

No. 12506

**FRANCE
and
IRAQ**

**Exchange of notes constituting an agreement concerning the
filing of applications for patents in Iraq and in France.
Paris, 13 September and 17 October 1972**

Authentic text: French.

Registered by France on 10 May 1973.

**FRANCE
et
IRAK**

**Échange de notes constituant un accord concernant le dépôt
de demandes de brevets en Irak et en France. Paris,
13 septembre et 17 octobre 1972**

Texte authentique: français.

Enregistré par la France le 10 mai 1973.

[TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN FRANCE AND IRAQ CONCERNING THE FILING OF APPLICATIONS FOR PATENTS IN IRAQ AND IN FRANCE

I

MINISTER FOR FOREIGN AFFAIRS

Paris, 13 September 1972

Sir,

Article 5 of French Act No. 68-1 of 2 January 1968, "Act to advance inventive activity and to modify the patents system", provides as follows:

"Without prejudice to the application of the provisions of the Paris Convention for the Protection of Industrial Property,² aliens whose domicile or place of business is outside the territory in which this Act is applicable shall be covered by this Act, subject to the enjoyment by French nationals of reciprocal protection in the countries of which the said aliens are nationals."

Since the Republic of Iraq is not a Party to the Convention of 20 March 1883,³ it is sufficient, under the terms of the above-mentioned French Act, in order that physical persons and bodies corporate of Iraqi nationality may be covered by the Act of 2 January 1968 and be empowered to apply for and obtain patents in France, that the French Government should have received from the Iraqi Government the assurance that physical persons or bodies corporate of French nationality shall enjoy reciprocal protection in the Republic of Iraq, and shall there be able to apply for and obtain patents.

I have the honour to inform you that the French Government will extend the protection of the Act of 2 January 1968 to physical persons and bodies corporate of Iraqi nationality as soon as you, Sir, in your letter of reply, have given the French Government, on behalf of the Iraqi Government, the assurance that physical persons or bodies corporate of French nationality will enjoy reciprocal protection in the territory of the Republic of Iraq.

If the Iraqi Government so agrees, I suggest that this letter and your

¹ Came into force on 16 November 1972, i.e. at the expiration of 30 days from the date of the note in reply, in accordance with the provisions of the said notes.

² *British and Foreign State Papers*, vol. 74, p. 44; vol. 92, p. 807, and vol. 104, p. 116; League of Nations, *Treaty Series*, vol. LXXIV, p. 289, and vol. CXCII, p. 17; and United Nations, *Treaty Series*, vol. 828, pp. 107 and 305.

³ *British and Foreign State Papers*, vol. 74, p. 44.

reply constitute an Agreement between our two Governments, which will enter into force 30 days from the date of such reply.

Accept, Sir, etc.

MAURICE SCHUMANN

His Excellency Mr. Na'ama Y. Al Na'ama
Ambassador of the Republic of Iraq
Paris

II

THE AMBASSADOR OF THE REPUBLIC OF IRAQ

Paris, 17 October 1972

Sir,

I have the honour to acknowledge receipt of your letter of 13 September, which reads as follows :

[See letter I]

I have the honour to inform you that the Government of the Republic of Iraq has noted the French Government's proposal to extend to physical persons or bodies corporate of Iraqi nationality the protection of French Act No. 68-1 of 2 January 1968, subject to the said Government's receiving the assurance of the Iraqi Government that physical persons or bodies corporate of French nationality will enjoy reciprocal protection in the Republic of Iraq.

I am authorized to inform you that the proposal contained in the communication is acceptable to the Iraqi Government which, moreover, agrees that your letter and this reply should constitute an agreement between our two Governments, which will enter into force 30 days from the date of this reply.

Accept, Sir, etc.

[Signed]

NA'AMA Y. AL NA'AMA

His Excellency Mr. Maurice Schumann
Minister for Foreign Affairs
Paris