

**No. 1788**

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**DENMARK  
and  
ITALY**

**Agreement concerning the extension of the period of validity  
of patents. Signed at Copenhagen, on 1 July 1950**

*Official text: French.*

*Registered by Denmark on 20 June 1952.*

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**DANEMARK  
et  
ITALIE**

**Accord concernant la prolongation de la durée des brevets  
d'invention. Signé à Copenhague, le 1<sup>er</sup> juillet 1950**

*Texte officiel français.*

*Enregistré par le Danemark le 20 juin 1952.*

[TRANSLATION — TRADUCTION]

No. 1788. AGREEMENT<sup>1</sup> BETWEEN DENMARK AND ITALY  
CONCERNING THE EXTENSION OF THE PERIOD OF  
VALIDITY OF PATENTS. SIGNED AT COPENHAGEN,  
ON 1 JULY 1950

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The Government of Denmark

and

The Government of Italy,

Considering the exceptional situation created by the Second World War for Danish nationals, whether natural or legal persons, in Italy and for Italian nationals, whether natural or legal persons, in Denmark with regard to the normal exploitation of patents,

Have appointed their plenipotentiaries, who have agreed as follows :

*Article 1*

The period of validity of patents which were in force after 10 April 1940, even if they expired after that date, may be extended in any case where owing to the state of war the patent holders or their assigns were unable to exploit the said patents or to ensure their exploitation in the normal manner.

This extension shall be granted for a specified number of complete years, which may not exceed five. It shall be calculated having regard to the period of time during which normal exploitation of the patent was interrupted and, if such interruption was not complete, to the results of any exploitation of the patent.

*Article 2*

Applications for the extension of the period of validity of patents provided for in the foregoing article shall be decided in Denmark by the Patents Board and in Italy by the *Commissione dei Ricorsi* referred to in article 71 of Royal Decree No. 1127 of 29 June 1939 concerning the protection of industrial patents.

Applications for extension, together with all the necessary documents in support thereof, shall be filed with the competent authorities before 31 December 1950. A fee of 15 crowns in Denmark and of 2,000 lire in Italy shall be payable in respect of each application.

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<sup>1</sup> In accordance with article 7, the Agreement came into force provisionally on 1 July 1950, as from the date of signature, and definitively on 30 April 1952, the date on which the Government of Italy notified the Government of Denmark of the ratification of the agreement by the Italian Parliament.

*Article 3*

The extension provided for in article 1 of this Agreement shall be added to the normal period of validity of the patent. No annual fees shall be payable during the period of such extension.

*Article 4*

The documents needed to obtain the facilities provided for in this Agreement shall be exempt from all authentication requirements.

*Article 5*

The provisions of this Agreement shall apply to Danish nationals in respect of patents registered in Italy and to Italian nationals in respect of patents registered in Denmark.

Under the terms of this Agreement, only nationals of the two countries whose rights were acquired by a date prior to the date of signature of this Agreement may be deemed to be assigns.

*Article 6*

Third parties who have in good faith begun the exploitation of an invention covered by a patent coming within the scope of the provisions of this Agreement concerning the extension of the period of validity of patents, or who have made serious preparations for such exploitation in the interval between the normal date of expiry of the said patent and the date of the entry into force of this Agreement, may not be required to cease such exploitation or such preparations.

*Article 7*

The provisions of this Agreement shall be put into effect on the date of its signature.

The Government of Italy will notify the Government of Denmark of the ratification of the Agreement by the Italian Parliament and the Government of Denmark will consider the said Agreement as definitive as from the date of the notification by the Government of Italy.

IN WITNESS WHEREOF, the plenipotentiaries, duly authorized thereto by their respective Governments, have signed this Agreement.

DONE at Copenhagen, in duplicate, this first day of July, 1950.

For the Government of Denmark :  
(Signed) F. NEERGAARD-PETERSEN

For the Government of Italy :  
(Signed) Antonio PENNETTA