

INTERNATIONAL CLASSIFICATION
FOR INDUSTRIAL DESIGNS

国际外观设计分类表

(第9版) 中英文对照版

(LOCARNO CLASSIFICATION)

NINTH EDITION

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世界知识产权组织 编
国家知识产权局专利局 译
知识产权出版社

中英文对照版

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GUOJI WAIGUANSHIJI FENLEIBIAO

世界知识产权组织 编

国家知识产权局专利局 译

出版发行：北京知识产权出版社

社址：北京海淀区中关村大街22号

网址：<http://www.cipic.cn>

发行电话：010-82008893 82008890 82008891

总编电话：010-82008827 82008860 82008818

印 刷：北京知识产权出版社印刷中心

开 本：889mm×1194mm 1/16

版 次：2009年7月第1版

字 数：260千字

ISBN 978-7-80247-720-9/C·339 (2529)

编 号：100088

邮 政：cipic@cipic.cn

电 话：010-82008893

网 址：<http://www.cipic.com>

经 销：新华书店及各大图书公司

印 数：19

印 次：2009年7月第1次印刷

定 价：20.00元

知识产权出版社

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如有印装质量问题，本社负责调换。

内容提要

本分类表为第9版《洛迦诺分类表》的中英文对照版（另有中文版）。我国在外观设计专利保存和注册的官方文件以及公布的这些文件上，标注该分类表中的分类号。

《洛迦诺分类表》（《国际外观设计分类表》）由世界知识产权组织编发，已出版了9个版本。第9版《洛迦诺分类表》于2008年1月以两种正式文本（英文和法文）出版，于2009年1月1日正式施行，同时废止前一版本。

责任编辑：李琳 黄清明
装帧设计：段维东

责任校对：韩秀天
责任出版：卢运霞

图书在版编目（CIP）数据

国际外观设计分类表：第9版．汉英对照/世界知识产权组织编；国家知识产权局专利局译．—北京：知识产权出版社，2009.7

书名原文：International Classification for Industrial Designs

ISBN 978 - 7 - 80247 - 720 - 9

I. 国… II. ①世… ②国… III. 造型设计—专利分类法—世界—汉、英 IV. G255.53
中国版本图书馆 CIP 数据核字（2009）第 089804 号

国际外观设计分类表（第9版）（中英文对照版）

GUOJI WAIGUANSHEJI FENLEIBIAO

世界知识产权组织 编

国家知识产权局专利局 译

出版发行：知识产权出版社

社 址：北京市海淀区马甸桥马甸南村1号院

网 址：<http://www.ipph.cn>

发行电话：010 - 82000893 82000860 转 8101

责编电话：010 - 82000887 82000860 转 8118

印 刷：知识产权出版社电子制印中心

开 本：889mm × 1194mm 1/16

版 次：2009年7月第1版

字 数：560千字

邮 编：100088

邮 箱：bjb@cnipr.com

传 真：010 - 82000893

责编邮箱：lilin@cnipr.com

经 销：新华书店及相关销售网点

印 张：19

印 次：2009年7月第1次印刷

定 价：50.00元

ISBN 978 - 7 - 80247 - 720 - 9/G · 299 (2559)

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如有印装质量问题，本社负责调换。

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PREFACE

A diplomatic conference, to which all the countries members of the Paris Convention for the Protection of Industrial Property were invited and which was held in Locarno (Switzerland), adopted, on October 8, 1968, the Locarno Agreement Establishing an International Classification for Industrial Designs (hereinafter referred to as “the Locarno Agreement” and “the Locarno Classification”, respectively). The text of the Locarno Agreement is reprinted in this Volume.

The Locarno Classification comprises:

- (i) a list of classes and subclasses;
- (ii) an alphabetical list of goods in which industrial designs are incorporated, with an indication of the classes and subclasses into which they fall;
- (iii) explanatory notes.

The original list of classes and subclasses was attached to the Locarno Agreement when it was adopted.

