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**FINAL TEXTS OF PROPOSAL AMENDMENTS TO THE PARIS CONVENTION AND
OTHER WIPO-ADMINISTERED TREATIES**

Document prepared by the Secretariat

Introduction

1. At their meeting in September 2002, the Assemblies of the Member States of WIPO adopted the three recommendations submitted to them by the WIPO Working Group on Constitutional Reform. The three recommendations are: (i) the abolition of the WIPO Conference; (ii) the formalization in the treaties of the unitary contributions system and the changes in contribution classes that have been practiced since 1994; and (iii) a change in the periodicity of the ordinary sessions of the WIPO General Assembly and the other Assemblies of the Unions administered by WIPO, from once every two years to once every year (see document A/37/14, paragraphs 291 to 301).

* Please note this document was previously issued as A/38/3.

2. In order to implement the decision of the Assemblies in respect of the three recommendations mentioned in the preceding paragraph, several of the treaties administered by WIPO would need to be amended.¹

3. Document A/39/2 (“Final Texts of Proposed Amendments to the Convention Establishing the World Intellectual Property Organization”) sets out final texts of the amendments to the WIPO Convention that would be necessary to implement the decision of the Assemblies. The present document sets out final texts for the implementation of the decision of the Assemblies in the context of the Paris Convention for the Protection of Industrial Property and other WIPO-administered treaties. It is proposed that the said amendments be considered and adopted by the WIPO Conference and the concerned Assemblies at their meeting in September 2003.

4. In the ensuing document, the text of any modifications proposed to the treaty concerned is presented in **bold italics**, where words in the original have been changed or new words inserted; and by “ (---)”, where words have been deleted without replacement. To facilitate ease of reference and comparison, the Notes relating to each Article that is proposed to be amended reproduce the existing provision of the relevant treaty in a clearly distinguishable box. A clean or unmarked version of the text of the proposed amendment is also reproduced in the Annex to this document.

¹ The WIPO-administered treaties that are proposed to be amended in order to implement the decision of the Assemblies are: Convention Establishing the World Intellectual Property Organization (the WIPO Convention), Paris Convention for the Protection of Industrial Property (the Paris Convention), Berne Convention for the Protection of Literary and Artistic Works (the Berne Convention), Madrid Agreement Concerning the International Registration of Marks (the Madrid Agreement), Hague Agreement Concerning the International Deposit of Industrial Designs (the Hague Agreement), Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of Registration of Marks (the Nice Agreement), Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (the Lisbon Agreement), Locarno Agreement Establishing an International Classification for Industrial Designs (the Locarno Agreement), Patent Cooperation Treaty (PCT), Strasbourg Agreement Concerning the International Patent Classification (the Strasbourg Agreement), Vienna Agreement Establishing an International Classification of the Figurative Elements of Marks (the Vienna Agreement) and Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure (the Budapest Treaty).

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Paris Convention for the Protection of Industrial Property
Final Texts of Proposed Amendments

Notes on Article 13

13.01 *Article 13(7)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Unions administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/3 9/2).

Article 13 of the Paris Convention

Assembly of the Union

(...)

(7) (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 the Executive Committee or at the request of one-fourth of the countries members of the Assembly.

(...)

Article 13
Assembly of the Union

[Proposed Amendment to Article 13]

(...)

(7) (a) The Assembly shall meet once in every (----) 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 the Executive Committee or at the request of one -fourth of the countries members of the Assembly.

(...)

[End of Proposed Amendment to Article 13]

Notes on Article 16

16.01 *Article 16* contains the financial provisions of the Paris Convention. The existing provisions no longer reflect the practice of the Paris Union and WIPO as a consequence of the reforms adopted by the competent Assemblies of WIPO and the Unions administered by WIPO in 1989 and 1991 (for certain changes in classes of contribution) and in 1993 (for the unitary contributions system and for further changes to classes of contribution). A full description of those changes in practice is set out in document WO/GA/WG -CR/2, paragraphs 16 to 50.

16.02 The proposals set out in Article 16 seek to align the provisions of Article 16 with the new practice of the Paris Union and WIPO with respect to classes of contribution and the unitary contributions system. As such, they need to be read in conjunction with the proposals set out for Article 11 of the WIPO Convention in document A/39/2.

16.03 It is proposed that *Article 16(1)(a)* of the existing text of the Paris Convention be deleted. Since the introduction of the unitary contributions system, the budget of the Paris Union is part of the budget of the contribution-financed Unions in the Program and Budget of the Organization and the Unions administered by WIPO.

16.04 The wording of *Article 16(1)(b)* has been modified so as to require transparency and fairness in the presentation of the income and expenses of the Paris Union in the budget of the Organization. The provision is intended to assist the Member States in their review and supervision of the finances of the Paris Union and the Organization.

16.05 It is suggested that *Article 16(1)(c)* be deleted, since it would no longer seem to be necessary in view of the requirement of fairness and transparency in the reflecting of the income and expenses of the Union, which is established by the new proposed text of *Article 16(1)*.

Article 16 of the Paris Convention

Finances

(1) (a) The Unions shall have a budget.

(b) The budget of the Unions shall include the income and expenses proper to the 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 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 Union in such common expenses shall be in proportion to the interest the Union has in them.

[continues]

Article 16
Finances

[Proposed Amendment to Article 16]

(1) (a) (----)

(b) The (----) income and expenses *of the Union* (----) *shall be reflected in the budget of the Organization in a fair and transparent manner* .

(c) (----)

[Proposed Amendment to Article 16 continues]

[Notes on Article 16, continued]

16.06 It is suggested that **Article 16(2)** be deleted as no longer necessary.

16.07 Several amendments are suggested to **Article 16(3)**, but these are largely of a formal nature. Thus, "budget of the Union" is replaced by "income of the Union" to reflect the fact that the budgets of the various Unions administered by WIPO and of the Organization are presented in a single document of an inter-connected nature.

Article 16 of the Paris Convention

[continued]

(2) The budget of the Unions 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 Unions shall be financed from the following sources:

- (i) contributions of the countries of the Union;
- (ii) fees and charges due for services rendered by the International Bureau in relation to the Union;
- (iii) sale of, or royalties on, the publications of the International Bureau concerning the Union;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

[continues]

[Proposed Amendment to Article 16, continued]

- (2) (----)
- (3) The *income* of the Union shall be *derived* from the following sources:
- (i) contributions of the countries of the Union;
 - (ii) fees and charges due for services rendered by the International Bureau (----);
 - (iii) sale of, or royalties on, the publications of the International Bureau (----);
 - (iv) gifts, bequests, and subventions;
 - (v) rents, interests, and other miscellaneous income.

[Proposed Amendment to Article 16 continues]

[Notes on Article 16, continued]

16.08 Several amendments are proposed in relation to *Article 16(4)(a) and (b)* to reflect the unitary contributions system and the changes in contribution classes that have been introduced in the practice of the Organization and the Unions administered by WIPO. These suggested amendments correspond to similar amendments suggested to Article 11(4) in the WIPO Convention in document A/39/2.

16.09 *Article 16(4)(a)* maintains the existing class system for the establishment of contributions. Unlike the corresponding provision in the existing text of Article 16(4)(a) of the Paris Convention, however, the provision does not set out the various classes and the units assigned to them. Rather, it is proposed that the number of classes and the number of units assigned to each class be established by the competent Assembly pursuant to the provisions of Article 16(4)(b). In this way, some flexibility for dealing with potential future changes in the classes and the units assigned to classes will exist.

Article 16 of the Paris Convention

[continued]

(4) (a) For the purpose of establishing its contribution towards the budget, each country of the Union shall belong to a class, and shall pay its annual contributions on the basis of a number of units fixed as follows:

Class	25
Class II	20
Class III	15
Class IV	10
Class V	5
Class VI	3
Class VII	1

[continues]

[Proposed Amendment to Article 16, continued]

(4) (a) For the purpose of establishing its contribution (----), each country of the Union shall belong to a class, and shall pay its annual contribution on the basis of *the* number of units *assigned to that class* (----).

[Proposed Amendment to Article 16 continues]

[Notes on Article 16, continued]

16.10 At present, the classes that exist for contributions in respect of membership in any of the contribution -financed Unions (it being recalled that a single contribution is now paid) are as follows:

–	Class I	25	
–	Class II	20	
–	Class III	15	
–	Class IV	10	
–	Class IV <i>bis</i>	7.5	
–	Class V	5	
–	Class VI	3	
–	Class VI <i>bis</i>	2	
–	Class VII	1	
–	Class VIII	1/2	
–	Class IX	1/4	
–	Class S	1/8	Applicable to developing countries having contributions under the United Nations scale of assessment between 0.020% and 0.100%.
–	Class S <i>bis</i>	1/16	Applicable to developing countries, other than least developed countries, having contributions under the United Nations scale of assessment of 0.019% or below.
–	Class S <i>ter</i>	1/32	Applicable to least developed countries.

16.11 **Article 16(4)(b)** provides that the number of classes and the units applicable to those classes would be decided by the Assembly of the Paris Union meeting in joint session with the WIPO General Assembly and the Assemblies of the other contribution -financed Unions (it being recalled that a unitary or single contribution is payable).

Article 16(4) of the Paris Convention

[continued]

(b) Unless it has already done so, each country shall indicate, concurrently with depositing its instrument of ratification or accession, the class to which it wishes to belong. Any country may change class. If it chooses a lower class, the country must announce such change to the Assembly at one of its ordinary sessions. Any such change shall take effect at the beginning of the calendar year following the said session.

