



## ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ

### ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ

ὕπ' Ἀρ. 1565 τῆς 16ης ΝΟΕΜΒΡΙΟΥ 1979

### ΝΟΜΟΘΕΣΙΑ

Ὁ περί τῆς Συμβάσεως τῆς Βέρνης διὰ τὴν Προστασίαν τῶν Φιλολογικῶν καὶ Καλλιτεχνικῶν Ἔργων (Κυρωτικός) Νόμος τοῦ 1979 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ ἀρθρῷ 52 τοῦ Συντάγματος.

Ἀριθμός 86 τοῦ 1979

#### ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΤΗΣ ΒΕΡΝΗΣ ΔΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑΝ ΤΩΝ ΦΙΛΟΛΟΓΙΚΩΝ ΚΑΙ ΚΑΛΛΙΤΕΧΝΙΚΩΝ ΕΡΓΩΝ

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολουθῶς:

1. Ὁ παρῶν Νόμος θὰ ἀναφέρηται ὡς ὁ περί τῆς Συμβάσεως τῆς Βέρνης διὰ τὴν Προστασίαν τῶν Φιλολογικῶν καὶ Καλλιτεχνικῶν Ἔργων (Κυρωτικός) Νόμος τοῦ 1979. Σημειοπτικὸς  
τίτλος.

2. Ἐν τῷ παρόντι Νόμῳ, ἐκτὸς ἐὰν ἄλλως προκύπτῃ ἐκ τοῦ Ἑρμηνεία.  
κειμένου—

«Σύμβασις» σημαίνει τὴν Σύμβασιν τῆς Βέρνης διὰ τὴν Προστασίαν τῶν Φιλολογικῶν καὶ Καλλιτεχνικῶν Ἔργων τὴν ὑπογραφεῖσαν τὴν 9ην Σεπτεμβρίου, 1886, συμπληρωθεῖσαν ἐν Παρισίοις τὴν 4ην Μαΐου, 1896, ἀναθεωρηθεῖσαν ἐν Βερολίνῳ τὴν 13ην Νοεμβρίου, 1908, συμπληρωθεῖσαν ἐν Βέρνη τὴν 20ην Μαρτίου, 1914, ἀναθεωρηθεῖσαν ἐν Ρώμῃ τὴν 2αν Ἰουνίου, 1928, ἐν Βρυξέλλαις τὴν 26ην Ἰουνίου, 1948, ἐν Στοκχόλμῃ τὴν 14ην Ἰουλίου, 1967 καὶ ἐν Παρισίοις τὴν 24ην Ἰουλίου, 1971, τῆς ὁποίας τὸ κείμενον ἐν τῷ Ἀγγλικῷ πρωτοτύπῳ ἐκτίθεται εἰς τὸ Μέρος Πρῶτον τοῦ Πίνακος καὶ ἐν μεταφράσει εἰς τὴν Ἑλληνικὴν εἰς τὸ Μέρος Δεύτερον τοῦ Πίνακος. Πίναξ.

Νοεῖται ὅτι, ἐν περιπτώσει ἀντιθέσεως μεταξὺ τῶν δύο κειμένων, ὑπερισχύει τὸ εἰς τὸ Μέρος Πρῶτον τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις διὰ τοῦ παρόντος Νόμου κυροῦται.

Κύρωσις  
Συμβάσεως.

ΠΙΝΑΞ  
(Ἀρθρον 2)

ΜΕΡΟΣ ΠΡΩΤΟΝ

BERNE CONVENTION  
FOR THE PROTECTION OF LITERARY  
AND ARTISTIC WORKS  
OF SEPTEMBER 9, 1886

completed at PARIS on May 4, 1896,  
revised at BERLIN on November 13, 1908,  
completed at BERNE, on March 20, 1914,  
and revised at ROME on June 2, 1928,  
at BRUSSELS on June 26, 1948,  
at STOCKHOLM on July 14, 1967,  
and at PARIS on July 24, 1971

The countries of the Union, being equally animated by the desire to protect, in as effective and uniform a manner as possible, the rights of authors in their literary and artistic works,

Recognizing the importance of the work of the Revision Conference held at Stockholm in 1967,

Have resolved to revise the Act adopted by the Stockholm Conference, while maintaining without change Articles 1 to 20 and 22 to 26 of that Act.

Consequently, the undersigned Plenipotentiaries, having presented their full powers, recognized as in good and due form, have agreed as follows :

Article 1

The countries to which this Convention applies constitute a Union for the protection of the rights of authors in their literary and artistic works.

Article 2

(1) The expression "literary and artistic works" shall include every production in the literary, scientific and artistic domain, whatever may be the mode or form of its expression, such as books, pamphlets and other writings; lectures, addresses, sermons and other works of the same nature; dramatic or dramatico-musical works; choreographic works and entertainments in dumb show; musical compositions with or without words; cinematographic works to which are assimilated works expressed by a process analogous to cinematography; works of drawing, painting, architecture, sculpture, engraving and lithography; photographic works to which are assimilated works expressed by a process analogous to photography; works of applied art; illustrations, maps, plans, sketches and three-dimensional works relative to geography, topography, architecture or science.

(2) It shall, however, be a matter for legislation in the countries of the Union to prescribe that works in general or any specified categories of works shall not be protected unless they have been fixed in some material form.

(3) Translations, adaptations, arrangements of music and other alterations of a literary or artistic work shall be protected as original works without prejudice to the copyright in the original work.

(4) It shall be a matter for legislation in the countries of the Union to determine the protection to be granted to official texts of a legislative, administrative and legal nature, and to official translations of such texts.

(5) Collections of literary or artistic works such as encyclopaedias and anthologies which, by reason of the selection and arrangement of their contents, constitute intellectual creations shall be protected as such, without prejudice to the copyright in each of the works forming part of such collections.

(6) The works mentioned in this Article shall enjoy protection in all countries of the Union. This protection shall operate for the benefit of the author and his successors in title.

(7) Subject to the provisions of Article 7(4) of this Convention, it shall be a matter for legislation in the countries of the Union to determine the extent of the application of their laws to works of applied art and industrial designs and models, as well as the conditions under which such works, designs and models shall be protected. Works protected in the country of origin solely as designs and models shall be entitled in another country of the Union only to such special protection as is granted in that country to designs and models; however, if no such special protection is granted in that country, such works shall be protected as artistic works.

(8) The protection of this Convention shall not apply to news of the day or to miscellaneous facts having the character of mere items of press information.

#### Article 2bis

(1) It shall be a matter for legislation in the countries of the Union to exclude, wholly or in part, from the protection provided by the preceding Article political speeches and speeches delivered in the course of legal proceedings.

(2) It shall also be a matter for legislation in the countries of the Union to determine the conditions under which lectures, addresses and other works of the same nature which are delivered in public may be reproduced by the press, broadcast, communicated to the public by wire and made the subject of public communication as envisaged in Article 11bis(1) of this Convention, when such use is justified by the informatory purpose.

(3) Nevertheless, the author shall enjoy the exclusive right of making a collection of his works mentioned in the preceding paragraphs.

#### Article 3

(1) The protection of this Convention shall apply to :

- (a) authors who are nationals of one of the countries of the Union, for their works, whether published or not;
- (b) authors who are not nationals of one of the countries of the Union, for their works first published in one of those countries, or simultaneously in a country outside the Union and in a country of the Union.

(2) Authors who are not nationals of one of the countries of the Union but who have their habitual residence in one of them shall, for the purposes of this Convention, be assimilated to nationals of that country.

(3) The expression "published works" means works published with the consent of their authors, whatever may be the means of manufacture of the copies, provided that the availability of such copies has been such as to satisfy the reasonable requirements of the public, having regard to the nature of the work. The performance of a dramatic dramatico-musical, cinematographic or musical work, the public recitation of a literary work,

the communication by wire or the broadcasting of literary or artistic works, the exhibition of a work of art and the construction of a work of architecture shall not constitute publication.

(4) A work shall be considered as having been published simultaneously in several countries if it has been published in two or more countries within thirty days of its first publication.

#### Article 4

The protection of this Convention shall apply, even if the conditions of article 3 are not fulfilled, to :

- (a) authors of cinematographic works the maker of which has his headquarters or habitual residence in one of the countries of the Union;
- (b) authors of works of architecture erected in a country of the Union or of other artistic works incorporated in a building or other structure located in a country of the Union.

#### Article 5

(1) Authors shall enjoy, in respect of works for which they are protected under this Convention, in countries of the Union other than the country of origin, the rights which their respective laws do now or may hereafter grant to their nationals, as well as the rights specially granted by this Convention.

(2) The enjoyment and the exercise of these rights shall not be subject to any formality; such enjoyment and such exercise shall be independent of the existence of protection in the country of origin of the work. Consequently, apart from the provisions of this Convention, the extent of protection, as well as the means of redress afforded to the author to protect his rights, shall be governed exclusively by the laws of the country where protection is claimed.

(3) Protection in the country of origin is governed by domestic law. However, when the author is not a national of the country of origin of the work for which he is protected under this Convention, he shall enjoy in that country the same rights as national authors.

(4) The country of origin shall be considered to be :

- (a) in the case of works first published in a country of the Union, that country; in the case of works published simultaneously in several countries of the Union which grant different terms of protection, the country whose legislation grants the shortest term of protection ;
- (b) in the case of works published simultaneously in a country outside the Union and in a country of the Union, the latter country ;
- (c) in the case of unpublished works or of works first published in a country outside the Union, without simultaneous publication in a country of the Union, the country of the Union of which the author is a national, provided that :
  - (i) when these are cinematographic works the maker of which has his headquarters or his habitual residence in a country of the Union, the country of origin shall be that country, and
  - (ii) when these are works of architecture erected in a country of the Union or other artistic works incorporated in a building or other structure located in a country of the Union, the country of origin shall be that country.

### Article 6

(1) Where any country outside the Union fails to protect in an adequate manner the works of authors who are nationals of one of the countries of the Union, the latter country may restrict the protection given to the works of authors who are at the date of the first publication thereof, nationals of the other country and are not habitually resident in one of the countries of the Union. If the country of first publication avails itself of this right, the other countries of the Union shall not be required to grant to works thus subject to special treatment a wider protection than that granted to them in the country of first publication.

(2) No restrictions introduced by virtue of the preceding paragraph shall affect the rights which an author may have acquired in respect of a work published in a country of the Union before such restrictions were put into force.

(3) The countries of the Union which restrict the grant of copyright in accordance with this Article shall give notice thereof to the Director General of the World Intellectual Property Organization (hereinafter designated as "the Director General") by a written declaration specifying the countries in regard to which protection is restricted, and the restrictions to which rights of authors who are nationals of those countries are subjected. The Director General shall immediately communicate this declaration to all the countries of the Union.