The Locarno Agreement set up a Committee of Experts, in which each country party to the Locarno Agreement is represented, and the Agreement empowered the Committee to make “amendments” in or “additions” to the original list of classes and subclasses. It entrusted the Committee to establish the alphabetical list and the explanatory notes (which were not established in the diplomatic conference), and it empowered the Committee to amend and supplement (make additions to) each and any of the three parts (list of classes and subclasses, alphabetical list of goods, explanatory notes) of the Locarno Classification.

The Locarno Classification has been revised several times by the Committee of Experts. The present (ninth) edition of the Classification incorporates all the revisions made in and before October 2007.

In this most recent edition, the list of classes and the list of classes and subclasses consist of 32 classes and 219 subclasses. The alphabetical list of goods, which contains 7,024 entries, is presented in two parts: the first part lists all the goods in a single alphabetical list, irrespective of the class to which each of them belongs; the second part lists, separately for each subclass, in alphabetical order, the goods that belong to that subclass. The explanatory notes are incorporated in the list of classes and subclasses.

The Locarno Classification is “solely of an administrative character” and does not bind the contracting countries “as regards the nature and protection afforded to the [industrial] design [classified in a certain manner]” (Locarno Agreement, Article 2 (1)). The Locarno Agreement requires the industrial property office of each contracting country to “include in the official documents for the deposit or registration of [industrial] designs, and, if they are officially published, in the publications in question, the numbers of the classes and subclasses of the Locarno Classification into which the goods incorporating the [industrial] designs belong” (Article 2 (3)).

PREFACE

Recommendations of the Committee of Experts deal with the manner in which the classes and subclasses should be indicated in the said documents and publications.

On October 15, 2007, the following 49 countries were party to the Locarno Agreement: Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, China, Croatia, Cuba, Czech Republic, Democratic People's Republic of Korea, Denmark, Estonia, Finland, France, Germany, Greece, Guinea, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Malawi, Mexico, Moldova, Mongolia, Montenegro, Netherlands, Norway, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Turkmenistan, United Kingdom, Uruguay, Uzbekistan.

The International Bureau of the World Intellectual Property Organization (WIPO), the African Intellectual Property Organization (OAPI), the African Regional Intellectual Property Organization (ARIPO), the Benelux Organization for Intellectual Property (BOIP) and the Office for Harmonization in the Internal Market (Trade Marks and Designs) (OHIM) also use the Locarno Classification in their registers and in the publications they issue.

This (ninth) edition of the Locarno Classification, published in June 2008 in the two authentic versions (English and French), will enter into force on January 1, 2009, and will replace the previous one.

The English and French versions of this (ninth) edition of the Locarno Classification may be ordered from the World Intellectual Property Organization (WIPO), 34, chemin des Colombettes, P. O. Box 18, CH - 1211 Geneva 20 or from the Electronic Bookshop on the website of WIPO at the following address : <http://www.wipo.int/ebookshop>.

Geneva, June 2008

序 言

1968年10月8日,《保护工业产权巴黎公约》全体成员国在瑞士洛迦诺召开外交会议,缔结了《建立工业品外观设计国际分类洛迦诺协定》(下文分别称为《洛迦诺协定》和《洛迦诺分类表》)。本书中附有《洛迦诺协定》的文本。

《洛迦诺分类表》包括以下内容:

- (I) 大类和小类表;
- (II) 依字母编序的外观设计产品项列表,并标示出其所属大类和小类;
- (III) 注释。

《洛迦诺协定》缔结时附有初版大类和小类表。

《洛迦诺协定》成立了由每一方成员国代表组成的专家委员会,该专家委员会由《洛迦诺协定》授权负责初版大类和小类表的修订或增补工作,并受委托制定未在外交会议上制定的依字母编序的产品项列表和注释;同时专家委员会经授权负责修正和补充(增加)《洛迦诺分类表》的大类和小类目录、依字母编序的产品项列表、注释3部分内容。

专家委员会已多次修订《洛迦诺分类表》,当前第9版分类表收录了2007年10月之前的所有修订内容。

新版的外观设计分类表及大类和小类表中包括32个大类和219个小类。依字母编序的外观设计产品项列表包含7024个条目,以两种形式表示:第一种形式不考虑产品所属类别而仅依字母顺序排列全部产品项;第二种形式在每一小类下,依字母顺序排列产品项。注释编入大类和小类目录中。

