

No. 2253

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

**Agreement for the prolongation of patents for inventions.  
Signed at London, on 16 June 1951**

*Official texts: English and Italian.*

*Registered by the United Kingdom of Great Britain and Northern Ireland on  
31 August 1953.*

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

**Accord relatif à la prolongation de la durée de validité  
des brevets d'invention. Signé à Londres, le 16 juin 1951**

*Textes officiels anglais et italien.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le  
31 août 1953.*

No. 2253. AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE ITALIAN REPUBLIC FOR THE PROLONGATION OF PATENTS FOR INVENTIONS. SIGNED AT LONDON, ON 16 JUNE 1951

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The Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as " the United Kingdom Government ") and the Government of the Italian Republic (hereinafter referred to as " the Italian Government ") have agreed as follows :—

*Article 1*

Patents owned by the nationals of one Contracting Party and in force after 3rd September, 1943, under the laws of the other Contracting Party (whether still in force on the date of signature of the present Agreement or not) may, subject as hereinafter provided, benefit by the provisions for prolongation of term contained in the laws of the other Contracting Party if by reason of difficulties caused by hostilities in which either Contracting Party has been engaged since 3rd September, 1939, normal exploitation has not been possible.

Provided, however, that partial or total failure to work a patent during the period from 10th June, 1940, to 3rd September, 1943, shall not be taken into account in considering the extent of the prolongation to be granted in accordance with the above-mentioned laws.

*Article 2*

The application for the prolongation of term under the preceding Article shall be filed within the time limits specified in the laws of the respective Contracting Party, or within four months from the date of signature of the present Agreement, whichever shall be the later. It shall be accompanied by the documentary evidence necessary to comply with the requirements of such laws.

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<sup>1</sup> Came into force provisionally on 16 June 1951, upon signature, and definitively on 21 April 1953, by the exchange of the instruments of ratification at London, in accordance with article 9.

*Article 3*

The benefits of the present Agreement may also be claimed by successors to the rights of the original owners, if the successors are nationals of a Contracting Party and their rights were acquired at an effective date before 10th October, 1950.

*Article 4*

When a prolongation is granted in respect of a patent that has already expired before the date of application for its prolongation, the effective period of prolongation shall run from the date of such a grant.

Third Parties, who between the normal date of expiry of a patent falling within the provisions of the present Agreement and the date of signature of the present Agreement have undertaken the exploitation, or made substantial preparations for the exploitation, of the invention which is the subject of the said patent, shall not be required to cease from exploitation or preparations and consequent exploitation as the case may be.

*Article 5*

Any requirements concerning the legislation of documents necessary to support an application for the prolongation of the term of a patent shall be waived in the case of an application made in accordance with the provisions of the present Agreement.

*Article 6*

In the present Agreement the term “ national ” shall mean :—

- (a) In relation to the United Kingdom Government—
  - (i) all citizens of the United Kingdom and Colonies who derive their citizenship from connexion with the United Kingdom;
  - (ii) all juristic persons, which derive their status as such from the law in force in the United Kingdom.
- (b) In relation to the Italian Government—
  - (i) all citizens of Italy;
  - (ii) all juristic persons, which derive their status as such from the laws in force in Italy.

*Article 7*

The present Agreement shall extend to the Isle of Man.

*Article 8*

Either Contracting Party may at any time give notice to the other Contracting Party of its desire to terminate the present Agreement and the Agreement shall cease to have effect four months after the date of such notice.

*Article 9*

1. The present Agreement shall be subject to ratification and instruments of ratification shall be exchanged in London as soon as possible.

2. The present Agreement shall enter into force provisionally on the date of signature and definitively on the exchange of instruments of ratification.

3. If instruments of ratification are not exchanged within eighteen months from the date of signature either Contracting Party may terminate the provisional application of this Agreement by giving four months' notice in writing to the other Contracting Party.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed the present Agreement.

DONE in duplicate at London on the 16th day of June, 1951, in the English and Italian languages, both texts being equally authentic

John Lucian BLAKE  
Antonio PENNETTA