[continues]

[Proposed Amendment to Article 16, continued]

(b) *The number of classes applicable to the countries of the Union, and the units assigned to each such class, shall be established by the Assembly meeting in joint session with the WIPO General Assembly and the Assemblies of the other Unions whose constituent treaties provide for the payment of a contribution.*

[Proposed Amendment to Article 16 continues]

[Notes on Article 16, continued]

16.12 **Article 16(4)(c)** (formerly Article 16(4)(b)) contains only one suggested modification. That modification would make the choice of any country to change classes conditional on satisfying any conditions of eligibility attached to any particular class (such conditions apply in the practice of the present system in the lowest classes).

16.13 **Article 16(4)(d)** (formerly Article 16(4)(c)) contains only a formal amendment consisting of the replacement of the words “budget of the Union” by the words “budget of the Organization.”

16.14 **Article 16(4)(e)** (formerly Article 16(4)(d)) remains unchanged.

16.15 No change is proposed to **Article 16(4)(f)** (formerly Article 16(4)(e)).

16.16 Amendments have been introduced to **Article 16(4)(g)** (formerly Article 16(4)(f)) to reflect the fact that the income and expenses of the Paris Union are represented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 16(4) of the Paris Convention

[continued]

(c) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the budget of the Union by all countries as the number of its units is to the total of the units of all contributing countries.

(d) Contributions shall become due on the first of January of each year.

(e) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs of the Union of which it is a member 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 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.

(f) 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.

(...)

[Proposed Amendment to Article 16, continued]

(c) Unless it has already done so, each country shall, **subject to any conditions governing eligibility for membership of any classes**, indicate, concurrently with depositing its instrument of ratification or accession, the class to which it wishes to belong. Any country may, **subject to any conditions governing eligibility for membership of any classes**, change class. If it chooses a lower class, the country must announce such change to the Assembly at one of its ordinary sessions. Any such change shall take effect at the beginning of the calendar year following the said session.

(d) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the budget of the **(----) Organization** by all countries as the number of its units is to the total of the units of all contributing countries.

(e) Contributions shall become due on the first of January of each year.

(f) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs of the Union of which it is a member 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 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.

(g) If the budget **of the Organization** is not adopted before the beginning of a new financial period, **(----) the budgeted income and expenses of the Union** shall be at the same level as **(----) they were in** the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 16 and of
Proposed Amendment to the Paris Convention]

**Berne Convention for the Protection of Literary and Artistic Works:
Final Texts of Proposed Amendments**

Notes on Article 22

22.01 *Article 22(4)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Unions administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/39/2).

Article 22 of the Berne Convention

Assembly

(...)

(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 the Executive Committee or at the request of one-fourth of the countries members of the Assembly.

(...)

Article 22
Assembly

[Proposed Amendment to Article 22]

(...)

(4) (a) The Assembly shall meet once in every (----) 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 the Executive Committee or at the request of one -fourth of the countries members of the Assembly.

(...)

[End of Proposed Amendment to Article 22]

Notes on Article 25

25.01 *Article 25* contains the financial provisions of the Berne Convention. The existing provisions no longer reflect the practice of the Berne Union and WIPO as a consequence of the reforms adopted by the competent Assemblies of WIPO and the Unions administered by WIPO in 1989 and 1991 (for certain changes in classes of contribution) and in 1993 (for the unitary contributions system and for further changes to classes of contribution). A full description of those changes in practice is set out in document WO/GA/WG -CR/2, paragraphs 16 to 50.

25.02 The proposals set out in Article 25 seek to align the provisions of Article 25 with the new practice of the Berne Union and WIPO with respect to classes of contribution and the unitary contributions system. As such, they need to be read in conjunction with the proposals set out for Article 11 of the WIPO Convention in document A/39/2.

25.03 It is proposed that *Article 25(1)(a)* of the existing text of the Berne Convention be deleted. Since the introduction of the unitary contributions system, the budget of the Berne Union is part of the budget of the contribution-financed Unions in the Program and Budget of the Organization and the Unions administered by WIPO.

25.04 The wording of *Article 25(1)(b)* has been modified so as to require transparency and fairness in the presentation of the income and expenses of the Berne Union in the budget of the Organization. The provision is intended to assist the Member States in their review and supervision of the finances of the Berne Union and the Organization.

25.05 It is suggested that *Article 25(1)(c)* be deleted, since it would no longer seem to be necessary in view of the requirement of fairness and transparency in the reflecting of the income and expenses of the Union which is established by the new proposed text of Article 25(1).

Article 25 of the Berne Convention

Finances

(1) (a) The Unions shall have a budget.

(b) The budget of the Union shall include the income and expenses proper to the 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 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 Union in such common expenses shall be in proportion to the interest the Union has in them.

[continues]

Article 25
Finances

[Proposed Amendment to Article 25]

(1) (a) (----)

(b) The (----) income and expenses *of the Union* (----) ***shall be reflected in the budget of the Organization in a fair and transparent manner.***

(c) (----)

[Proposed Amendment to Article 25 continues]

[Notes on Article 25, continued]

25.06 It is suggested that *Article 25(2)* be deleted as no longer necessary.

25.07 Several amendments are suggested to *Article 25(3)*, but these are largely of a formal nature. Thus, "budget of the Union" is replaced by "income of the Union" to reflect the fact that the budgets of the various Unions administered by WIPO and of the Organization are presented in a single document of an inter-connected nature.

Article 25 of the Berne Convention

[continued]

(2) The budget of the Unions 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 Unions shall be financed from the following sources:

- (i) contributions of the countries of the Union;
- (ii) fees and charges due for services performed by the International Bureau in relation to the Union;
- (iii) sale of, or royalties on, the publications of the International Bureau concerning the Union;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

[continues]

[Proposed Amendment to Article 25, continued]

- (2) (----)
- (3) The *income* of the Union shall be *derived* from the following sources:
- (i) contributions of the countries of the Union;
 - (ii) fees and charges due for services rendered by the International Bureau (----);
 - (iii) sale of, or royalties on, the publications of the International Bureau (----);
 - (iv) gifts, bequests, and subventions;
 - (v) rents, interests, and other miscellaneous income.

[Proposed Amendment to Article 25 continues]

Notes on Article 25

25.08 Several amendments are proposed in relation to *Article 25(4)(a) and (b)* to reflect the unitary contributions system and the changes in contribution classes that have been introduced in the practice of the Organization and the Unions administered by WIPO. These suggested amendments correspond to similar amendments suggested to Article 11(4) in the WIPO Convention in document A/39/2. See also corresponding provisions in the Paris Convention, above.

Article 25 of the Berne Convention

[continued]

(4) (a) For the purpose of establishing its contribution towards the budget, each country of the Unions shall belong to a class, and shall pay its annual contributions on the basis of a number of units fixed as follows:

Class I	25
Class II	20
Class III	15
Class IV	10
Class V	5
Class VI	3
Class VII	1

(b) Unless it has already done so, each country shall indicate, concurrently with depositing its instrument of ratification or accession, the class to which it wishes to belong. Any country may change class. If it chooses a lower class, the country must announce it to the Assembly at one of its ordinary sessions. Any such change shall take effect at the beginning of the calendar year following the session.

(c) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the annual budget of the Union by all countries as the number of its units is to the total of the units of all contributing countries.

(d) Contributions shall become due on the first of January of each year.

[continues]

[Proposed Amendment to Article 25, continued]

(4) (a) For the purpose of establishing its contribution (----), each country of the Union shall belong to a class, and shall pay its annual contribution on the basis of *the number of units assigned to that class* (----).

(b) The number of classes applicable to the countries of the Union, and the units assigned to each such class, shall be established by the Assembly meeting in joint session with the WIPO General Assembly and the Assemblies of the other Unions whose constituent treaties provide for the payment of a contribution.

(c) Unless it has already done so, each country shall, *subject to any conditions governing eligibility for membership of any classes*, indicate, concurrently with depositing its instrument of ratification or accession, the class to which it wishes to belong. Any country may, *subject to any conditions governing eligibility for membership of any classes*, change class. If it chooses a lower class, the country must announce it to the Assembly at one of its ordinary sessions. Any such change shall take effect at the beginning of the calendar year following the session.

(d) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the annual budget of the (----) *Organization* by all countries as the number of its units is to the total of the units of all contributing countries.

[Proposed Amendment to Article 25 continues]

[Notes on Article 25, continued]

25.09 *Article 25(4)(e)* (formerly Article 25(4)(d)) remains unchanged.

25.10 No change is proposed to *Article 25(4)(f)* (formerly Article 25(4)(e)), with the exception of the replacement of the phrase “shall have no vote” with the phrase “shall not exercise its vote.” This change corresponds to that proposed in respect of the WIPO Convention.

25.11 Amendments have been introduced to *Article 25(4)(g)* (formerly Article 25(4)(f)) to reflect the fact that the income and expenses of the Berne Union are represented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 25(4) of the Berne Convention

[continued]

(e) A country which is in arrears in the payment of its contributions shall have no vote in any of the organs of the Union of which it is a member 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 Union may allow such a country to continue to exercise its vote in that organ if, and as long as, it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(f) 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, in accordance with the financial regulations.

(...)

[Proposed Amendment to Article 25, continued]

(e) Contributions shall become due on the first of January of each year.

