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| **Paris Convention for the Protection of Industrial Property** | **保护工业产权巴黎公约** |
| of March 20, 1883,as revised at Brussels on December 14, 1900,at Washington on June 2, 1911,at The Hague on November 6, 1925,at London on June 2, 1934,at Lisbon on October 31, 1958, andat Stockholm on July 14, 1967,and as amended on September 28, 1979 | 1883年3月20日1900年12月14日在布鲁塞尔修订；1911年6月2日在华盛顿修订；1925年11月6日在海牙修订；1934年6月2日在伦敦修订；1958年10月31日在里斯本修订；1967年7月14日在斯德哥尔摩修订；1979年9月28日修正。 |
| **Article 1Establishment of the Union; Scope of Industrial Property** | **第一条本联盟的建立；工业产权的范围** |
| (1) The countries to which this Convention applies constitute a Union for the protection of industrial property. | 　　（1）适用本公约的国家组成联盟，以保护工业产权。 |
| (2) The protection of industrial property has as its object patents, utility models, industrial designs, trademarks, service marks, trade names, indications of source or appellations of origin, and the repression of unfair competition. | 　　（2）工业产权的保护对象有专利、实用新型、工业品外观设计、商标、服务标记、厂商名称、货源标记或原产地名称，和制止不正当竞争。 |
| (3) Industrial property shall be understood in the broadest sense and shall apply not only to industry and commerce proper, but likewise to agricultural and extractive industries and to all manufactured or natural products, for example, wines, grain, tobacco leaf, fruit, cattle, minerals, mineral waters, beer, flowers, and flour. | 　　（3）对工业产权应作最广义的理解，它不仅应适用于工业和商业本身，而且也应同样适用于农业和采掘业，适用于一切制成品或天然产品，例如： 酒类、谷物、烟叶、水果、牲畜、矿产品、矿泉水、啤酒、花卉和谷类的粉。 |
| (4) Patents shall include the various kinds of industrial patents recognized by the laws of the countries of the Union, such as patents of importation, patents of improvement, patents and certificates of addition, etc. | 　　（4）专利应包括本联盟国家的法律所承认的各种工业专利，如输入专利、改进专利、增补专利和增补证书等。 |
| **Article 2National Treatment for Nationals of Countries of the Union** | **第二条本联盟各国国民的国民待遇** |
| (1) Nationals of any country of the Union shall, as regards the protection of industrial property, enjoy in all the other countries of the Union the advantages that their respective laws now grant, or may hereafter grant, to nationals; all without prejudice to the rights specially provided for by this Convention. Consequently, they shall have the same protection as the latter, and the same legal remedy against any infringement of their rights, provided that the conditions and formalities imposed upon nationals are complied with. | 　　（1）本联盟任何国家的国民，在保护工业产权方面，在本联盟所有其他国家内应享有各该国法律现在授予或今后可能授予国民的各种利益；一切都不应损害本公约特别规定的权利。因此，他们应和国民享有同样的保护，对侵犯他们的权利享有同样的法律上的救济手段，但是他们遵守对国民规定的条件和手续为限。 |
| (2) However, no requirement as to domicile or establishment in the country where protection is claimed may be imposed upon nationals of countries of the Union for the enjoyment of any industrial property rights. | 　　（2）但是，对于本联盟国家的国民不得规定在其要求保护的国家须有住所或营业所才能享有工业产权。 |
| (3) The provisions of the laws of each of the countries of the Union relating to judicial and administrative procedure and to jurisdiction, and to the designation of an address for service or the appointment of an agent, which may be required by the laws on industrial property are expressly reserved. | 　　（3）本联盟每一国家法律中关于司法和行政程序管辖权、以及指定送达地址或委派代理人的规定，工业产权法律中可能有要求的，均明确地予以保留。 |
| **Article 3Same Treatment for Certain Categories of Persons as for Nationals of Countries of the Union** | **第三条某类人与本联盟国家的国民同样待遇** |
| Nationals of countries outside the Union who are domiciled or who have real and effective industrial or commercial establishments in the territory of one of the countries of the Union shall be treated in the same manner as nationals of the countries of the Union. | 　　本联盟以外各国的国民，在本联盟一个国家的领土内设有住所或有真实和有效的工商业营业所的，应享有与本联盟国家国民同样的待遇。 |
| **Article 4A to I. Patents, Utility Models, Industrial Designs,Marks, Inventors’ Certificates: *Right of Priority*G. Patents: *Division of the Application*** | **第四条A至I. 专利、实用新型、外观设计、商标、发明人证书：优先权。G. 专利：申请的分案** |
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| (1) Any person who has duly filed an application for a patent, or for the registration of a utility model, or of an industrial design, or of a trademark, in one of the countries of the Union, or his successor in title, shall enjoy, for the purpose of filing in the other countries, a right of priority during the periods hereinafter fixed. |

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| 　　（1）已经在本联盟的一个国家正式提出专利、实用新型注册、外观设计注册或商标注册的申请的任何人，或其权利继受人，为了在其他国家提出申请，在以下规定的期间内应享有优先权。 |

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| (2) Any filing that is equivalent to a regular national filing under the domestic legislation of any country of the Union or under bilateral or multilateral treaties concluded between countries of the Union shall be recognized as giving rise to the right of priority. |

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| 　　（2）依照本联盟任何国家的本国立法，或依照本联盟各国之间缔结的双边或多边条约，与正规的国家申请相当的任何申请，应被承认为产生优先权。 |

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| (3) By a regular national filing is meant any filing that is adequate to establish the date on which the application was filed in the country concerned, whatever may be the subsequent fate of the application. |

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| 　　（3）正规的国家申请是指在有关国家中足以确定提出申请日期的任何申请，而不问该申请以后的结局如何。 |

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| **B．**Consequently, any subsequent filing in any of the other countries of the Union before the expiration of the periods referred to above shall not be invalidated by reason of any acts accomplished in the interval, in particular, another filing, the publication or exploitation of the invention, the putting on sale of copies of the design, or the use of the mark, and such acts cannot give rise to any third-party right or any right of personal possession. Rights acquired by third parties before the date of the first application that serves as the basis for the right of priority are reserved in accordance with the domestic legislation of each country of the Union. | 　　**B．**因此，在上述期间届满前在本联盟的任何其他国家后来提出的任何申请，不应由于在这期间完成的任何行为，特别是另外一项申请的提出、发明的公布或利用、外观设计复制品的出售、或商标的使用而成为无效，而且这些行为不能产生任何第三人的权利或个人占有的任何权利。第三人在作为优先权基础的第一次申请的日期以前所取得的权利，依照本联盟每一国家的国内法予以保留。 |
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| (1) The periods of priority referred to above shall be twelve months for patents and utility models, and six months for industrial designs and trademarks. |

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| 　　（1）上述优先权的期间，对于专利和实用新型应为十二个月，对于外观设计和商标应为六个月。 |

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| (2) These periods shall start from the date of filing of the first application; the day of filing shall not be included in the period. |

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| 　　（2）这些期间应自第一次申请的申请日开始；申请日不应计人期间之内。 |

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| (3) If the last day of the period is an official holiday, or a day when the Office is not open for the filing of applications in the country where protection is claimed, the period shall be extended until the first following working day. |

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| 　　（3）如果期间的最后一日在请求保护地国家是法定假日或者是主管局不接受申请的日子，期间应延至其后的第一个工作日。 |

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| (4) A subsequent application concerning the same subject as a previous first application within the meaning of paragraph (2), above, filed in the same country of the Union shall be considered as the first application, of which the filing date shall be the starting point of the period of priority, if, at the time of filing the subsequent application, the said previous application has been withdrawn, abandoned, or refused, without having been laid open to public inspection and without leaving any rights outstanding, and if it has not yet served as a basis for claiming a right of priority. The previous application may not thereafter serve as a basis for claiming a right of priority. |

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| 　　（4）在本联盟同一国家内就第（2）项所称的以前第一次申请同样的主题所提出的后一申请，如果在提出该申请时前一申请已被撤回、放弃或拒绝，没有提供公众阅览，也没有遗留任何权利，而且如果前一申请还没有成为要求优先权的基础，应认为是第一次申请，其申请日应为优先权期间的开始日。在这以后，前一申请不得作为要求优先权的基础。 |

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| (1) Any person desiring to take advantage of the priority of a previous filing shall be required to make a declaration indicating the date of such filing and the country in which it was made. Each country shall determine the latest date on which such declaration must be made. |

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| 　　（1）任何人希望利用以前提出的一项申请的优先权的，需要作出声明，说明提出该申请的日期和受理该申请的国家。每一国家应确定必须作出该项声明的最后日期。 |

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| (2) These particulars shall be mentioned in the publications issued by the competent authority, and in particular in the patents and the specifications relating thereto. |

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| 　　（2）这些事项应在主管机关的出版物中，特别是应在专利和有关专利的说明书中予以载明。 |

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| (3) The countries of the Union may require any person making a declaration of priority to produce a copy of the application (description, drawings, etc.) previously filed. The copy, certified as correct by the authority which received such application, shall not require any authentication, and may in any case be filed, without fee, at any time within three months of the filing of the subsequent application. They may require it to be accompanied by a certificate from the same authority showing the date of filing, and by a translation. |

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| 　　（3）本联盟国家可以要求作出优先权声明的任何人提交以前提出的申请(说明书、附图等)的副本。该副本应经原受理申请的机关证实无误，不需要任何认证，并且无论如何可以在提出后一申请后三个月内随时提交，不需缴纳费用。本联盟国家可以要求该副本附有上述机关出具的载明申请日的证明书和译文。 |

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| (4) No other formalities may be required for the declaration of priority at the time of filing the application. Each country of the Union shall determine the consequences of failure to comply with the formalities prescribed by this Article, but such consequences shall in no case go beyond the loss of the right of priority. |

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| 　　（4）对提出申请时要求优先权的声明不得规定其他的手续。本联盟每一国家应确定不遵守本条约规定的手续的后果，但这种后果决不能超过优先权的丧失。 |

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| (5) Subsequently, further proof may be required. |

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| 　　（5）以后，可以要求提供进一步的证明。 |

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| Any person who avails himself of the priority of a previous application shall be required to specify the number of that application; this number shall be published as provided for byparagraph (2), above. |

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| 　　任何人利用以前提出的一项申请的优先权的，必须写明该申请的号码；该号码应依照上述第（2）项的规定予以公布。 |

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| (1) Where an industrial design is filed in a country by virtue of a right of priority based on the filing of a utility model, the period of priority shall be the same as that fixed for industrial designs. |

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| 　　（1）依靠以实用新型申请为基础的优先权而在一个国家提出工业品外观设计申请的，优先权的期间应与对工业品外观设计规定的优先权期间一样。 |

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| (2) Furthermore, it is permissible to file a utility model in a country by virtue of a right of priority based on the filing of a patent application, and vice versa. |

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| 　　（2）而且，依靠以专利申请为基础的优先权而在一个国家提出实用新型的申请是许可的，反之亦一样。 |

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| **F．**No country of the Union may refuse a priority or a patent application on the ground that the applicant claims multiple priorities, even if they originate in different countries, or on the ground that an application claiming one or more priorities contains one or more elements that were not included in the application or applications whose priority is claimed, provided that, in both cases, there is unity of invention within the meaning of the law of the country. | 　　**F．**本联盟的任何国家不得由于申请人要求多项优先权（即使这些优先权产生于不同的国家），或者由于要求一项或几项优先权的申请中有一个或几个要素没有包括在作为优先权基础的申请中，而拒绝给予优先权或拒绝专利申请，但以在上述两种情况都有该国法律所规定的发明单一性为限。 |
| With respect to the elements not included in the application or applications whose priority is claimed, the filing of the subsequent application shall give rise to a right of priority under ordinary conditions. | 　　关于作为优先权基础的申请中所没有包括的要素，以后提出的申请应该按照通常条件产生优先权。 |
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| (1) If the examination reveals that an application for a patent contains more than one invention, the applicant may divide the application into a certain number of divisional applications and preserve as the date of each the date of the initial application and the benefit of the right of priority, if any. |

