

N° 3044.

ÉTATS-UNIS D'AMÉRIQUE,
RÉPUBLIQUE ARGENTINE,
BOLIVIE,
BRÉSIL, CHILI, etc.

Convention de Buenos-Aires pour la
protection de la propriété littéraire
et artistique, révisée par la VI^e
Conférence internationale améri-
caine. Signée à La Havane, le
18 février 1928.

UNITED STATES OF AMERICA,
ARGENTINE REPUBLIC,
BOLIVIA, BRAZIL, CHILE, etc.

Convention of Buenos Aires on the
Protection of Literary and Artistic
Copyright, as revised by the VIth
International Conference of Ame-
rican States. Signed at Habana,
February 18, 1928.

N^o 3044. — CONVENTION ¹ OF BUENOS AIRES ON THE PROTECTION OF LITERARY AND ARTISTIC COPYRIGHT, AS REVISED BY THE SIXTH INTERNATIONAL CONFERENCE OF AMERICAN STATES. SIGNED AT HABANA, FEBRUARY 18, 1928 ².

Spanish official text communicated by the Secretary of State for Foreign Affairs of the Republic of Guatemala. The registration of this Convention took place October 1, 1932.

The countries members of the Pan American Union, represented at the Sixth International Conference of American States, sent to it the following delegates duly authorized to approve any recommendations, resolutions, conventions and treaties which they might deem useful to the interests of America :

PERU :

Jesús Melquiades SALAZAR, Víctor MAÚRTUA, Enrique CASTRO OYANGUREN, Luis Ernesto DENEGRI.

URUGUAY :

Jacobo VARELA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo CALLORDA.

PANAMÁ :

Ricardo J. ALFARO, Eduardo CHIARI.

ECUADOR :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, Colón Eloy ALFARO.

MEXICO :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

SALVADOR :

Gustavo GUERRERO, Héctor David CASTRO, Eduardo ALVAREZ.

GUATEMALA :

Carlos SALAZAR, Bernardo ALVARADO TELLO, Luis BELTRANENA, José AZURDIA.

NICARAGUA :

Carlos CUADRA PAZOS, Joaquín GÓMEZ, Máximo H. ZEPEDA.

¹ Ratifications deposited at Habana :

GUATEMALA *

PANAMA May 13, 1929.

² Texte reproduit d'après l'Acte final de la Sixième Conférence internationale américaine.

² The text is reprinted from the Final Act of the Sixth International Conference of American States.

* The date of deposit of this ratification will be published, as soon as possible, in the Annex to this Series.

- BOLIVIA :
 José ANTEZANA, Adolfo COSTA DU RELS.
- VENEZUELA :
 Santiago KEY AYALA, Francisco Gerardo YANES, Rafael Angel ARRAIZ.
- COLOMBIA :
 Enrique OLAYA HERRERA, Jesús M. YEPES, Roberto URDANETA ARBELÁEZ, Ricardo GUTIÉRREZ LEE.
- HONDURAS :
 Fausto DÁVILA, Mariano VÁSQUEZ.
- COSTA RICA :
 Ricardo CASTRO BEECHE, J. Rafael OREAMUNO, Arturo TINOCO.
- CHILE :
 Alejandro LIRA, Alejandro ALVAREZ, Carlos SILVA VILDÓSOLA, Manuel BIANCHI.
- BRAZIL :
 Raúl FERNANDES, Lindolfo COLLOR, Alarico DA SILVEIRA, Sampaio CORREA, Eduardo ESPÍNOLA.
- ARGENTINA :
 Honorio PUEYRREDÓN (Later resigned), Laurentino OLASCOAGA, Felipe A. ESPIL.
- PARAGUAY :
 Lisandro DÍAZ LEÓN.
- HAITI :
 Fernando DENNIS, Charles RIBOUL.
- DOMINICAN REPUBLIC :
 Francisco J. PEYNADO, Gustavo A. DÍAZ, Elías BRACHE, Angel MORALES, Tulio M. CESTEROS, Ricardo PÉREZ ALFONSECA, Jacinto R. DE CASTRO, Federico C. ALVAREZ.
- UNITED STATES OF AMERICA :
 Charles EVANS HUGHES, Noble BRANDON JUDAH, Henry P. FLETCHER, Oscar W. UNDERWOOD, Dwight W. MORROW, Morgan J. O'BRIEN, James BROWN SCOTT, Ray LYMAN WILBUR, Leo S. ROWE.
- CUBA :
 Antonio S. DE BUSTAMANTE, Orestes FERRARA, Enrique HERNÁNDEZ CARTAYA, José Manuel CORTINA, Arístides AGÜERO, José B. ALEMÁN, Manuel MÁRQUEZ STERLING, Fernando ORTIZ, Néstor CARBONELL, Jesús María BARRAQUÉ.