《洛迦诺分类表》“纯粹属管理性质”,不约束各缔约国“给予[工业品]外观设计的保护性质和保护范围[以某种方法分类]”(《洛迦诺协定》第2条(1))。《洛迦诺协定》要求各缔约国的工业产权局“在[工业品]外观设计保存或注册的官方文件上以及在正式公布这些文件时在有关刊物上标明使用该外观设计的产品所属国际分类法的大类和小类号”(《洛迦诺协定》第2条(3))。专家委员会议案中制定了使用于上述文件和出版物中的大类和小类的标示方法。至2007年10月15日,以下49个国家加入了《洛迦诺协定》:亚美尼亚、奥地利、阿塞拜疆、白俄罗斯、比利时、波斯尼亚和黑塞哥维那、保加利亚、中国、克罗地亚、古巴、捷克、朝鲜、丹麦、爱沙尼亚、芬兰、法国、德国、希腊、几内亚、匈牙利、冰岛、爱尔兰、意大利、哈萨克斯坦、吉尔吉斯斯坦、拉脱维亚、马拉维、墨西哥、摩尔多瓦、蒙古、黑山共和国、荷兰、挪威、罗马尼亚、俄罗斯、塞尔维亚、斯洛伐克、斯洛文尼亚、西班牙、瑞典、瑞士、塔吉克斯坦、前南斯拉夫的马其顿共和国、特立尼达和多巴哥、土耳其、土库曼斯坦、英国、乌拉圭、乌兹别克斯坦。

世界知识产权组织(WIPO)国际局、非洲知识产权组织(OAPI)、非洲地区工业产权组织(ARIPO)、比荷卢知识产权组织(BOIP)和欧洲内部市场协调局(OHIM)也在注册簿和发行的出版物中使用《洛迦诺分类表》。

第9版《洛迦诺分类表》于2008年1月以两种正式文本(英文和法文)出版,于2009年1月1日正式实施,同时废止前一版本。

第9版《洛迦诺分类表》的英文版和法文版可以从世界知识产权组织(WIPO)订购,其地址为:

序 言

34, chemin des Colombettes, P. O. Box 18, CH - 1211 Geneva 20, 或者从世界知识产权组织的网上书店订购, 其网址为: <http://www.wipo.int/ebookshop>。

日内瓦, 2008 年 6 月

LOCARNO AGREEMENT

Establishing an International Classification
for Industrial Designs

*Signed at Locarno on October 8, 1968
as amended on September 28, 1979*

Article 1

Establishment of a Special Union; Adoption of an International Classification

- (1) The countries to which this Agreement applies constitute a Special Union.
- (2) They adopt a single classification for industrial designs (hereinafter designated as “the international classification”).
- (3) The international classification shall comprise:
 - (i) a list of classes and subclasses;
 - (ii) an alphabetical list of goods in which industrial designs are incorporated, with an indication of the classes and subclasses into which they fall;
 - (iii) explanatory notes.
- (4) The list of classes and subclasses is the list annexed to the present Agreement, subject to such amendments and additions as the Committee of Experts set up under Article 3 (hereinafter designated as “the Committee of Experts”) may make to it.
- (5) The alphabetical list of goods and the explanatory notes shall be adopted by the Committee of Experts in accordance with the procedure laid down in Article 3.
- (6) The international classification may be amended or supplemented by the Committee of Experts, in accordance with the procedure laid down in Article 3.
- (7) (a) The international classification shall be established in the English and French languages.
(b) Official texts of the international classification, in such other languages as the Assembly referred to in Article 5 may designate, shall be established, after consultation with the interested Governments, by the International Bureau of Intellectual Property (hereinafter designated as “the International Bureau”) referred to in the Convention Establishing the World Intellectual Property Organization (hereinafter designated as “the Organization”).

Article 2

Use and Legal Scope of the International Classification

(1) Subject to the requirements prescribed by this Agreement, the international classification shall be solely of an administrative character. Nevertheless, each country may attribute to it the legal scope which it considers appropriate. In particular, the international classification shall not bind the countries of the Special Union as regards the nature and scope of the protection afforded to the design in those countries.