### Article 6bis

(1) Independently of the author's economic rights, and even after the transfer of the said rights, the author shall have the right to claim authorship of the work and to object to any distortion, mutilation or other modification of, or other derogatory action in relation to, the said work, which would be prejudicial to his honor or reputation.

(2) The rights granted to the author in accordance with the preceding paragraph shall, after his death, be maintained, at least until the expiry of the economic rights, and shall be exercisable by the persons or institutions authorized by the legislation of the country where protection is claimed. However, those countries whose legislation, at the moment of their ratification of or accession to this Act, does not provide for the protection after the death of the author of all the rights set out in the preceding paragraph may provide that some of these rights may, after his death, cease to be maintained.

(3) The means of redress for safeguarding the rights granted by this Article shall be governed by the legislation of the country where protection is claimed.

### Article 7

(1) The term of protection granted by this Convention shall be the life of the author and fifty years after his death.

(2) However, in the case of cinematographic works, the countries of the Union may provide that the term of protection shall expire fifty years after the work has been made available to the public with the consent of the author, or, failing such an event within fifty years from the making of such a work, fifty years after the making.

(3) In the case of anonymous or pseudonymous works, the term of protection granted by this Convention shall expire fifty years after the work has been lawfully made available to the public. However, when the pseudonym adopted by the author leaves no doubt as to his identity, the

term of protection shall be that provided in paragraph (1). If the author of an anonymous or pseudonymous work discloses his identity during the above mentioned period, the term of protection applicable shall be that provided in paragraph (1). The countries of the Union shall not be required to protect anonymous or pseudonymous works in respect of which it is reasonable to presume that their author has been dead for fifty years.

(4) It shall be a matter for legislation in the countries of the Union to determine the term of protection of photographic works and that of works of applied art in so far as they are protected as artistic works; however, this term shall last at least until the end of a period of twenty-five years from the making of such a work.

(5) The term of protection subsequent to the death of the author and the terms provided by paragraphs (2), (3) and (4) shall run from the date of death or of the event referred to in those paragraphs, but such terms shall always be deemed to begin on the first of January of the year following the death or such event.

(6) The countries of the Union may grant a term of protection in excess of those provided by the preceding paragraphs.

(7) Those countries of the Union bound by the Rome Act of this Convention which grant, in their national legislation in force at the time of signature of the present Act, shorter terms of protection than those provided for in the preceding paragraphs shall have the right to maintain such terms when ratifying or acceding to the present Act.

(8) In any case, the term shall be governed by the legislation of the country where protection is claimed; however, unless the legislation of that country otherwise provides, the term shall not exceed the term fixed in the country of origin of the work.

#### Article 7bis

The provisions of the preceding Article shall also apply in the case of a work of joint authorship, provided that the terms measured from the death of the author shall be calculated from the death of the last surviving author.

#### Article 8

Authors of literary and artistic works protected by this Convention shall enjoy the exclusive right of making and of authorizing the translation of their works throughout the term of protection of their rights in the original works.

#### Article 9

(1) Authors of literary and artistic works protected by this Convention shall have the exclusive right of authorising the reproduction of these works, in any manner or form.

(2) It shall be a matter for legislation in the countries of the Union to permit the reproduction of such works in certain special cases, provided that such reproduction does not conflict with a normal exploitation of the work and does not unreasonably prejudice the legitimate interests of the author.

(3) Any sound or visual recording shall be considered as a reproduction for the purposes of this Convention.

#### Article 10

(1) It shall be permissible to make quotations from a work which has already been lawfully made available to the public, provided that their

making is compatible with fair practice, and their extent does not exceed that justified by the purpose, including quotations from newspaper articles and periodicals in the form of press summaries.

(2) It shall be a matter for legislation in the countries of the Union, and for special agreements existing or to be concluded between them, to permit the utilization, to the extent justified by the purpose, of literary or artistic works by way of illustration in publications, broadcasts or sound or visual recordings for teaching, provided such utilization is compatible with fair practice.

(3) Where use is made of works in accordance with the preceding paragraphs of this Article, mention shall be made of the source, and of the name of the author if it appears thereon.

#### Article 10bis

(1) It shall be a matter for legislation in the countries of the Union to permit the reproduction by the press, the broadcasting or the communication to the public by wire of articles published in newspapers or periodicals on current economic, political or religious topics, and of broadcast works of the same character, in cases in which the reproduction, broadcasting or such communication thereof is not expressly reserved. Nevertheless, the source must always be clearly indicated; the legal consequences of a breach of this obligation shall be determined by the legislation of the country where protection is claimed.

(2) It shall also be a matter for legislation in the countries of the Union to determine the conditions under which, for the purpose of reporting current events by means of photography, cinematography, broadcasting or communication to the public by wire, literary or artistic works seen or heard in the course of the event may, to the extent justified by the informative purpose, be reproduced and made available to the public.

#### Article 11

(1) Authors of dramatic, dramatico-musical and musical works shall enjoy the exclusive right of authorizing :

- (i) the public performance of their works, including such public performance by any means or process ;
- (ii) any communication to the public of the performance of their works.

(2) Authors of dramatic or dramatico-musical works shall enjoy, during the full term of their rights in the original works, the same rights with respect to translations thereof.

#### Article 11bis

(1) Authors of literary and artistic works shall enjoy the exclusive right of authorizing :

- (i) the broadcasting of their works or the communication thereof to the public by any other means of wireless diffusion of signs, sounds or images ;
- (ii) any communication to the public by wire or by rebroadcasting of the broadcast of the work, when this communication is made by an organization other than the original one ;
- (iii) the public communication by loudspeaker or any other analogous instrument transmitting, by signs, sounds or images, the broadcast of the work.

(2) It shall be a matter for legislation in the countries of the Union to determine the conditions under which the rights mentioned in the preceding paragraph may be exercised, but these conditions shall apply only in the countries where they have been prescribed. They shall not in any circumstances be prejudicial to the moral rights of the author, nor to his right to obtain equitable remuneration which, in the absence of agreement, shall be fixed by competent authority.

(3) In the absence of any contrary stipulation, permission granted in accordance with paragraph (1) of this Article shall not imply permission to record, by means of instruments recording sounds or images, the work broadcast. It shall, however, be a matter for legislation in the countries of the Union to determine the regulations for ephemeral recordings made by a broadcasting organization by means of its own facilities and used for its own broadcasts. The preservation of these recordings in official archives may, on the ground of their exceptional documentary character, be authorized by such legislation.

#### Article 11ter

(1) Authors of literary works shall enjoy the exclusive right of authorizing :

- (i) the public recitation of their works, including such public recitation by any means or process ;
- (ii) any communication to the public of the recitation of their works.

(2) Authors of literary works shall enjoy, during the full term of their rights in the original works, the same rights with respect to translations thereof.

#### Article 12

Authors of literary or artistic works shall enjoy the exclusive right of authorizing adaptations, arrangements and other alterations of their works.

#### Article 13

(1) Each country of the Union may impose for itself reservations and conditions on the exclusive right granted to the author of a musical work and to the author of any words, the recording of which together with the musical work has already been authorized by the latter, to authorize the sound recording of that musical work, together with such words, if any ; but all such reservations and conditions shall apply only in the countries which have imposed them and shall not, in any circumstances, be prejudicial to the rights of these authors to obtain equitable remuneration which, in the absence of agreement, shall be fixed by competent authority.

(2) Recordings of musical works made in a country of the Union in accordance with Article 13(3) of the Conventions signed at Rome on June 2, 1928, and at Brussels on June 26, 1948, may be reproduced in that country without the permission of the author of the musical work until a date two years after that country becomes bound by this Act.

(3) Recordings made in accordance with paragraphs (1) and (2) of this Article and imported without permission from the parties concerned into a country where they are treated as infringing recordings shall be liable to seizure.

#### Article 14

(1) Authors of literary or artistic works shall have the exclusive right of authorizing :

- (i) the cinematographic adaptation and reproduction of these works, and the distribution of the works thus adapted or reproduced;
- (ii) the public performance and communication to the public by wire of the works thus adapted or reproduced.

(2) The adaptation into any other artistic form of a cinematographic production derived from literary or artistic works shall, without prejudice to the authorization of the author of the cinematographic production, remain subject to the authorization of the authors of the original works.

(3) The provisions of Article 13(1) shall not apply.

#### Article 14bis

(1) Without prejudice to the copyright in any work which may have been adapted or reproduced, a cinematographic work shall be protected as an original work. The owner of copyright in a cinematographic work shall enjoy the same rights as the author of an original work, including the rights referred to in the preceding Article.

(2) (a) Ownership of copyright in a cinematographic work shall be a matter for legislation in the country where protection is claimed.

(b) However, in the countries of the Union which, by legislation, include among the owners of copyright in a cinematographic work authors who have brought contributions to the making of the work, such authors, if they have undertaken to bring such contributions, may not, in the absence of any contrary or special stipulation, object to the reproduction, distribution, public performance, communication to the public by wire, broadcasting or any other communication to the public, or to the subtitling or dubbing of texts, of the work.

(c) The question whether or not the form of the undertaking referred to above should, for the application of the preceding subparagraph (b), be in a written agreement or a written act of the same effect shall be a matter for the legislation of the country where the maker of the cinematographic work has his headquarters or habitual residence. However, it shall be a matter for the legislation of the country of the Union where protection is claimed to provide that the said undertaking shall be in a written agreement or a written act of the same effect. The countries whose legislation so provides shall notify the Director General by means of a written declaration, which will be immediately communicated by him to all the other countries of the Union.

(d) By "contrary or special stipulation" is meant any restrictive condition which is relevant to the aforesaid undertaking.

(3) Unless the national legislation provides to the contrary, the provisions of paragraph 2(b) above shall not be applicable to authors of scenarios, dialogues and musical works created for the making of the cinematographic work, or to the principal director thereof. However, those countries of the Union whose legislation does not contain rules providing for the application of the said paragraph (2) (b) to such director shall notify the Director General by means of a written declaration, which will be immediately communicated by him to all the other countries of the Union.

#### Article 14ter

(1) The author, or after his death the persons or institutions authorized by national legislation, shall, with respect to original works of art and original manuscripts of writers and composers, enjoy the inalienable right to an interest in any sale of the work subsequent to the first transfer by the author of the work.

(2) The protection provided by the preceding paragraph may be claimed in a country of the Union only if legislation in the country to which the author belongs so permits, and to the extent permitted by the country where this protection is claimed.

(3) The procedure for collection and the amounts shall be matters for determination by national legislation.

#### Article 15

(1) In order that the author of a literary or artistic work protected by this Convention shall, in the absence of proof to the contrary, be regarded as such, and consequently be entitled to institute infringement proceedings in the countries of the Union, it shall be sufficient for his name to appear on the work in the usual manner. This paragraph shall be applicable even if this name is a pseudonym, where the pseudonym adopted by the author leaves no doubt as to his identity.