Who, after communicating to one another their respective powers and finding them in good and due order, have agreed to revise the Convention on the Protection of Literary and Artistic Copyright, signed in Buenos Aires on August 11, 1910.

Article I.

(To stand.)

Article 2.

In the expression " literary and artistic works " are included books, writings, pamphlets of all kinds, whatever may be the subject they deal with and whatever the number of their pages ; dramatic or dramatico-musical works ; choreographic and musical compositions, with or without words ; drawings, paintings, sculpture, engravings, lithographic, photographic and cinematographic works, or reproductions by means of mechanical instruments designed for the reproduction of sounds ; astronomical or geographical globes ; plans, sketches or plastic works relating to geography geology, or topography, architecture or any other science as well as the arts applied to any human activity whatever ; and, finally, all productions that can be published by any means of impression or reproduction.

Article 3.

The acknowledgment of a copyright obtained in one State, in conformity with its laws, shall produce its effects of full right in all the other States, without the necessity of complying with any other formality, provided always there shall appear in the work a statement that indicates the reservation of the property right, and the name of the person in whose favour the reservation is registered. Likewise the country of origin, the country in which the first publication was made, or those in which simultaneous publications were made, as well as the year of the first publication, must be indicated.

Article 4.

(To stand).

Article 4 bis.

The authors of literary or artistic works have the exclusive right to authorize the reproduction, adaptation and public presentation of their works by means of cinematography.

Without prejudice to the rights of the author of the original work, reproduction by means of cinematography of a literary or artistic work shall be protected as an original work.

Article 5.

The authors of literary and musical works have the exclusive right to authorize : 1. The adaptation of said works to instruments that serve to reproduce them mechanically ; 2. The public rendering of the same works by means of said instruments.

Article 5 bis.

(To stand as in the old Article 5).

Article 6.

The duration of the protection granted by this convention embraces the life of the author and fifty years after his death.

However, in case this duration period shall not be adopted by all the signatory States in a uniform manner, the period shall be regulated by the law of the country where the protection is requested and may not exceed the period of duration fixed by the country of origin of the work. Therefore, the signatory countries shall not be obliged to apply the provision of the preceding paragraph except in so far as their internal laws permit.

For works comprising several volumes that are not published simultaneously, as well as for bulletins, or parts, or periodical publications, the term of the copyright will commence to run, with respect to each volume, bulletin, part, or periodical publication from the respective date of its publication.

(To stand). *Article 7.*

(To stand). *Article 8.*

(To stand). *Article 9.*

(To stand). *Article 10.*

(To stand). *Article 11.*

(To stand). *Article 12.*

(To stand). *Article 13.*

Article 13 bis.

The authors of literary or artistic works on disposing of them pursuant to their copyrights do not cede the right of enjoyment and of reproduction. They shall hold upon said works a moral right of inalienable control which will permit them to oppose any public reproduction or exhibition of their altered, mutilated or revised works.

(To stand). *Article 14.*

(To stand). *Article 15.*

Article 16.

The present Convention shall replace between the contracting States the Buenos Aires Convention of August 11, 1910. The latter shall remain in effect as to the relations of the States that do not ratify the present Convention.

The signatory States of the present Convention shall be at liberty, upon exchanging ratifications, to declare that upon this or that point they understand that they shall be bound by the provisions of any previous Convention which they may have signed.

Article 17.

The present Convention shall take effect, between the signatory States which ratify the same, three months after they communicate their ratification to the Government of Cuba, and shall remain in effect between all of them until one year after the date of denouncement. This denouncement shall be sent to the Government of Cuba and shall have no effect, except with regard to the country that has made such denouncement.

February 18, 1928.

Peru :

Jesús Melquiades SALAZAR, Victor MAÚRTUA, Enrique CASTRO OYANGUREN,
Luis Ernesto DENEGRI.

Uruguay :

Jacobo VALERA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo
CALLORDA.

Panama :

Ricardo J. ALFARO, Eduardo CHIARI.

Ecuador :

Gonzalo ZALDUMBIDE, Victor ZEVALLOS, Colón Eloy ALFARO.

Mexico :

Julio GARCIA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

Salvador :

Gustavo GUERRERO, Héctor David CASTRO, Eduardo ALVAREZ.

Guatemala :

Carlos SALAZAR, Bernardo ALVARADO TELLO, Luis BELTRANENA, José AZURDIA.

Nicaragua :

Carlos CUADRA PAZOS, Joaquín GÓMEZ, MÁXIMO H. ZEPEDA.

