

No. 11288

**FRANCE
and
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement concerning the mutual protection and use of
industrial property rights. Signed at Moscow on 19 May
1970**

Authentic texts: French and Russian.

Registered by France on 9 August 1971.

**FRANCE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

**Accord concernant la protection réciproque et l'exploitation
des droits de propriété industrielle. Signé à Moscou
le 19 mai 1970**

Textes authentiques: français et russe.

Enregistré par la France le 9 août 1971.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE
FRENCH REPUBLIC AND THE GOVERNMENT OF THE
UNION OF SOVIET SOCIALIST REPUBLICS CON-
CERNING THE MUTUAL PROTECTION AND USE OF
INDUSTRIAL PROPERTY RIGHTS

The Government of the French Republic and the Government of the Union of Soviet Socialist Republics,

Desiring to promote the development of scientific, technical and economic co-operation between the two countries,

Realizing the need to establish for that purpose the most favourable conditions for the mutual protection and use of industrial property rights relating to inventions, industrial designs or models and trade marks,

Have agreed as follows:

Article 1

No authentication shall be required for documents, including powers of attorney, attached to applications deposited in the USSR by French physical or juridical persons for certificates of authorship or patents, for certificates or patents for industrial designs or models, and for the registration of trade marks, or to applications deposited in France by Soviet physical or juridical persons for patents or certificates of use, and for the registration of industrial designs or models and of trade marks.

Article 2

The French National Industrial Property Institute and the Committee on Inventions and Discoveries of the Council of Ministers of the USSR shall take the necessary measures to facilitate, in France and in the USSR, the deposit and consideration of the applications referred to in article 1 of this Agreement and particularly, for a specific application and at the express

¹ Came into force on 20 December 1970, i.e., 30 days after the date of the second of the notifications by which the Contracting Parties informed each other of the completion of the required legal procedure, in accordance with article 8.

request of the applicant in each individual case, to extend the periods granted to French and Soviet depositors to reply to the objections of the examiners.

Article 3

The French and Soviet co-operating bodies shall jointly agree on the choice of form of protection (certificate of authorship or patent in the USSR, patent or certificate of use in France) for joint inventions made by French and Soviet nationals in the course of scientific, technical and economic co-operation between France and the USSR.

Article 4

Applications for protection documents in respect of inventions, industrial designs or models or trade marks jointly made or created by French and Soviet nationals in the course of scientific, technical and economic co-operation between France and the USSR shall be deposited with the French National Industrial Property Institute and with the Committee on Inventions and Discoveries of the Council of Ministers of the USSR by the co-operating body in the country of deposit so empowered by the co-operating body of the other country.

As a general rule, the first deposit shall be made with the Industrial Property Office of the country in whose territory the invention was made or the industrial design or model or trade mark were created.

Article 5

The co-operating bodies of the two countries may exploit the results of the work carried out in accordance with arrangements or contracts of co-operation concluded between them, in the case of joint or independent inventions, industrial designs or models and trade marks, "know-how", technical documentation or any other information relating to inventions, industrial designs or models and trade marks.

Conditions for the exploitation of the results of the co-operation shall be laid down in the said arrangements or contracts.

Article 6

The French National Industrial Property Institute and the Committee on Inventions and Discoveries of the Council of Ministers of the USSR shall send each other the information they possess concerning violations of rights to inventions, industrial designs or models and trade marks for which the

French and Soviet co-operating bodies have granted licences under arrangements or contracts concluded between them.

The above-mentioned offices shall, within the sphere of their competence and in accordance with their national legislation, take the measures necessary to terminate such violations and shall keep each other informed of the measures taken.

Article 7

All disputes concerning inventions, industrial designs or models and trade marks which arise in the course of the co-operation shall be settled through negotiations between the co-operating bodies of the two countries.

Unless otherwise stipulated in the arrangements or contracts concluded between the French and Soviet co-operating bodies, if a settlement is not reached, the parties may have recourse to the special conciliation procedure provided for in the "Provisions for the Solution of Questions Relating to the Protection and Use of Industrial Property Rights in Connexion with Scientific, Technical, and Economic Co-operation between France and the USSR" approved by the Franco-Soviet Joint Commission on Scientific, Technical and Economic Co-operation.

If the conciliation procedure is not initiated or does not result in settlement of the dispute, that dispute shall be submitted to arbitration in accordance with the provisions of the European Convention on International Commercial Arbitration signed at Geneva on 21 April 1961.¹

Article 8

Each Contracting Party shall notify the other of the completion of the legal procedure required for the entry into force of this Agreement. It shall take effect 30 days after the date of the second notification.

This Agreement shall have the same term of validity as the Agreement on scientific, technical and economic co-operation between the Government of the French Republic and the Government of the Union of Soviet Socialist Republics, concluded on 30 June 1966.²

¹ United Nations, *Treaty Series*, vol. 484, p. 349.

² United Nations, *Treaty Series*, vol. 589, p. 109.

DONE at Moscow on 19 May 1970, in duplicate in the French and Russian languages, both texts being equally authentic.

For the Government
of the French Republic:

[*Signed*]
J. P. BRUNET

For the Government
of the Union of Soviet
Socialist Republics:

[*Signed*]
Y. MAKSAREV