(2) The person or body corporate whose name appears on a cinematographic work in the usual manner shall, in the absence of proof to the contrary, be presumed to be the maker of the said work.

(3) In the case of anonymous and pseudonymous works, other than those referred to in paragraph (1) above, the publisher whose name appears on the work shall, in the absence of proof to the contrary, be deemed to represent the author, and in this capacity he shall be entitled to protect and enforce the author's rights. The provisions of this paragraph shall cease to apply when the author reveals his identity and establishes his claim to authorship of the work.

(4)—(a) In the case of unpublished works where the identity of the author is unknown, but where there is every ground to presume that he is a national of a country of the Union, it shall be a matter for legislation in that country to designate the competent authority which shall represent the author and shall be entitled to protect and enforce his rights in the countries of the Union.

(b) Countries of the Union which make such designation under the terms of this provision shall notify the Director General by means of a written declaration giving full information concerning the authority thus designated. The Director General shall at once communicate this declaration to all other countries of the Union.

#### Article 16

(1) Infringing copies of a work shall be liable to seizure in any country of the Union where the work enjoys legal protection.

(2) The provisions of the preceding paragraph shall also apply to reproductions coming from a country where the work is not protected, or has ceased to be protected.

(3) The seizure shall take place in accordance with the legislation of each country.

#### Article 17

The provisions of this Convention cannot in any way affect the right of the Government of each country of the Union to permit, to control, or to prohibit, by legislation or regulation, the circulation, presentation, or exhibition of any work or production in regard to which the competent authority may find it necessary to exercise that right.

#### Article 18

(1) This Convention shall apply to all works which, at the moment of its coming into force, have not yet fallen into the public domain in the country of origin through the expiry of the term of protection.

(2) If, however, through the expiry of the term of protection which was previously granted, a work has fallen into the public domain of the country where protection is claimed, that work shall not be protected anew.

(3) The application of this principle shall be subject to any provisions contained in special conventions to that effect existing or to be concluded between countries of the Union. In the absence of such provisions, the respective countries shall determine, each in so far as it is concerned, the conditions of application of this principle.

(4) The preceding provisions shall also apply in the case of new accessions to the Union and to cases in which protection is extended by the application of Article 7 or by the abandonment of reservations.

#### Article 19

The provisions of the Convention shall not preclude the making of a claim to the benefit of any greater protection which may be granted by legislation in a country of the Union.

#### Article 20

The Governments of the countries of the Union reserve the right to enter into special agreements among themselves, in so far as such agreements grant to authors more extensive rights than those granted by the Convention, or contain other provisions not contrary to this Convention. The provisions of existing agreements which satisfy these conditions shall remain applicable.

#### Article 21

(1) Special provisions regarding developing countries are included in the Appendix.

(2) Subject to the provisions of Article 28 (1) (b), the Appendix forms an integral part of this Act.

#### Article 22

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

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

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

(2) (a) The Assembly shall :

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

(ii) give directions concerning the preparation for conferences of revision to the International Bureau of Intellectual Property (hereinafter designated as "the International Bureau") referred to in the Convention Establishing the World Intellectual Property Organization (hereinafter designated as "the Organization"), due account being taken of any comments made by those countries of the Union which are not bound by Articles 22 to 26 ;

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

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

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

(3) (a) Each country member of the Assembly shall have one vote.

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

(c) Notwithstanding the provisions of subparagraph (b), if, in any session, the number of countries represented is less than one-half but equal to or more than one-third of the countries members of the Assembly, the Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the following conditions are fulfilled. The International Bureau shall communicate the said decisions to the countries members of the Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of countries having thus expressed their vote or abstention attains the number of countries which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains.

(d) Subject to the provisions of Article 26 (2), the decisions of the Assembly shall require two-thirds of the votes cast.

(e) Abstentions shall not be considered as votes.

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

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

(4) (a) The Assembly shall meet once in every third calendar year in ordinary session upon convocation by the Director General and, in the absence of exceptional circumstances, during the same period and at the same place as the General Assembly of the Organization.

(b) The Assembly shall meet in extraordinary session upon convocation by the Director General, at the request of the Executive Committee or at the request of one-fourth of the countries members of the Assembly.

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

## Article 23

(1) The Assembly shall have an Executive Committee.

(2) (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 25 (7) (b), have an *ex officio* seat on the Committee.

(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.

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

(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.

(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 which might be established in relation with the Union to be among the countries constituting the Executive Committee.

(5) (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.

(b) Members of the Executive Committee may be re-elected, but not more than two-thirds of them.

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

(6) (a) The Executive Committee shall:

- (i) prepare the draft agenda of the Assembly;
- (ii) submit proposals to the Assembly respecting the draft program and triennial budget of the Union prepared by the Director General;
- (iii) approve, within the limits of the program and the triennial budget, the specific yearly budgets and programs prepared by the Director General;
- (iv) submit, with appropriate comments, to the Assembly the periodical reports of the Director General and the yearly audit reports on the accounts;
- (v) in accordance with the decisions of the Assembly and having regard to circumstances arising between two ordinary sessions of the Assembly, take all necessary measures to ensure the execution of the program of the Union by the Director General;
- (vi) perform such other functions as are allocated to it under this Convention.

(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.

(7) (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.

(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.

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

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

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

(d) Abstentions shall not be considered as votes.

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

(9) Countries of the Union not members of the Executive Committee shall be admitted to its meetings as observers.

(10) The Executive Committee shall adopt its own rules of procedure.

#### Article 24

(1) (a) The administrative tasks with respect to 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 Industrial Property.

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

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

(2) The International Bureau shall assemble and publish information concerning the protection of copyright. Each country of the Union shall promptly communicate to the International Bureau all new laws and official texts concerning the protection of copyright.

(3) The International Bureau shall publish a monthly periodical.

(4) The International Bureau shall, on request, furnish information to any country of the Union on matters concerning the protection of copyright.

(5) The International Bureau shall conduct studies, and shall provide services, designed to facilitate the protection of copyright.

(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.

(7) (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 22 to 26.

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

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

(8) The International Bureau shall carry out any other tasks assigned to it.

## Article 25

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

(b) The budget of the Union shall include the income and expenses proper to the Union, its contribution to the budget of expenses common to the Unions, and, where applicable, the sum made available to the budget of the Conference of the Organization.

(c) Expenses not attributable exclusively to the Union but also to one or more other Unions administered by the Organization shall be considered as expenses common to the Unions. The share of the Union in such common expenses shall be in proportions to the interest the Union has in them.

(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.

(3) The budget of the Union shall be financed from the following sources:

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

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

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

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

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

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

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

(f) If the budget is not adopted before the beginning of a new financial period, it shall be at the same level as the budget of the previous year, in accordance with the financial regulations.

(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.

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

(b) The amount of the initial payment of each country to the said fund or of its participation in the increase thereof shall be a proportion of the contribution of that country for the year in which the fund is established or the increase decided.

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

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

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

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

## Article 26

(1) Proposals for the amendment of Articles 22, 23, 24, 25 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.

(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 of Article 22, and of the present paragraph, shall require four-fifths of the votes cast.

(3) Any amendment to the Articles referred to in paragraph (1) shall enter into force one month after written notifications of acceptance, effected in accordance with their respective constitutional processes, have been received by the Director General from three-fourths of the countries members of the 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.

## Article 27

(1) This Convention shall be submitted to revision with a view to the introduction of amendments designed to improve the system of the Union.

(2) For this purpose, conferences shall be held successively in one of the countries of the Union among the delegates of the said countries.

(3) Subject to the provisions of Article 26 which apply to the amendment of Articles 22 to 26, any revision of this Act, including the Appendix, shall require the unanimity of the votes cast.

## Article 28

(1) (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 or accession shall be deposited with the Director General.

(b) Any country of the Union may declare in its instrument of ratification or accession that its ratification or accession shall not apply to Articles 1 to 21 and the Appendix, provided that, if such country has previously made a declaration under Article VI(1) of the Appendix, then it may declare in the said instrument only that its ratification or accession shall not apply to Articles 1 to 20.

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

(2) (a) Articles 1 to 21 and the Appendix shall enter into force three months after both of the following two conditions are fulfilled:

(i) at least five countries of the Union have ratified or acceded to this Act without making a declaration under paragraph (1) (b).

(ii) France, Spain, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, have become bound by the Universal Copyright Convention as revised at Paris on July 24, 1971.

(b) The entry into force referred to in subparagraph (a) shall apply to those countries of the Union which, at least three months before the said entry into force, have deposited instruments of ratification or accession not containing a declaration under paragraph (1) (b).

(c) With respect to any country of the Union not covered by subparagraph (b) and which ratifies or accedes to this Act without making a declaration under paragraph (1) (b), Articles 1 to 21 and the Appendix shall enter into force three months after the date on which the Director General has notified the deposit of the relevant instrument of ratification or accession, unless a subsequent date has been indicated in the instrument deposited. In the latter case, Articles 1 to 21 and the Appendix shall enter into force with respect to that country on the date thus indicated.

(d) The provisions of subparagraphs (a) to (c) do not affect the application of Article VI of the Appendix.

(3) With respect to any country of the Union which ratifies or accedes to this Act with or without a declaration made under paragraph (1) (b), Articles 22 to 38 shall enter into force three months after the date on which the Director General has notified the deposit of the relevant instrument of ratification or accession, unless a subsequent date has been

indicated in the instrument deposited. In the latter case, Articles 22 to 38 shall enter into force with respect to that country on the date thus indicated.

#### Article 29

(1) Any country outside the Union may accede to this Act and thereby become party to this Convention and a member of the Union. Instruments of accession shall be deposited with the Director General.

(2) (a) Subject to subparagraph (b), this Convention shall enter into force with respect to any country outside the Union three months after the date on which the Director General has notified the deposit of its instrument of accession, unless a subsequent date has been indicated in the instrument deposited. In the latter case, this Convention shall enter into force with respect to that country on the date thus indicated.

(b) If the entry into force according to subparagraph (a) precedes the entry into force of Articles 1 to 21 and the Appendix according to Article 28 (2) (a), the said country shall, in the meantime, be bound, instead of by Articles 1 to 21 and the Appendix, by Articles 1 to 20 of the Brussels Act of this Convention.

#### Article 29 bis

Ratification of or accession to this Act by any country not bound by Articles 22 to 38 of the Stockholm Act of this Convention shall, for the sole purposes of Article 14 (2) of the Convention establishing the Organization, amount to ratification of or accession to the said Stockholm Act with the limitation set forth in Article 28 (1) (b) (i) thereof.