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| 　　（1）如果审查发现一项专利申请包含一个以上的发明，申请人可以将该申请分成若干分案申请，保留第一次申请的日期为各该分案申请的日期，如果有优先权，并保有优先权的利益。 |

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| (2) The applicant may also, on his own initiative, divide a patent application and preserve as the date of each divisional application the date of the initial application and the benefit of the right of priority, if any. Each country of the Union shall have the right to determine the conditions under which such division shall be authorized. |

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| 　　（2）申请人也可以主动将一项专利申请分案，保留第一次申请的日期为各该分案申请的日期，如果有优先权，并保有优先权的利益。本联盟各国有权决定允许这种分案的条件。 |

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| **H．**Priority may not be refused on the ground that certain elements of the invention for which priority is claimed do not appear among the claims formulated in the application in the country of origin, provided that the application documents as a whole specifically disclose such elements. | 　　**H．**不得以要求优先权的发明中的某些要素没有包含在原属国申请列举的权利要求中为理由，而拒绝给予优先权，但以申请文件从全体看来已经明确地写明这些要素为限。 |
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| (1) Applications for inventors’ certificates filed in a country in which applicants have the right to apply at their own option either for a patent or for an inventor’s certificate shall give rise to the right of priority provided for by this Article, under the same conditions and with the same effects as applications for patents. |

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| 　　（1）在申请人有权自行选择申请专利或发明人证书的国家提出发明人证书的申请，应产生本条规定的优先权，其条件和效力与专利的申请一样。 |

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| (2) In a country in which applicants have the right to apply at their own option either for a patent or for an inventor’s certificate, an applicant for an inventor’s certificate shall, in accordance with the provisions of this Article relating to patent applications, enjoy a right of priority based on an application for a patent, a utility model, or an inventor’s certificate. |

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| 　　（2）在申请人有权自行选择申请专利或发明人证书的国家，发明人证书的申请人，根据本条关于专利申请的规定，应享有以专利、实用新型或发明人证书的申请为基础的优先权。 |

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| **Article 4*bis*Patents: *Independence of Patents Obtained for the Same Invention in Different Countries***  | **第四条之二专利：在不同国家就同一发明取得的专利是相互独立的** |
| (1) Patents applied for in the various countries of the Union by nationals of countries of the Union shall be independent of patents obtained for the same invention in other countries, whether members of the Union or not. | 　　（1）本联盟国家的国民向本联盟各国申请的专利，与在其他国家，不论是否本联盟的成员国，就同一发明所取得的专利是相互独立的。 |
| (2) The foregoing provision is to be understood in an unrestricted sense, in particular, in the sense that patents applied for during the period of priority are independent, both as regards the grounds for nullity and forfeiture, and as regards their normal duration. | 　　（2）上述规定，应从不受限制的意义来理解，特别是指在优先权期间内申请的各项专利，就其无效和丧失权利的理由以及其正常的期间而立，是相互独立的。 |
| (3) The provision shall apply to all patents existing at the time when it comes into effect. | 　　（3）本规定应适用于在其开始生效时已经存在的一切专利。 |
| (4) Similarly, it shall apply, in the case of the accession of new countries, to patents in existence on either side at the time of accession. | 　　（4）在有新国家加入的情况下，本规定应同样适用于加入时两方面已经存在的专利。 |
| (5) Patents obtained with the benefit of priority shall, in the various countries of the Union, have a duration equal to that which they would have, had they been applied for or granted without the benefit of priority. | 　　（5）在本联盟各国，因享有优先权的利益而取得的专利的期限，与没有优先权的利益而申请或授予的专利的期限相同。 |
| **Article 4*ter*Patents: *Mention of the Inventor in the Patent*** | **第四条之三专利：在专利上记载发明人** |
| The inventor shall have the right to be mentioned as such in the patent. | 　　发明人有在专利中被记载为发明人的权利。 |
| **Article 4*quater*Patents: *Patentability in Case of Restrictions of Sale by Law*** | **第四条之四专利：在法律禁止销售情况下的专利性** |
| The grant of a patent shall not be refused and a patent shall not be invalidated on the ground that the sale of the patented product or of a product obtained by means of a patented process is subject to restrictions or limitations resulting from the domestic law. | 　　不得以专利产品的销售或依专利方法制造的产品的销售受到本国法律的禁止或限制为理由，而拒绝授予专利或使专利无效。 |
| **Article 5A. Patents: *Importation of Articles; Failure to Work or Insufficient Working; Compulsory Licenses*B. Industrial Designs: *Failure to Work; Importation of Articles*C. Marks: *Failure to Use; Different Forms; Use by Co-proprietors*D. Patents, Utility Models, Marks, Industrial Designs: *Marking*** | **第五条A. 专利：物品的进口；不实施或不充分实施：强制许可B. 工业品外观设计：不实施；物品的进口C. 商标：不使用；不同的形式；共有人的使用D. 专利、实用新型、商标、工业品外观设计：标记** |
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| (1) Importation by the patentee into the country where the patent has been granted of articles manufactured in any of the countries of the Union shall not entail forfeiture of the patent. |

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| 　　（1）专利权人将在本联盟任何国家内制造的物品进口到对该物品授予专利的国家的，不应导致该项专利的取消。 |

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| (2) Each country of the Union shall have the right to take legislative measures providing for the grant of compulsory licenses to prevent the abuses which might result from the exercise of the exclusive rights conferred by the patent, for example, failure to work. |

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| 　　（2）本联盟各国都有权采取立法措施规定授予强制许可，以防止由于行使专利所赋予的专有权而可能产生的滥用，例如：不实施。 |

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| (3) Forfeiture of the patent shall not be provided for except in cases where the grant of compulsory licenses would not have been sufficient to prevent the said abuses. No proceedings for the forfeiture or revocation of a patent may be instituted before the expiration of two years from the grant of the first compulsory license. |

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| 　　（3）除强制许可的授予不足以防止上述滥用外，不应规定专利的取消。自授予第一个强制许可之日起两年届满前不得提起取消或撤销专利的诉论。 |

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| (4) A compulsory license may not be applied for on the ground of failure to work or insufficient working before the expiration of a period of four years from the date of filing of the patent application or three years from the date of the grant of the patent, whichever period expires last; it shall be refused if the patentee justifies his inaction by legitimate reasons. Such a compulsory license shall be non-exclusive and shall not be transferable, even in the form of the grant of a sub-license, except with that part of the enterprise or goodwill which exploits such license. |

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| 　　（4）自提出专利申请之日起四年届满以前，或自授予专利之日起三年届满以前，以后满期的期间为准，不得以不实施或不充分实施为理由申请强制许可；如果专利权人的不作为有正当理由，应拒绝强制许可。这种强制许可是非独占性的，而且除与利用该许可的部分企业或商誉一起转让外，不得转让，甚至以授予分许可证的形式也在内。 |

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| (5) The foregoing provisions shall be applicable, mutatis mutandis, to utility models. |

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| 　　（5）上述各项规定准用于实用新型。 |

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| **B．**The protection of industrial designs shall not, under any circumstance, be subject to any forfeiture, either by reason of failure to work or by reason of the importation of articles corresponding to those which are protected. | 　　**B．**对工业品外观设计的保护，在任何情况下，都不得以不实施或以进口物品与受保护的外观设计相同为理由而予以取消。 |
| **C．** | 　　**C．** |
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| (1) If, in any country, use of the registered mark is compulsory, the registration may be cancelled only after a reasonable period, and then only if the person concerned does not justify his inaction. |

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| 　　（1）如果在任何国家，注册商标的使用是强制的，只有经过适当的期间，而且只有当事人不能证明其不使用有正当理由，才可以撤销注册。 |

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| (2) Use of a trademark by the proprietor in a form differing in elements which do not alter the distinctive character of the mark in the form in which it was registered in one of the countries of the Union shall not entail invalidation of the registration and shall not diminish the protection granted to the mark. |

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| 　　（2）商标所有人使用的商标，在形式上与其在本联盟国家之一所注册的商标形式只有一些要素不同，而并未改变其显著性的，不应导致注册无效，也不应减少对商标所给予的保护。 |

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| (3) Concurrent use of the same mark on identical or similar goods by industrial or commercial establishments considered as co-proprietors of the mark according to the provisions of the domestic law of the country where protection is claimed shall not prevent registration or diminish in any way the protection granted to the said mark in any country of the Union, provided that such use does not result in misleading the public and is not contrary to the public interest. |

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| 　　（3）根据请求保护地国家的本国法认为商标共同所有人的几个工商企业，在相同或类似商品上同时使用同一商标，在本联盟任何国家内不应拒绝注册，也不应以任何方式减少对该商标所给予的保护，但以这种使用并未导致公众产生误解，而且不违反公共利益为限。 |

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| **D．**No indication or mention of the patent, of the utility model, of the registration of the trademark, or of the deposit of the industrial design, shall be required upon the goods as a condition of recognition of the right to protection. | 　　**D．**不应要求在商品上标志或载明专利、实用新型、商标注册或工业品外观设计保存，作为承认取得保护权利的条件。 |
| **Article 5*bis*All Industrial Property Rights: *Period of Grace for the Payment of Fees for the Maintenance of Rights*; Patents: *Restoration*** | **第五条之二一切工业产权：缴纳权利维持费的宽限期；专利：恢复** |
| (1) A period of grace of not less than six months shall be allowed for the payment of the fees prescribed for the maintenance of industrial property rights, subject, if the domestic legislation so provides, to the payment of a surcharge. | 　　（1）关于规定的工业产权维持费的缴纳，应给予不少于六个月的宽限期，但是如果本国法律有规定，应缴纳附加费。 |
| (2) The countries of the Union shall have the right to provide for the restoration of patents which have lapsed by reason of non-payment of fees. | 　　（2）本联盟各国对因未缴费而终止的专利有权规定予以恢复。 |
| **Article 5*ter*Patents: *Patented Devices Forming Part of Vessels, Aircraft, or Land Vehicles*** | **第五条之三专利：构成船舶、飞机或陆上车辆一部分的专利器械** |
| In any country of the Union the following shall not be considered as infringements of the rights of a patentee: | 　　在本联盟任何国家内，下列情况不应认为是侵犯专利权人的权利： |
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| (i) the use on board vessels of other countries of the Union of devices forming the subject of his patent in the body of the vessel, in the machinery, tackle, gear and other accessories, when such vessels temporarily or accidentally enter the waters of the said country, provided that such devices are used there exclusively for the needs of the vessel; |

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| 　　（i）本联盟其他国家的船舶暂时或偶然地进入上述国家的领水时，在该船的船身、机器、船具、装备及其他附件上使用构成专利对象的器械，但以专为该船的需要而使用这些器械为限； |

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| (ii) the use of devices forming the subject of the patent in the construction or operation of aircraft or land vehicles of other countries of the Union, or of accessories of such aircraft or land vehicles, when those aircraft or land vehicles temporarily or accidentally enter the said country. |

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| 　　（ii）本联盟其他国家的飞机或陆上车辆暂时或偶然地进入上述国家时，在该飞机或陆上车辆的构造或操作中，或者在该飞机或陆上车辆附件的构造或操作中使用构成专利对象的器械。 |