(f) A country which is in arrears in the payment of its contributions shall **not exercise its vote** in any of the organs of the Union of which it is a member 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 Union may allow such a country to continue to exercise its vote in that organ if, and as long as, it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(g) If the budget **of the Organization** is not adopted before the beginning of a new financial period, (----) **the budgeted income and expenses of the Union** shall be at the same level as (----) **they were in** the previous year, in accordance with the financial regulations.

(...)

[End of Proposed Amendment to Article 25 and of
Proposed Amendment to the Berne Convention]

**Madrid Agreement Concerning the International Registration of Marks:
Final Texts of Proposed Amendments**

Notes on Article 10

10.01 *Article 10(4)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Union administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/39/2).

**Article 10 of the Madrid Agreement
Assembly of the Special Union**

(...)

(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.

(...)

Article 10
Assembly of the Special Union

[Proposed Amendment to Article 10]

(...)

(4) (a) The Assembly shall meet once in every (----) 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.

(...)

[End of Proposed Amendment to Article 10]

Notes on Article 12

12.01 The suggested amendments to *Article 12(1)* correspond to those proposed for Article 16(1) of the Paris Convention and Article 25(1) of the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article of the Paris Convention and Article 25 of the Berne Convention).

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12.02 The suggested amendments in respect of *Article 12(2)* and (3) also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 12 of the Madrid Agreement

Finances

(1) (a) The Special Unions shall have a budget.

(b) The budget of the Special Unions 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 Unions 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 Unions shall be financed from the following sources:

- (i) international registration fees and other fees and charges due for other services rendered by the International Bureau in relation to the Special Union;
- (ii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
- (iii) gifts, bequests, and subventions;
- (iv) rents, interests, and other miscellaneous income.

[continues]

Article 12
Finances

[Proposed Amendment to Article 12]

(1) (a) (----)

(b) The (----) income and expenses *of* the Special Union (----) ***shall be reflected in the budget of the Organization in a fair and transparent manner*** .

(c) (----)

(2) (----)

(3) The *income* of the Special Unions shall be ***derived*** from the following sources:

- (i) international registration fees and other fees and charges due for other services rendered by the International Bureau (----);
- (ii) sale of, or royalties on, the publications of the International Bureau (----);
- (iii) gifts, bequests, and subventions;
- (iv) rents, interests, and other miscellaneous income.

[Proposed Amendment to Article 12 continues]

[Notes on Article 12, continued]

12.03 *Article 12(4)(a)* and *(b)* remain unchanged.

12.04 *Article 12(4)(c)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Madrid Union are represented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 12 of Madrid Agreement

[continued]

(4) (a) The amount of the fees referred to in Article 8(2) and other fees relating to international registrations shall be fixed by the Assembly on the proposal of the Director General.

(b) The amount of such fees shall be so fixed that the revenues of the Special Union from fees, other than the supplementary and complementary fees referred to in Article 8(2)(b) and (c), and other sources shall be at least sufficient to cover the expenses of the International Bureau concerning the Special Union.

(c) 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.

(...)

[Proposed Amendment to Article 12, continued]

(4) (a) The amount of the fees referred to in Article 8(2) and other fees relating to international registrations shall be fixed by the Assembly on the proposal of the Director General.

(b) The amount of such fees shall be so fixed that the revenues of the Special Union from fees, other than the supplementary and complementary fees referred to in Article 8(2)(b) and (c), and other sources shall be at least sufficient to cover the expense of the International Bureau concerning the Special Union.

(c) If the budget *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 12 and of
Proposed Amendment to the Madrid Agreement]

**The Hague Agreement Concerning the International Deposit of Industrial Designs -
Complementary Act of Stockholm of July 14, 1967:
Final Texts of Proposed Amendments**

Notes on Article 2

2.01 *Article 2(4)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Unions administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/39/2).

Article 2 of the Hague Agreement

Assembly

(...)

(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.

(...)

Article2
Assembly

[ProposedAmendmenttoArticle2]

(...)

(4) (a) TheAssemblyshallmeetonceinevery (----)calendaryearinordinary sessionuponconvocationbytheDirectorGeneraland,intheabsenceofexceptional circumstances,duringthesameperiodandatthesameplaceastheGeneralAssemblyofth e Organization.

(b) TheAssemblyshallmeetinextraordinarysessionuponconvocationbythe DirectorGeneral,attherequestofone -fourthofthecountriesmembersoftheAssembly.

(c) TheagendaofeachsessionshallbepreparedbytheDirectorGeneral.

(...)

[EndofProposedAmendmenttoArticle2]

Notes on Article 4

4.01 The suggested amendments to **Article 4(1)** correspond to those proposed for Article 16(1) of the Paris Convention and Article 25(1) of the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article 16 of the Paris Convention and Article 25 of the Berne Convention).

4.02 The suggested amendments in respect of **Article 4(2)** and **(3)** also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 4 of the Hague Agreement

Finances

- (1) (a) The Special Unions shall have a budget.
 - (b) The budget of the Special Unions 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 deemed to be 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 Unions 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 Unions shall be financed from the following sources:
 - (i) international deposit fees and other fees and charges due for other services rendered by the International Bureau in relation to the Special Union;
 - (ii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
 - (iii) gifts, bequests, and subventions;
 - (iv) rents, interests, and other miscellaneous income.

[continues]

Article 4
Finances

[Proposed Amendment to Article 4]

(1) (a) (----)

(b) The (----) income and expenses *of the Special Union* (----) *shall be reflected in the budget of the Organization in a fair and transparent manner* .

(c) (----)

(2) (----)

(3) The *income* of the Special Union shall be *derived* from the following sources:

(i) international deposit fees and other fees and charges due for other services rendered by the International Bureau (----);

(ii) sale of, or royalties on, the publications of the International Bureau (----);

(iii) gifts, bequests, and subventions;

(iv) rents, interests, and other miscellaneous income.

[Proposed Amendment to Article 4 continues]

4.03 *Article 4(4)(a)* and *(b)* remain unchanged.

4.04 *Article 4(4)(c)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Hague Union are represented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 4 of the Hague Agreement

[continued]

(4) (a) The amounts of the fees referred to in paragraph (3)(i) shall be fixed by the Assembly on the proposal of the Director General.

(b) The amounts of such fees shall be so fixed that the revenues of the Special Union from fees and other sources shall be at least sufficient to cover the expenses of the International Bureau concerning the Special Union.

(c) 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.

(...)

[Proposed Amendment to Article 4, continued]

(4) (a) The amounts of the fees referred to in paragraph (3)(i) shall be fixed by the Assembly on the proposal of the Director General.

(b) The amounts of such fees shall be so fixed that the revenues of the Special Union from fees and other sources shall be at least sufficient to cover the expenses of the International Bureau concerning the Special Union.

(c) If the budget *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 4 and of
Proposed Amendment to the Hague Agreement]

**Nice Agreement Concerning the International Classification of Goods and
Services for the Purposes of the Registration of Marks:
Final Texts of Proposed Amendments**

Notes on Article 5

5.01 *Article 5(4)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Unions administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/39/2).

**Article 5 of the Nice Agreement
Assembly of the Special Union**

(...)

(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.

(...)

Article 5
Assembly

[Proposed Amendment to Article 5]

(...)

(4) (a) The Assembly shall meet once in every (----) 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.

(...)

[End of Proposed Amendment to Article 5]

Notes on Article 7

7.01 The revisions proposed for *Article 7(1)* mirror those for the corresponding text in the Paris Convention and the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article 16 of the Paris Convention and Article 25 of the Berne Convention).

7.02 The suggested amendments in respect of *Article 7(2)* and (3) also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 7 of the Nice Agreement

Finances

(1) (a) The Special Unions shall have a budget.

(b) The budget of the Special Unions 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 Unions 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 Unions 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.

[continues]

Article 7
Finances

[Proposed Amendment to Article 7]

(1) (a) (----)

(b) The (----) income and expenses *of* the Special Union (----) ***shall be reflected in the budget of the Organization in a fair and transparent manner.***

(c) (----)

(2) (----)

(3) The *income* of the Special Union shall be ***derived*** 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 (----);

(iii) sale of, or royalties on, the publications of the International Bureau (----);

(iv) gifts, bequests, and subventions;

(v) rents, interests, and other miscellaneous income.

[Proposed Amendment to Article 7 continues]

[Notes on Article 7, continued]

7.03 The proposed revisions mirror those for corresponding text in the Paris and the Berne Convention in respect of the unitary contributions system and changes in contribution classes.

7.04 *Article 7(4)(e)* contains a proposed modification which corresponds to that proposed for Article 16 (4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Nice Union are represented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 7 of the Nice Agreement

[continued]

(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.

(...)

[Proposed Amendment to Article 7, continued]

(4) (a) For the purpose of establishing its contribution (----), 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 contribution on the basis of the (----) number of units *assigned to that class* (----).

(b) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the budget of the (----) *Organization* 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 *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 7 and of
Proposed Amendment to the Nice Agreement]

**Lisbon Agreement for the Protection of Appellations of Origin and their
International Registration:
Final Texts of Proposed Amendments**

Notes on Article 9

9.01 *Article 9(4)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Unions administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/39/2).

**Article 9 of the Lisbon Agreement
Assembly of the Special Union**

(...)

(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.

(...)