#### Article 30

(1) Subject to the exceptions permitted by paragraph (2) of this Article, by Article 28 (1) (b), by Article 33 (2), and by the Appendix, ratification or accession shall automatically entail acceptance of all the provisions and admission to all the advantages of this Convention.

(2) (a) Any country of the Union ratifying or acceding to this Act may, subject to Article V (2) of the Appendix, retain the benefit of the reservations it has previously formulated on condition that it makes a declaration to that effect at the time of the deposit of its instrument of ratification or accession.

(b) Any country outside the Union may declare, in acceding to this Convention and subject to Article V (2) of the Appendix, that it intends to substitute, temporarily at least, for Article 8 of this Act concerning the right of translation, the provisions of Article 5 of the Union Convention of 1886, as completed at Paris in 1896, on the clear understanding that the said provisions are applicable only to translations into a language in general use in the said country. Subject to Article 1 (6) (b) of the Appendix, any country has the right to apply, in relation to the right of translation of works whose country of origin is a country availing itself of such a reservation, a protection which is equivalent to the protection granted by the latter country.

(c) Any country may withdraw such reservations at any time by notification addressed to the Director General.

#### Article 31

(1) Any country may declare in its instrument of ratification or accession, or may inform the Director General by written notification at 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.

(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.

(3) (a) Any declaration made under paragraph (1) shall take effect on the same date as the ratification or accession in which it was included, and any notification given under that paragraph shall take effect three months after its notification by the Director General.

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

(4) This Article shall in no way be understood as implying the recognition or tacit acceptance by a country of the Union of the factual situation concerning a territory to which this Convention is made applicable by another country of the Union by virtue of a declaration under paragraph (1).

### Article 32

(1) This Act shall, as regards relations between the countries of the Union, and to the extent that it applies, replace the Berne Convention of September 9, 1886, and the subsequent Acts of revision. The Acts previously in force shall continue to be applicable, in their entirety or to the extent that this Act does not replace them by virtue of the preceding sentence, in relations with countries of the Union which do not ratify or accede to this Act.

(2) Countries outside the Union which become party to this Act shall, subject to paragraph (3), apply it with respect to any country of the Union not bound by this Act or which, although bound by this Act, has made a declaration pursuant to Article 28 (1) (b). Such countries recognize that the said country of the Union, in its relations with them :

(i) may apply the provisions of the most recent Act by which it is bound, and

(ii) subject to Article 1 (6) of the Appendix, has the right to adapt the protection to the level provided for by this Act.

(3) Any country which has availed itself of any of the faculties provided for in the Appendix may apply the provisions of the Appendix relating to the faculty or faculties of which it has availed itself in its relations with any other country of the Union which is not bound by this Act, provided that the latter country has accepted the application of the said provisions.

### Article 33

(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.

(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 of paragraph (1). With regard to any dispute between such country and any other country of the Union, the provisions of paragraph (1) shall not apply.

(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.

#### Article 34

(1) Subject to Article 29 bis, no country may ratify or accede to earlier Acts of this Convention once Articles 1 to 21 and the Appendix have entered into force.

(2) Once Articles 1 to 21 and the Appendix have entered into force, no country may make a declaration under Article 5 of the Protocol Regarding Developing Countries attached to the Stockholm Act.

#### Article 35

(1) This Convention shall remain in force without limitation as to time.

(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.

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

(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.

#### Article 36

(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.

(2) It is understood that, at the time a country becomes bound by this Convention, it will be in a position under its domestic law to give effect to the provisions of this Convention.

#### Article 37

(1) (a) This Act shall be signed in a single copy in the French and English languages and, subject to paragraph (2), shall be deposited with the Director General.

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

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

(2) This Act shall remain open for signature until January 31, 1972. Until that date, the copy referred to in paragraph (1) (a) shall be deposited with the Government of the French Republic.

(3) The Director General shall certify and transmit two copies 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.

(4) The Director General shall register this Act with the Secretariat of the United Nations.

(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 Articles 28 (1) (c), 30 (2) (a) and (b), and 33 (2), entry into force of any provisions of this Act, notifications of denunciation, and notifications pursuant to Articles 30 (2) (c), 31 (1) and (2), 33 (3) and 38 (1), as well as the Appendix.

### Article 38

(1) Countries of the Union which have not ratified or acceded to this Act and which are not bound by Articles 22 to 26 of the Stockholm Act of this Convention may, until April 26, 1975, exercise, if they so desire, the rights provided under the said Articles as if they were bound by them. Any country desiring to exercise such rights shall give written notification to this effect to the Director General; this notification shall be effective on the date of its receipt. Such countries shall be deemed to be members of the Assembly until the said date.

(2) 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) 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.

## APPENDIX

### Article I

(1) Any country regarded as a developing country in conformity with the established practice of the General Assembly of the United Nations which ratifies or accedes to this Act of which this Appendix forms an integral part, and which, having regard to its economic situation and its social or cultural needs, does not consider itself immediately in a position to make provision for the protection of all the rights as provided for in this Act, may, by a notification deposited with the Director General at the time of depositing its instrument of ratification or accession or, subject to Article V (1) (c), at any time thereafter, declare that it will avail itself of the faculty provided for in Article II, or of the faculty provided for in Article III, or of both of those faculties. It may, instead of availing itself of the faculty provided for in Article II, make a declaration according to Article V (1) (a).

(2) (a) Any declaration under paragraph (1) notified before the expiration of the period of ten years from the entry into force of Articles 1 to 21 and this Appendix according to Article 28 (2) shall be effective until the expiration of the said period. Any such declaration may be renewed in whole or in part for periods of ten years each by a notification deposited with the Director General not more than fifteen months and not less than three months before the expiration of the ten-year period then running.

(b) Any declaration under paragraph (1) notified after the expiration of the period of ten years from the entry into force of Articles 1 to 21 and this Appendix according to Article 28 (2) shall be effective until the expiration of the ten-year period then running. Any such declaration may be renewed as provided for in the second sentence of subparagraph (a).

(3) Any country of the Union which has ceased to be regarded as developing country as referred to in paragraph (1) shall no longer be entitled to renew its declaration as provided in paragraph (2), and, whether or not it formally withdraws its declaration, such country shall be precluded from availing itself of the faculties referred to in paragraph (1) from the expiration of the ten-year period then running or from the expiration of a period of three years after it has ceased to be regarded as a developing country, whichever period expires later.

(4) Where, at the time when the declaration made under paragraph (1) or (2) ceases to be effective, there are copies in stock which were made under a licence granted by virtue of this Appendix, such copies may continue to be distributed until their stock is exhausted.

(5) Any country which is bound by the provisions of this Act and which has deposited a declaration or a notification in accordance with Article 31 (1) with respect to the application of this Act to a particular territory, the situation of which can be regarded as analogous to that of the countries referred to in paragraph (1), may, in respect of such territory, make the declaration referred to in paragraph (1) and the notification of renewal referred to in paragraph (2). As long as such declaration or notification remains in effect, the provisions of this Appendix shall be applicable to the territory in respect of which it was made.

(6) (a) The fact that a country avails itself of any of the faculties referred to in paragraph (1) does not permit another country to give less protection to works of which the country of origin is the former country than it is obliged to grant under Articles 1 to 20.

(b) The right to apply reciprocal treatment provided for in Article 30 (2) (b), second sentence, shall not, until the date on which the period applicable under Article 1(3) expires, be exercised in respect of works the country of origin of which is a country which has made a declaration according to Article V(1)(a).

## Article II

(1) Any country which has declared that it will avail itself of the faculty provided for in this Article shall be entitled, so far as works published in printed or analogous forms of reproduction are concerned, to substitute for the exclusive right of translation provided for in Article 8 a system of non-exclusive and non-transferable licenses, granted by the competent authority under the following conditions and subject to Article IV.

(2) (a) Subject to paragraph (3), if, after the expiration of a period of three years, or of any longer period determined by the national legislation of the said country, commencing on the date of the first publication of the work, a translation of such work has not been published in a language in general use in that country by the owner of the right of translation or with his authorization, any national of such country may obtain a license to make a translation of the work in the said language and publish the translation in printed or analogous forms of reproduction.

(b) A license under the conditions provided for in this Article may also be granted if all the editions of the translation published in the language concerned are out of print.

(3) (a) In the case of translations into a language which is not in general use in one or more developed countries which are members of the Union, a period of one year shall be substituted for the period of three years referred to in paragraph (2) (a).

(b) Any country referred to in paragraph (1) may, with the unanimous agreement of the developed countries which are members of the Union and in which the same language is in general use, substitute, in the case of translations into that language, for the period of three years referred to in paragraph (2) (a) a shorter period as determined by such agreement but not less than one year. However, the provisions of the foregoing sentence shall not apply where the language in question is English, French or Spanish. The Director General shall be notified of any such agreement by the Governments which have concluded it.

(4) (a) No license obtainable after three years shall be granted under this Article until a further period of six months has elapsed, and no license obtainable after one year shall be granted under this Article until a further period of nine months has elapsed.

- (i) from the date on which the applicant complies with the requirements mentioned in Article IV (1), or
- (ii) where the identity or the address of the owner of the right of translation is unknown, from the date on which the applicant sends, as provided for in Article IV(2), copies of his application submitted to the authority competent to grant the license.

(b) If, during the said period of six or nine months, a translation in the language in respect of which the application was made is published by the owner of the right of translation or with his authorization, no license under this Article shall be granted.

(5) Any license under this Article shall be granted only for the purpose of teaching, scholarship or research.

(6) If a translation of a work is published by the owner of the right of translation or with his authorization at a price reasonably related to that normally charged in the country for comparable works, any license granted under this Article shall terminate if such translation is in the same language and with substantially the same content as the translation published under the license. Any copies already made before the license terminates may continue to be distributed until their stock is exhausted.

(7) For works which are composed mainly of illustrations, a license to make and publish a translation of the text and to reproduce and publish the illustrations may be granted only if the conditions of Article II are also fulfilled.

(8) No license shall be granted under this Article when the author has withdrawn from circulation all copies of his work.

(9) (a) A license to make a translation of a work which has been published in printed or analogous forms of reproduction may also be granted to any broadcasting organization having its headquarters in a country referred to in paragraph (1), upon an application made to the competent authority of that country by the said organization, provided that all of the following conditions are met :

- (i) the translation is made from a copy made and acquired in accordance with the laws of the said country ;
- (ii) the translation is only for use in broadcasts intended exclusively for teaching or for the dissemination of the results of specialized technical or scientific research to experts in a particular profession ;
- (iii) the translation is used exclusively for the purposes referred to in condition (ii) through broadcasts made lawfully and intended for recipients on the territory of the said country,

including broadcasts made through the medium of sound or visual recordings lawfully and exclusively made for the purpose of such broadcasts;

(iv) all uses made of the translation are without any commercial purpose.