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| **Article 5*quater*Patents: *Importation of Products Manufactured by a Process Patented in the Importing Country*** | **第五条之四专利：利用进口国的专利方法制造产品的进口** |
| When a product is imported into a country of the Union where there exists a patent protecting a process of manufacture of the said product, the patentee shall have all the rights, with regard to the imported product, that are accorded to him by the legislation of the country of importation, on the basis of the process patent, with respect to products manufactured in that country. | 　　一种产品进口到对该产品的制造方法有专利保护的本联盟国家时，专利权人对该进口产品，应享有按照进口国法律，他对在该国依照专利方法制造的产品所享有的一切权利。 |
| **Article 5*quinquies*Industrial Designs** | **第五条之五工业品外观设计** |
| Industrial designs shall be protected in all the countries of the Union. | 　　外观设计在本联盟所有国家均应受到保护。 |
| **Article 6Marks: *Conditions of Registration; Independence of Protection of Same Mark in Different Countries*** | **第六条商标：注册条件；同一商标在不同国家所受保护的独立性** |
| (1) The conditions for the filing and registration of trademarks shall be determined in each country of the Union by its domestic legislation. | 　　（1）商标的申请和注册条件，在本联盟各国由其本国法律决定。 |
| (2) However, an application for the registration of a mark filed by a national of a country of the Union in any country of the Union may not be refused, nor may a registration be invalidated, on the ground that filing, registration, or renewal, has not been effected in the country of origin. | 　　（2）但本联盟任何国家对本联盟国家的国民提出的商标注册申请，不得跟未在原属国申请、注册或续展为理由而予以拒绝，也不得使注册无效。 |
| (3) A mark duly registered in a country of the Union shall be regarded as independent of marks registered in the other countries of the Union, including the country of origin. | 　　（3）在本联盟一个国家正式注册的商标，与在联盟其他国家注册的商标，包括在原属国注册的商标在内，应认为是相互独立的。 |
| **Article 6*bis*Marks: *Well-Known Marks*** | **第六条之二商标：驰名商标** |
| (1) The countries of the Union undertake, ex officio if their legislation so permits, or at the request of an interested party, to refuse or to cancel the registration, and to prohibit the use, of a trademark which constitutes a reproduction, an imitation, or a translation, liable to create confusion, of a mark considered by the competent authority of the country of registration or use to be well known in that country as being already the mark of a person entitled to the benefits of this Convention and used for identical or similar goods. These provisions shall also apply when the essential part of the mark constitutes a reproduction of any such well-known mark or an imitation liable to create confusion therewith. | 　　（1）本联盟各国承诺，如本国法律允许，应依职权，或依利害关系人的请求，对商标注册国或使用国主管机关认为在该国已经驰名，属于有权享受本公约利益的人所有、并且用于相同或类似商品的商标构成复制、仿制或翻译，易于产生混淆的商标，拒绝或撤销注册，并禁止使用。这些规定，在商标的主要部分构成对上述驰名商标的复制或仿制，易于产生混淆时，也应适用。 |
| (2) A period of at least five years from the date of registration shall be allowed for requesting the cancellation of such a mark. The countries of the Union may provide for a period within which the prohibition of use must be requested. | 　　（2）自注册之日起至少五年的期间内，应允许提出撤销这种商标的请求。本联盟各国可以规定一个期间，在这期间内必须提出禁止使用的请求。 |
| (3) No time limit shall be fixed for requesting the cancellation or the prohibition of the use of marks registered or used in bad faith. | 　　（3）对于依恶意取得注册或使用的商标提出撤销注册或禁止使用的请求，不应规定时间限制。 |
| **Article 6*ter*Marks: *Prohibitions concerning State Emblems, Official Hallmarks, and Emblems of Intergovernmental Organizations*** | **第六条之三商标：关于国徽、官方检验印章和政府间组织徽记的禁例** |
| (1) | 　　（1） |
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| *(a)* The countries of the Union agree to refuse or to invalidate the registration, and to prohibit by appropriate measures the use, without authorization by the competent authorities, either as trademarks or as elements of trademarks, of armorial bearings, flags, and other State emblems, of the countries of the Union, official signs and hallmarks indicating control and warranty adopted by them, and any imitation from a heraldic point of view. |

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| 　　（a）本联盟各国同意，对未经主管机关许可，而将本联盟国家的国徽、国旗和其他的国家徽记、各该国用以表明监督和保证的官方符号和检验印章以及从徽章学的观点看来的任何仿制用作商标或商标的组成部分，拒绝注册或使其注册无效，并采取适当措施禁止使用。 |

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| *(b)* The provisions of subparagraph *(a)*, above, shall apply equally to armorial bearings, flags, other emblems, abbreviations, and names, of international intergovernmental organizations of which one or more countries of the Union are members, with the exception of armorial bearings, flags, other emblems, abbreviations, and names, that are already the subject of international agreements in force, intended to ensure their protection. |

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| 　　（b）上述（a）项规定应同样适用于本联盟一个或一个以上国家参加的政府间国际组织的徽章、旗帜、其他徽记、缩写和名称，但已成为保证予以保护的现行国际协定的对象的徽章、旗帜、其他徽记、缩写和名称除外。 |

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| *(c)* No country of the Union shall be required to apply the provisions of subparagraph *(b)*, above, to the prejudice of the owners of rights acquired in good faith before the entry into force, in that country, of this Convention. The countries of the Union shall not be required to apply the said provisions when the use or registration referred to in subparagraph *(a)*, above, is not of such a nature as to suggest to the public that a connection exists between the organization concerned and the armorial bearings, flags, emblems, abbreviations, and names, or if such use or registration is probably not of such a nature as to mislead the public as to the existence of a connection between the user and the organization. |

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| 　　（c）本联盟任何国家无须适用上述（b）项规定，而损害本公约在该国生效前善意取得的权利的所有人。在上述（a）项所指的商标的使用或注册性上不会使公众理解为有关组织与这种徽章、旗帜、徽记、缩写和名称有联系时，或者如果这种使用或注册性质上大概不会使公众误解为使用人与该组织有联系时，本联盟国家无须适用该项规定。 |

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| (2) Prohibition of the use of official signs and hallmarks indicating control and warranty shall apply solely in cases where the marks in which they are incorporated are intended to be used on goods of the same or a similar kind. | 　　（2）关于禁止使用表明监督、保证的官方符号和检验印章的规定，应该只适用于在相同或类似商品上使用包含该符号或印章的商标的情况。 |
| (3) | 　　（3） |
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| *(a)* For the application of these provisions, the countries of the Union agree to communicate reciprocally, through the intermediary of the International Bureau, the list of State emblems, and official signs and hallmarks indicating control and warranty, which they desire, or may hereafter desire, to place wholly or within certain limits under the protection of this Article, and all subsequent modifications of such list. Each country of the Union shall in due course make available to the public the lists so communicated. Nevertheless such communication is not obligatory in respect of flags of States. |

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| 　　（a）为了实施这些规定，本联盟国家同意，将它们希望或今后可能希望完全或在一定限度内受本条保护的国家徽记与表明监督保证的官方符号和检验印章清单，以及以后对该项清单的一切修改，经由国际局相互通知。本联盟各国应在适当的时候使公众可以得到用这样方法通知的清单。 但是，就国旗而言，这种相互通知并不是强制性的。 |

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| *(b)* The provisions of subparagraph *(a)*, above, shall apply equally to armorial bearings, flags, other emblems, abbreviations, and names, of international intergovernmental organizations of which one or more countries of the Union are members, with the exception of armorial bearings, flags, other emblems, abbreviations, and names, that are already the subject of international agreements in force, intended to ensure their protection. |

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| 　　（b）本条（b）项的规定，仅适用于政府间国际组织经由国际局通过本联盟国家的徽章、旗帜、其他徽记、缩写和名称。 |

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| (4) Any country of the Union may, within a period of twelve months from the receipt of the notification, transmit its objections, if any, through the intermediary of the International Bureau, to the country or international intergovernmental organization concerned. | 　　（4）本联盟任何国家如有异议，可以在收到通知后十二个月内经由国际局向有关国家或政府间国际组织提出。 |
| (5) In the case of State flags, the measures prescribed by paragraph (1), above, shall apply solely to marks registered after November 6, 1925. | 　　（5）关于国旗，上述第（1）款规定的措施仅适用于1925年11月6日以后注册的商标。 |
| (6) In the case of State emblems other than flags, and of official signs and hallmarks of the countries of the Union, and in the case of armorial bearings, flags, other emblems, abbreviations, and names, of international intergovernmental organizations, these provisions shall apply only to marks registered more than two months after receipt of the communication provided for in paragraph (3), above. | 　　（6）关于本联盟国家以外的国家徽记、官方符号和检验印章，以及关于政府间国际组织的微章、旗帜、其他徽记、缩写和名称，这些规定仅适用于接到上面第（3）款规定的通知超过两个月后所注册的商标。 |
| (7) In cases of bad faith, the countries shall have the right to cancel even those marks incorporating State emblems, signs, and hallmarks, which were registered before November 6, 1925. | 　　（7）在有恶意的情况下，各国有权撤销即使是在1925年11月6日以前注册的含有国家徽记、符号和检验印章的商标。 |
| (8) Nationals of any country who are authorized to make use of the State emblems, signs, and hallmarks, of their country may use them even if they are similar to those of another country. | 　　（8）任何国家的国民经批准使用其本国的国家徽记、符号和检验印章者，即使与其他国家的国家徽记、符号和检验印章相类似，仍可使用。 |
| (9) The countries of the Union undertake to prohibit the unauthorized use in trade of the State armorial bearings of the other countries of the Union, when the use is of such a nature as to be misleading as to the origin of the goods. | 　　（9）本联盟各国承诺，如有人未经批准而在商业中使用本联盟其他国家的国徽，具有使人对商品的原产地产生误解的性质时，应禁止其使用。 |
| (10) The above provisions shall not prevent the countries from exercising the right given in paragraph (3) of Article 6*quinquies*, Section B, to refuse or to invalidate the registration of marks incorporating, without authorization, armorial bearings, flags, other State emblems, or official signs and hallmarks adopted by a country of the Union, as well as the distinctive signs of international intergovernmental organizations referred to in paragraph (1), above. | 　　（10）上述各项规定不应妨碍各国行使第六条之五B款第（3）项所规定的权利，即对未经批准而含有本联盟国家所采用的国徽、国旗、其他国家徽记，或官方符号和检验印章，以及上述第（1）款所述的政府间国际组织显著符号的商标，拒绝予以注册或使其注册无效。 |
| **Article 6*quater*Marks: *Assignment of Marks*** | **第六条之四商标：商标的转让** |
| (1) When, in accordance with the law of a country of the Union, the assignment of a mark is valid only if it takes place at the same time as the transfer of the business or goodwill to which the mark belongs, it shall suffice for the recognition of such validity that the portion of the business or goodwill located in that country be transferred to the assignee, together with the exclusive right to manufacture in the said country, or to sell therein, the goods bearing the mark assigned. | 　　（1）根据本联盟国家的法律，商标的转让只有在与其所属工农业或商誉同时移转主为有效时，如该工农业或商誉座落在该国的部分，连同在该国制造或销售标有被转让商标的商品的专有权一起移予受让人，即足以承认其转让为有效。 |
| (2) The foregoing provision does not impose upon the countries of the Union any obligation to regard as valid the assignment of any mark the use of which by the assignee would, in fact, be of such a nature as to mislead the public, particularly as regards the origin, nature, or essential qualities, of the goods to which the mark is applied. | 　　（2）如果受让人使用受让的商标事实上会具有使公众对使用该商标的商品的原产地、性质或基本品质发生误解的性质，上述规定并不使联盟国家负有承认该项商标转让为有效的义务。 |
| **Article 6*quinquies*Marks: *Protection of Marks Registered in One Country of the Union in the Other Countries of the Union*** | **第六条之五商标：在本联盟一个国家注册的商标在本联盟其他国家所受的保护** |
| **A．** | 　　**A．** |
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| (1) Every trademark duly registered in the country of origin shall be accepted for filing and protected as is in the other countries of the Union, subject to the reservations indicated in this Article. Such countries may, before proceeding to final registration, require the production of a certificate of registration in the country of origin, issued by the competent authority. No authentication shall be required for this certificate. |

