

No. 15038

**UNION OF SOVIET SOCIALIST REPUBLICS
and
POLAND**

**Agreement on the reciprocal protection of copyright. Signed
at Warsaw on 4 October 1974**

Authentic text: Russian and Polish.

Registered by the Union of Soviet Socialist Republics on 5 October 1976.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
POLOGNE**

**Accord relatif à la protection réciproque du droit d'auteur.
Signé à Varsovie le 4 octobre 1974**

Textes authentiques : russe et polonais.

*Enregistré par l'Union des Républiques socialistes soviétiques le 5 octobre
1976.*

[TRANSLATION—TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC ON THE RECIPROCAL PROTECTION OF COPYRIGHT

The Government of the Union of Soviet Socialist Republics and the Government of the Polish People's Republic,

Moved by the desire further to extend co-operation in the sphere of the exchange of cultural values through the use of scientific, literary and artistic works,

Recognizing the need to determine the procedure and conditions for the reciprocal protection of copyright,

Have decided to conclude this Agreement and have appointed for this purpose as their plenipotentiaries:

The Government of the Union of Soviet Socialist Republics: Boris Dmitrievich Pankin, Chairman of the Board of the All-Union Copyright Agency,

The Government of the Polish People's Republic: Jozef Tejchma, Minister of Culture and Art of the Polish People's Republic,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

Article I. Each Contracting Party shall:

1. encourage the publication of scientific, literary and artistic works produced by nationals of the other Contracting Party;
2. encourage the inclusion of dramatic, musical/dramatic, musical and choreographic works produced by nationals of the other Contracting Party in the repertoires of the theatres, orchestras, musical ensembles and soloists of its own country.

Article II. Each Contracting Party shall recognize the copyright enjoyed by nationals and organizations of the other Contracting Party and their successors in scientific, literary and artistic works, regardless of the place of their first publication, and also the copyright of nationals of third countries and their successors in works which first appeared in the territory of the Union of Soviet Socialist Republics or of the Polish People's Republic, and shall ensure the protection of such copyright in its territory on the same basis and in the same conditions as are established by its legislation for its own nationals.

Unpublished works may be published simultaneously in the two countries, and may also be published for the first time in the territory of the other Contracting Party, and works by authors of one Contracting Party may be distributed in third countries by organizations of the other Contracting Party, by arrangement between the competent organizations of the two Contracting Parties.

¹ Came into force on 1 January 1975, i. e. on the first day of January of the year following the year in which the Contracting Parties exchanged notes confirming its approval, in accordance with article XII.

Article III. Copyright shall be protected for the period established by the domestic legislation of each of the Contracting Parties; neither Contracting Party, however, is obliged to protect a work for a longer period than the period of protection established under the legislation of the other Contracting Party.

Article IV. The royalties payable under this Agreement shall be taxed only in the country in which the author permanently resides.

Article V. The royalties shall be calculated in the currency of the State in whose territory the work was used, on the basis of the procedure established for calculating non-commercial payments.

Article VI. The practical implementation of this Agreement shall be the responsibility of the competent organizations of the two Contracting Parties dealing with the protection of copyright, which shall conclude a Working Agreement regulating all questions linked with the protection of copyright in the territory of each of the Contracting Parties and, in particular, the procedure for granting rights to use works protected under this Agreement, the assistance to be afforded to authors in protecting their copyright, the procedure for paying the royalties due to authors, the system of reciprocal payments, and other questions arising from this Agreement.

Article VII. The Contracting Parties jointly undertake to respect and strictly comply with normative provisions in force in the Union of Soviet Socialist Republics and in the Polish People's Republic concerning the procedure for the practical implementation of this Agreement.

Article VIII. This Agreement shall apply to the use, after the entry into force of the Agreement, of the works indicated in articles I and II in relation to which the periods envisaged in article III have not yet expired.

Article IX. This Agreement shall not affect the rights and obligations of the Contracting Parties under other international agreements.

Article X. This Agreement may be altered and supplemented by agreement between the Parties on the proposal of either of them.

Article XI. This Agreement is concluded for a period of three years.

This Agreement shall be automatically extended for successive three-year periods, unless one of the Contracting Parties denounces the Agreement at least six months before the expiry of the current three-year period.

Article XII. This Agreement is subject to approval in conformity with the legislation of each of the Contracting Parties.

The Agreement shall enter into force on the first day of January of the year following the year in which the Contracting Parties exchange notes confirming its approval.

DONE at Warsaw on 4 October 1974 in duplicate in the Russian and Polish languages, both texts being equally authentic.

[Signed]

B. D. PANKIN

Chairman of the Board
of the All-Union Copyright
Agency

[Signed]

JÓZEF TEJCHMA

Minister of Culture and Art
of the Polish People's Republic