

**No. 21914**

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**BRAZIL  
and  
FRANCE**

**Agreement in the field of industrial property. Signed at  
Paris on 30 January 1981**

*Authentic texts: Portuguese and French.*

*Registered by Brazil on 31 May 1983.*

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**BRÉSIL  
et  
FRANCE**

**Accord dans le domaine de la propriété industrielle. Signé à  
Paris le 30 janvier 1981**

*Textes authentiques : portugais et français.*

*Enregistré par le Brésil le 31 mai 1983.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> IN THE FIELD OF INDUSTRIAL PROPERTY  
BETWEEN THE GOVERNMENT OF THE FEDERATIVE  
REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE  
FRENCH REPUBLIC

The Government of the Federative Republic of Brazil and the Government of the French Republic,

Considering their desire to develop industrial co-operation on the basis of the Agreement on Technical and Scientific Co-operation of 16 January 1967<sup>2</sup> and the Agreement on Industrial Technological Co-operation of 5 October 1978;<sup>3</sup>

Considering the need to institute co-operation between the two countries with a view to promoting conditions more favourable to the reciprocal protection and utilization of industrial property rights relating to inventions, industrial designs, trademarks and indications of source;

Have agreed as follows:

*Article I.* The Brazilian Government hereby designates, for the purpose of implementing this Agreement, the Secretariat for Industrial Technology of the Ministry of Industry and Commerce, as represented by the National Institute for Industrial Property (STI/INPI).

The French Government hereby designates, for the purpose of implementing this Agreement, the French National Institute for Industrial Property (INPI).

*Article II.* 1. The two Governments shall promote co-operation in the field of industrial property by various means, including the following:

- (a) Reciprocal information on changes in laws;
- (b) Regular exchanges of available information concerning violations with regard to patents, industrial designs, trademarks, indications of source and, in particular, concerning counterfeits and private disputes which may arise in connection with, *inter alia*, industrial property contracts between Brazilian and French enterprises or institutions;
- (c) Exchanges of technicians and experts (hereinafter referred to as “specialists”);
- (d) Implementation of joint studies and projects;
- (e) Development of human resources through specialization programmes or training courses;
- (f) Organization of conferences, courses and seminars.

2. STI/INPI and INPI shall keep each other informed of any steps taken to settle the violations referred to in paragraph 1 (b) of this article.

<sup>1</sup> Came into force on 25 January 1983, the date of receipt of the last of the notifications (dated 24 February 1982 and 21 January 1983) by which the Contracting Parties informed each other of the completion of the required constitutional procedures, in accordance with article X.

<sup>2</sup> United Nations, *Treaty Series*, vol. 712, p. 187.

<sup>3</sup> *Ibid.*, vol. 1112, No. I-17201.

*Article III.* The co-operation referred to in article II shall be the subject of a programme set up by agreement between STI/INPI and INPI.

*Article IV.* STI/INPI and INPI shall submit the programmes referred to in article III to the two Governments for approval, through the Franco-Brazilian Committee on Industrial Technology Co-operation provided for in article IV of the Agreement on Industrial Technological Co-operation. The said Committee may make recommendations with regard to the implementation of any activities arising out of this Agreement.

*Article V.* French and Brazilian nationals, enterprises or institutions who are parties to a private dispute concerning industrial property and have been unable to arrive directly at an amicable settlement of the said dispute shall be able to appeal to a conciliation commission composed of experts designated by agreement between STI/INPI and INPI. This commission may make recommendations to the parties concerned.

Parties to a private dispute who wish to have recourse to this form of conciliation shall apply to the authorities of the National Institute for Industrial Property of their respective country.

*Article VI.* The sending agency shall submit the names and curricula vitae of its visiting specialists for prior approval by the receiving agency.

*Article VII.* 1. The two Contracting Parties shall defray the travel costs of their specialists. The host country shall pay the daily allowances or additional expenses of such specialists during their stay in its territory.

2. The amount of the daily allowances or additional expenses of visiting specialists shall be set and reviewed yearly by agreement between the bodies responsible.

3. The receiving agency shall defray the domestic travel costs of the specialists, if such travel is deemed useful to the development of ongoing programmes.

*Article VIII.* Visiting specialists may not, in the host country, engage in any other remunerated activity or any activity unrelated to their duties without the prior authorization of the competent authorities.

*Article IX.* At the end of their visit, specialists shall submit to STI/INPI and INPI a report on their activities in the host country.

*Article X.* Each Contracting Party shall notify the other of completion of the formalities required in it for the entry into force of this Agreement, which shall take effect on the date of receipt of the later notification.

Either Contracting Party may terminate this Agreement by giving at least six months' notice.

DONE at Paris, on 30 January 1981, in duplicate in the Portuguese and French languages, both texts being equally authentic.

For the Government  
of the Federative Republic of Brazil:

[Signed]

RAMIRO SARAIVA GUERREIRO

For the Government  
of the French Republic:

[Signed]

JEAN FRANÇOIS-PONCET