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| 　　（1）在原属国正规注册的每一商标，除有本条规定的留外，本联盟其他国家应与在原属国注册那样接受申请和给予保护。各该国家在确定注册前可以要求提供原属国主管机关发给的注册证书。该项证书无需认证。 |

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| (2) Shall be considered the country of origin the country of the Union where the applicant has a real and effective industrial or commercial establishment, or, if he has no such establishment within the Union, the country of the Union where he has his domicile, or, if he has no domicile within the Union but is a national of a country of the Union, the country of which he is a national. |

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| 　　（2）原属国系指申请人设有真实、有效的工商业营业所的本联盟国家；或者如果申请人在本联盟内没有这样的营业所，则指他设有住所的本联盟国家；或者如果申请人在本联盟内没有住所，但是他是本联盟国家的国民，则指他有国籍的国家。 |

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| **B．**Trademarks covered by this Article may be neither denied registration nor invalidated except in the following cases: | 　　 **B．**除下列情况外，对本条所适用的商标既不得拒绝注册也不得使注册无效： |
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| (i) when they are of such a nature as to infringe rights acquired by third parties in the country where protection is claimed; |

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| 　　（i）在其要求保护的国家，商标具有侵犯第三人的既得权利的性质的； |

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| (ii) when they are devoid of any distinctive character, or consist exclusively of signs or indications which may serve, in trade, to designate the kind, quality, quantity, intended purpose, value, place of origin, of the goods, or the time of production, or have become customary in the current language or in the bona fide and established practices of the trade of the country where protection is claimed; |

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| 　　（ii）商标缺乏显著特征，或者完全是由商业中用以表示商品的种类、质量、数量、用途、价值、原产地或生产时间的符号或标记所组成，或者在要求给予保护的国家的现代语言中或在善意和公认的商务实践中已经成为惯用的； |

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| (iii) when they are contrary to morality or public order and, in particular, of such a nature as to deceive the public. It is understood that a mark may not be considered contrary to public order for the sole reason that it does not conform to a provision of the legislation on marks, except if such provision itself relates to public order. |

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| 　　（iii）商标违反道德或公共秩序，尤其是具有欺骗公众的性质。这一点应理解为不得仅仅因为商标不符合商标立法的规定，即认为该商标违反公共秩序，除非该规定本身同公共秩序有关。 |

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| This provision is subject, however, to the application of Article 10*bis*. |

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| 　　然而，本规定在符合适用第十条之二的条件下，也可以适用。 |

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| **C．** | 　　**C．** |
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| (1) In determining whether a mark is eligible for protection, all the factual circumstances must be taken into consideration, particularly the length of time the mark has been in use. |

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| 　　（1）决定一个商标是否符合受保护的条件，必须考虑一切实际情况，特别是商标已经使用时间的长短。 |

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| (2) No trademark shall be refused in the other countries of the Union for the sole reason that it differs from the mark protected in the country of origin only in respect of elements that do not alter its distinctive character and do not affect its identity in the form in which it has been registered in the said country of origin. |

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| 　　（2）商标中有些要素与在原属国受保护的商标有所不同，但并未改变其显著特征，亦不影响其与原属国注册的商标形式上的同一性的，本联盟其他国家不得仅仅以此为理由而予以拒绝。 |

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| **D．**No person may benefit from the provisions of this Article if the mark for which he claims protection is not registered in the country of origin. | 　　**D．**任何人要求保护的商标，如果未在原属国注册，不得享受本条各规定的利益。 |
| **E．**However, in no case shall the renewal of the registration of the mark in the country of origin involve an obligation to renew the registration in the other countries of the Union in which the mark has been registered. | 　　**E．**但商标注册在原属国续展，在任何情况下决不包含在该商标已经注册的本联盟其他国家续展注册的义务。 |
| **F．**The benefit of priority shall remain unaffected for applications for the registration of marks filed within the period fixed by Article 4, even if registration in the country of origin is effected after the expiration of such period. | 　　**F．**在第四条规定的期间内提出商标注册的申请，即使原属国在该期间届满后才进行注册，其优先权利益也不受影响。 |
| **Article 6*sexies*Marks: *Service Marks*** | **第六条之六商标：服务标记** |
| The countries of the Union undertake to protect service marks. They shall not be required to provide for the registration of such marks. | 　　本联盟各国承诺保护服务标记不应要求它们对该项标记的注册作出规定。 |
| **Article 6*septies*Marks: *Registration in the Name of the Agent or Representative of the Proprietor Without the Latter’s Authorization*** | **第六条之七商标：未经所有人授权而以代理人或代表人名义注册** |
| (1) If the agent or representative of the person who is the proprietor of a mark in one of the countries of the Union applies, without such proprietor’s authorization, for the registration of the mark in his own name, in one or more countries of the Union, the proprietor shall be entitled to oppose the registration applied for or demand its cancellation or, if the law of the country so allows, the assignment in his favor of the said registration, unless such agent or representative justifies his action. | 　　（1）如果本联盟一个国家的商标所有人的代理人或代表人，未经该所有人授权而以自己的名义向本联盟一个或一个以上的回家申请该商标的注册，该所有人有权反对所申请的注册或要求取消注册，或者，如该国法律允许，该所有人可以要求将该项注册转让给自己，除非该代理人或代表人证明其行为是正当的。 |
| (2) The proprietor of the mark shall, subject to the provisions of paragraph (1), above, be entitled to oppose the use of his mark by his agent or representative if he has not authorized such use. | 　　（2）商标所有人如未授权从使用，以符合上述和（1）款的规定为条件，有权反对其代理人或代表人使用其商标。 |
| (3) Domestic legislation may provide an equitable time limit within which the proprietor of a mark must exercise the rights provided for in this Article. | 　　（3）各国立法可以规定商标所有人行使本条规定的权利的合理期限。 |
| **Article 7Marks: *Nature of the Goods to which the Mark is Applied*** | **第七条商标：使用商标的商品的性质** |
| The nature of the goods to which a trademark is to be applied shall in no case form an obstacle to the registration of the mark. | 　　使用商标的商品的性质决不应成为该商标注册的障碍。 |
| **Article 7*bis*Marks: *Collective Marks*** | **第七条之二商标：集体商标** |
| (1) The countries of the Union undertake to accept for filing and to protect collective marks belonging to associations the existence of which is not contrary to the law of the country of origin, even if such associations do not possess an industrial or commercial establishment. | 　　（1）如果社团的存在不违反其原属国的法律，即使该社团没有工商业营业所，本联盟各国也承诺受理申请，并保护属于该社团的集体商标。 |
| (2) Each country shall be the judge of the particular conditions under which a collective mark shall be protected and may refuse protection if the mark is contrary to the public interest. | 　　（2）各国应自行审定关于保护集体商标的特别条件，如果商标违反公共利益，可以拒绝给予保护。 |
| (3) Nevertheless, the protection of these marks shall not be refused to any association the existence of which is not contrary to the law of the country of origin, on the ground that such association is not established in the country where protection is sought or is not constituted according to the law of the latter country. | 　　（3）如果社团的存在不违反原属国的法律，不得以该社团在其要求保护的国家没有营业所，或不是根据该国的法律所组成为理由，拒绝对该社团的这些商标给予保护。 |
| **Article 8Trade Names** | **第八条厂商名称** |
| A trade name shall be protected in all the countries of the Union without the obligation of filing or registration, whether or not it forms part of a trademark. | 　　厂商名称应在本联盟一切国家内受到保护，没有申请或注册的义务，也不论其是否为商标的一部分。 |
| **Article 9Marks, Trade Names: *Seizure, on Importation, etc., of Goods Unlawfully Bearing a Mark or Trade Name*** | **第九条商标、厂商名称：对非法标有商标或厂商名称的商品在进口时予以扣押** |
| (1) All goods unlawfully bearing a trademark or trade name shall be seized on importation into those countries of the Union where such mark or trade name is entitled to legal protection. | 　　（1）一切非法标有商标或厂商名称的商品，在进口到该项商标或厂商名称有权受到法律保护的本联盟国家时，应予以扣押。 |
| (2) Seizure shall likewise be effected in the country where the unlawful affixation occurred or in the country into which the goods were imported. | 　　（2）在发生非法粘附上述标记的国家或在该商品已进口进去的国家，扣押应同样予以执行。 |
| (3) Seizure shall take place at the request of the public prosecutor, or any other competent authority, or any interested party, whether a natural person or a legal entity, in conformity with the domestic legislation of each country. | 　　（3）扣押应依检察官或其他主管机关或利害关系人(无论为自然人或法人)的请求，按照各国本国法的规定进行。 |
| (4) The authorities shall not be bound to effect seizure of goods in transit. | 　　（4）各机关对于过境商品没有执行扣押的义务。 |
| (5) If the legislation of a country does not permit seizure on importation, seizure shall be replaced by prohibition of importation or by seizure inside the country. | 　　（5）如果一国法律不准许在进口时扣押，应代之以禁止进口或在国内扣押。 |
| (6) If the legislation of a country permits neither seizure on importation nor prohibition of importation nor seizure inside the country, then, until such time as the legislation is modified accordingly, these measures shall be replaced by the actions and remedies available in such cases to nationals under the law of such country. | 　　（6）如果一国法律既不准许在进口时扣押，也不准许禁止进口或在国内扣押，则在法律作出相应修改以前，应代之以该国国民在此种情况下按该国法律可以采取的诉讼和救济手段。 |
| **Article 10False Indications: *Seizure, on Importation, etc., of Goods Bearing False Indications as to their Source or the Identity of the Producer*** | **第十条虚伪标记：对标有虚伪的原产地或生产者标记的商品在进口时予以扣押** |
| (1) The provisions of the preceding Article shall apply in cases of direct or indirect use of a false indication of the source of the goods or the identity of the producer, manufacturer, or merchant. | 　　（1）前条各款规定应适用于直接或间接使用虚伪的商品原产地、生产者、制造者或商人的标记的情况。 |
| (2) Any producer, manufacturer, or merchant, whether a natural person or a legal entity, engaged in the production or manufacture of or trade in such goods and established either in the locality falsely indicated as the source, or in the region where such locality is situated, or in the country falsely indicated, or in the country where the false indication of source is used, shall in any case be deemed an interested party. | 　　（2）凡从事此项商品的生产、制造或销售的生产者，制造者或商人，无论为自然人或法人，其营业所设在被虚伪标为商品原产的地方、该地所在的地区，或在虚伪标为原产的国家、或在使用该虚伪原产地标记的国家者，无论如何均应视为利害关系人。 |
| **Article 10*bis*Unfair Competition** | **第十条之二不正当竞争** |
| (1) The countries of the Union are bound to assure to nationals of such countries effective protection against unfair competition. | 　　（1）本联盟国家有义务对各该国国民保证给予制止不正当竞争的有效保护。 |
| (2) Any act of competition contrary to honest practices in industrial or commercial matters constitutes an act of unfair competition. | 　　（2）凡在工商业事务中违反诚实的习惯做法的竞争行为构成不正当竞争的行为。 |
| (3) The following in particular shall be prohibited: | 　　（3）下列各项特别应予以禁止： |
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| (i) all acts of such a nature as to create confusion by any means whatever with the establishment, the goods, or the industrial or commercial activities, of a competitor; |