Article 9
Assembly of the Special Union

[Proposed Amendment to Article 9]

(...)

(4) (a) The Assembly shall meet once in every (----) 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.

(...)

[End of Proposed Amendment to Article 9]

Notes on Article 11

11.01 The suggested amendments correspond to similar amendments suggested to Article 16(1) of the Paris Convention and Article 25(1) of the Bern Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner. As the Lisbon Union is not a contribution-financed Union, no changes are required in respect of the unitary contribution system.

Article 11 of the Lisbon Agreement

Finances

- (1) (a) The Special Unions shall have a budget.
- (b) The budget of the Special Unions 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.

[continues]

Article 11
Finances

[Proposed Amendment to Article 11]

1 (a) (----)

(b) The (----) income and expenses *of* the Special Union (----) ***shall be reflected in the budget of the Organization in a fair and transparent manner*** .

(c) (----)

[Proposed Amendment to Article 11 continues]

[Notes on Article 11, continued]

11.02 The suggested amendments correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 11 of the Lisbon Agreement

[continued]

(2) The budget of the Special Unions 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 Unions shall be financed from the following sources:

- (i) international registration fees collected under Article 7(2) and other fees and charges due for other services rendered by the International Bureau in relation to the Special Union;
- (ii) sale of, or royalties on, the publications of the International Bureau concerning the Special Union;
- (iii) gifts, bequests, and subventions;
- (iv) rents, interests, and other miscellaneous income;
- (v) contributions of the countries of the Special Union, if and to the extent to which receipts from the sources indicated in items (i) to (iv) do not suffice to cover the expenses of the Special Union.

(...)

[Proposed Amendments to Article 11, continued]

- (2) (----)
- (3) The *income* of the Special Union shall be *derived* from the following sources:
- (i) international registration fees collected under Article 7(2) and other fees and charges due for other services rendered by the International Bureau (----);
 - (ii) sale of, or royalties on, the publications of the International Bureau (----);
 - (iii) gifts, bequests, and subventions;
 - (iv) rents, interests, and other miscellaneous income;
 - (v) contributions of the countries of the Special Union, if and to the extent to which receipts from the sources indicated in items (i) to (iv) do not suffice to cover the expenses of the Special Union.

(...)

[Notes on Article 11, continued]

11.03 The proposed revisions mirror those for corresponding text in the Paris and the Berne Convention in respect of the unitary contributions system and changes in contribution classes

11.04 *Article 11(5)(e)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Special Union are represented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 11 of the Lisbon Agreement

[continued]

(...)

5 (a) For the purpose of establishing its contribution referred to in paragraph 3(v), 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) The date on which contributions are to be paid shall be fixed by the Assembly.

(d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs 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 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.

(...)

[Proposed Amendment to Article 11, continued]

(...)

5 (a) For the purpose of establishing its contribution (----), 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 (----) number of units *assigned to that class* (----).

(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 (----) *Organization* by all countries as the number of its units is to the total of the units of all contributing countries.

(c) The date on which contributions are to be paid shall be fixed by the Assembly.

(d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs 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 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 *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 11 and of
Proposed Amendment to the Lisbon Agreement]

**Locarno Agreement Establishing an International Classification for Industrial Designs:
Final Texts of Proposed Amendments**

Notes on Article 5

5.01 *Article 5(4)(a)* implements the proposal that the periodicity of ordinary sessions of the Assemblies of WIPO and the Unions administered by WIPO be changed from once every two years to annually (see, also, Article 6(4) of the WIPO Convention in document A/39/2).

**Article 5 of the Locarno Agreement
Assembly of the Special Union**

(...)

(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.

(...)

Article 5
Assembly

[Proposed Amendment to Article 5]

(...)

(4) (a) The Assembly shall meet once in every (----) 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.

(...)

[End of Proposed Amendment to Article 5]

Notes on Article 7

7.01 The revisions proposed for *Article 7(1)* correspond to those proposed for Article 16(1) of the Paris Convention and Article 25(1) of the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article 16 of the Paris Convention and Article 25 of the Berne Convention).

7.02 The suggested amendments in respect of *Article 7(2)* and *(3)* also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 7 of the Locarno Agreement

Finances

(1) (a) The Special Unions shall have a budget.

(b) The budget of the Special Unions 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 Unions 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 Unions 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.

[continues]

Article 7
Finances

[Proposed Amendment to Article 7]

(1) (a) (----)

(b) The (----) income and expenses *of the Special Union* (----) *shall be reflected in the budget of the Organization in a fair and transparent manner* .

(c) (----)

(2) (----)

(3) The *income* of the Special Unions shall be *derived* 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 (----);
- (iii) sale of, or royalties on, the publications of the International Bureau (----);
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

[Proposed Amendments to Article 7 continues]

[Notes on Article 7, continued]

7.03 The proposed revisions mirror those for corresponding text in the Paris Convention and the Berne Convention in respect of the unitary contributions system and changes in contribution classes.

7.04 *Article 7(4)(e)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Special Union are presented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 7 of the Locarno Agreement

[continued]

(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 financial period, it shall be at the same level as the budget of the previous year, as provided in the financial regulations.

(...)

[Proposed Amendment to Article 7, continued]

(4) (a) For the purpose of establishing its contribution (----), each country of the Special Unions 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 (----) number of units *assigned to that class* (----).

(b) The annual contribution of each country of the Special Unions shall be an amount in the same proportion to the total sum to be contributed to the budget of the (----) *Organization* 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 *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 7 and of
Proposed Amendment to the Locarno Agreement]

**Patent Cooperation Treaty:
Final Texts of Proposed Amendments**

Notes on Article 53

53.01 The proposed revisions mirror those for the corresponding text in the Paris Convention and the Berne Convention. They seek to implement the recommendation on annual periodicity for the ordinary sessions of the Assemblies.

Article 53 of the PCT

Assembly

(...)

(11) (a) The Assembly shall meet 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 the Executive Committee, or at the request of one-fourth of the Contracting States.

(...)

Article 53
Assembly

[Proposed Amendment to Article 53]

(...)

(11) (a) The Assembly shall meet in every (----) 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 the Executive Committee, or at the request of one -fourth of the Contracting States.

(...)

[End of Proposed Amendment to Article 53]

Notes on Article 57

57.01 The suggested amendments to *Article 57(1)* correspond to those proposed for Article 16(1) of the Paris Convention and Article 25(1) of the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article 16 of the Paris Convention and Article 25 of the Berne Convention). 16

57.02 The suggested amendments in respect of *Article 57(2)* and (3) also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 57 of the PCT

Finances

- (1) (a) The Unions shall have a budget.
- (b) The budget of the Unions shall include the income and expenses proper to the Union and its contribution to the budget of expenses common to the Unions administered by the Organization.
- (c) Expenses not attributable exclusively to the 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 Union in such common expenses shall be in proportion to the interest the Union has in them.
- (2) The budget of the Unions shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization.
- (3) Subject to the provisions of paragraph (5), the budget of the Unions shall be financed from the following sources:
 - (i) fees and charges due for services rendered by the International Bureau in relation to the Union;
 - (ii) sale of, or royalties on, the publications of the International Bureau concerning the Union;
 - (iii) gifts, bequests, and subventions;
 - (iv) rents, interests, and other miscellaneous income.
- (4) The amounts of fees and charges due to the International Bureau and the prices of its publications shall be so fixed that they should, under normal circumstances, be sufficient to cover all the expenses of the International Bureau connected with the administration of this Treaty.

[continues]

Article 57
Finances

[Proposed Amendment to Article 57]

(1) (a) (----)

(b) The (----) income and expenses *of the Union* (----) ***shall be reflected in the budget of the Organization in a fair and transparent manner*** .

(c) (----)

(2) (----)

(3) Subject to the provisions of paragraph (5), the *income* of the Union shall be ***derived*** from the following sources:

(i) fees and charges due for services rendered by the International Bureau (----);

(ii) sale of, or royalties on, the publications of the International Bureau (----);

(iii) gifts, bequests, and subventions;

(iv) rents, interests, and other miscellaneous income.

(4) The amounts of fees and charges due to the International Bureau and the prices of its publications shall be so fixed that they should, under normal circumstances, be sufficient to cover all the expenses of the International Bureau connected with the administration of this Treaty.

[Proposed Amendment to Article 57 continues]

[Notes on Article 57, continued]

57.03 *Article 57(5)(a) to (e)* remain unchanged.

57.04 *Article 57(6)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the PCT Union are presented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 57 of the PCT

[continued]

(5) (a) Should any financial year close with a deficit, the Contracting States shall, subject to the provisions of subparagraphs (b) and (c), pay contributions to cover such deficit.

(b) The amount of the contribution of each Contracting State shall be decided by the Assembly with due regard to the number of international applications which has emanated from each of them in the relevant year.

(c) If other means of provisionally covering any deficit or any part thereof are secured, the Assembly may decide that such deficit be carried forward and that the Contracting States should not be asked to pay contributions.

(d) If the financial situation of the Unions so permits, the Assembly may decide that any contributions paid under subparagraph (a) be reimbursed to the Contracting States which have paid them.

(e) A Contracting State which has not paid, within two years of the due date as established by the Assembly, its contribution under subparagraph (b) may not exercise its right to vote in any of the organs of the Union. However, any organ of the Union may allow such a State to continue to exercise its right to vote in that organ so long as it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(6) If the budget is not adopted before the beginning of a new financial period, it shall bear the same level as the budget of the previous year, as provided in the financial regulations.