(2) Each country of the Special Union reserves the right to use the international classification as a principal or as a subsidiary system.

(3) The Offices of the countries of the Special Union shall include in the official documents for the deposit or registration of designs, and, if they are officially published, in the publications in question, the numbers of the classes and subclasses of the international classification into which the goods incorporating the designs belong.

(4) In selecting terms for inclusion in the alphabetical list of goods, the Committee of Experts shall exercise reasonable care to avoid using terms in which exclusive rights may exist. The inclusion of any word in the alphabetical index, however, is not an expression of opinion of the Committee of Experts on whether or not it is subject to exclusive rights.

Article 3

Committee of Experts

(1) A Committee of Experts shall be entrusted with the tasks referred to in Article 1 (4), 1 (5) and 1 (6). Each country of the Special Union shall be represented on the Committee of Experts, which shall be organized according to rules of procedure adopted by a simple majority of the countries represented.

(2) The Committee of Experts shall adopt the alphabetical list and explanatory notes by a simple majority of the votes of the countries of the Special Union.

(3) Proposals for amendments or additions to the international classification may be made by the Office of any country of the Special Union or by the International Bureau. Any proposal emanating from an Office shall be communicated by that Office to the International Bureau. Proposals from Offices and from the International Bureau shall be transmitted by the latter to the members of the Committee of Experts not later than two months before the session of the Committee at which the said proposals are to be considered.

(4) The decisions of the Committee of Experts concerning the adoption of amendments and additions to be made in the international classification shall be by a simple majority of the countries of the Special Union. Nevertheless, if such decisions entail the setting up of a new class or any transfer of goods from one class to another, unanimity shall be required.

(5) Each expert shall have the right to vote by mail.

(6) If a country does not appoint a representative for a given session of the Committee of Experts, or if the

expert appointed has not expressed his vote during the session or within a period to be prescribed by the rules of procedure of the Committee of Experts, the country concerned shall be considered to have accepted the decision of the Committee.

Article 4

Notification and Publication of the Classification and of Amendments and Additions Thereto

(1) The alphabetical list of goods and the explanatory notes adopted by the Committee of Experts, as well as any amendment or addition to the international classification decided by the Committee, shall be communicated to the Offices of the countries of the Special Union by the International Bureau. The decisions of the Committee of Experts shall enter into force as soon as the communication is received. Nevertheless, if such decisions entail the setting up of a new class or any transfer of goods from one class to another, they shall enter into force within a period of six months from the date of the said communication.

(2) The International Bureau, as depositary of the international classification, shall incorporate therein the amendments and additions which have entered into force. Announcements of the amendments and additions shall be published in the periodicals to be designated by the Assembly.

Article 5

Assembly of the Special Union

- (1) (a) The Special Union shall have an Assembly consisting of the countries of the Special Union.
- (b) The Government of each country of the Special Union shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts.
- (c) The expenses of each delegation shall be borne by the Government which has appointed it.
- (2) (a) Subject to the provisions of Article 3, the Assembly shall:
 - (i) deal with all matters concerning the maintenance and development of the Special Union and the implementation of this Agreement;
 - (ii) give directions to the International Bureau concerning the preparation for conferences of revision;
 - (iii) review and approve the reports and activities of the Director General of the Organization (hereinafter designated as "the Director General") concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;
 - (iv) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;
 - (v) adopt the financial regulations of the Special Union;
 - (vi) decide on the establishment of official texts of the international classification in languages other than English and French;

- (vii) establish, in addition to the Committee of Experts set up under Article 3, such other committees of experts and working groups as it deems appropriate to achieve the objectives of the Special Union;
 - (viii) determine which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
 - (ix) adopt amendments to Articles 5 to 8;
 - (x) take any other appropriate action designed to further the objectives of the Special Union;
 - (xi) perform such other functions as are appropriate under this Agreement.
- (b) With respect to matters which are of interest also to other Unions administered by the Organization, the Assembly shall make its decisions after having heard the advice of the Coordination Committee of the Organization.
- (3) (a) Each country member of the Assembly shall have one vote.
- (b) One-half of the countries members of the Assembly shall constitute a quorum.
- (c) Notwithstanding the provisions of subparagraph (b), if, in any session, the number of countries represented is less than one-half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the conditions set forth hereinafter are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.
- (d) Subject to the provisions of Article 8 (2), the decisions of the Assembly shall require two-thirds of the votes cast.
- (e) Abstentions shall not be considered as votes.
- (f) A delegate may represent, and vote in the name of, one country only.
- (4) (a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.
- (b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of one-fourth of the countries members of the Assembly.
- (c) The agenda of each session shall be prepared by the Director General.
- (5) The Assembly shall adopt its own rules of procedure.