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| 　　（i）具有采用任何手段对竞争者的营业所、商品或工商业活动产生混淆性质的一切行为； |

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| (ii) false allegations in the course of trade of such a nature as to discredit the establishment, the goods, or the industrial or commercial activities, of a competitor; |

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| 　　（ii）在经营商业中，具有损害竞争者的营业所、商品或工商业活动的信用性质的虚伪说法； |

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| (iii) indications or allegations the use of which in the course of trade is liable to mislead the public as to the nature, the manufacturing process, the characteristics, the suitability for their purpose, or the quantity, of the goods. |

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| 　　（iii）在经营商业中使用会使公众对商品的性质、制造方法、特点、用途或数量易于产生误解的表示或说法。 |

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| **Article 10*ter*Marks, Trade Names, False Indications, Unfair Competition: *Remedies, Right to Sue*** | **第十条之三商标、厂商名称、虚伪标记、不正当竞争：救济手段，起诉权** |
| (1) The countries of the Union undertake to assure to nationals of the other countries of the Union appropriate legal remedies effectively to repress all the acts referred to inArticles 9, 10, and 10*bis*. | 　　（1）本联盟国家承诺保证本联盟其他国家的国民获得有效地制止第九条、第十条和第十第之二所述一切行为的适当的法律上救济手段。 |
| (2) They undertake, further, to provide measures to permit federations and associations representing interested industrialists, producers, or merchants, provided that the existence of such federations and associations is not contrary to the laws of their countries, to take action in the courts or before the administrative authorities, with a view to the repression of the acts referred to in Articles 9, 10, and 10*bis*, in so far as the law of the country in which protection is claimed allows such action by federations and associations of that country. | 　　（2）本联盟国家并承诺规则措施，准许不违反其本国法律而存在的联合会和社团，代表有利害关系的工业家、生产者或商人，在其要求保护的国家法律允许该国的联合会和社团提出控诉的范围内，为了制止第九条、第十条和条十条之二所述的行为，向法院新亏政机关提出控诉。 |
| **Article 11Inventions, Utility Models, Industrial Designs, Marks: *Temporary Protection at Certain International Exhibitions*** | **第十一条发明、实用新型、工业品外观设计、商标：在某些国际展览会中的临时保护** |
| (1) The countries of the Union shall, in conformity with their domestic legislation, grant temporary protection to patentable inventions, utility models, industrial designs, and trademarks, in respect of goods exhibited at official or officially recognized international exhibitions held in the territory of any of them. | 　　（1）本联盟国家应按其本国法律对在本联盟任何国家领土内举办的官方的或经官方承认的国际展览会展出的商品中可以取得专利的发明、实用新型、工业品外观设计和商标，给予临时保护。 |
| (2) Such temporary protection shall not extend the periods provided by Article 4. If, later, the right of priority is invoked, the authorities of any country may provide that the period shall start from the date of introduction of the goods into the exhibition. | 　　（2）该项临时时保护不应延展第四条规定的期间。如以后要求优先权，任何国家的主管机关可以规定其期间应自该商品在展览会展出之日开始。 |
| (3) Each country may require, as proof of the identity of the article exhibited and of the date of its introduction, such documentary evidence as it considers necessary. | 　　（3）每一个国家认为必要时可以要求提供证明文件，证实展出的物品及其在展览会展出的日期。 |
| **Article 12Special National Industrial Property Services** | **第十二条国家工业产权专门机构** |
| (1) Each country of the Union undertakes to establish a special industrial property service and a central office for the communication to the public of patents, utility models, industrial designs, and trademarks. | 　　（1）本联盟各国承诺设立工业产权专门机构和向公众传递专利、实用新型、外观设计和商标的中央机构。 |
| (2) This service shall publish an official periodical journal. It shall publish regularly: | 　　（2）该专门机构定期出版公批按时公布： |
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| *(a)* the names of the proprietors of patents granted, with a brief designation of the inventions patented; |

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| 　　（a）被授予专利的人的姓名和取得专利的发明的概要； |

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| *(b)* the reproductions of registered trademarks. |

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| 　　（b）注册商标的复制品。 |

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| **Article 13Assembly of the Union** | **第十三条本联盟大会** |
| (1) | 　　（1） |
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| *(a)* The Union shall have an Assembly consisting of those countries of the Union which are bound by Articles 13 to 17. |

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| 　　（a）本联盟设大会，由本联盟中受第十三条至第十七条约束的国家组成。 |

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| *(b)* The Government of each country shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts. |

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| 　　（b）每一国政府应有一名代表，该代表可以由副代表、顾问和专家辅助。 |

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| *(c)* The expenses of each delegation shall be borne by the Government which has appointed it. |

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| 　　（c）各代表团的费用由委派该代表团的政府负担。 |

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| (2) | 　　（2） |
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| *(a)* The Assembly shall: |

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| 　　（a）大会的职权如下： |

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

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| 　　（i）处理有关维持和发展本联盟及执行本公约的一切事项； |

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| (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 hound by Articles 13 to 17; |

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| 　　（ii）对建立世界知识产权组织(以下简称“本组织”)公约中所述的知识产权国际局(以下简称“国际局”作关于筹备修订会议的指示，但应适当考虑本联盟国家中不受第十三条至第十七条约束的国家所提的意见； |

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| (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; |

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| 　　（iii）审查和批准本组织总干事有关本联盟的报告和活动，并就本联盟权限内的事项对总干事作一切必要的指示； |

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

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| 　　（iv）选举大会执行委员会的委员； |

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

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| 　　（v）审查和批准执行委员会的报告和活动，并对该委员会作指示； |

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

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| 　　（vi）决定本联盟计划和通过二年预算，并批准决算； |

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| (vii) adopt the financial regulations of the Union; |

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| 　　（vii）通过本联盟的财务规则； |

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

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| 　　(viii) 为实现本联盟的目的，成立适当的专家委员会和工作组； |

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| (ix) determine which countries not members of the Union and which intergovernmental and international nongovernmental organizations shall be admitted to its meetings as observers; |

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| 　　（ix）决定接受哪些非本联盟成员国的国家以及哪些政府间组织和非政府间国际组织以观察员身份参加本联盟会议； |

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| (x) adopt amendments to Articles 13 to 17; |

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| 　　（x）通过第十三条至第十七条的修改； |

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

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| 　　（xi）采取旨在促进实现本联盟目标的任何其他的适当行动； |

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| (xii) perform such other functions as are appropriate under this Convention; |

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| 　　（xii）履行按照本公约是适当的其他职责； |

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| (xiii) subject to its acceptance, exercise such rights as are given to it in the Convention establishing the Organization. |

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| 　　（xiii）行使建立本组织公约中授予并经本联盟接受的权利。 |

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| *(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. |

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| 　　（b）关于对本组织管理的其他联盟也有利害关系的事项，大会在昕取本组织协调委员会的意见后作出决议。 |

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| (3) | 　　（3） |
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| *(a)* Subject to the provisions of subparagraph *(b)*, a delegate may represent one country only. |

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| 　　（a）除适用（b）项规定的情况外，一名代表仅能代表一个国家。 |

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| *(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. |

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| 　　（b）本联盟一些国家根据一项专门协定的条款组成一个共同的、对各该国家具有第十二条所述的国家工业产权专门机构性质的机构的，在讨论时，可以由这些国家中的一国作为共同代表。 |

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| (4) | 　　（4） |
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| *(a)* Each country member of the Assembly shall have one vote. |

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| 　　（a）大会每一成员国应有一个投票权。 |

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| *(b)* One-half of the countries members of the Assembly shall constitute a quorum. |

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| 　　（b）大会成员国的半数构成开会的法定人数。 |

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| *(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. |

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| 　　（c）尽管有（b）项的规定，如任何一次会议出席的国家不足大会成员国的半数，但达到三分之一或三分之一以上时，大会可以作出决议，但是，除有关其本身的议事程序的决议外，所有其他决议只有符合下述条件才能生效。国际局应将这些决议通知未出席的大会成员国，请其在通知之日起三个月的期间内以书面表示其投票或弃权。在该期间届满时，如这些表示投票或弃权的国家数目，达到会议本身开会的法定人数所缺少的国家数目，只要同时也取得了规定的多数票，这些决议应有效。 |

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| *(d)* Subject to the provisions of Article 17(2), the decisions of the Assembly shall require two-thirds of the votes cast. |

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| 　　（d）除适用第十七条第（2）款规定的情况外，大会决议需有所投票数的三分之二票。 |

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| *(e)* Abstentions shall not be considered as votes. |

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| 　　（e）弃权不应认为是投票。 |

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

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| 　　（a）除适用（b）项规定的情况外，一名代表只能以一国名义投票。 |

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| *(b)* The countries of the Union referred to in paragraph (3)*(b)* shall, as a general rule, endeavor to send their own delegations 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. |

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| 　　（b）第（3）款（b）项所指的本联盟国家，一般应尽量派遣本国的代表国出席大会的会议。然而，如其中任何国家由于特殊原因不能派出本国代表团时，可以授权上述国家由于特殊原因不能派出本国代表团时，可以授权上述国家中其他国家代表团以其名义投票，但每一代表团只能为一个国家代理投票。代理投票的权限应由国家元首或主管部长签署的文件授予。 |

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| (6) Countries of the Union not members of the Assembly shall be admitted to the meetings of the latter as observers. | 　　（6）非大会成员国的本联盟国家应被允许作为观察员出席大会的会议。 |
| (7) | 　　（7） |
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| *(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. |

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| 　　（a）大会通常会议每二历年召开一次，由总干事召集，如无特殊情况，和本组织的木会同时间同地点召开。 |

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| *(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. |

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| 　　（b）大会临时会议由总干事应执行委员会或占四分之一的大会成员国的要求召开。 |

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| (8) The Assembly shall adopt its own rules of procedure. | 　　（8）大会应通过其本身的议事规程。 |
| **Article 14Executive Committee** | **第十四条执行委员会** |
| (1) The Assembly shall have an Executive Committee. | 　　（1）大会设执行委员会。 |
| (2) | 　　（2） |
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| *(a)* The Executive Committee shall consist of countries elected by the Assembly from among countries members of the Assembly. Furthermore, the country on whose territory the Organization has its headquarters shall, subject to the provisions of Article 16(7)*(b)*, have an ex officio seat on the Committee. |

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| 　　（a）执行委员会由大会成员国中选出的国家组成。此外，本组织总部所在地国家，除适用第十六条第（7）款（b）项规定的情况外，在该委员会中应有当然的席位。 |

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| *(b)* The Government of each country member of the Executive Committee shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts. |

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| 　　（b）执行委员会各成员国政府应有一名代表，该代表可以由副代表、顾问和专家辅助。 |

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| *(c)* The expenses of each delegation shall be borne by the Government which has appointed it. |

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| 　　（c）各代表团的费用应由委派该代表团的政府负担。 |

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| (3) The number of countries members of the Executive Committee shall correspond to one-fourth of the number of countries members of the Assembly. In establishing the number of seats to be filled, remainders after division by four shall be disregarded. | 　　（3）执行委员会成员国的数目应相当于大会成员国的四分之一。在确定席位数目时，用四除后余数不计。 |
| (4) In electing the members of the Executive Committee, the Assembly shall have due regard to an equitable geographical distribution and to the need for countries party to the Special Agreements established in relation with the Union to be among the countries constituting the Executive Committee. | 　　（4）选举执行委员会委员时，大会应适当注意公平的地理分配，以及组成执行委员会的国家中有与本联盟有关系的专门协定的缔约国的必要性。 |
| (5) | 　　（5） |
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| *(a)* Each member of the Executive Committee shall serve from the close of the session of the Assembly which elected it to the close of the next ordinary session of the Assembly. |