(...)

[Proposed Amendment to Article 57, continued]

(5) (a) Should any financial year close with a deficit, the Contracting States shall, subject to the provisions of subparagraphs (b) and (c), pay contributions to cover such deficit.

(b) The amount of the contribution of each Contracting State shall be decided by the Assembly with due regard to the number of international applications which have emanated from each of them in the relevant year.

(c) If other means of provisionally covering any deficit or any part thereof are secured, the Assembly may decide that such deficit be carried forward and that the Contracting States should not be asked to pay contributions.

(d) If the financial situation of the Union so permits, the Assembly may decide that any contributions paid under subparagraph (a) be reimbursed to the Contracting States which have paid them.

(e) A Contracting State which has not paid, within two years of the due date as established by the Assembly, its contribution under subparagraph (b) may not exercise its right to vote in any of the organs of the Union. However, any organ of the Union may allow such a State to continue to exercise its right to vote in that organ so long as it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(6) If the budget *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Union* shall all be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 57
and of Proposed Amendment to the PCT]

**Strasbourg Agreement Concerning the International Patent Classification:
Final Texts of Proposed Amendments**

Notes on Article 7

7.01 The proposed revisions mirror those for the corresponding text in the Paris Convention and the Berne Convention. They seek to implement the recommendation on annual periodicity for the ordinary sessions of the Assemblies.

**Article 7 of the Strasbourg Agreement
Assembly of the Special Union**

(...)

(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.

(...)

Article 7
Assembly of the Special Union

[Proposed Amendment to Article 7]

(...)

(4) (a) The Assembly shall meet once in every (----) 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.

(...)

[End of Proposed Amendment to Article 7]

Notes on Article 9

9.01 The suggested amendments to *Article 9(1)* correspond to those proposed for Article 16(1) of the Paris Convention and Article 25(1) of the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article 16 of the Paris Convention and Article 25 of the Berne Convention).

9.02 The suggested amendments in respect of *Article 9(2)* and *(3)* also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 9 of the Strasbourg Agreement

Finances

- (1) (a) The Special Unions shall have a budget.
 - (b) The budget of the Special Unions 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 Unions 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 Unions 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.

[continues]

Article9
Finances

[ProposedAmendmenttoArticle9]

(1) (a) (----)

(b) The (----)incomeandexpenses *of*theSpecialUnion (----) *shallbereflectedin thebudgetofthe Organizationinafairandtransparentmanner.*

(c) (----)

(2) (----)

(3) The *income*oftheSpecialUnionshallbe *derived*fromthefollowingsources:

- (i) contributionsofthecountriesoftheSpecialUnion;
- (ii) feesandchargesduetoforservices renderedbytheInternationalBureau (----);
- (iii) saleof,orroyaltyeson,thepublicationsoftheInternationalBureau (----);
- (iv) gifts,bequests,andsubventions;
- (v) rents,interests,andothermiscellaneousincome.

[ProposedAmendmentto Article9continues]

[Notes on Article 9, continued]

9.03 The proposed revisions mirror those for the corresponding text in the Paris Convention and the Berne Convention in respect of the unitary contributions system and changes in contribution classes.

9.04 *Article 9(4)(e)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Strasbourg Union are presented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 9 of the Strasbourg Agreement

[continued]

(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 contribution 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.

(...)

[Proposed Amendment to Article 9, continued]

(4) (a) For the purpose of establishing its contribution (----), each country of the Special Unions 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 contribution on the basis of the (----) number of units *assigned to that class* (----).

(b) The annual contribution of each country of the Special Unions shall be an amount in the same proportion to the total sum to be contributed to the budget of the (----) *Organization* 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 *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 9 and of
Proposed Amendment to the Strasbourg Agreement]

**Vienna Agreement Establishing an International Classification of the Figurative
Elements of Marks:
Final Text of Proposed Amendments**

Notes on Article 7

7.01 The proposed revisions mirror those for the corresponding text in the Paris Convention and the Berne Convention. They seek to implement the recommendation on annual periodicity for the ordinary sessions of the Assemblies.

**Article 7 of the Vienna Agreement
Assembly of the Special Union**

(...)

(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.

(...)

Article 7
Assembly of the Special Union

[Proposed Amendment to Article 7]

(...)

(4) (a) The Assembly shall meet once in every (----) 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.

(...)

[End of Proposed Amendment to Article 7]

Notes on Article 9

9.01 The suggested amendments to *Article 9(1)* correspond to those proposed for Article 16(1) of the Paris Convention and Article 25(1) of the Berne Convention in respect of the requirement that the income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner (see also corresponding Notes on Article 16 of the Paris Convention and Article 25 of the Berne Convention).

9.02 The suggested amendments in respect of *Article 9(2)* and (3) also correspond to those proposed for Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention (see also corresponding Notes on Article 16(2) and (3) of the Paris Convention and Article 25(2) and (3) of the Berne Convention).

Article 9 of the Vienna Agreement

Finances

(1) (a) The Special Unions shall have a budget.

(b) The budget of the Special Unions shall include the income and expenses proper to the Special Union, its contribution to the budget of expenses common to the Unions administered by the Organization 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 Unions 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 Unions 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.

[continues]

Article 9
Finances

[Proposed Amendment to Article 9]

(1) (a) (----)

(b) The (----) income and expenses *of* the Special Union (----) *shall be reflected in the budget of the Organization in a fair and transparent manner* .

(c) (----)

(2) (----)

(3) The *income* of the Special Union shall be *derived* 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 (----);
- (iii) sale of, or royalties on, the publications of the International Bureau (----);
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

[Proposed Amendment to Article 9 continues]

[Notes on Article 9, continued]

9.03 The proposed revisions mirror those for the corresponding text in the Paris Convention and the Berne Convention in respect of the unitary contributions system and changes in contribution classes.

9.04 *Article 9(4)(e)* contains a proposed modification which corresponds to that proposed for Article 16(4)(f) of the Paris Convention. The proposed amendment reflects the fact that the income and expenses of the Vienna Union are presented in the same document as the Program and Budget of the Organization and the Unions administered by WIPO.

Article 9 of the Vienna Agreement

[continued]

(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 contribution 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.

(...)

[Proposed Amendment to Article 9, continued]

(4) (a) For the purpose of establishing its contribution (----), each country of the Special Unions 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 contribution on the basis of the (----) number of units *assigned to that class* (----).

(b) The annual contribution of each country of the Special Unions shall be an amount in the same proportion to the total sum to be contributed to the budget of the (----) *Organization* 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 *of the Organization* is not adopted before the beginning of a new financial period, (----) *the budgeted income and expenses of the Special Union* shall be at the same level as (----) *they were in* the previous year, as provided in the financial regulations.

(...)

[End of Proposed Amendment to Article 9 and of
Proposed Amendment to the Vienna Agreement]

**Budapest Treaty on the International Recognition of the Deposit of
Microorganisms for the Purposes of Patent Procedure:
Final Texts of Proposed Amendments**

Notes on Article 10

10.01 The proposed revisions mirror those for the corresponding text in the Paris Convention and the Berne Convention. They seek to implement the recommendation on annual periodicity for the ordinary sessions of the Assemblies.

10.02 The Budapest Treaty does not contain any provisions on finances.

Article 10 of the Budapest Treaty

Assembly

(...)

(7) (a) The Assembly shall meet once in every second calendar year in ordinary session upon convocation by the Director General, preferably 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, either on his own initiative or at the request of one-fourth of the Contracting States.

(...)

**Article 10
Assembly**

[Proposed Amendment to Article 10]

(...)

(7) (a) The Assembly shall meet once in every (----) calendar year in ordinary session upon convocation by the Director General, preferably 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, either on his own initiative or at the request of one-fourth of the Contracting States.

(...)

[End of Proposed Amendment to Article 10 and of
Proposed Amendment to the Budapest Treaty]

*5. The Assemblies of Member States of
WIPO, each in so far as it is concerned, is
invited to adopt the proposed amendments to
the WIPO-administered treaties.*

[Annex follows]

ANNEX

Paris Convention and Other WIPO -administered Treaties:
Unmarked Version of Texts of Proposed Amendments

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Paris Convention for the Protection of Industrial Property

Article 13

Assembly of the Union

(1)(a) The Union shall have an Assembly consisting of those countries of the Union which are bound by Articles 13 to 17.

(b) The Government of each country 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) The Assembly shall:

(i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Convention;

(ii) give directions concerning the preparation for conferences of revision to 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"), due account being taken of any comments made by those countries of the Union which are not bound by Article 13 to 17;

(iii) review and approve the reports and activities of the Director General of the Organization concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union;

(iv) elect the members of the Executive Committee of the Assembly;

(v) review and approve the reports and activities of its Executive Committee, and give instructions to such Committee;

[Article 13 continues]

[Article 13, continued]

- (vi) determine the program and adopt the biennial budget of the Union, and approve its final accounts;
- (vii) adopt the financial regulations of the Union;
- (viii) establish such committees of experts and working groups as it deems appropriate to achieve the objectives of the Union;
- (ix) determine which countries not members of the Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
- (x) adopt amendments to Article 13 to 17;
- (xi) take any other appropriate action designed to further the objectives of the Union;
- (xii) perform such other functions as are appropriate under this Convention;
- (xiii) subject to its acceptance, exercise such rights as are given to it in the Convention establishing the Organization.

