter into force. Its text and that of the Final Act have been published in the three official languages in "Le Droit d'Auteur" (December 1961 issue).

E. MEETINGS OF COMMITTEES OF THE UNION

1. COMMITTEE OF EXPERTS TO STUDY THE PRELIMINARY
ADDITIONAL DRAFT PROTOCOL TO THE BERNE CONVEN-
TION FOR THE EXTENSION OF THE TERM OF PROTECTION
OF LITERARY AND ARTISTIC WORKS

(Geneva, 9th - 11th January, 1961)

Pursuant to the invitation of the Permanent Committee (Resolution No. 2, 9th Session, London, November 1960), the Bureau of the Union asked the Governments of the following countries to appoint experts who would give their views in a personal capacity on a preliminary draft of an international instrument, which would be prepared, together with explanatory notes, by the Bureau of the Union: Belgium, Brazil, Finland, France, Greece, Holy See (Vatican), Israel, Italy, Lebanon, Luxemburg, Norway, Portugal, Spain, Sweden, Tunisia. Some international, governmental and non-governmental organisations were invited as observers. This Committee of Experts met in Geneva from 9th to 11th January, 1961, with the experts of the following countries: Brazil, France, Italy, Portugal, Spain and Tunisia.

Mr. V. de Sanctis was unanimously elected President and Professor H. Desbois, Rapporteur of this Committee.

At the close of the deliberations, a report and a preliminary Draft Arrangement concerning the term of protection of literary and artistic works was adopted. This report and the preliminary draft, the texts of which were published in "Le Droit d'Auteur", were sent for observations or suggestions to the Governments of the above-mentioned countries and were then submitted to the 10th session of the Permanent Committee of the Berne Union.

2. STUDY GROUP FOR THE INTERNATIONAL PROTECTION
OF CINEMATOGRAPHIC WORKS

(Geneva, 20th - 23rd June, 1961,
Madrid, 26th September, 1961)

In application of Resolutions Nos. 4 and 37 (V) adopted respectively by the Permanent Committee of the Berne Union and by the Intergovernmental Copyright Committee at their joint session in London (October - November 1960), a Study Group for the international protection of cinematographic works was convened in Geneva on behalf of the President of the two above Committees, by the Director of the Bureau of the Berne Union and by the Director-General of UNESCO.

The Governments of the 9 following States were asked each to appoint an expert, to act in his personal capacity without committing his Government: Czechoslovakia, France, Germany (Federal Republic), India, Italy, Mexico, Sweden, United Kingdom, United States of America. 3 intergovernmental organisations and 12 non-governmental international organisations were invited to send representatives to the meetings. This Study Group was asked to draw up a report on the possible revision of the contractual regulations (Berne Convention and Universal Copyright Convention) relating to the international protection of cinematographic works. This Study Group held its first meeting in Geneva, at the headquarters of the BIRPI from 20th to 23rd June, 1961, then in Madrid on 26th September, 1961, on the occasion of the joint session of the Permanent Committee of the Berne Union and of the Intergovernmental Copyright Committee. Unanimously, Mr. E. Ulmer was elected President, Mr. T. Hesser, Vice-President and Professor W. Desbois, Rapporteur-General. At the close of the deliberations in Geneva, then in Madrid, a Report was adopted and submitted to the above Committees. In accordance with Resolutions Nos. 5 and 44 (VI), the Report of the Study Group for the international protection of cinematographic works was sent to the Governments and international organisations concerned for their comments.

3. 10th SESSION OF THE PERMANENT COMMITTEE

(Madrid, 25th - 30th September, 1961)

During the year 1961, at the kind invitation of the Spanish Government, the Permanent Committee of the Berne Union held its 10th Session in Madrid, from 25th to 30th September, 1961, jointly with the 6th session of the Intergovernmental Copyright Committee. The 12 Member States of the Permanent Committee: Belgium, Brazil, Denmark, France, Germany (Federal Republic), India, Italy, Portugal, Rumania, Spain, Switzerland and the United Kingdom were represented at the meetings. The representatives of 7 States who are not members of the two above Committees attended the meetings as observers. In addition, two intergovernmental and 11 non-governmental organisations were represented.

Mr. José-Antonio García Noblejas (Spain) and Mr. A.M. D'Rozario (India) were unanimously elected, respectively, President and Vice-President of the Permanent Committee and of the Intergovernmental Committee.

The following questions were considered by the two Committees in joint session :

1. Criminal proceedings and other forms of assistance by Governments in cases of infringement of copyright.
2. International protection for works of applied art and designs and models.
3. International protection for cinematographic works and report on the session of the Study Group.
4. Preparation of the Convention on the international protection of performers, producers of phonograms and broadcasting organizations.
5. Cooperation between UNESCO Secretariat and the United International Bureaux regarding publications.
6. Conformity of musical scores with the original compositions.
7. Participation of UNESCO and the International Bureaux in the activities of Member States in the field of copyright.
8. Photographic reproduction of copyright works by or for libraries, documentation centres and scientific institutions.

The three following questions were considered by the Permanent Committee only:

1. Composition of the Permanent Committee.
2. Extension of the protection period.
3. Preparation of the Stockholm Diplomatic Conference and means to be used to make this preparation possible.

At the close of deliberations, Resolutions Nos. 1 to 8 dealing with the following subjects were adopted unanimously:

1. Publications in the field of copyright.
2. Conformity of musical scores with the original compositions.
3. Musical scores and term of copyright in musical scores.
4. Photographic reproduction of copyright works, by or for libraries, documentation centres and scientific institutions.
5. International protection of cinematographic works.