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| 　　（a）执行委员会委员的任期，应自选出委员会的大会会期终了开始，直到下届通常会议会期终了为止。 |

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| *(b)* Members of the Executive Committee may be re-elected, but only up to a maximum of two-thirds of such members. |

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| 　　（b）执行委员会委员可以连选连任，但其数目最多不得超过委员的三分之二。 |

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| *(c)* The Assembly shall establish the details of the rules governing the election and possible re-election of the members of the Executive Committee. |

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| 　　（c）大会应制定有关执行委员会委员选举和可能连选的详细规则。 |

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| (6) | 　　（6） |
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| *(a)* The Executive Committee shall: |

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| 　　（a）执行委员会的职权如下： |

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| (i) prepare the draft agenda of the Assembly; |

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| 　　（i）拟定大会议事日程草案； |

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| (ii) submit proposals to the Assembly in respect of the draft program and biennial budget of the Union prepared by the Director General; |

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| 　　（ii）就总干事拟订的本联盟计划草案和二年预算向大会提出建议； |

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| (iii) [deleted] |

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| (iv) submit, with appropriate comments, to the Assembly the periodical reports of the Director General and the yearly audit reports on the accounts; |

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| 　　（iv）将总干事的定期报告和年度会计检查报告，附具适当的意见，提交大会； |

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| (v) take all necessary measures to ensure the execution of the program of the Union by the Director General, in accordance with the decisions of the Assembly and having regard to circumstances arising between two ordinary sessions of the Assembly; |

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| 　　（v）根据大会决议，并考虑大会两届通常会议中间发生的情况，采取一切必要措施保证总干事执行本联盟的计划； |

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| (vi) perform such other functions as are allocated to it under this Convention. |

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| 　　（vi）执行本公约所规定的其他职责。 |

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| *(b)* With respect to matters which are of interest also to other Unions administered by the Organization, the Executive Committee shall make its decisions after having heard the advice of the Coordination Committee of the Organization. |

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| 　　（b）关于对本组织管理的其他联盟也有利害关系的事项，执行委员会应在昕取本组织协调委员会的意见后作出决议。 |

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| (7) | 　　（7） |
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| *(a)* The Executive Committee shall meet once a year in ordinary session upon convocation by the Director General, preferably during the same period and at the same place as the Coordination Committee of the Organization. |

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| 　　（a）执行委员会每年举行一次通常会议，由总干事召集，最好和本组织协调委员会同时间同地点召开。 |

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| *(b)* The Executive Committee shall meet in extraordinary session upon convocation by the Director General, either on his own initiative, or at the request of its Chairman or one-fourth of its members. |

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| 　　（b）执行委员会临时应该应由总干事依其本人倡议或应委员会主席或四分之一委员的要求而召开。 |

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| (8) | 　　（8） |
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| *(a)* Each country member of the Executive Committee shall have one vote. |

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| 　　（a）执行委员会每一成员国应有一个投票权。 |

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| *(b)* One-half of the members of the Executive Committee shall constitute a quorum. |

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| 　　（b）执行委员会委员的半数构成开会的法定人数。 |

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| *(c)* Decisions shall be made by a simple majority of the votes cast. |

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| 　　（c）决议需有所投票数的简单多数。 |

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| *(d)* Abstentions shall not be considered as votes. |

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| 　　（d）弃权不应认为是投票。 |

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| *(e)* A delegate may represent, and vote in the name of, one country only. |

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| 　　（e）一名代表权能代表一个国家，并以一个国家名义投票。 |

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| (9) Countries of the Union not members of the Executive Committee shall be admitted to its meetings as observers. | 　　（9）非执行委员会委员的本联盟国家可以派观察员出席执行委员会的会议。 |
| (10) The Executive Committee shall adopt its own rules of procedure. | 　　（10）执行委员会应通过其本身的议事规程。 |
| **Article 15International Bureau** | **第十五条国际局** |
| (1) | 　　（1） |
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| *(a)* Administrative tasks concerning the Union shall be performed by the International Bureau, which is a continuation of the Bureau of the Union united with the Bureau of the Union established by the International Convention for the Protection of Literary and Artistic Works. |

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| 　　（a）有关本联盟的行政工作应由国际局执行。国际局是由本联盟的局和保护文学艺术作品国际公约所建立的联盟的局联合的继续。 |

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| *(b)* In particular, the International Bureau shall provide the secretariat of the various organs of the Union. |

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| 　　（b）国际局特别应执行本联盟各机构的秘书处的职务。 |

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| *(c)* The Director General of the Organization shall be the chief executive of the Union and shall represent the Union. |

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| 　　（c）本组织总干事为本联盟最高行政官员，并代表本联盟。 |

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| (2) The International Bureau shall assemble and publish information concerning the protection of industrial property. Each country of the Union shall promptly communicate to the International Bureau all new laws and official texts concerning the protection of industrial property. Furthermore, it shall furnish the International Bureau with all the publications of its industrial property service of direct concern to the protection of industrial property which the International Bureau may find useful in its work. | 　　（2）国际局汇集有关工业产权的情报并予以公布。本联盟各成员国应迅速将一切有关保护工业产权的新法律和正式文本送交国际局；此外，还应向国际局提供其工业产权机构发表的保护工业产权直接有关并对耐工作有用的出版物。 |
| (3) The International Bureau shall publish a monthly periodical. | 　　（3）国际局应出版月刊。 |
| (4) The International Bureau shall, on request, furnish any country of the Union with information on matters concerning the protection of industrial property. | 　　（4）国际局应依请求向本联盟任何国家提供有关保护工业产权问题的情报。 |
| (5) The International Bureau shall conduct Studies, and shall provide services, designed to facilitate the protection of industrial property. | 　　（5）国际局应进行研究，并提供服务，以促进对工业产权的保护。 |
| (6) The Director General and any staff member designated by him shall participate, without the right to vote, in all meetings of the Assembly, the Executive Committee, and any other committee of experts or working group. The Director General, or a staff member designated by him, shall be ex officio secretary of these bodies. | 　　（6）总干事及其指定的职员应参加大会、执行委员会以以及任何其他专家委员会或工作组的一切会议，但无投票权。总干事或其指定员为这些机构的当然秘书。 |
| (7) | 　　（7） |
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| *(a)* The International Bureau shall, in accordance with the directions of the Assembly and in cooperation with the Executive Committee, make the preparations for the conferences of revision of the provisions of the Convention other than Articles 13 to 17. |

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| 　　（a）国际局应按照大会的指示，与执行委员会合作，筹备对本公约第十三条至第十七条以外的其他条款的修订会议。 |

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| *(b)* The International Bureau may consult with intergovernmental and international non-governmental organizations concerning preparations for conferences of revision. |

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| 　　（b）国际局可以就修订会议的筹备工作与政府间组织和非政府间国际组织协商。 |

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| *(c)* The Director General and persons designated by him shall take part, without the right to vote, in the discussions at these conferences. |

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| 　　（c）总干事及其指定的人员应参加这些会议的讨论，但无投票权。 |

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| (8) The International Bureau shall carry out any other tasks assigned to it. | 　　（8）国际局应执行指定由其执行的任何其他任务。 |
| **Article 16Finances** | **第十六条财务** |
| (1) | 　　（1） |
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| *(a)* The Union shall have a budget. |

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| 　　（a）本联盟应制定预算。 |

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| *(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. |

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| 　　（b）本联盟的预算应包括本联盟本身的收入和支出，对各联盟共同经费预算的摊款，以及需要时对本组织成员国会议预算提供的款项。 |

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| *(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. |

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| 　　（c）不是专属于本联盟、而且也属于本组织所管理的其他一个或一个以上联盟的经费，应认为各联盟的共同经费。本联盟在该项共同经费中的摊款应与本联盟在其中所享的利益成比例。 |

 |
| (2) The budget of the Union shall be established with due regard to the requirements of coordination with the budgets of the other Unions administered by the Organization. | 　　（2）本联盟预算的制定应适当考虑到与本组织管理的其他联盟预算相协调的需要。 |
| (3) The budget of the Union shall be financed from the following sources: | 　　（3）本联盟预算的财政来源如下： |
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| (i) contributions of the countries of the Union; |

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| 　　（i）本联盟国家的会费； |

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| (ii) fees and charges due for services rendered by the International Bureau in relation to the Union; |

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| 　　（ii）国际局提供有关联盟的服务所得到的费用或收款； |

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| (iii) sale of, or royalties on, the publications of the International Bureau concerning the Union; |

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| 　　（iii）国际局有关本联盟出版物的售款或版税； |

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| (iv) gifts, bequests, and subventions; |

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| 　　（iv）赠款、遗赠和补助企； |

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

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| 　　（v）租金、利息和其他杂项收入。 |

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| (4) | 　　（4） |
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| *(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 follows3: |

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| 　　（a）为了确定对预算应缴的会费，本联盟每一个国家应属于下列的一个等级，并以所属等级的单位数为基础缴纳年度会费： |

 |
| Class I ................ 25 | 等级I ................ 25 |
| Class II ............... 20 | 等级II ............... 20 |
| Class III .............. 15 | 等级III .............. 15 |
| Class IV .............. 10 | 等级IV .............. 10 |
| Class V ................. 5 | 等级V ................. 5 |
| Class VI ................ 3 | 等级VI ................ 3 |
| Class VII ............... 1 | 等级VII ............... 1 |
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| *(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. |

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| 　　（b）除已经指定等级外，每一国家应在交存批准书或加入书的同时，表明自己愿属哪一等级。任何国家都可以改变其等级。如果选择较低的等级，必须在大会的一届通常会议上声明。这种改变应在该届会议的下一历年开始时生效。 |

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| *(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. |

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| 　　（c）每一国家的年度会费的数额在所有国家向本联盟预算缴纳的会费总额中所占的比例，应与该国的单位数额在所有缴纳会费国家的单位总数中所占的比例相同。 |

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

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| 　　（d）会费应于每年一月一日缴纳。 |

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| *(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. |

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| 　　（e）一个国家欠缴的会费数额等于或超过其前两个整年的会费数额的，不得在本联盟的任何机构（该国为其成员）内行使投票权。但是如果证实该国延迟缴费系由于特殊的和不可避免的情况，则在这样的期间内本联盟的任何机构可以允许该国在该机构继续行使其投票权。 |

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| *(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. |

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| 　　（f）如预算在新的财政年度开始前尚未通过，按财务规则的规定，预算应与上一年度预算的水平相同。 |

 |
| (5) 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）国际局提供有关本联盟的服务应得的费用或收款的数额由总干事确定，并报告大会和执行委员会。 |
| (6) | 　　（6） |
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| *(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. |

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| 　　（a）本联盟应设工作基金，由本联盟每一国家一次缴纳的款项组成，如基金不足，大会应决定予以增加。 |

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| *(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. |

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| 　　（b）每一国家向上述基金初次缴纳的数额或在基金增加时分担的数额，应与建立基金或决定增加基金的一年该国缴纳的会费成比例。 |

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| *(c)* The proportion and the terms of payment shall be fixed by the Assembly on the proposal of the Director General and after it has heard the advice of the Coordination Committee of the Organization. |

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| 　　（c）缴款的比例和条件应由大会根据总干事的建议，并听取本组织协调委员会的建议后规定。 |

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| (7) | 　　（7） |
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| *(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. |