(b) Sound or visual recordings of a translation which was made by a broadcasting organization under a license granted by virtue of this paragraph may, for the purposes and subject to the conditions referred to in subparagraph (a) and with the agreement of that organization, also be used by any other broadcasting organization having its headquarters in the country whose competent authority granted the license in question.

(c) Provided that all of the criteria and conditions set out in subparagraph (a) are met, a license may also be granted to a broadcasting organization to translate any text incorporated in an audio-visual fixation where such fixation was itself prepared and published for the sole purpose of being used in connection with systematic instructional activities.

(d) Subject to subparagraphs (a) to (c), the provisions of the preceding paragraphs shall apply to the grant and exercise of any license granted under this paragraph.

### Article III

(1) Any country which has declared that it will avail itself of the faculty provided for in this Article shall be entitled to substitute for the exclusive right of reproduction provided for in Article 9 a system of non-exclusive and non-transferable licenses, granted by the competent authority under the following conditions and subject to Article IV.

(2) (a) If, in relation to a work to which this Article applies by virtue of paragraph (7), after the expiration of:

(i) the relevant period specified in paragraph (3), commencing on the date of first publication of a particular edition of the work, or

(ii) any longer period determined by national legislation of the country referred to in paragraph (1), commencing on the same date,

copies of such edition have not been distributed in that country to the general public or in connection with systematic instructional activities, by the owner of the right of reproduction or with his authorization, at a price reasonably related to that normally charged in the country for comparable works, any national of such country may obtain a license to reproduce and publish such edition at that or a lower price for use in connection with systematic instructional activities.

(b) A license to reproduce and publish an edition which has been distributed as described in subparagraph (a) may also be granted under the conditions provided for in this Article if, after the expiration of the applicable period, no authorized copies of that edition have been on sale for a period of six months in the country concerned to the general public or in connection with systematic instructional activities at a price reasonably related to that normally charged in the country for comparable works.

(3) The period referred to in paragraph (2) (a) (i) shall be five years, except that—

(i) for works of the natural and physical sciences, including mathematics, and of technology, the period shall be three years;

(ii) for works of fiction, poetry, drama and music, and for art books, the period shall be seven years;

(4) (a) No license obtainable after three years shall be granted under this Article until a period of six months has elapsed.

- (i) from the date on which the applicant complies with the requirements mentioned in Article IV(1), or
- (ii) where the identity or the address of the owner of the right of reproduction is unknown, from the date on which the applicant sends, as provided for in Article IV (2), copies of his application submitted to the authority competent to grant the license.

(b) Where licenses are obtainable after other periods and Article IV (2) is applicable, no license shall be granted until a period of three months has elapsed from the date of the dispatch of the copies of the application.

(c) If, during the period of six or three months referred to in subparagraphs (a) and (b), a distribution as described in paragraph (2) (a) has taken place, no license shall be granted under this Article.

(d) No license shall be granted if the author has withdrawn from circulation all copies of the edition for the reproduction and publication of which the license has been applied for.

(5) A license to reproduce and publish a translation of a work shall not be granted under this Article in the following cases:

- (i) where the translation was not published by the owner of the right of translation or with his authorization, or
- (ii) where the translation is not in a language in general use in the country in which the license is applied for.

(6) If copies of an edition of a work are distributed in the country referred to in paragraph (1) to the general public or in connection with systematic instructional activities, by the owner of the right of reproduction or with his authorization, at a price reasonably related to that normally charged in the country for comparable works, any license granted under this Article shall terminate if such edition is in the same language and with substantially the same content as the edition which was published under the said license. Any copies already made before the license terminates may continue to be distributed until their stock is exhausted.

(7) (a) Subject to subparagraph (b), the works to which this Article applies shall be limited to works published in printed or analogous forms of reproduction.

(b) This Article shall also apply to the reproduction in audio-visual form of lawfully made audio-visual fixations including any protected works incorporated therein and to the translation of any incorporated text into a language in general use in the country in which the license is applied for, always provided that the audio-visual fixations in question were prepared and published for the sole purpose of being used in connection with systematic instructional activities.

#### Article IV

(1) A license under Article II or Article III may be granted only if the applicant, in accordance with the procedure of the country concerned, establishes either that he has requested, and has been denied, authorization by the owner of the right to make and publish the translation or to reproduce and publish the edition, as the case may be, or that, after due diligence on his part, he was unable to find the owner of the right. At the same time as making the request, the applicant shall inform any national or international information center referred to in paragraph (2).

(2) If the owner of the right cannot be found, the applicant for a license shall send, by registered airmail, copies of his application, submitted to the authority competent to grant the license, to the publisher whose name appears on the work and to any national or international information center which may have been designated, in a notification to that effect deposited with the Director General, by the Government of the country in which the publisher is believed to have his principal place of business.

(3) The name of the author shall be indicated on all copies of the translation or reproduction published under a license granted under Article II or Article III. The title of the work shall appear on all such copies. In the case of a translation, the original title of the work shall appear in any case on all the said copies.

(4) (a) No license granted under Article II or Article III shall extend to the export of copies, and any such license shall be valid only for publication of the translation or of the reproduction, as the case may be, in the territory of the country in which it has been applied for.

(b) For the purposes of subparagraph (a), the notion of export shall include the sending of copies from any territory to the country which, in respect of that territory, has made a declaration under Article I(5).

(c) Where a governmental or other public entity of a country which has granted a license to make a translation under Article II into a language other than English, French or Spanish sends copies of a translation published under such license to another country, such sending of copies shall not, for the purposes of subparagraph (a), be considered to constitute export if all of the following conditions are met:

- (i) the recipients are individuals who are nationals of the country whose competent authority has granted the license, or organizations grouping such individuals;
- (ii) the copies are to be used only for the purpose of teaching, scholarship or research;
- (iii) the sending of the copies and their subsequent distribution to recipients is without any commercial purpose; and
- (iv) the country to which the copies have been sent has agreed with the country whose competent authority has granted the license to allow the receipt, or distribution, or both, and the Director General has been notified of the agreement by the Government of the country in which the license has been granted.

(5) All copies published under a license granted by virtue of Article II or Article III shall bear a notice in the appropriate language stating that the copies are available for distribution only in the country or territory to which the said license applies.

(6) (a) Due provision shall be made at the national level to ensure—

- (i) that the license provides, in favour of the owner of the rights of translation or of reproduction, as the case may be, for just compensation that is consistent with standards of royalties normally operating on licenses freely negotiated between persons in the two countries concerned, and
- (ii) payment and transmittal of the compensation: should national currency regulations intervene, the competent authority shall make all efforts, by the use of international machinery, to ensure transmittal in internationally convertible currency or its equivalent.

(b) Due provision shall be made by national legislation to ensure a correct translation of the work, or an accurate reproduction of the particular edition, as the case may be.

#### Article V

(1) (a) Any country entitled to make a declaration that it will avail itself of the faculty provided for in Article II may, instead, at the time of ratifying or acceding to this Act :

- (i) if it is a country to which Article 30(2)(a) applies, make a declaration under that provision as far as the right of translation is concerned ;
- (ii) if it is a country to which Article 30 (2) (a) does not apply, and even if it is not a country outside the Union, make a declaration as provided for in Article 30(2) (b), first sentence.

(b) In the case of a country which ceases to be regarded as a developing country as referred to in Article I(1), a declaration made according to this paragraph shall be effective until the date on which the period applicable under Article I(3) expires.

(c) Any country which has made a declaration according to this paragraph may not subsequently avail itself of the faculty provided for in Article II even if it withdraws the said declaration.

(2) Subject to paragraph (3), any country which has availed itself of the faculty provided for in Article II may not subsequently make a declaration according to paragraph (1).

(3) Any country which has ceased to be regarded as a developing country as referred to in Article I(1) may, not later than two years prior to the expiration of the period applicable under Article I(3), make a declaration to the effect provided for in Article 30(2) (b), first sentence, notwithstanding the fact that it is not a country outside the Union. Such declaration shall take effect at the date on which the period applicable under Article I(3) expires.

#### Article VI

(1) Any country of the Union may declare, as from the date of this Act, and at any time before becoming bound by Articles 1 to 21 and this Appendix :

- (i) if it is a country which, were it bound by Articles 1 to 21 and this Appendix, would be entitled to avail itself of the faculties referred to in Article I(1), that it will apply the provisions of Article II or of Article III or of both to works whose country of origin is a country which, pursuant to (ii) below, admits the application of those Articles to such works, or which is bound by Articles 1 to 21 and this Appendix ; such declaration may, instead of referring to Article II, refer to Article V ;
- (ii) that it admits the application of this Appendix to works of which it is the country of origin by countries which have made a declaration under (i) above or a notification under Article I.

(2) Any declaration made under paragraph (1) shall be in writing and shall be deposited with the Director General. The declaration shall become effective from the date of its deposit.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Act.

DONE at Paris on July 24, 1971.

## ΜΕΡΟΣ ΔΕΥΤΕΡΟΝ

ΣΥΜΒΑΣΙΣ ΤΗΣ ΒΕΡΝΗΣ  
ΔΙΑ ΤΗΝ ΠΡΟΣΤΑΣΙΑΝ ΤΩΝ ΦΙΛΟΛΟΓΙΚΩΝ  
ΚΑΙ ΚΑΛΛΙΤΕΧΝΙΚΩΝ ΕΡΓΩΝ

ΥΠΟΓΡΑΦΕΙΣΑ ΤΗΝ 9ην ΣΕΠΤΕΜΒΡΙΟΥ, 1886,

συμπληρωθεῖσα ἐν Παρισίοις τὴν 4ην Μαΐου, 1896,  
ἀναθεωρηθεῖσα ἐν Βερολίῳ τὴν 13ην Νοεμβρίου, 1908,  
συμπληρωθεῖσα ἐν Βέρνη τὴν 20ην Μαρτίου, 1914,  
ἀναθεωρηθεῖσα ἐν Ρώμῃ τὴν 2αν Ἰουνίου, 1928,  
ἐν Βρυξέλλαις τὴν 26ην Ἰουνίου, 1948,  
ἐν Στοκχόλμῃ τὴν 14ην Ἰουλίου, 1967, καὶ  
ἐν Παρισίοις τὴν 24ην Ἰουλίου, 1971.

Αἱ χώραι τῆς Ἑνώσεως, ἐμπνεόμεναι ἐξ ἴσου ὑπὸ τῆς ἐπιθυμίας ὅπως κατοχυρώσωσι κατὰ τὸν πλέον ἀποτελεσματικὸν καὶ ὁμοιόμορφον δυνατὸν τρόπον, τὰ δικαιώματα τῶν δημιουργῶν ἐπὶ τῶν φιλολογικῶν καὶ καλλιτεχνικῶν αὐτῶν ἔργων.