6. Participation in the activities of countries in the field of copyright.
7. Extension of the term of protection after the death of the author.
8. Preparation of the Stockholm Conference for the revision of the Berne Convention.

The texts of these Resolutions and the final Report adopted by the Permanent Committee, and the list of participants, were sent to all member countries of the Berne Union. These documents were also published in our review "Le Droit d'Auteur" (Cf. pp.318 et seq).

F. MEETINGS, COMMITTEES AND CONGRESSES
AT WHICH THE UNION WAS REPRESENTED

During the year 1961, the Director of the Bureau of the Union was personally present or appointed a representative at the following meetings, committees and congresses:

- International Confederation of Authors' and Composers' Societies
 - a) Commission on Legislation (Paris, 24th - 26th January, 1961).
 - b) Commission on Legislation (Tel Aviv, 5th - 7th June, 1961).

The meetings of this body, which was presided over by Mr. V. de Sanctis, concluded by certain deliberations or resolutions which were published in our review (Cf. "Le Droit d'Auteur", 1961, pp. 131 and 212).

- International Literary and Artistic Association (49th Congress, Florence, 11th - 16th September, 1961).

At the close of this Congress, organised by the Italian Group of the Association, a certain number of resolutions were adopted on the various items of the agenda. These texts and an account of this Congress were published in our review (Cf. "Le Droit d'Auteur", pp.288 et seq).

- 6th Session of the Intergovernmental Copyright Committee (Madrid, 25th - 30th September, 1961).

The Intergovernmental Copyright Committee held its 6th session in Madrid jointly with the 10th session of the Permanent Committee of the Berne Union. The 12 following States, which were members of this Committee, were represented at the meetings at which

Mr. José-Antonio Garcia Noblejas (Spain) took the chair: Argentina, Brazil, France, Germany (Federal Republic), India, Italy, Japan, Mexico, Spain, Switzerland, United Kingdom and the United States of America.

In addition to the items considered in joint session with the Permanent Committee of the Berne Union, the Intergovernmental Copyright Committee placed on its agenda:

1. Report of the Secretariat concerning the Universal Convention.
2. Preliminary study in view of a possible limited revision of the Universal Convention.
3. Timing of the sessions of the Intergovernmental Copyright Committee and modification of its rules of procedure.
4. Partial renewal of the Intergovernmental Committee.

At the close of the deliberations a certain number of resolutions were jointly adopted with the Permanent Committee, the texts of which were published in "Le Droit d'Auteur" (Cf. pp.336 et seq).

G. ADMINISTRATIVE ACTIVITY OF THE BUREAU

a) Letters.

The correspondence received and despatched in 1961 by the Bureau of the International Union for the Protection of Literary and Artistic Works included 3184 items (as compared with 2314 in 1960). The items of this correspondence have therefore increased by 37½%, as a result, in particular, of the increase in the activities and multiplicity of questions concerning copyright.

b) Reports and preparatory documents.

The number of reports and preparatory documents drawn up during the year 1961 by the International Bureau was 23, distributed as follows:

- 2 for the Experts' Committee relative to the Extension of the Term of Protection (Geneva, January 1961);
- 4 for the Study Group for the International Protection of Cinematographic Works (Geneva, June 1961);
- 9 for the 10th Session of the Permanent Committee (Madrid, September 1961);

- 7 in collaboration with UNESCO and the ILO for the Diplomatic Conference on the International Protection of Performers, Producers of Phonograms and Broadcasting Organisations (Rome, 10th - 26th October, 1961);
- 1 for the Swedish Government, on the material organisation of the forthcoming revision Conference of Stockholm.

H. ACCOUNTS FOR THE YEAR 1961

	Fr.	Fr.
<u>Expenditure:</u> Personnel	132,261.95	
Conferences and travel	66,406.55	
Outside collaborators	10,749.72	
Printing	30,330.50	
Offices, furniture and supplies	30,803.96	
Miscellaneous	10,291.41	
<u>Receipts:</u> Subscriptions, sale of documents		15,705.29
Rent		6,552.80
Miscellaneous receipts		186.--
	-----	-----
	280,844.09	22,444.09
Net expenditure for the financial year 1961		231,400.--
Surplus expenditure for 1961		27,000.--
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	280,844.09	280,844.09
	=====	=====

This sum of Frs. 231,400 will be recovered according to the following scale :

Class	Units per class	Amount of the unit	Amount per class	Number of Administrations	Totals	
					of units	of contributions
			Fr.			Fr.
I	25	548 fr.34,1 c.	13,708.55	4	100	54,834.20
II	20		10,966.85	2	40	21,933.70
III	15		8,225.10	8	120	65,800.80
IV	10		5,483.45	9	90	49,351.05
V	5		2,741.75	3	15	8,225.25
VI	3		1,645.—	19	57	31,255.—
				45	422	231,400.—

I. CONTRIBUTIONS IN ARREARS

On 31st December, 1961, the position with regard to contributions due and unpaid was as follows:

The contribution for 1938 was due by one Administration; contributions for 1939 to 1951 by 2 Administrations; the contribution for 1952 by 2 Administrations and partly by 1 Administration; the contribution for 1953 by 3 Administrations; the contribution for 1954 by 3 Administrations and partly by 1 Administration; contributions for 1955 to 1957 by 3 Administrations; contributions for 1958 to 1959 by 3 Administrations and partly by 1 Administration; the contribution for 1960 by 8 Administrations and partly by 2 Administrations.

The total of contributions in arrears amounted to 244,639.42 francs at the close of 1961.

The Director:
Jacques SECPETAN

Geneva, 18th May, 1962.