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| 　　（a）在本组织与其总部所在地国家缔结的总部协定中应规定，工作基金不足时该国应给予垫款。每次垫款的数额和条件应由本组织和该国签订单独的协定。该国在承担垫款义务期间，应在执行委员会中有当然席位。 |

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| *(b)* The country referred to in subparagraph *(a)* and the Organization shall each have the right to denounce the obligation to grant advances, by written notification. Denunciation shall take effect three years after the end of the year in which it has been notified. |

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| 　　（b）（a）项所指的国家和本组织都各自有权以书面通知废除垫款的义务。废除应于发出通知当年年底起三年后生效。 |

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| (8) 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. | 　　（8）帐目的会计检查工作应按财务规则的规定，由本联盟一个或一个以上国家或由外界审计师进行。他们应由大会在征得其同意后予以指定。 |
| **Article 17Amendment of Articles 13 to 17** | **第十七条第十三条至第十七条的修正** |
| (1) Proposals for the amendment of Articles 13, 14, 15, 16, and the present Article, may be initiated by any country member of the Assembly, by the Executive Committee, or by the Director General. Such proposals shall be communicated by the Director General to the member countries of the Assembly at least six months in advance of their consideration by the Assembly. | 　　（1）修正第十三、十四、十五、十六条和本条的提案，可以由大会任何一个成员国、执行委员会或总干事提出。这类提案应由总干事至少在提交大会审议六个月前通知大会成员国。 |
| (2) Amendments to the Articles referred to in paragraph (1) shall be adopted by the Assembly. Adoption shall require three-fourths of the votes cast, provided that any amendment to Article 13, and to the present paragraph, shall require four-fifths of the votes cast. | 　　（2）对第（1）款所述各条的修正案须由大会通过。通过需要有所投票数的四分之三票，但第十三条和本款的修正案需要有所投票数的五分之四票。 |
| (3) Any amendment to the Articles referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the Assembly at the time it adopted the amendment. Any amendment to the said Articles thus accepted shall bind all the countries which are members of the Assembly at the time the amendment enters into force, or which become members thereof at a subsequent date, provided that any amendment increasing the financial obligations of countries of the Union shall bind only those countries which have notified their acceptance of such amendment. | 　　（3）第（1）款所述各条的修正案，在总干事收到大会通过修正案时四分之三的大会成员国依照各该国宪法程序接受修正案的书面通知一个月后发生效力。各该条的修正案在经接受后，对修正案生效时大会成员国以及以后成为大会成员国的所有国家都有约束力，但有关增加本联盟国家的财政义务的修正案，仅对通知接受该修正案的国家有约束力。 |
| **Article 18Revision of Articles 1 to 12 and 18 to 30** | **第十八条第一条至第十二条和第十八条至第三十条的修订** |
| (1) This Convention shall be submitted to revision with a view to the introduction of amendments designed to improve the system of the Union. | 　　（1）本公约应交付修订，以便采用一些旨在改善本联盟制度的修正案。 |
| (2) For that purpose, conferences shall be held successively in one of the countries of the Union among the delegates of the said countries. | 　　（2）为此目的，将陆续在本联盟国家之一举行本联盟国家代表会议。 |
| (3) Amendments to Articles 13 to 17 are governed by the provisions of Article 17. | 　　（3）对第十三条至第十七条的修正应按照第十七条的规定办理。 |
| **Article 19Special Agreements** | **第十九条专门协定** |
| It is understood that the countries of the Union reserve the right to make separately between themselves special agreements for the protection of industrial property, in so far as these agreements do not contravene the provisions of this Convention. | 　　不言而喻，本联盟国家在与本公约的规定不相抵触的范围内，保留有相互间分别签订关于保护工业产权的专门协定的权利。 |
| **Article 20Ratification or Accession by Countries of the Union; Entry Into Force** | **第二十条本联盟国家的批准或加入；生效** |
| (1) | 　　（1） |
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| *(a)* Any country of the Union which has signed this Act may ratify it, and, if it has not signed it, may accede to it. Instruments of ratification and accession shall be deposited with the Director General. |

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| 　　（a）本联盟任何国家已在本议定书上签字者，可以批准本议定书，未签字者可以加入本议定书。批准书和加入书应递交总干事保存。 |

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| *(b)* Any country of the Union may declare in its instrument of ratification or accession that its ratification or accession shall not apply: |

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| 　　（b）本联盟任何国家可以在其批准书或加入书中声明其批准或加人不适用于： |

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| (i) to Articles 1 to 12, or |

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| 　　（i）第一条至第十二条，或 |

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| (ii) to Articles 13 to 17. |

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| 　　（ii）第十三条至第十七条。 |

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| *(c)* Any country of the Union which, in accordance with subparagraph *(b)*, has excluded from the effects of its ratification or accession one of the two groups of Articles referred to in that subparagraph may at any later time declare that it extends the effects of its ratification or accession to that group of Articles. Such declaration shall be deposited with the Director General. |

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| 　　（c）本联盟任何国家根据（b）项的规定声明其批准或加入的效力不适用于该项所述的两组杂文之一者，以后可以随时声明将其批准或加人的效力扩大至该组条文。该项声明书应递交总干事保存。 |

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| (2) | 　　（2） |
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| *(a)* Articles 1 to 12 shall enter into force, with respect to the first ten countries of the Union which have deposited instruments of ratification or accession without making the declaration permitted under paragraph (1)*(b)*(i), three months after the deposit of the tenth such instrument of ratification or accession. |

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| 　　（a）第一条至第十二条，对于最早递交批准书或加入书而未作上述第（1）款（b）项第（i）目所允许的声明的本联盟十个国家，在递交第十份批准书或加入书三个月后，发生效力。 |

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| *(b)* Articles 13 to 17 shall enter into force, with respect to the first ten countries of the Union which have deposited instruments of ratification or accession without making the declaration permitted under paragraph (1)*(b)*(ii), three months after the deposit of the tenth such instrument of ratification or accession. |

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| 　　（b）第十三条至第十七条，对于最早递交批准书或加入书而未作上述第（1）款（b）项第（ii）目所允许的声明的本联盟十个国家，在递交第十份批准书或加入书三个月后，发生效力。 |

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| *(c)* Subject to the initial entry into force, pursuant to the provisions of subparagraphs *(a)* and *(b)*, of each of the two groups of Articles referred to in paragraph (1)*(b)*(i) and (ii), and subject to the provisions of paragraph (1)*(b)*, Articles 1 to 17 shall, with respect to any country of the Union, other than those referred to in subparagraphs *(a)* and *(b)*, which deposits an instrument of ratification or accession or any country of the Union which deposits a declaration pursuant to paragraph (1)*(c)*, enter into force three months after the date of notification by the Director General of such deposit, unless a subsequent date has been indicated in the instrument or declaration deposited. In the latter case, this Act shall enter into force with respect to that country on the date thus indicated. |

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| 　　（c）以第（1）款（b）项第（i）目和第（ii）目所述的两组条文按照（a）项和（b）项的规定每一组开始生效为条件，以及以适用第（1）款（b）项规定为条件，第一条至第卡七条，对于（a）项和（b）项所述的递交批准书或加入书的国家以外的、或按第（1）款（c）项递交声明的任何国家以外的本联盟任何国家，在总干事就该项递交发出通知之日起三个月后发生效力，除非所递交的批准书、加入书或声明已经指定以后的日期。在后一情况下，本议定书对该国应在其指定的日期发生效力。 |

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| (3) With respect to any country of the Union which deposits an instrument of ratification or accession, Articles 18 to 30 shall enter into force on the earlier of the dates on which any of the groups of Articles referred to in paragraph (1)*(b)* enters into force with respect to that country pursuant to paragraph (2)*(a)*, *(b)*, or *(c)*. | 　　（3）第十八条至第三十条，对递交批准书或加入书的本联盟任何国家，应在第（1）款（b）项所述的两组条文中任何一组条文，按照第（2）款（a）、（b）或（c）项对该国生效的日期中比较早的那一日发生效力。 |
| **Article 21Accession by Countries Outside the Union; Entry Into Force** | **第二十一条本联盟以外国家的加入；生效** |
| (1) Any country outside the Union may accede to this Act and thereby become a member of the Union. Instruments of accession shall be deposited with the Director General. | 　　（1）本联盟以外的任何国家都可以加入本议定书，成为本联盟的成员国。加入书递交总干事保存。 |
| (2) | 　　（2） |
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| *(a)* With respect to any country outside the Union which deposits its instrument of accession one month or more before the date of entry into force of any provisions of the present Act, this Act shall enter into force, unless a subsequent date has been indicated in the instrument of accession, on the date upon which provisions first enter into force pursuant toArticle 20(2)*(a)* or *(b)*; provided that: |

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| 　　（a）本联盟以外的任何国家在议定书的任何规定发生效力前一个月或一个月以上递交加入书的，本议定书应在该规定按照第二十条第（2）款（a）项或（b）项最先发生效力之日对该国发生效力，除非该加入书已经指定以后的日期；但应遵守下列条件： |

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| (i) if Articles 1 to 12 do not enter into force on that date, such country shall, during the interim period before the entry into force of such provisions, and in substitution therefor, be bound by Articles 1 to 12 of the Lisbon Act, |

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| 　　（i）如第一条至第十二条在上述日期尚未发生效力，在这些规定发生效力以前的过渡期间，作为代替，该国应受里斯本议定书第一条至第十二条的约束； |

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| (ii) if Articles 13 to 17 do not enter into force on that date, such country shall, during the interim period before the entry into force of such provisions, and in substitution therefor, be bound by Articles 13 and 14(3), (4), and (5), of the Lisbon Act. |

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| 　　（ii）如第十三条至第十七条在上述日期尚未发生效力，在这些规定发生效力以前的过渡期间，作为代替，该国应受里斯本议定书第十三条、第十四条第（3）款、第（4）款和第（5）款的约束。 |

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| If a country indicates a subsequent date in its instrument of accession, this Act shall enter into force with respect to that country on the date thus indicated. |

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| 　　如果该国在其加入书中指定了以后的日期，本议定书应在其指定的日期对该国发生效力。 |

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| *(b)* With respect to any country outside the Union which deposits its instrument of accession on a date which is subsequent to, or precedes by less than one month, the entry into force of one group of Articles of the present Act, this Act shall, subject to the proviso of subparagraph *(a)*, enter into force three months after the date on which its accession has been notified by the Director General, unless a subsequent date has been indicated in the instrument of accession. In the latter case, this Act shall enter into force with respect to that country on the date thus indicated. |

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| 　　（b）本联盟以外的任何国家递交加入书的日期是在本议定书的一组条文发生效力之后，或发生效力前一个月内的，除适用（a）项规定的情况外，本议定书应在总干事就该国加入发出通知之日起三个月后对该国发生效力，除非该加入书已经指定以后的日期。在后一情况下，本议定书应在其指定的日期对该国发生效力。 |

