

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
ISRAEL**

Exchange of notes constituting an agreement for the reciprocal extension of the periods of priority stipulated in article 4 of the Industrial Property Convention of 2 June 1934. Tel Aviv and Hakiryá, 10 December 1950

Exchange of notes constituting an agreement amending the agreement of 10 December 1950 for the reciprocal extension of the periods of priority stipulated in article 4 of the Industrial Property Convention of 2 June 1934. Tel Aviv and Hakiryá, 25 January 1951

Official text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 14 May 1951.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
ISRAËL**

Échange de notes constituant un accord relatif à la prorogation réciproque des délais de priorité stipulés à l'article 4 de la Convention du 2 juin 1934 sur la propriété industrielle. Tel-Aviv et Hakiryá, 10 décembre 1950

Échange de notes constituant un accord modifiant l'accord du 10 décembre 1950 relatif à la prorogation réciproque des délais de priorité stipulés à l'article 4 de la Convention du 2 juin 1934 sur la propriété industrielle. Tel-Aviv et Hakiryá, 25 janvier 1951

Texte officiel anglais.

Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 14 mai 1951.

No. 1193. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF ISRAEL FOR THE RECIPROCAL EXTENSION OF THE PERIODS OF PRIORITY STIPULATED IN ARTICLE 4 OF THE INDUSTRIAL PROPERTY CONVENTION OF 2 JUNE, 1934.² TEL AVIV AND HAKIRYA, 10 DECEMBER 1950

I

*His Majesty's Minister at Tel Aviv to the Israel Minister
for Foreign Affairs*

BRITISH LEGATION

Tel Aviv, 10th December, 1950

Sir,

I have the honour to inform your Excellency that His Majesty's Government in the United Kingdom believe that it would be convenient to enter into a bilateral arrangement with the Government of Israel to extend the periods of priority stipulated in Article 4 of the Industrial Property Convention of 1934² in respect of applications for the grant of patents or for the registration of trade marks or designs in one country based upon corresponding applications filed in the other country on or after 15th May, 1947, and before 31st December, 1949. Accordingly, His Majesty's Government in the United Kingdom are prepared, on condition of reciprocity, to take the necessary measures to provide that—

- (a) the time for making a Convention application in the United Kingdom for the protection of an invention, design or trade mark, for which protection was applied for in Israel (or Palestine) on or after 15th May, 1947, but before 31st December, 1949, to be extended up to 31st January, 1951 :

- (b) where a Convention application is filed within an extension of the priority period under the provisions of paragraph (a), third parties

¹ Came into force on 10 December 1950, by the exchange of the said notes.

² League of Nations, *Treaty Series*, Vol. CXCVII, p. 17; Vol. CCV, p. 218; and United Nations, *Treaty Series*, Vol. 1, p. 269, and Vol. 32, p. 406.

who have *bona fide* commenced the exploitation of inventions or designs during the period of such extension may obtain a non-exclusive licence for exploitation. In default of agreement between the parties, the conditions of the licence shall be fixed by the Comptroller of the Patent Office :

- (c) where an application for protection has been made in the United Kingdom since 15th May, 1948, by a national of Israel who had previously applied for protection in Israel (or Palestine), and the applicant desires to claim priority of date for the pending application, then—
- (i) if the complete specification has not been accepted it will be open to the applicant to make a Convention application either within the normal Convention period if it has not expired or within the extended time provided for in paragraph (a) and the documents filed with the pending application may be transferred to the new application :
 - (ii) if the complete specification has been accepted or a patent has been granted, a new Convention application may be filed within the extended time provided for in paragraph (a) and then the Comptroller will refuse to seal a patent on the previous application or make an order for revocation of the existing patent.

I shall be grateful if, in acknowledging the receipt of this Note, your Excellency will confirm that corresponding facilities are available to British subjects making application for the grant of patents or for the registration of designs or trade marks in Israel. In that event, I propose that this Exchange of Notes should be considered as bringing the proposed bilateral arrangement into effect.

I have, &c.

A. K. HELM

II

The Israel Minister for Foreign Affairs to His Majesty's Minister at Tel Aviv

MINISTRY FOR FOREIGN AFFAIRS

Hakiryia, 10th December, 1950

Sir,

I have the honour to acknowledge receipt of your Excellency's Note of 10th December, 1950, which reads as follows :—

[See note I]

I am glad to inform you that the Israel Government is in agreement with the text of the above Note and with the suggestion that Your Excellency's Note under reference and this reply shall be regarded as constituting an agreement between the two Governments.

Please accept, &c.

M. SHARETT

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
AMENDING THE AGREEMENT OF 10 DECEMBER 1950² FOR
THE RECIPROCAL EXTENSION OF THE PERIODS OF PRIORITY
STIPULATED IN ARTICLE 4 OF THE INDUSTRIAL PROPERTY
CONVENTION OF 2 JUNE 1934. TEL AVIV AND HAKIRYA,
25 JANUARY 1951

I

His Majesty's Minister at Tel Aviv to the Israel Minister for Foreign Affairs

BRITISH LEGATION

Tel Aviv, 25th January, 1951

Sir,

I have the honour to refer to my Note of 10th December, and to your Excellency's reply of the same date about the arrangements agreed upon by the Government of Israel and His Majesty's Government in the United Kingdom for the reciprocal extension of the periods of priority stipulated in Article 4 of the Industrial Property Convention of 1934.

In order to provide reciprocal protection for patent application made in January 1950, I have been instructed to propose to you that the arrangements agreed upon in the Exchange of Notes of 10th December should be carried out as if the words "and before 31st December, 1949," in the first paragraph of my Note and "but before 31st December, 1949," in sub-paragraph (a) were deleted. If your Excellency is able to agree to this proposal I suggest that this letter and your reply should be attached to our original Exchange of Notes with the effect of amending the agreement accordingly.

I avail, &c.

A. K. HELM

II

The Israel Minister for Foreign Affairs to His Majesty's Minister at Tel Aviv

MINISTRY OF FOREIGN AFFAIRS

Hakirya, 25th January, 1951

Sir,

I have the honour to acknowledge receipt of your Excellency's Note of 25th January, 1951, which reads as follows:—

[See note I]

I am glad to inform you that the Israel Government is in agreement with the text of the above Note and with the suggestion that your Excellency's Note under reference and this reply shall be regarded as constituting an agreement between the two Governments.

Please accept, &c.

M. SHARETT

¹ Came into force on 25 January 1951, by the exchange of the said notes.

² See p. 212 of this volume.