(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) Subject to the provisions of subparagraph (b) a delegate may represent one country only.

(b) Countries of the Union grouped under the terms of a special agreement in a common office possessing for each of them the character of a special national service of industrial property as referred to in Article 12 may be jointly represented during discussions by one of their number.

[Article 13 continues]

(4)(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 17(2) the decisions of the Assembly shall require two-thirds of the votes cast.

(e) Abstentions shall not be considered as votes.

(5)(a) Subject to the provisions of subparagraph (b), a delegate may vote in the name of one country only.

(b) The countries of the Union referred to in paragraph 3(b) shall, as a general rule, endeavor to send their own delegation to the sessions of the Assembly. If, however, for exceptional reasons, any such country cannot send its own delegation, it may give to the delegation of another such country the power to vote in its name, provided that each delegation may vote by proxy for one country only. Such power to vote shall be granted in a document signed by the Head of State or the competent Minister.

(6) Countries of the Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

[Article 13, continued]

(7)(a) The Assembly shall meet once in every 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 the Executive Committee or at the request of one-fourth of the countries members of the Assembly.

(8) The Assembly shall adopt its own rules of procedure.

[End of Article 13]

Article 16

Finances

(1) The income and expenses of the Union shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Union shall be derived from the following sources:

- (i) contributions of the countries of the Union;
- (ii) fees and charges due for services rendered by the International Bureau;
- (iii) sale of, or royalties on, the publications of the International Bureau;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(3)(a) For the purpose of establishing its contribution, each country of the Union shall belong to a class, and shall pay its annual contribution on the basis of the number of units assigned to that class.

(b) The number of classes applicable to the countries of the Union, and the units assigned to each such class, shall be established by the Assembly meeting in joint session with the WIPO General Assembly and the Assemblies of the other Unions whose constituent treaties provide for the payment of a contribution.

(c) Unless it has already done so, each country shall, subject to any conditions governing eligibility for membership of any classes, indicate, concurrently with depositing its instrument of ratification or accession, the class to which it wishes to belong. Any country may, subject to any conditions governing eligibility for membership of any classes, change class. If it chooses a lower class, the country must announce such change to the Assembly at one of its ordinary sessions. Any such change shall take effect at the beginning of the calendar year following the said session.

[Article 16 continues]

[Article 16, continued]

(d) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the budget of the Organization by all countries as the number of its units is to the total of the units of all contributing countries.

(e) Contributions shall become due on the first of January of each year.

(f) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs of the Union of which it is a member 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 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.

(g) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) The amount of the fees and charges due for services rendered by the International Bureau in relation to the Union shall be established, and shall be reported to the Assembly and the Executive Committee, by the Director General.

(5)(a) The Union shall have a working capital fund which shall be constituted by a single payment made by each country of the 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 payments 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.

[Article 16 continues]

[Article 16, continued]

(6)(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 these 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. As long as it remains under the obligation to grant advances, such country shall have an ex officio seat on the Executive Committee.

(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. Denunciations shall take effect three years after the end of the year in which it has been notified.

(7) The auditing of the accounts shall be effected by one or more of the countries of the Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

[End of Article 16 and of the Paris Convention]

Berne Convention for the Protection of Literary and Artistic Works

Article 22

Assembly

(1)(a) The Union shall have an Assembly consisting of those countries of the Union which are bound by Articles 22 to 26.

(b) The Government of each country 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) The Assembly shall:

(i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Convention;

(ii) give directions concerning the preparation for conferences of revision to 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")), due account being taken of any comments made by those countries of the Union which are not bound by Articles 22 to 26.

(iii) review and approve the reports and activities of the Director General of the Organization concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union;

(iv) elect the members of the Executive Committee of the Assembly;

(v) review and approve the reports and activities of its Executive Committee, and give instructions to such Committee;

[Article 22 continues]

[Article 22, continued]

- (vi) determine the program and adopt the biennial budget of the Union, and approve its final accounts;
 - (vii) adopt the financial regulations of the Union;
 - (viii) establish such committees of experts and working groups as may be necessary for the work of the Union;
 - (ix) determine which countries not members of the Union and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;
 - (x) adopt amendments to Articles 22 to 26;
 - (xi) take any other appropriate action designed to further the objectives of the Union;
 - (xii) exercise such other functions as are appropriate under this Convention;
 - (xiii) subject to its acceptance, exercise such rights as are given to it in the Convention establishing the Organization.
- (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.

[Article 22 continues]

[Article 22, continued]

(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 following conditions 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 26(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.

(g) Countries of the Union not members of the Assembly shall be admitted to its meetings as observers.

(4)(a) The Assembly shall meet once in every 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 the Executive Committee or at the request of one-fourth of the countries members of the Assembly.

(5) The Assembly shall adopt its own rules of procedure.

[End of Article 22]

Article 25

Finances

(1) The income and expenses of the Unions shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Unions shall be derived from the following sources:

- (i) contributions of the countries of the Union;
- (ii) fees and charges due for services rendered by the International Bureau;
- (iii) sale of, or royalties on, the publications of the International Bureau;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(3)(a) For the purpose of establishing its contribution, each country of the Union shall belong to a class, and shall pay its annual contribution on the basis of the number of units assigned to that class.

(b) The number of classes applicable to the countries of the Union, and the units assigned to each such class, shall be established by the Assembly meeting in joint session with the WIPO General Assembly and the Assemblies of the other Unions whose constituent treaties provide for the payment of a contribution.

(c) Unless it has already done so, each country shall, subject to any conditions governing eligibility for membership of any classes, indicate, concurrently with depositing its instrument of ratification or accession, the class to which it wishes to belong. Any country may, subject to any conditions governing eligibility for membership of any classes, change class. If it chooses a lower class, the country must announce it to the Assembly at one of its ordinary sessions. Any such change shall take effect at the beginning of the calendar year following the session.

[Article 25 continues]

(d) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the annual budget of the Organization by all countries as the number of its units is to the total of the units of all contributing countries.

(e) Contributions shall become due on the first of January of each year.

(f) A country which is in arrears in the payment of its contributions shall not exercise its vote in any of the organs of the Union of which it is a member 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 Union may allow such a country to continue to exercise its vote in that organ if, and as long as, it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(g) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Union shall be at the same level as they were in the previous year, in accordance with the financial regulations.

(4) The amount of the fees and charges due for services rendered by the International Bureau in relation to the Union shall be established, and shall be reported to the Assembly and the Executive Committee, by the Director General.

(5)(a) The Union shall have a working capital fund which shall be constituted by a single payment made by each country of the Union. If the fund becomes insufficient, an increase shall be decided by the Assembly.

(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 increase decided.

(c) The proportion and the terms of payments 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.

[Article 25, continued]

(6)(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 these 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. As long as it remains under the obligation to grant advances, such country shall have an *ex officio* seat on the Executive Committee.

(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. Denunciations shall take effect three years after the end of the year in which it has been notified.

(7) The auditing of the accounts shall be effected by one or more of the countries of the Union or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

[End of Article 25 and of the Berne Convention]

Madrid Agreement Concerning the International Registration of Marks

Article 10

Assembly of the Special Union

(1)(a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Act.

(b) The Government of each country 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, except for the travel expenses and the subsistence allowance of one delegate for each member country, which shall be paid from the funds of the Special Union.

(2)(a) 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, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Act;

(iii) modify the Regulations, including the fixation of the amount of the fees referred to in Article 8(2) and other fees relating to international registration;

(iv) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;

(v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;

(vi) adopt the financial regulations of the Special Union;

[Article 10 continues]

[Article 10, continued]

(vii) establish such committees of experts and working groups as it may deem necessary 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 10 to 13;

(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.

(2)(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 decision 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 attain 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.

[Article 10 continues]

[Article 10, continued]

(d) Subject to the provisions of Article 13(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.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

(4)(a) The Assembly shall meet once in every 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.

[End of Article 10]

Article 12

Finances

(1) The income and expenses of the Special Unions shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Special Unions shall be derived from the following sources:

(i) international registration fees and other fees and charges due for other services rendered by the International Bureau;

(ii) sale of, or royalties on, the publications of the International Bureau;

(iii) gifts, bequests, and subventions;

(iv) rents, interests, and other miscellaneous income.

(3)(a) The amount of the fees referred to in Article 8(2) and other fees relating to international registrations shall be fixed by the Assembly on the proposal of the Director General.

(b) The amount of such fees shall be so fixed that the revenues of the Special Union from fees, other than the supplementary and complementary fees referred to in Article 8(2)(b) and (c), and other sources shall be at least sufficient to cover the expenses of the International Bureau concerning the Special Union.

(c) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) Subject to the provisions of paragraph (3)(a), the amount of fees and charges due for other services rendered by the International Bureau in relation to the Special Unions shall be established, and shall be reported to the Assembly, by the Director General.

[Article 12 continues]

(5)(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 as a member of the Paris Union for the Protection of Industrial Property to the budget of the said Union for the year in which the fund is established or the decision to increase it is made.

(c) The proportion and the terms of payments 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.

(d) As long as the Assembly authorizes the use of the reserve fund of the Special Union as a working capital fund, the Assembly may suspend the application of the provisions of subparagraphs (a), (b), and (c).

(6)(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. Denunciations shall take effect three years after the end of the year in which it has been notified.

(7) 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.