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| (3) With respect to any country outside the Union which deposits its instrument Of accession after the date of entry into force of the present Act in its entirety, or less than one month before such date, this Act shall enter into force three months after the date on which its accession has been notified by the Director General, unless a subsequent date has been indicated in the instrument of accession. In the latter case, this Act shall enter into force with respect to that country on the date thus indicated. | 　　（3）本联盟以外的任何国家在本议定书全部发生效力后或发生效力前一个月内递交加入书的，本议定书应在总干事就该国加入发出通知之日起三个月后对该国发生效力，除非该加入书已经指定以后的日期。在后一种情况下，本议定书应在其指定的日期对该国发生效力。 |
| **Article 22Consequences of Ratification or Accession** | **第二十二条批准或加入的后果** |
| Subject to the possibilities of exceptions provided for in Articles 20(1)*(b)* and 28(2), ratification or accession shall automatically entail acceptance of all the clauses and admission to all the advantages of this Act. | 　　除适用第二十条第（1）款（b）项和第二十八条第（2）款的规定可能有例外外，批准或加入应自动导致接受本议定书的全部条款并享受本议定书的全部利益。 |
| **Article 23Accession to Earlier Acts** | **第二十三条加入以前的议定书** |
| After the entry into force of this Act in its entirety, a country may not accede to earlier Acts of this Convention. | 　　在本议定书全部发生效力以后，各国不得加入本公约以前的议定书。 |
| **Article 24Territories** | **第二十四条领地** |
| (1) Any country may declare in its instrument of ratification or accession, or may inform the Director General by written notification any time thereafter, that this Convention shall be applicable to all or part of those territories, designated in the declaration or notification, for the external relations of which it is responsible. | 　　（1）任何国家可以在其批准书或加入书中声明，或在以后任何时候以书面通知总干事，本公约适用于该国的声明或通知中所指定的由该国负责其对外关系的全部或部分领地。 |
| (2) Any country which has made such a declaration or given such a notification may, at any time, notify the Director General that this Convention shall cease to be applicable to all or part of such territories. | 　　（2）任何国家已经作出上述声明或提出上述通知的，可以在任何时候通知总干事，本公约停止适用于上述的全部或部分领地。 |
| (3) | 　　（3） |
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| *(a)* Any declaration made under paragraph (1) shall take effect on the same date as the ratification or accession in the instrument of which it was included, and any notification given under such paragraph shall take effect three months after its notification by the Director General. |

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| 　　（a）根据（1）款提出的声明，应与包括该项声明的批准书或加入书同时发生效力；根据该款提出的通知应在总干事通知此事后三个月发生效力。 |

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| *(b)* Any notification given under paragraph (2) shall take effect twelve months after its receipt by the Director General. |

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| 　　（b）根据第（2）款提出的通知，应在总干事收到此项通知十二个月后发生效力。 |

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| **Article 25Implementation of the Convention on the Domestic Level** | **第二十五条在国内执行本公约** |
| (1) Any country party to this Convention undertakes to adopt, in accordance with its constitution, the measures necessary to ensure the application of this Convention. | 　　（1）本公约的缔约国承诺，根据其宪法，采取保证本公约适用的必要措施。 |
| (2) It is understood that, at the time a country deposits its instrument of ratification or accession, it will be in a position under its domestic law to give effect to the provisions of this Convention. | 　　（2）不言而喻，各国在递交其批准书或加入书时将能根据其本国法律实施本公约的规定。 |
| **Article 26Denunciation** | **第二十六条退出** |
| (1) This Convention shall remain in force without limitation as to time. | 　　（1）本公约无限期地有效。 |
| (2) Any country may denounce this Act by notification addressed to the Director General. Such denunciation shall constitute also denunciation of all earlier Acts and shall affect only the country making it, the Convention remaining in full force and effect as regards the other countries of the Union. | 　　（2）任何国家可以通知总干事退出本议定书。该项退出也构成退出本公约以前的一切议定书。退出仅对通知退出的国家发生效力，本公约对本联盟其他国家仍完全有效。 |
| (3) Denunciation shall take effect one year after the day on which the Director General has received the notification. | 　　（3）自总干事收到退出通知之日起一年后，退出发生效力。 |
| (4) The right of denunciation provided by this Article shall not be exercised by any country before the expiration of five years from the date upon which it becomes a member of the Union. | 　　（4）任何国家在成为本联盟成员国之日起五年届满以前，不得行使本条所规定的退出权利。 |
| **Article 27Application of Earlier Acts** | **第二十七条以前议定书的适用** |
| (1) The present Act shall, as regards the relations between the countries to which it applies, and to the extent that it applies, replace the Convention of Paris of March 20, 1883 and the subsequent Acts of revision. | 　　（1）关于适用本议定书的国家之间的关系，并且在其适用的范围内，本议定书取代1883年3月20日的巴黎公约和以后修订的议定书。 |
| (2) | 　　（2） |
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| *(a)* As regards the countries to which the present Act does not apply, or does not apply in its entirety, but to which the Lisbon Act of October 31, 1958, applies, the latter shall remain in force in its entirety or to the extent that the present Act does not replace it by virtue of paragraph (1). |

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| 　　（a）对于不适用或不全部适用本议定书，但适用1958年10月31日的里斯本议定书的国家，里斯本议定书仍全部有效，或在按第（1）款的规定本议定书并未取代该议定书的范围内有效。 |

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| *(b)* Similarly, as regards the countries to which neither the present Act, nor portions thereof, nor the Lisbon Act applies, the London Act of June 2, 1934, shall remain in force in its entirety or to the extent that the present Act does not replace it by virtue of paragraph (1). |

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| 　　（b）同样，对于既不适用本议定书或其一部分，也不适用里斯本议定书的国家，1934年6月2日的伦敦议定书仍全部有效，或在按第（1）款的规定本议定书并未取代该议定书的范围内有效。 |

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| *(c)* Similarly, as regards the countries to which neither the present Act, nor portions thereof, nor the Lisbon Act, nor the London Act applies, the Hague Act of November 6, 1925, shall remain in force in its entirety or to the extent that the present Act does not replace it by virtue of paragraph (1). |

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| 　　（c）同样，对于既不适用本议定书或其一部分，也不适用里斯本议定书，也不适用伦敦议定书的国家，1925年11月6日的海牙议定书仍全部有效，或在按第（1）款的规定本议定书并未取代该议定书的范围内有效。 |

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| (3) Countries outside the Union which become party to this Act shall apply it with respect to any country of the Union not party to this Act or which, although party to this Act, has made a declaration pursuant to Article 20(1)*(b)*(i). Such countries recognize that the said country of the Union may apply, in its relations with them, the provisions of the most recent Act to which it is party. | 　　（3）本联盟以外的各国成为本议定书的缔约国的，对非本议定书的缔约国或者虽然是本议定书的缔约国但按照第二十条第（1）款（b）项第（i）目提出声明的本联盟任何国家，应适用本议定书。各该国承认，上述本联盟国家在其与各该国的关系中，可以适用该联盟国家所参加的最近议定书的规定。 |
| **Article 28Disputes** | **第二十八条争议** |
| (1) Any dispute between two or more countries of the Union concerning the interpretation or application of this Convention, not settled by negotiation, may, by any one of the countries concerned, be brought before the International Court of Justice by application in conformity with the Statute of the Court, unless the countries concerned agree on some other method of settlement. The country bringing the dispute before the Court shall inform the International Bureau; the International Bureau shall bring the matter to the attention of the other countries of the Union. | 　　（1）本联盟两个或两个以上国家之间对本公约的解释或适用有争议不能靠谈判解决时，有关国家之一可以按照国际法院规约将争议提交该法院，除非有关国家就某一其他解决办法达成协议。将争议提交该法院的国家应通知国际局；国际局应将此事提请本联盟其他国家注意。 |
| (2) Each country may, at the time it signs this Act or deposits its instrument of ratification or accession, declare that it does not consider itself bound by the provisions ofparagraph (1). With regard to any dispute between such country and any other country of the Union, the provisions of paragraph (1) shall not apply. | 　　（2）每一国家在本议定书上签字或递交批准书或加人书时，可以声明它认为自己不受第（1）款规定的约束。关于该国与本联盟任何其他国家之间的任何争议，上述第（1）款的规定概不适用。 |
| (3) Any country having made a declaration in accordance with the provisions of paragraph (2) may, at any time, withdraw its declaration by notification addressed to the Director General. | 　　（3）根据上述第（2）款提出声明的任何国家可以在任何时候通知总干事撤回其声明。 |
| **Article 29Signature, Languages, Depositary Functions** | **第二十九条签字、语言、保存职责** |
| (1) | 　　（1） |
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| *(a)* This Act shall be signed in a single copy in the French language and shall be deposited with the Government of Sweden. |

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| 　　（a）本议定书的签字本为一份，用法语写成，由瑞典政府保存。 |

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| *(b)* Official texts shall be established by the Director General, after consultation with the interested Governments, in the English, German, Italian, Portuguese, Russian and Spanish languages, and such other languages as the Assembly may designate. |

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| 　　（b）总干事与有关政府协商后，应制定英语、德语、意大利语、葡萄牙语、俄罗斯语、西班牙语以及大会指定的其他语言的正式文本。 |

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| *(c)* In case of differences of opinion on the interpretation of the various texts, the French text shall prevail. |

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| 　　（c）如对各种文本的解释有不同意见，应以法语本为准。 |

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| (2) This Act shall remain open for signature at Stockholm until January 13, 1968. | 　　（2）本议定书在1968年1月13日以前在斯德哥尔摩开放签字。 |
| (3) The Director General shall transmit two copies, certified by the Government of Sweden, of the signed text of this Act to the Governments of all countries of the Union and, on request, to the Government of any other country. | 　　（3）总干事应将经瑞典政府证明的本议定书签字文本二份分送本联盟所有国家政府，并根据请求，送给任何其他国家政府。 |
| (4) The Director General shall register this Act with the Secretariat of the United Nations. | 　　（4）总干事应将本议定书交联合国秘书处登记。 |
| (5) The Director General shall notify the Governments of all countries of the Union of signatures, deposits of instruments of ratification or accession and any declarations included in such instruments or made pursuant to Article 20(1)*(c)*, entry into force of any provisions of this Act, notifications of denunciation, and notifications pursuant to Article 24. | 　　（5）总干事应将签字、批准书或加入书的交存和各该文件中包括的或按第二十条（1）款（c）项提出的声明，本议定书任何规定的生效、退出的通知以及按照第二十四条提出的通知等，通知本联盟所有国家政府。 |
| **Article 30Transitional Provisions** | **第三十条过渡条款** |
| (1) Until the first Director General assumes office, references in this Act to the International Bureau of the Organization or to the Director General shall be deemed to be references to the Bureau of the Union or its Director, respectively. | 　　（1）直至第一任总干事就职为止，本议定书所指本组织国际局或总干事应分别视为指本联盟的局或其局长。 |
| (2) Countries of the Union not bound by Articles 13 to 17 may, until five years after the entry into force of the Convention establishing the Organization, exercise, if they so desire, the rights provided under Articles 13 to 17 of this Act as if they were bound by those Articles. Any country desiring to exercise such rights shall give written notification to that effect to the Director General; such notification shall be effective from the date of its receipt. Such countries shall be deemed to be members of the Assembly until the expiration of the said period. | 　　（2）凡不受第十三条至第十七条约束的本联盟国家，直到建立本组织公约生效以后的五年期间内，可以随其自愿行使本议定书第十三条至第十七条规定的权利，如同各该国受这些条文约束一样。愿意行使该项权利的国家应以书面通知总干事；该通知自其收到之日起发生效力。直至该项期间届满为止，这些国家应视为大会的成员国。 |
| (3) As long as all the countries of the Union have not become Members of the Organization, the International Bureau of the Organization shall also function as the Bureau of the Union, and the Director General as the Director of the said Bureau. | 　　（3）只娶本联盟所有国家没有完全成为本组织的成员国，本组织国际局也应行使本联盟的局的职责，总干事也应行使该局局长的职责。 |
| (4) Once all the countries of the Union have become Members of the Organization, the rights, obligations, and property, of the Bureau of the Union shall devolve on the International Bureau of the Organization. | 　　（4）本联盟所有国家一旦都成为本组织成员国以后，本联盟的局的权利、义务和财产均应移交给本组织国际局。 |