Ἀναγνωρίζουσαι τὴν σπουδαιότητα τοῦ ἐπιτελεσθέντος ἔργου ὑπὸ τῆς Ἀναθεωρητικῆς Διασκέψεως, τῆς συνελθούσης ἐν Στοκχόλμῃ ἐν ἔτει 1967,

Ἀπεφάσισαν νὰ ἀναθεωρήσωσι τὴν Πράξιν, ἥτις ἐγένετο ἀποδεκτή ὑπὸ τῆς Διασκέψεως τῆς Στοκχόλμης, διατηροῦσαι ἅμα ἀναλλοίωτα τὰ ἄρθρα 1 ἕως 20 καὶ 22 ἕως 26 τῆς ὡς εἴρηται Πράξεως.

Ἐφ' ὧ οἱ ὑπογεγραμμένοι πληρεξούσιοι, καταθέσαντες τὰ ἔγγραφα τῆς ἐντολῆς τῶν ἂτινα εὐρέθησαν ἐν πλήρει τάξει, συνεφώνησαν ὡς ἀκολούθως:

### Ἄρθρον 1

Αἱ χώραι, ἐφ' ὧν τυγχάνουν ἐφαρμογῆς αἱ πρόνοιαι τῆς παρούσης Συμβάσεως, συνιστοῦν Ἐνώσιν διὰ τὴν προστασίαν τῶν δικαιωμάτων τῶν δημιουργῶν ἐπὶ τῶν φιλολογικῶν καὶ καλλιτεχνικῶν αὐτῶν ἔργων.

### Ἄρθρον 2

(1) Ὁ ὅρος «φιλολογικὰ καὶ καλλιτεχνικὰ ἔργα» περιλαμβάνει πᾶν προϊόν φιλολογικόν, ἐπιστημονικόν καὶ καλλιτεχνικόν, ὅφ' οἰοιδήποτε τύπον καὶ μορφήν καὶ ἐὰν παρουσιάζεται τοῦτο, ὡς βιβλία, φυλλάδια καὶ ἕτερα δημοσιεύματα· διαλέξεις, ὁμιλίαι, κηρύγματα καὶ ἕτερα, παρομοίας φύσεως, ἔργα δραματικά ἢ δραματικομουσικά ἔργα· χορογραφικά καὶ παντομίμαι· μουσικαὶ συνθέσεις μετὰ ἢ ἀνευ λέξεων· κινηματογραφικὰ ἔργα, πρὸς τὰ ὅποια ἐξομοιοῦνται καὶ τὰ παραγόμενα διὰ τρόπου παραπλησίου πρὸς τὴν κινηματογραφίαν ἔργα ἰχνογραφίας, ζωγραφικῆς, ἀρχιτεκτονικῆς, γλυπτικῆς, χαρακτηριστικῆς καὶ λιθογραφίας· φωτογραφικὰ ἔργα, πρὸς τὰ ὅποια ἐξομοιοῦνται καὶ τὰ παραγόμενα διὰ τρόπου παραπλησίου πρὸς τὴν φωτογραφίαν ἔργα ἐφηρμοσμένων τεχνῶν· εἰκονογραφίαι, γεωγραφικοὶ χάρται, σχέδια, ἰχνογραφήματα καὶ τρισδιάστατα ἔργα, σχετικὰ πρὸς τὴν γεωγραφίαν, τοπογραφίαν, ἀρχιτεκτονικὴν ἢ τὰς ἐπιστήμας.

(2) Ἐναπόκειται, ἐν τούτοις, εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως, νὰ ὀρίσωσιν ὅτι τὰ ἔργα ἐν γένει ἢ οἰαδήποτε εἰδικῶς καθωρισμέναι κατηγορίαι ἔργων, δὲν θὰ τυγχάνωσιν προστασίας, ἐκτὸς ἐὰν ταῦτα εἶναι ἐκτεφρασμένα ὑπὸ ὁλικῆν τινα μορφήν.

(3) Προστατεύονται ὡς πρωτότυπα ἔργα, χωρὶς ὡς ἐκ τούτου νὰ θίγωνται τὰ δικαιώματα τοῦ δημιουργοῦ τοῦ πρώτου τύπου ἔργου, αἱ μεταφράσεις, διασκευαί, μουσικαὶ διάσκευαί καὶ ἕτεραι τροποποιήσεις φιλολογικοῦ ἢ καλλιτεχνικοῦ ἔργου.

(4) 'Εναπόκειται εις τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς 'Ενώσεως νὰ καθορίσωσι τὴν παρασχεθησομένην προστασίαν εἰς ἐπίσημα κείμενα νομοθετικῆς, διοικητικῆς καὶ νομικῆς φύσεως, ὡς καὶ εἰς τὰς ἐπίσημους μεταφράσεις τοιούτων κειμένων.

(5) Συλλογαὶ φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων, ὡς ἐγκυκλοπαίδειαι καὶ ἀνθολογίαι, αἵτινες λόγῳ τῆς ἐκλογῆς καὶ τῆς διατάξεως τῆς ὅλης αὐτῶν, ἀποτελοῦν πνευματικὰς δημιουργίας, θὰ προστατεύωνται ὡς τοιαῦται, χωρὶς ἐν τούτοις νὰ θίγωνται τὰ δικαιώματα πνευματικῆς ἰδιοκτησίας ἐφ' ἐνὸς ἐκάστου τῶν περιλαμβανομένων εἰς τὰς τοιαύτας συλλογὰς ἔργων.

(6) Τὰ ἐν τῷ παρόντι ἄρθρῳ μνημονευόμενα ἔργα τυγχάνουν προστασίας εἰς πάσας τὰς χώρας τῆς 'Ενώσεως. Ἡ τοιαύτη προστασία παρέχεται εἰς τὸν δημιουργὸν καὶ εἰς τοὺς ἐξ αὐτοῦ ἔλκοντας δικαιώματα.

(7) Τηρουμένων τῶν διατάξεων τοῦ ἀρθροῦ 7(4) τῆς παρούσης Συμβάσεως, ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς 'Ενώσεως νὰ καθορίσωσι τὴν ἔκτασιν τῆς ἐφαρμογῆς τῶν νόμων αὐτῶν ἐπὶ ἔργων ἐφηρμοσμένων τεχνῶν καὶ ἐπὶ βιομηχανικῶν σχεδίων καὶ ὑποδείγματων, ὡς καὶ τοὺς ὅρους, ὅφ' οὓς τὰ τοιαῦτα ἔργα, σχέδια καὶ ὑποδείγματα θὰ τυγχάνωσιν προστασίας. Ἔργα προστατευόμενα εἰς τὴν χώραν τῆς προελεύσεώς των ἀποκλειστικῶς ὡς σχέδια καὶ ὑποδείγματα, δικαιοῦνται εἰς τὰς λοιπὰς χώρας τῆς 'Ενώσεως μόνον τῆς εἰδικῆς προστασίας, τῆς παρεχομένης εἰς τὰς τοιαύτας χώρας εἰς σχέδια καὶ ὑποδείγματα οὐχ' ἦττον ὅμως, ἐν ἡ περιπτώσει οὐδεμία τοιαύτη εἰδικὴ προστασία ἀναγνωρίζεται ἐν τινὶ χώρᾳ τῆς 'Ενώσεως, τὰ τοιαῦτα ἔργα θὰ τυγχάνωσιν ἐν αὐτῇ τῆς εἰς καλλιτεχνικὰ ἔργα παρεχομένης προστασίας.

(8) Ἡ προνοουμένη ἐν τῇ παρούσῃ Συμβάσει προστασία δὲν θὰ τυγχάνῃ ἐφαρμογῆς ἐπὶ τῶν ἡμερησίων εἰδήσεων ἢ ἐπὶ τῶν ποικίλων γεγονότων, τῶν ἔχοντων χαρακτῆρα ἀπλῆς εἰδησεογραφίας.

#### "Άρθρον 2 δις

(1) 'Εναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς 'Ενώσεως νὰ ἐξαιρῶσιν, ἐν μέρει ἢ ἐν ὅλῳ, τῆς προνοουμένης ἐν τῷ προηγουμένῳ ἀρθρῷ προστασίας, τοὺς ἐκφωνουμένους πολιτικούς λόγους ὡς καὶ ὁγορεύσεις σχετικὰς πρὸς δικαστικὰς ὑποθέσεις.

(2) 'Εναπόκειται, πρὸς τούτοις, εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς 'Ενώσεως νὰ καθορίσωσι τοὺς ὅρους, ὅφ' οὓς δημοσίᾳ ἐκφωνοῦνται διαλέξεις, δμιλίας καὶ ἕτερα ἔργα τῆς αὐτῆς φύσεως, θὰ δύνανται νὰ ἀναδημοσιευθῶσιν ὑπὸ τοῦ τύπου ἢ τοῦ ραδιοφώνου, νὰ μεταδοθῶσι δημοσίᾳ δι' ἐνσυρμάτου ἐπικοινωνίας καὶ νὰ ἀποτελέσωσι τὸ ἀντικείμενον δημοσίας μεταδόσεως ἐν τῇ ἐννοίᾳ τοῦ ἀρθροῦ 11 δις (1) τῆς παρούσης Συμβάσεως, ἐφ' ὅσον ἡ τοιαύτη χρῆσις δικαιολογεῖται ὡς ἐκ τοῦ πληροφοριακοῦ σκοποῦ, δι' ὃν ἐνεργεῖται.

(3) Οὐχ' ἦττον, ὁ δημιουργὸς ἀπολαύει τοῦ ἀποκλειστικοῦ δικαιώματος νὰ συγκεντρῷ εἰς συλλογὴν τὰ ἐν ταῖς προηγουμέναις παραγράφαις μνημονευόμενα ἔργα αὐτοῦ.

#### "Άρθρον 3

(1) Ἡ προνοουμένη ἐν τῇ παρούσῃ Συμβάσει προστασία τυγχάνει ἐφαρμογῆς ἐπὶ :

(α) δημιουργῶν ὑπῆκόων μιᾶς τῶν χωρῶν τῆς 'Ενώσεως, διὰ τὰ ἔργα αὐτῶν, δημοσιευμένα ἢ μὴ·

(β) δημιουργῶν, οἵτινες δὲν εἶναι ὑπῆκοοι μιᾶς τῶν χωρῶν τῆς 'Ενώσεως, δι' ἔργα αὐτῶν, τὸ πρῶτον δημοσιευόμενα ἐν μιᾷ τῶν τοιούτων χωρῶν ἢ ταυτοχρόνως δημοσιευόμενα ἐν χώρᾳ μὴ μετεχούσῃ τῆς 'Ενώσεως καὶ ἐν μιᾷ χώρᾳ τῆς 'Ενώσεως.

