

No. 714

**NETHERLANDS, BELGIUM, FRANCE
and
LUXEMBOURG**

**Agreement concerning the establishment of an International
Patents Bureau. Signed at The Hague, on 6 June 1947**

Official texts : Dutch and French.

Registered by the Netherlands on 13 February 1950.

**PAYS-BAS, BELGIQUE, FRANCE
et
LUXEMBOURG**

**Accord relatif à la création d'un Bureau international des brevets.
Signé à La Haye, le 6 juin 1947**

Textes officiels néerlandais et français.

Enregistré par les Pays-Bas le 13 février 1950.

TRANSLATION — TRADUCTION

No. 714. AGREEMENT¹ CONCERNING THE ESTABLISHMENT
OF AN INTERNATIONAL PATENTS BUREAU. SIGNED
AT THE HAGUE, ON 6 JUNE 1947

The Government of Her Majesty the Queen of the Netherlands, the Government of His Majesty the King of the Belgians, the Government of the French Republic and the Government of Her Royal Highness the Grand Duchess of Luxembourg,

Considering Article 15 of the International Convention for the Protection of Industrial Property, signed at Paris on 20 March 1883² and revised at Brussels on 14 December 1900³, at Washington on 2 June 1911⁴, at The Hague on 6 November 1925⁵, and at London on 2 June 1934⁶;

Have resolved to conclude an Agreement concerning the establishment of an International Patents Bureau and have appointed as their Plenipotentiaries :

The Government of Her Majesty the Queen of the Netherlands :

Baron C. G. W. H. van Boetzelaer van Oosterhout, Minister of Foreign Affairs ;

The Government of His Majesty the King of the Belgians :

L. C. Nemry, Ambassador Extraordinary and Plenipotentiary at The Hague ;

The Government of the French Republic :

Jean Rivièrè, Ambassador Extraordinary and Plenipotentiary at The Hague ;

The Government of Her Royal Highness the Grand Duchess of Luxembourg :

¹ Came into force on 10 June 1949, by deposit of the fourth instrument of ratification with the Ministry of Foreign Affairs at The Hague, in accordance with article 10.

² *British and Foreign State Papers*, Volume 74, page 44.

³ *British and Foreign State Papers*, Volume 92, page 807.

⁴ *British and Foreign State Papers*, Volume 104, page 116.

⁵ League of Nations, *Treaty Series*, Volume LXXIV, page 289 ; Volume LXXXVIII, page 336 ; Volume XCII, page 403 ; Volume C, page 246 ; Volume CIV, page 512 ; Volume CVII, page 506 ; Volume CXVII, page 185 ; Volume CXXX, page 448 ; Volume CXXXIV, page 405 ; Volume CXXXVIII, page 443 ; Volume CXLVII, page 335 ; Volume CLVI, page 205, and Volume CLXIV, page 378.

⁶ League of Nations, *Treaty Series*, Volume CXCH, page 18, and Volume CCV, page 217.

Auguste Collart, Envoy Extraordinary and Minister Plenipotentiary at The Hague,

who, having exchanged their full powers found to be in good due form, have agreed on the following provisions :

Article 1

An International Patents Bureau is established to provide the Governments of the States Parties to this Agreement with reasoned opinions regarding the novelty of inventions in respect of which applications for patents have been filed with the respective national industrial property services. The International Patents Bureau may also provide these services with opinions regarding the novelty of inventions in respect of which applications for patents have not been filed.

Article 2

To enable the Bureau to carry out its duties, the Government or each of the States Parties to this Agreement will communicate to it the originals or certified photographic or micro-photographic copies of such relevant documentary material as it possesses or can produce or collect, and in particular the texts of patents already issued and applications for patents filed with it. This material will be communicated as soon as possible.

Article 3

The work of the Bureau shall be directed by a board of administration, composed of one member appointed by the Government of each State Party to this Agreement.

The board shall elect its chairman annually.

Article 4

The board of administration decides on all matters connected with the general work of the Bureau. It shall appoint by a two-thirds majority, and determine the functions of, the director, who must be a national of a State Party to this Agreement. It shall draw up the annual budget and any necessary amending or additional budgets of receipts and expenditure. It shall inspect and approve the director's accounts. It shall draw up the rules of procedure and financial regulations of the Bureau.

Article 5

A special provision of the rules of procedure shall determine the relations of the International Patents Bureau with the International Bureau for the Protection of Industrial Property established at Berne.

The financial regulations will, in particular, lay down the procedure by which control shall be exercised over the budget.

Article 6

Any State Party to this Agreement may in case of need empower the representative of another Contracting State to represent it on the board of administration ; but no representative may have more than two votes.

Article 7

Decisions of the board of administration shall be taken by a majority of votes. In the case of a tie, the chairman shall have the casting vote.

Article 8

The Bureau is under the high patronage of the Governments of the States Parties to this Agreement and under the permanent protection of the Royal Government of the Netherlands.

The headquarters of the Bureau is situated at The Hague.

Article 9

The income of the Bureau is constituted as follows :

a. by an initial contribution and an annual contribution from each State Party to the present Agreement. The amount of these contributions will be fixed on a scale identical with that provided for in Article 13, paragraphs 8 and 9, of the Union Convention of Paris for the Protection of Industrial Property ;

b. a fee for each opinion communicated at the request of the special industrial property service of any State.

The opinions of the Bureau will as a rule be communicated only to these services.

The board of administration may also authorize the collection of all sums in payment of services rendered to the official institutions concerned and in exceptional cases to private groups or individuals.

Article 10

This Agreement will be ratified. It will enter into force as soon as the instruments or ratification of the four signatory States have been deposited with the Ministry of Foreign Affairs at The Hague.

Article 11

After the entry into force of this Agreement, any non-signatory State which is a member of the International Union for the Protection of Industrial Property may at any time adhere to it.

Such adhesion will be notified through diplomatic channels to the Royal Government of the Netherlands and by that Government to all the other Contracting States.

Article 12

The States signatory to this Agreement and States adhering to it subsequently may not denounce it before five years have elapsed from the date of its entry into force with respect to them. A denunciation will take effect one year after the date of its receipt by the Royal Government of the Netherlands.

Article 13

If the number of the States Parties to this Agreement is reduced by denunciations to less than four, the Bureau will be dissolved automatically and its property will vest in the last Contracting Parties in shares proportionate to the total amounts contributed by each in initial and annual contributions.

Article 14

This Agreement will be revised periodically with the purpose of introducing into it amendments likely to improve the services rendered by the Bureau in the matter of industrial property, and of developing and extending, if need be, its field of activity.

IN WITNESS WHEREOF, the aforesaid Plenipotentiaries have signed this Agreement and affixed thereto their seals.

DONE at The Hague, on 6 June 1947, in quadruplicate, in Dutch and French, both texts being equally authentic.

W. VAN BOETZELAER

Léon NEMRY

J. RIVIÈRE

COLLART