Article 6

International Bureau

- (1) (a) Administrative tasks concerning the Special Union shall be performed by the International Bureau.

- (b) In particular, the International Bureau shall prepare the meetings and provide the secretariat of the Assembly, the Committee of Experts, and such other committees of experts and working groups as may have been established by the Assembly or the Committee of Experts.
- (c) The Director General shall be the chief executive of the Special Union and shall represent the Special Union.
- (2) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly, the Committee of Experts, and such other committees of experts or working groups as may have been established by the Assembly or the Committee of Experts. The Director General, or a staff member designated by him, shall be ex officio secretary of those bodies.
- (3) (a) The International Bureau shall, in accordance with the directions of the Assembly, make the preparations for the conferences of revision of the provisions of the Agreement other than Articles 5 to 8.
- (b) The International Bureau may consult with intergovernmental and international non-governmental organizations concerning preparations for conferences of revision.
- (c) The Director General and persons designated by him shall take part, without the right to vote, in the discussions at those conferences.
- (4) The International Bureau shall carry out any other tasks assigned to it.

Article 7

Finances

- (1) (a) The Special Union shall have a budget.
- (b) The budget of the Special Union shall include the income and expenses proper to the Special Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.
- (c) Expenses not attributable exclusively to the Special Union but also to one or more other Unions administered by the Organization shall be considered as expenses common to the Unions. The share of the Special Union in such common expenses shall be in proportion to the interest the Special Union has in them.
- (2) The budget of the Special Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.
- (3) The budget of the Special Union shall be financed from the following sources:
- (i) contributions of the countries of the Special Union;
 - (ii) fees and charges due for services rendered by the International Bureau in relation to the Special Union;
 - (iii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
 - (iv) gifts, bequests, and subventions;
 - (v) rents, interests, and other miscellaneous income.

- (4) (a) For the purpose of establishing its contribution referred to in paragraph (3) (i), each country of the Special Union shall belong to the same class as it belongs to in the Paris Union for the Protection of Industrial Property, and shall pay its annual contributions on the basis of the same number of units as is fixed for that class in that Union.
- (b) The annual contribution of each country of the Special Union shall be an amount in the same proportion to the total sum to be contributed to the budget of the Special Union by all countries as the number of its units is to the total of the units of all contributing countries.
- (c) Contributions shall become due on the first of January of each year.
- (d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any organ of the Special Union if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. However, any organ of the Special Union may allow such a country to continue to exercise its right to vote in that organ if, and as long as, it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.
- (e) If the budget is not adopted before the beginning of a new financial period, it shall be at the same level as the budget of the previous year, as provided in the financial regulations.
- (5) The amount of the fees and charges due for services rendered by the International Bureau in relation to the Special Union shall be established, and shall be reported to the Assembly, by the Director General.
- (6) (a) The Special Union shall have a working capital fund which shall be constituted by a single payment made by each country of the Special Union. If the fund becomes insufficient, the Assembly shall decide to increase it.
- (b) The amount of the initial payment of each country to the said fund or of its participation in the increase thereof shall be a proportion of the contribution of that country for the year in which the fund is established or the decision to increase it is made.
- (c) The proportion and the terms of payment shall be fixed by the Assembly on the proposal of the Director General and after it has heard the advice of the Coordination Committee of the Organization.
- (7) (a) In the headquarters agreement concluded with the country on the territory of which the Organization has its headquarters, it shall be provided that, whenever the working capital fund is insufficient, such country shall grant advances. The amount of those advances and the conditions on which they are granted shall be the subject of separate agreements, in each case, between such country and the Organization.
- (b) The country referred to in subparagraph (a) and the Organization shall each have the right to denounce the obligation to grant advances, by written notification. Denunciation shall take effect three years after the end of the year in which it has been notified.
- (8) The auditing of the accounts shall be effected by one or more of the countries of the Special Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