The Hague Agreement Concerning the International Deposit of Industrial Designs -
Complementary Act of Stockholm of July 14, 1967

Article 2
Assembly

(1)(a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Complementary Act.

(b) The Government of each country 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) 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, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Complementary Act;

(iii) modify the Regulations, including the fixation of the amounts of the fees relating to the international deposit of industrial designs;

(iv) review and approve the reports and activities of the Director General concerning the Special Union, and give him all necessary instructions concerning matters within the competence of the Special Union;

(v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;

(vi) adopt the financial regulations of the Special Union;

[Article 2 continues]

- (vii) establishes such committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union;
- (viii) determines 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) adopts amendments to Articles 2 to 5;
- (x) takes any other appropriate action designed to further the objectives of the Special Union;
- (xi) performs such other functions as are appropriate under this Complementary Act.

(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.

[Article 2, continued]

(d) Subject to the provisions of Article 5(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.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

(4)(a) The Assembly shall meet once in every 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.

[End of Article 2]

Article 4

Finances

(1) The income and expenses of the Special Unions shall be reflected in the budget of the Organization in a fair and transparent manner .

(2) The income of the Special Unions shall be derived from the following sources:

(i) international deposit fees and other fees and charges due for other services rendered by the International Bureau;

(ii) sale of, or royalties on, the publications of the International Bureau;

(iii) gifts, bequests, and subventions;

(iv) rents, interests, and other miscellaneous income.

(3)(a) The amount of the fees referred to in paragraph (2)(i) shall be fixed by the Assembly on the proposal of the Director General.

(b) The amount of such fees shall be so fixed that the revenues of the Special Union from fees and other sources shall be at least sufficient to cover the expenses of the International Bureau.

(c) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Unions shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) Subject to the provisions of paragraph (3)(a), the amount of the fees and charges due for other 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.

(5)(a) The Special Unions shall have a working capital fund which shall be constituted by the excess receipts and, if such excess does not suffice, by a single payment made by each country of the Special Union. If the fund becomes insufficient, the Assembly shall decide to increase it.

[Article 4 continues]

[Article 4, continued]

(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 as a member of the Paris Union for the Protection of Industrial Property to the budget of the said Union for the year in which the fund is established or the decision to increase it is made.

(c) The proportion and the terms of payments 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.

(6)(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. Denunciations shall take effect three years after the end of the year in which it has been notified.

(7) 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.

[End of Article 4 and of the Hague Agreement]

Nice Agreement Concerning the International Classification of Goods and Services for the
Purposes of the Registration of Marks

Article 5

Assembly of the Special Union

(1)(a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Act.

(b) The Government of each country 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 Articles 3 and 4, 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, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Act;

(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;

[Article 5 continues]

(vi) establish, in addition to the Committee of Experts referred to in Article 3, such other committees of experts and working groups as it may deem necessary to achieve the objectives of the Special Union;

(vii) 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;

(viii) adopt amendments to Articles 5 to 8;

(ix) take any other appropriate action designed to further the objectives of the Special Union;

(x) 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.

[Article 5, continued]

(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.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers.

(4)(a) The Assembly shall meet once in every 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.

[End of Article 5]

Article 7

Finances

(1) The income and expenses of the Special Unions shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Special Unions shall be derived 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;
- (iii) sale of, or royalties on, the publications of the International Bureau;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(3)(a) For the purpose of establishing its contribution, each country of the Special Unions 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 contribution on the basis of the number of units assigned to that class.

(b) The annual contribution of each country shall be an amount in the same proportion to the total sum to be contributed to the budget of the Organization 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.

[Article 7 continues]

[Article 7, continued]

(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 of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) 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.

(5)(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 payments 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.

(6)(a) In the headquarters a 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.

[Article 7 continues]

[Article 7, continued]

(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. Denunciations shall take effect three years after the end of the year in which it has been notified.

(7) 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.

[End of Article 7 and of the Nice Agreement]

Lisbon Agreement for the Protection of Appellations of Origin and their
International Registration

Article 9

Assembly of the Special Union

(1)(a) The Special Union shall have an Assembly consisting of those countries which have ratified or acceded to this Act.

(b) The Government of each country 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) 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, due account being taken of any comments made by those countries of the Special Union which have not ratified or acceded to this Act;

(iii) modify the Regulations, including the fixation of the amount of the fee referred to in Article 7(2) and other fees relating to international registration;

(iv) 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;

(v) determine the program and adopt the biennial budget of the Special Union, and approve its final accounts;

(vi) adopt the financial regulations of the Special Union;

[Article 9 continues]

[Article 9, continued]

(vii) establish such committees of experts and working groups as it may deem necessary 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 Article 9 to 12;

(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 attain 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.

[Article 9 continues]

[Article 9, continued]

(d) Subject to the provisions of Article 12(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.

(g) Countries of the Special Union not members of the Assembly shall be admitted to the meetings of the latter as observers .

(4)(a) The Assembly shall meet once in every calendaryear 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.

[End of Article 9]

Article 11

Finances

(1) The income and expenses of the Special Unions shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Special Unions shall be derived from the following sources:

(i) international registration fees collected under Article 7(2) and other fees and charges due for other services rendered by the International Bureau;

(ii) sale of, or royalties on, the publications of the International Bureau;

(iii) gifts, bequests, and subventions;

(iv) rents, interests, and other miscellaneous income;

(v) contributions of the countries of the Special Union, if and to the extent to which receipts from the sources indicated in items (i) to (iv) do not suffice to cover the expenses of the Special Union.

(3)(a) The amount of the fee referred to in Article 7(2) shall be fixed by the Assembly on the proposal of the Director General.

(b) The amount of the said fee shall be so fixed that the revenue of the Special Unions should, under normal circumstances, be sufficient to cover the expenses of the International Bureau for maintaining the international registration service, without requiring payment of the contributions referred to in paragraph (2)(v), above.

(4)(a) For the purpose of establishing its contribution, each country of the Special Unions 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 number of units assigned to that class.

[Article 11 continues]

[Article 11, continued]

(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 Organization by all countries as the number of its units is to the total of the units of all contributing countries.

(c) The date on which contributions are to be paid shall be fixed by the Assembly.

(d) A country which is in arrears in the payment of its contributions may not exercise its right to vote in any of the organs 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 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 of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(5) Subject to the provisions of paragraph (3)(a), the amount of fees and charges due for other services rendered by the International Bureau 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 as a member of the Paris Union for the Protection of Industrial Property to the budget of the said Union for the year in which the fund is established or the decision to increase it is made.

[Article 11 continues]

[Article 11, continued]

(c) The proportion and the terms of payments 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. Denunciations 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.

[End of Article 11 and of the Lisbon Agreement]

Locarno Agreement Establishing an International Classification for Industrial Designs

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, whom 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;

[Article 5 continues]

(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.

[Article 5, continued]

(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 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.

[End of Article 5]

Article 7

Finances

(1) The income and expenses of the Special Union shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Special Union shall be derived 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;
- (iii) sale of, or royalties on, the publications of the International Bureau;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(3)(a) For the purpose of establishing its contribution, 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 number of units assigned to that class.

(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 Organization 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.

[Article 7 continues]

(e) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) 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.

(5)(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 payments 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.

(6)(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. Denunciations shall take effect three years after the end of the year in which it has been notified.

(7) 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.

Patent Cooperation Treaty

Article 53

Assembly

(1)(a) The Assembly shall, subject to Article 57(8), consist of the Contracting States.

(b) The Government of each Contracting State shall be represented by one delegate, whomay be assisted by alternatedelegates, advisors, andexperts.

(2)(a) The Assembly shall:

(i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Treaty;

(ii) perform such tasks as are specifically assigned to it under other provisions of this Treaty;

(iii) give directions to the International Bureau concerning the preparation for revision conferences;

(iv) review and approve the reports and activities of the Director General concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union;

(v) review and approve the reports and activities of the Executive Committee established under paragraph (9), and give instructions to such Committee;

(vi) determine the program and adopt the triennial budget of the Union, and approve its final accounts;

(vii) adopt the financial regulations of the Union;

[Article 53 continues]

(viii) establishes such committees and working groups as it deems appropriate to achieve the objectives of the Union;

(ix) determine which States other than Contracting States and, subject to the provisions of paragraph (8), which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers;

(x) take any other appropriate action designed to further the objectives of the Union and perform such other functions as are appropriate under this Treaty.

(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 delegate may represent, and vote in the name of, one State only.

(4) Each Contracting State shall have one vote.

(5)(a) One-half of the Contracting States shall constitute a quorum.

(b) In the absence of the quorum, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the quorum and the required majority are attained through voting by correspondence as provided in the Regulations.

(6)(a) Subject to the provisions of Articles 47(2)(b), 58(2)(b), 58(3) and 61(2)(b), the decisions of the Assembly shall require two-thirds of the votes cast.

(b) Abstentions shall not be considered as votes.

(7) In connection with matters of exclusive interest to States bound by Chapter II, any reference to Contracting States in paragraphs (4), (5), and (6), shall be considered as applying only to States bound by Chapter II.

[Article 53, continued]

(8) Any intergovernmental organization appointed as International Searching or Preliminary Examining Authority shall be admitted as observer to the Assembly.

(9) When the number of Contracting States exceeds forty, the Assembly shall establish an Executive Committee. Any reference to the Executive Committee in this Treaty and the Regulations shall be construed as references to such Committee once it has been established.