(2) Δημιουργοί, οἵτινες δὲν εἶναι ὑπῆκοοι μιᾶς τῶν χωρῶν τῆς Ἑνώσεως, ἔχουν ὁμῶς τὴν συνήθη αὐτῶν διαμονὴν ἐν τινι τοιαύτῃ χώρᾳ, λογιζόμενοι, διὰ τοὺς σκοποὺς τῆς παρούσης Συμβάσεως, ὡς ὑπῆκοοι τῆς τοιαύτης χώρας.

(3) Ὁ ὅρος «δημοσιευμένα ἔργα» δηλοῖ ἔργα δημοσιευθέντα τῇ συναινέσει τοῦ δημιουργοῦ αὐτῶν, ἀνεξαρτήτως τῶν μέσων κατασκευῆς τῶν ἀντιτύπων, νοουμένου ὅτι τίθενται εἰς τὴν διάθεσιν τοῦ κοινοῦ ἐπαρκῆ πρὸς ἱκανοποίησιν τῶν εὐλόγων ἀπαιτήσεων αὐτοῦ ἀντίτυπα, λαμβανομένης ὑπ' ὄψιν τῆς φύσεως τοῦ ἔργου. Δὲν ἀποτελεῖ δημοσίευσιν ἡ παράστασις δραματικοῦ, δραματικομουσικοῦ ἢ κινηματογραφικοῦ ἔργου, ἡ ἐκτέλεσις μουσικοῦ ἔργου, ἡ δημοσία ἀπαγγελία φιλολογικοῦ ἔργου, ἡ ἐνσύρματος ἐπικοινωνία ἢ ἡ ραδιοφωνησις φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων, ἡ ἐκθεσις ἔργων τέχνης ἢ ἡ κατασκευὴ ἀρχιτεκτονικῶν ἔργων.

(4) Ἐν ἔργον λογιζέται δημοσιευθὲν ταυτόχροτως εἰς διαφόρους χώρας, ἐφ' ὅσον τοῦτο ἐδημοσιεύθῃ εἰς δύο ἢ πλείονας χώρας ἐντὸς τριάκοντα ἡμερῶν ἀπὸ τῆς πρώτης δημοσιεύσεώς του.

#### Ἄρθρον 4

Ἡ προνοουμένη ἐν τῇ παρούσῃ Συμβάσει προστασία τυγχάνει ἐφαρμογῆς, καὶ ἐὰν ἔτι δὲν πληροῦνται οἱ ὅροι τοῦ ἀρθροῦ 3, ἐπὶ:

(α) δημιουργῶν κινηματογραφικῶν ἔργων, ὁ κατασκευαστὴς τῶν ὁποίων ἔχει τὴν ἔδραν ἢ τὴν συνήθη αὐτοῦ διαμονὴν ἐν τινι τῶν χωρῶν τῆς Ἑνώσεως·

(β) δημιουργῶν ἀρχιτεκτονικῶν ἔργων ἀνεγερθέντων ἐν τινι τῶν χωρῶν τῆς Ἑνώσεως ἢ ἐτέρων καλλιτεχνικῶν ἔργων ἐνσωματωθέντων εἰς οἰκοδομὴν ἢ ἐτέραν κατασκευὴν κειμένην ἐν τινι χώρᾳ τῆς Ἑνώσεως.

#### Ἄρθρον 5

(1) Οἱ δημιουργοὶ ἀπολαύουσι, καθ' ὅσον ἀφορᾷ εἰς ἔργα, δι' ἅτινα τυγχάνουσι τῆς ἐν τῇ παρούσῃ Συμβάσει προνοουμένης προστασίας, εἰς τὰς λοιπὰς χώρας τῆς Ἑνώσεως πλὴν τῆς χώρας τῆς προελεύσεως, τῶν δικαιωμάτων, ἅτινα οἱ σχετικοὶ νόμοι ἤδη παρέχουσιν ἢ δυνατόν ἐν τῷ μέλλοντι νὰ παρέσχουσιν εἰς τοὺς ὑπῆκοους αὐτῶν, ὡς καὶ τῶν ὑπὸ τῆς παρούσης Συμβάσεως εἰδικῶς παρεχομένων δικαιωμάτων.

(2) Ἡ ἀπόλαυσις καὶ ἡ ἀσκήσις τῶν δικαιωμάτων τούτων εἰς οὐδεμίαν ὑπόκεινται διατύπωσιν ἢ τοιαύτῃ ἀπόλαυσις καὶ ἀσκήσις εἶναι ἀνεξάρτητος τῆς ἐν τῇ χώρᾳ τῆς προελεύσεως τοῦ ἔργου ὀφισταμένης προστασίας. Ἐφ' ὧ, ἐκτὸς τῶν διατάξεων τῆς παρούσης Συμβάσεως, ἡ ἐκτασις τῆς προστασίας, ὡς καὶ τὰ εἰς τὸν δημιουργὸν ἐξασφαλιζόμενα ἔνδिका μέσα διὰ τὴν προστασίαν τῶν δικαιωμάτων του, διέπονται ἀποκλειστικῶς ὑπὸ τῆς νομοθεσίας τῆς χώρας, ἐν ἣ ζητεῖται ἡ προστασία.

(3) Ἡ προστασία ἐν τῇ χώρᾳ τῆς προελεύσεως διέπεται ὑπὸ τῆς ἐσωτερικῆς νομοθεσίας. Οὐχ' ἦττον ὁμῶς, ἐν αἷς περιπτώσεσιν ὁ δημιουργὸς δὲν εἶναι ὑπῆκοος τῆς χώρας τῆς προελεύσεως τοῦ ἔργου, δι' ἣ τυγχάνει προστασίας δυνάμει τῆς παρούσης Συμβάσεως, οὗτος ἀπολαύει ἐν τῇ χώρᾳ ταύτῃ τῶν αὐτῶν δικαιωμάτων ὡς καὶ οἱ δημιουργοὶ ὑπῆκοοι τῆς χώρας ταύτης.

(4) Ὡς χώρα προελεύσεως λογίζεται:

(α) ἐν τῇ περιπτώσει ἔργων τὸ πρῶτον δημοσιευομένων εἰς τινὰ χώραν τῆς Ἑνώσεως, ἢ ἐν λόγῳ χώρᾳ ἐν τῇ περιπτώσει ἔργων δημοσιευομένων ταυτόχροτως εἰς διαφόρους χώρας τῆς Ἑνώσεως, αἵτινες προνοοῦσι διαφορετικούς ὁρους παροχῆς τῆς προστασίας, ἢ χώρα, τῆς ὁποίας ἡ νομοθεσία παρέχει τὴν θραχυτέραν διάρκειαν προστασίας·

(β) ἐν τῇ περιπτώσει ἔργων δημοσιευομένων ταυτόχροτως εἰς χώραν μὴ μετέχουσαν τῆς Ἑνώσεως καὶ εἰς χώραν τῆς Ἑνώσεως, ἡ τελευταία·

- (γ) ἐν τῇ περιπτώσει ἀδημοσιεύτων ἔργων ἢ ἔργων τὸ πρῶτον δημοσιευομένων εἰς τινὰ χώραν μὴ μετέχουσαν τῆς Ἑνώσεως, ἀνευ ταυτοχρόνου δημοσιεύσεως τῶν εἰς χώραν τῆς Ἑνώσεως, ἡ χώρα τῆς Ἑνώσεως τῆς ὁποίας ὁ δημιουργὸς εἶναι ὑπὸ κτλ., νοουμένου ὅτι:

- (i) προκειμένου περὶ κινηματογραφικῶν ἔργων, ὁ κατασκευαστὴς τῶν ὁποίων ἔχει τὴν ἔδραν ἢ τὴν συνήθη αὐτοῦ διαμονὴν εἰς τινὰ χώραν τῆς Ἑνώσεως, ὡς χώρα προελεύσεως λογίζεται ἢ ἐν λόγῳ χώρα· καὶ
- (ii) προκειμένου περὶ ἀρχιτεκτονικῶν ἔργων ἀνεγερθέντων ἐν τινὶ χώρᾳ τῆς Ἑνώσεως ἢ ἐτέρων καλλιτεχνικῶν ἔργων ἐνσωματωθέντων εἰς οἰκοδομὴν ἢ ἐτέραν κατασκευὴν κειμένην ἐν τινὶ χώρᾳ τῆς Ἑνώσεως, ὡς χώρα προελεύσεως λογίζεται ἢ ἐν λόγῳ χώρα.

#### Ἄρθρον 6

(1) Ἐν ἡ περιπτώσει χώρα μὴ μετέχουσα τῆς Ἑνώσεως δὲν προστατεύει ἐπαρκῶς τὰ ἔργα δημιουργῶν ὑπηκόων μιᾶς τῶν χωρῶν τῆς Ἑνώσεως, ἡ τελευταία αὕτη χώρα δύναται νὰ περιορίσῃ τὴν προστασίαν, τὴν παρεχομένην εἰς ἔργα δημιουργῶν, οἵτινες, κατὰ τὴν ἡμερομηνίαν τῆς πρώτης δημοσιεύσεως τῶν, εἶναι ὑπὸ κτλ. τῆς πρώτης μνησθείσης χώρας καὶ δὲν ἔχουν τὴν συνήθη αὐτῶν διαμονὴν εἰς μίαν τῶν χωρῶν τῆς Ἑνώσεως. Ἐὰν ἡ χώρα τῆς πρώτης δημοσιεύσεως ποιῇται χρῆσιν τοῦ δικαιώματος τούτου, αἱ λοιπαὶ χώραι τῆς Ἑνώσεως δὲν ὑποχρεοῦνται νὰ παράσχωσιν εἰς τὰ οὕτω ὑποκείμενα εἰς εἰδικὴν μεταχείρισιν ἔργα μείζονα προστασίαν, τῆς παρεχομένης αὐτοῖς ἐν τῇ χώρᾳ τῆς πρώτης δημοσιεύσεως.

(2) Οὐδεὶς περιορισμὸς τιθέμενος δυνάμει τῆς προηγουμένης παραγράφου δύναται νὰ θίγῃ τὰ δικαιώματα, ἅτινα τυχὸν ἀπέκτησεν ὁ δημιουργὸς συνάφῃς πρὸς ἔργον δημοσιευθὲν ἐν τινὶ χώρᾳ τῆς Ἑνώσεως πρὸ τῆς ἐφαρμογῆς τοῦ τοιοῦτου περιορισμοῦ.