Article 8

Amendment of Articles 5 to 8

(1) Proposals for the amendment of Articles 5, 6, 7, and the present Article, may be initiated by any country of the Special Union or by the Director General. Such proposals shall be communicated by the Director General to the countries of the Special Union at least six months in advance of their consideration by the Assembly.

(2) Amendments to the Articles referred to in paragraph (1) shall be adopted by the Assembly. Adoption shall require three-fourths of the votes cast, provided that any amendment to Article 5, and to the present paragraph, shall require four-fifths of the votes cast.

(3) Any amendment to the Articles referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the Special Union at the time the amendment was adopted. Any amendment to the said Articles thus accepted shall bind all the countries which are members of the Special Union at the time the amendment enters into force, or which become members thereof at a subsequent date, provided that any amendment increasing the financial obligations of countries of the Special Union shall bind only those countries which have notified their acceptance of such amendment.

Article 9

Ratification and Accession; Entry Into Force

(1) Any country party to the Paris Convention for the Protection of Industrial Property which has signed this Agreement may ratify it, and, if it has not signed it, may accede to it.

(2) Instruments of ratification and accession shall be deposited with the Director General.

(3) (a) With respect to the first five countries which have deposited their instruments of ratification or accession, this Agreement shall enter into force three months after the deposit of the fifth such instrument.

(b) With respect to any other country, this Agreement shall enter into force three months after the date on which its ratification or accession has been notified by the Director General, unless a subsequent date has been indicated in the instrument of ratification or accession. In the latter case, this Agreement shall enter into force with respect to that country on the date thus indicated.

(4) Ratification or accession shall automatically entail acceptance of all the clauses and admission to all the advantages of this Agreement.

Article 10

Force and Duration of the Agreement

This Agreement shall have the same force and duration as the Paris Convention for the Protection of Industrial Property.

Article 11

Revision of Articles 1 to 4 and 9 to 15

(1) Articles 1 to 4 and 9 to 15 of this Agreement may be submitted to revision with a view to the introduction of desired improvements.

(2) Every revision shall be considered at a conference which shall be held among the delegates of the countries of the Special Union.

Article 12

Denunciation

(1) Any country may denounce this Agreement by notification addressed to the Director General. Such denunciation shall affect only the country making it, the Agreement remaining in full force and effect as regards the other countries of the Special Union.

(2) Denunciation shall take effect one year after the day on which the Director General has received the notification.

(3) The right of denunciation provided by this Article shall not be exercised by any country before the expiration of five years from the date upon which it becomes a member of the Special Union.

Article 13

Territories

The provisions of Article 24 of the Paris Convention for the Protection of Industrial Property shall apply to this Agreement.

Article 14

Signature, Languages, Notifications

- (1) (a) This Agreement shall be signed in a single copy in the English and French languages, both texts being equally authentic, and shall be deposited with the Government of Switzerland.
- (b) This Agreement shall remain open for signature at Berne until June 30, 1969.
- (2) Official texts shall be established by the Director General, after consultation with the interested Governments, in such other languages as the Assembly may designate.
- (3) The Director General shall transmit two copies, certified by the Government of Switzerland, of the signed text of this Agreement to the Governments of the countries that have signed it and, on request, to the Government of any other country.
- (4) The Director General shall register this Agreement with the Secretariat of the United Nations.
- (5) The Director General shall notify the Governments of all countries of the Special Union of the date of entry into force of the Agreement, signatures, deposits of instruments of ratification or accession, acceptances of amendments to this Agreement and the dates on which such amendments enter into force, and notifications of denunciation.

Article 15

Transitional Provision

Until the first Director General assumes office, references in this Agreement to the International Bureau of the Organization or to the Director General shall be deemed to be references to the United International Bureaux for the Protection of Intellectual Property (BIRPI) or its Director, respectively.