

No. 832

**SWITZERLAND
and
REPUBLIC OF KOREA**

Exchange of letters constituting an agreement on the reciprocal guarantee and protection of patent rights and trademarks. Seoul, 12 December 1977

Authentic texts: French and Korean.

Filed and recorded at the request of Switzerland on 15 February 1979.

**SUISSE
et
RÉPUBLIQUE DE CORÉE**

Échange de lettres constituant un accord sur la garantie et la protection réciproques des droits des brevets d'invention et des marques. Séoul, 12 décembre 1977

Textes authentiques : français et coréen.

Classé et inscrit au répertoire à la demande de la Suisse le 15 février 1979.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS¹ CONSTITUTING AN AGREEMENT BETWEEN SWITZERLAND AND THE REPUBLIC OF KOREA ON THE RECIPROCAL GUARANTEE AND PROTECTION OF PATENT RIGHTS AND TRADEMARKS

I

REPUBLIC OF KOREA
MINISTRY OF FOREIGN AFFAIRS

Seoul, 12 December 1977

Excellency,

I have the honour to refer to the conversations which have taken place between the representatives of the Government of the Republic of Korea and the representatives of the Government of the Swiss Confederation on the subject of the conclusion of an agreement on the reciprocal guarantee and protection of patent rights and trademarks granted to nationals of the other State. The agreement resulting from these conversations covers the following points:

1. Physical persons and corporate bodies of each contracting State shall enjoy in the territory of the other State the same rights as those granted to physical persons and corporate bodies of the latter State with respect to rights to the registration and protection of patents and trademarks, whether or not they possess a domicile or an establishment in this other contracting State.
2. Physical persons and corporate bodies in each of the contracting States, that have regularly applied for a patent in one of the contracting States, shall enjoy priority in applying for the patent in the other State, during such periods as provided in the relevant laws and regulations of this other contracting State.
3. Physical persons and corporate bodies of each of the contracting States shall not be required to furnish proof that their trademarks are protected in their own State in order to obtain the registration of their trademarks in the other contracting State.
4. In order to ensure the protection referred to in paragraph 1, physical persons and corporate bodies of each contracting State shall be subject to the laws and regulations of the country in which the protection is required.

If the above-mentioned provisions are acceptable to the Government of the Swiss Confederation, I have the honour to suggest that this letter, together with your response, should constitute an agreement on this matter between the two Governments, which shall enter into force on the date of your letter and shall remain in force for an unlimited duration, unless one of the Governments terminates it by giving six months' prior notice in writing to the other contracting Government.

¹ Came into force on 12 December 1977, the date of the letter in reply, in accordance with the provisions of the said letters.

The exchange of letters is done in the French and Korean languages, both texts being equally authentic.

Accept, Sir, the assurance of my highest consideration.

[*Signed*]

PARK TONG-JIN
Minister for Foreign Affairs

His Excellency Joseph Lustenberger
Acting Ambassador of the Swiss Confederation
to the Republic of Korea
Seoul

II

EMBASSY OF SWITZERLAND IN THE REPUBLIC OF KOREA

Seoul, 12 December 1977

Excellency,

I have the honour to acknowledge receipt of your letter dated 12 December 1977, the text of which follows:

[*See letter I*]

I have the honour to inform that the provisions contained in your letter are acceptable to the Swiss Federal Council. The above-mentioned letter and this response therefore constitute an agreement between our two Governments, which enters into force on this day.

The exchange of letters is done in the French and Korean languages, both texts being equally authentic.

Accept, Sir, the assurance of my highest consideration.

LUSTENBERGER

His Excellency Park Tong-Jin
Minister for Foreign Affairs
of the Republic of Korea
Seoul