(10) Until the Executive Committee has been established, the Assembly shall approve, within the limit of the program and triennial budget, the annual programs and budgets prepared by the Director General.

(11)(a) The Assembly shall meet in every 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 the Executive Committee, or at the request of one-fourth of the Contracting States.

(12) The Assembly shall adopt its own rules of procedure.

[End of Article 53]

Article 57

Finances

(1) The income and expenses of the Union shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) Subject to the provisions of paragraph (4), the income of the Union shall be derived from the following sources:

- (i) fees and charges due for services rendered by the International Bureau;
- (ii) sale of, or royalties on, the publications of the International Bureau;
- (iii) gifts, bequests, and subventions;
- (iv) rents, interests, and other miscellaneous income.

(3) The amounts of fees and charges due to the International Bureau and the prices of its publications shall be so fixed that they should, under normal circumstances, be sufficient to cover all the expenses of the International Bureau connected with the administration of this Treaty.

(4)(a) Should any financial year close with a deficit, the Contracting States shall, subject to the provisions of subparagraphs (b) and (c), pay contributions to cover such deficit.

(b) The amount of the contribution of each Contracting State shall be decided by the Assembly with due regard to the number of international applications which has emanated from each of them in the relevant year.

(c) If other means of provisionally covering any deficit or any part thereof are secured, the Assembly may decide that such deficit be carried forward and that the Contracting States should not be asked to pay contributions.

(d) If the financial situation of the Union so permits, the Assembly may decide that any contributions paid under subparagraph (a) be reimbursed to the Contracting States which have paid them.

[Article 57 continues]

(e) A Contracting State which has not paid, within two years of the due date as established by the Assembly, its contribution under subparagraph (b) may not exercise its right to vote in any of the organs of the Union. However, any organ of the Union may allow such a State to continue to exercise its right to vote in that organ so long as it is satisfied that the delay in payment is due to exceptional and unavoidable circumstances.

(5) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(6)(a) The Union shall have a working capital fund which shall be constituted by a single payment made by each Contracting State. If the fund becomes insufficient, the Assembly shall arrange to increase it. If part of the fund is no longer needed, it shall be reimbursed.

(b) The amount of the initial payment of each Contracting State to the said fund or of its participation in the increase thereof shall be decided by the Assembly on the basis of principles similar to those provided for under paragraph (4)(b).

(c) The terms of payments 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.

(d) Any reimbursements shall be proportionate to the amounts paid by each Contracting State, taking into account the dates at which they were paid.

(7)(a) In the headquarters agreement concluded with the State on the territory of which the Organization has its headquarters, it shall be provided that, whenever the working capital fund is insufficient, such States shall grant advances. The amount of these advances and the conditions on which they are granted shall be the subject of separate agreements, in each case, between such State and the Organization. As long as it remains under the obligation to grant advances, such States shall have an *ex officio* seat in the Assembly and on the Executive Committee.

[Article 57, continued]

(b) The State referred to in subparagraph (a) and the Organizations 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 Contracting States or by external auditors, as provided in the financial regulations. They shall be designated, with their agreement, by the Assembly.

[End of Article 57 and of the PCT]

Strasbourg Agreement Concerning the International Patent Classification

Article 7

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, whom may be assisted by alternate delegates, advisors and experts.
- (c) Any intergovernmental organization referred to in Article 5(2)(a) may be represented by an observer in the meetings of the Assembly, and, if the Assembly so decides, in those of such committees or working groups as may have been established by the Assembly.
- (d) The expenses of each delegation shall be borne by the Government which has appointed it.
- (2)(a) Subject to the provisions of Article 5, 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 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;

(Article 7 continues]

(vi) decide on the establishment of official texts of the Classification in languages other than English, French and those listed in Article 3(2);

(vii) establish such committees and working groups as it deems appropriate to achieve the objectives of the Special Union;

(viii) determine, subject to paragraph (1)(c), which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted as observers to its meetings, and to those of any committee or working group established by it;

(ix) take any other appropriate action designed to further the objectives of the Special Union;

(x) 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) In the absence of the quorum, 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.

[Article 7, continued]

(d) Subject to the provisions of Article 11(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 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.

[End of Article 7]

Article 9

Finances

(1) The income and expenses of the Special Union shall be reflected in the budget of the Organization in a fair and transparent manner .

(2) The income of the Special Union shall be derived 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;
- (iii) sale of, or royalties on, the publications of the International Bureau;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(3)(a) For the purpose of establishing its contribution, each country of the Special Unions 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 contribution on the basis of the number of units assigned to that class.

(b) The annual contribution of each country of the Special Unions shall be an amount in the same proportion to the total sum to be contributed to the budget of the Organization 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 of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) 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.

(5)(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 payments 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.

(6)(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. Denunciations shall take effect three years after the end of the year in which it was notified.

(7) 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.

Vienna Agreement Establishing an International Classification of the Figurative Elements of
Marks

Article 7

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, whom may be assisted by alternated delegates, advisors and experts.
- (c) Any intergovernmental organization referred to in Article 5(2)(b) may be represented by an observer in the meetings of the Assembly, and, if the Assembly so decides, in those of such committees or working groups as may have been established by the Assembly.
- (d) The expenses of each delegation shall be borne by the Government which has appointed it.
- (2)(a) Subject to the provisions of Article 5, 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 revision of conferences;
 - (iii) review and approve the reports and activities of 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;

[Article 7 continues]

(vi) decide on the establishment of official texts of the Classification of Figurative Elements in languages other than English and French;

(vii) establish such committees and working groups as it deems appropriate to achieve the objectives of the Special Union;

(viii) determine, subject to paragraph (1)(c), which countries not members of the Special Union and which intergovernmental and international non-governmental organizations shall be admitted as observers to its meetings, and to those of any committee or working group established by it;

(ix) take any other appropriate action designed to further the objectives of the Special Union;

(x) 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 decision 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) In the absence of the quorum, 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.

[Article 7, continued]

(d) Subject to the provisions of Article 11(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 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.

[End of Article 7]

Article 9

Finances

(1) The income and expenses of the Special Unions shall be reflected in the budget of the Organization in a fair and transparent manner.

(2) The income of the Special Unions shall be derived 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;
- (iii) sale of, or royalties on, the publications of the International Bureau;
- (iv) gifts, bequests, and subventions;
- (v) rents, interests, and other miscellaneous income.

(3)(a) For the purpose of establishing its contribution, each country of the Special Unions 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 contribution on the basis of the number of units assigned to that class.

(b) The annual contribution of each country of the Special Unions shall be an amount in the same proportion to the total sum to be contributed to the budget of the Organization 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.

[Article 9 continues]

(e) If the budget of the Organization is not adopted before the beginning of a new financial period, the budgeted income and expenses of the Special Union shall be at the same level as they were in the previous year, as provided in the financial regulations.

(4) 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.

(5)(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 payments 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.

(6)(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. Denunciations shall take effect three years after the end of the year in which it was notified.

(7) 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

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Article 10
Assembly

- (1)(a) The Assembly shall consist of the Contracting States.
- (b) Each Contracting State shall be represented by one delegate, whom may be assisted by alternated delegates, advisors, and experts.
- (c) Each intergovernmental industrial property organization shall be represented by special observers in the meetings of the Assembly and any committee and working group established by the Assembly.
- (d) Any State not member of the Union which is a member of the Organization or of the International (Paris) Union for the Protection of Industrial Property and any intergovernmental organization specialized in the field of patents other than an intergovernmental industrial property organization as defined in Article 2(v) may be represented by observers in the meetings of the Assembly and, if the Assembly so decides, in the meetings of any committee or working group established by the Assembly.
- (2)(a) The Assembly shall:
- (i) deal with all matters concerning the maintenance and development of the Union and the implementation of this Treaty;
 - (ii) exercise such rights and perform such tasks as are specially conferred upon it or assigned to it under this Treaty;
 - (iii) give directions to the Director General concerning the preparations for revision conferences;
 - (iv) review and approve the reports and activities of the Director General concerning the Union, and give him all necessary instructions concerning matters within the competence of the Union;

[Article 10 continues]

(v) establishes such committees and working groups as it deems appropriate to facilitate the work of the Union;

(vi) determine, subject to paragraph (1)(d) other than Contracting States, which intergovernmental organizations other than intergovernmental industrial property organizations as defined in Article 2(v) and which international non-governmental organizations shall be admitted to its meetings as observers and to what extent international depositary authorities shall be admitted to its meetings as observers;

(vii) take any other appropriate action designed to further the objectives of the Union;

(viii) perform such other functions as are appropriate under this Treaty.

(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 delegate may represent, and vote in the name of, one State only.

(4) Each Contracting State shall have one vote.

(5)(a) One-half of the Contracting States shall constitute a quorum.

(b) In the absence of the quorum, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the quorum and the required majority are attained through voting by correspondence as provided in the Regulations.

(6)(a) Subject to Article 8(1)(c), 12(4) and 14(2)(b), the decisions of the Assembly shall require a majority of the votes cast.

(b) Abstentions shall not be considered as votes.

[Article 10, continued]

(7)(a) The Assembly shall meet once in every calendar year in ordinary session upon convocation by the Director General, preferably 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, either on his own initiative or at the request of one-fourth of the Contracting States.

(8) The Assembly shall adopt its own rules of procedure.

[End of Article 10 and of the Budapest Treaty]

[End of Annex and of document]