Bolivia :

José ANTEZANA, Adolfo COSTA DU RELS.

Venezuela :

The Delegation of Venezuela reserves the signing of this convention until such time as its Government shall reach a definite decision with regard to it, since the Convention of Buenos Aires, which Venezuela not only did not ratify but which its Congress expressly rejected as well as the present Convention, contains provisions which are contrary to our juridical tradition and to our positive laws on the matter.

Santiago KEY AYALA, Francisco Gerardo YANES, Rafael Angel ARRAIZ.

Colombia :

Enrique OLAYA HERRERA, Jesús María YEPES, Roberto URDANETA ARBELÁEZ,
Ricardo GUTIÉRREZ LEE.

Honduras :

Fausto DÁVILA, Mariano VÁSQUEZ.

Costa Rica :

Ricardo CASTRO BEECHE, J. Rafael OREAMUNO, Arturo TINOCO.

Chile :

The Delegation of Chile accepts in general the modification of the Convention of Buenos Aires which has just been approved, but must formulate a reservation in regard to the points in which this modified Convention is opposed to the legislation in force in Chile.

This reservation does not diminish our earnest desire of attaining the adoption of juridical principles which give equal protection to intellectual property in all countries of America.

Alejandro LIRA, Alejandro ALVAREZ, Carlos SILVA VILDÓSOLA, Manuel BIANCHI.

Brazil :

Raúl FERNANDES, Lindolfo COLLOR, Alarico DA SILVEIRA, Sampaio CORREA, Eduardo ESPÍNOLA.

Argentine :

Laurentino OLASCOAGA, Felipe A. ESPIL.

Paraguay :

Lisandro DÍAZ LEÓN.

Haiti :

Fernando DENNIS, Charles RIBOUL.

Dominican Republic :

Francisco J. PEYNADO, Gustavo A. DIAZ, Elias BRACHE, Angel MORALES, Tulio M. CESTEROS, Ricardo PÉREZ ALFONSECA, Jacinto R. DE CASTRO, Federico C. ALVAREZ.

United States of America :

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Cuba :

Antonio S. DE BUSTAMANTE, Orestes FERRARA, Enrique HERNÁNDEZ CARTAYA, José Manuel CORTINA, Arístides AGÜERO, José B. ALEMÁN, Manuel MÁRQUEZ STERLING, Fernando ORTÍZ, Nestor CARBONELL, Jesús María BARRAQUÉ.

TEXTE PORTUGAIS. — PORTUGUESE TEXT.

Nº 3044. — CONVENÇÃO DE BUENOS AIRES SOBRE A PROTECÇÃO À PROPRIEDADE LITTERARIA E ARTISTICA, REVISTA PELA SEXTA CONFERENCIA INTERNACIONAL AMERICANA. ASSGINADA EM HAVANA, EM 18 DE FEVEREIRO DE 1928¹.

Os paizes membros da União Panamericana, representados na VI Conferencia Internacional Americana, da Havana, enviaram a ella devidamente autorisados para approvar as Recommendações Resoluções, Convenções e Tratados que julgarem uteis aos interesses de America, os seguintes Srs. delegados :

Do PERU :

Jesús Melquiades SALAZAR, Víctor MAÚRTUA, Enrique CASTRO OYANGUREN, Luis Ernesto DENEGRI.

Do URUGUAY :

Jacobo VALERA ACEVEDO, Juan José AMÉZAGA, Leonel AGUIRRE, Pedro Erasmo CALLORDA.

Do PANAMÁ :

Ricardo J. ALFARO, Eduardo CHIARI.

Do EQUADOR :

Gonzalo ZALDUMBIDE, Víctor ZEVALLOS, Colón Eloy ALFARO.

Do MEXICO :

Julio GARCÍA, Fernando GONZÁLEZ ROA, Salvador URBINA, Aquiles ELORDUY.

Do SALVADOR :

Gustavo GUERRERO, Héctor David CASTRO, Eduardo ALVAREZ.

DE GUATEMALA :

Carlos SALAZAR, Bernardo ALVARADO TELLO, Luis BELTRANENA, José AZURDIA.

DE NICARAGUA :

Carlos CUADRA PAZOS, Joaquín GÓMEZ, Máximo H. ZEPEDA.

DE BOLIVIA :

José ANTEZANA, Adolfo COSTA DU RELS.

DE VENEZUELA :

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DE COLOMBIA :

Enrique OLAYA HERRERA, Jesús M. YEPES, Roberto URDANETA ARBELÁEZ, Ricardo GUTIÉRREZ LEE.

¹ The text is reprinted from the Final Act of the Sixth International Conference of American States.