(3) Αἱ χώραι τῆς Ἑνώσεως, αἵτινες, δυνάμει τοῦ παρόντος ἀρθροῦ, περιορίζουν τὴν παρεχομένην εἰς τὴν πνευματικὴν ἰδιοκτησίαν προστασίαν, θέλουν γνωρίσῃ τοῦτο εἰς τὸν Γενικὸν Διευθυντὴν τῆς Παγκοσμίου Ὀργανώσεως Προστασίας τῆς Πνευματικῆς Ἰδιοκτησίας (ἐν τοῖς ἐφεξῆς καλούμενον «ὁ Γενικὸς Διευθυντής») δι' ἐγγράφου δηλώσεως, ἐν ἡ καὶ καθορίζουσι τὰς χώρας ἐναντὶ τῶν ὁποίων περιορίζεται ἡ παρεχομένη προστασία, ὡς καὶ τοὺς περιορισμούς, εἰς οὓς ὑπόκεινται τὰ δικαιώματα δημιουργῶν ὑπηκόων τῶν ἐν λόγῳ χωρῶν. Ὁ Γενικὸς Διευθυντής θέλει κοινοποιῇσιν ἀμελλητί τὴν δὴλωσιν ταύτην πρὸς πάσας τὰς χώρας τῆς Ἑνώσεως.

#### Ἄρθρον 6 δις

(1) Ἀνεξαρτήτως τῶν οἰκονομικῶν δικαιωμάτων τῶν δημιουργῶν, ἀκόμη δὲ καὶ μετὰ τὴν ἐκχώρησιν τῶν εἰρημένων δικαιωμάτων, ὁ δημιουργὸς κέκτηται τὸ δικαίωμα νὰ διεκδικῇ τὴν πατρότητα τοῦ ἔργου καὶ ν' ἀντιταχθῇ εἰς πᾶσαν ἀλλοίωσιν, περικοπὴν ἢ ἐτέραν τροποποίησιν ἢ εἰς πᾶσαν ἐτέραν ἐνέργειαν ἀναφερομένην εἰς τὸ ἐν λόγῳ ἔργον, αἵτινες θὰ ἔθιγον τὴν τιμὴν ἢ τὴν φήμην αὐτοῦ.

(2) Τὰ ἀναγνωριζόμενα εἰς τὸν δημιουργόν, δυνάμει τῆς προηγουμένης παραγράφου δικαιώματα, διατηροῦνται καὶ μετὰ τὸν θάνατον αὐτοῦ, τοῦλάχιστον μέχρι καὶ τῆς ἐκπνοῆς τῶν οἰκονομικῶν αὐτοῦ δικαιωμάτων, ἐνασκοῦνται δὲ ὑπὸ τῶν προσώπων ἢ τῶν ἰδρυμάτων, ἅτινα ἔχουσιν ἔννομον πρὸς τρῦτο συμφέρον κατὰ τὴν νομοθεσίαν τῆς χώρας, ἐν ἡ ζητεῖται ἡ παροχὴ προστασίας. Οὐχ' ἦττον ὅμως, ἐκεῖναι αἱ χώραι, ὧν ἡ νομοθεσία κατὰ τὴν στιγμὴν τῆς ἐπικυρώσεως ἢ προσχωρήσεως τῶν εἰς τὴν παρούσαν Πράξιν, δὲν προνοεῖ περὶ πρόστασιος μετὰ θάνατον τοῦ δημιουργοῦ ἀπάντων τῶν ἐν τῇ προηγουμένῃ παραγράφῳ ἐκτιθεμένων δικαιωμάτων, δύναται νὰ προνοήσῃσιν ὅτι μετὰ θάνατον τοῦ δημιουργοῦ ἐκπνέουσι καὶ ὀρισμένα τῶν τοιούτων δικαιωμάτων.

(3) Τὰ ξνδिका μέσα, δι' ὧν διασφαλίζονται τὰ ἐν τῷ παρόντι ἄρθρῳ ἀναγνωρίζομενα δικαιώματα, διέπονται ὑπὸ τῆς νομοθεσίας τῆς χώρας, ἐν ἣ ζητεῖται ἡ προστασία.

#### Ἄρθρον 7

(1) Ἡ ὑπὸ τῆς παρούσης Συμβάσεως παρεχομένη προστασία ἐκτείνεται κατὰ τὴν διάρκειαν τῆς ζωῆς τοῦ δημιουργοῦ καὶ πεντήκοντα ἔτη μετὰ θάνατον αὐτοῦ.

(2) Ἐν τούτοις, προκειμένου περὶ κινηματογραφικῶν ἔργων, αἱ χῶραι τῆς Ἑνώσεως δύνανται νὰ προνοήσωσι διάρκειαν προστασίας πεντήκοντα ἐτῶν ἀπὸ τῆς ἡμέρας, καθ' ἣν τὸ ἔργον ἐξετέθη δημοσίᾳ τῇ συναινέσει τοῦ δημιουργοῦ ἢ, ἐφ' ὅσον τὸ ἔργον δὲν ἤθελε ἐκτεθῇ δημοσίᾳ ἐντὸς πεντήκοντα ἐτῶν ἀπὸ τῆς κατασκευῆς του, διάρκειαν προστασίας πεντήκοντα ἐτῶν ἀπὸ τῆς κατασκευῆς.

(3) Ἐν τῇ περιπτώσει ἀνωνύμων ἢ ψευδωνύμων ἔργων, ἡ διάρκεια τῆς προνοουμένης ἐν τῇ παρούσῃ Συμβάσει προστασίας ὀρίζεται εἰς πεντήκοντα ἔτη, ἀφ' ἧς νομίμως ταῦτα ἐτέθησαν εἰς τὴν διάθεσιν τοῦ κοινοῦ. Οὐχ' ἦττον ὅμως, ἐφ' ὅσον τὸ χρησιμοποιηθὲν ὑπὸ τοῦ δημιουργοῦ ψευδώνυμον, οὐδεμίαν ἀμφιβολίαν ἀφήνει περὶ τῆς ταυτότητος αὐτοῦ, ἡ διάρκεια προστασίας εἶναι ἡ προνοουμένη ἐν παραγράφῳ (1) τοιαύτη. Ἐφ' ὅσον ὁ δημιουργὸς ἀνωνύμου ἢ ψευδωνύμου ἔργου ἤθελεν ἀποκαλύψει τὴν ταυτότητα αὐτοῦ διαρκείας τῆς ἀνω μνημονευομένης περιόδου, ἐφαρμοστέα διάρκεια προστασίας εἶναι ἡ ἐν παραγράφῳ (1) προνοουμένη τοιαύτη. Αἱ χῶραι τῆς Ἑνώσεως δὲν ὑποχρεοῦνται νὰ παράσχωσι προστασίαν εἰς ἀνώνυμα ἢ ψευδώνυμα ἔργα, ὁ δημιουργὸς τῶν ὁποίων κατ' εὐλόγον τεκμήριον ἀπεβίωσε πρὸ πεντήκοντα ἐτῶν.

(4) Ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως νὰ ὀρίσωσι τὴν διάρκειαν προστασίας φωτογραφικῶν ἔργων καὶ ἔργων ἐφηρμοσμένων τεχνῶν, καθ' ἣν ἔκτασιν ταῦτα τυγχάνουν προστασίας ὡς καλλιτεχνικὰ ἔργα· οὐχ' ἦττον ὅμως, ἡ τοιαύτη προστασία δέον ὅπως διαρκῇ τοῦλάχιστον εἰκοσιπέντε ἔτη ἀπὸ τῆς κατασκευῆς τοῦ ἔργου.

(5) Ἡ μετὰ τὸν θάνατον τοῦ δημιουργοῦ διάρκεια προστασίας καὶ αἱ προνοούμεναι ἐν παραγράφοις (2), (3) καὶ (4) περίοδοι, ἀρχοῦν ἀπὸ τῆς ἡμερομηνίας τοῦ θανάτου ἢ τοῦ γεγονότος τοῦ ἀναφερομένου ἐν ταῖς ἀνωτέρω παραγράφοις, ἡ διάρκεια ὅμως τῶν περιόδων τούτων δὲν ἀρχεταὶ ὑπολογιζομένη εἰμὴ ἀπὸ τῆς πρώτης Ἰανουαρίου τοῦ ἐπομένου τοῦ θανάτου ἢ τοῦ ἐτέρου γεγονότος ἔτους.

(6) Αἱ χῶραι τῆς Ἑνώσεως δύνανται νὰ παράσχωσι μείζονα διάρκειαν προστασίας τῆς προνοουμένης ἐν ταῖς ἀνωτέρω παραγράφοις.

(7) Αἱ χῶραι τῆς Ἑνώσεως, αἱ δεσμευόμεναι ὑπὸ τῶν προνοιῶν τῆς Πράξεως τῆς Ρώμης τῆς παρούσης Συμβάσεως, αἵτινες ἀναγνωρίζουσι, διὰ τῆς ἐν ἰσχύϊ κατὰ τὴν ὑπογραφὴν τῆς παρούσης Πράξεως ἐσωτερικῆς αὐτῶν νομοθεσίας, βραχυτέραν διάρκειαν προστασίας τῆς προνοουμένης ἐν ταῖς ἀνωτέρω παραγράφοις, κέκτῃναι τὸ δικαίωμα ὅπως διατηρήσωσι τὰς περιόδους ταύτας κατὰ τὴν ἐπικύρωσιν ἢ προσχώρησιν των εἰς τὴν παρούσαν Πράξιν.

(8) Ἐν πάσῃ περιπτώσει, ἡ διάρκεια προστασίας διέπεται ὑπὸ τῆς νομοθεσίας τῆς χώρας, ἐν ἣ ζητεῖται προστασία· οὐχ' ἦττον ὅμως, ἐκτὸς ἐὰν ἄλλως προνοητῇ ἐν τῇ νομοθεσίᾳ τῆς ὡς εἴρηται χώρας, ἡ διάρκεια αὕτη δέον ὅπως μὴ ὑπερβαίνει τὴν καθωρισμένην ἐν τῇ χώρᾳ τῆς προσελύσεως τοῦ ἔργου διάρκειαν.

#### Ἄρθρον 7 δις

Αἱ διατάξεις τοῦ προηγούμενου ἁρθροῦ τυγχάνουν ὡσαύτως ἐφαρμογῆς καὶ ἐπὶ ἔργων δημιουργηθέντων τῇ συμπτᾷ πλειόνων προσώπων, νοουμέ-

νου ότι αἱ διάρκειαι προστασίας αἱ μετρούμεναι ἀπὸ τοῦ θανάτου τοῦ δημιουργοῦ, ὑπολογίζονται ἀπὸ τοῦ θανάτου τοῦ τελευταίου ἐπιζώντος δημιουργοῦ.

#### Ἄρθρον 8

Οἱ προστατευόμενοι ὑπὸ τῆς παρούσης Συμβάσεως δημιουργοὶ φιλολογικῶν καὶ καλλιτεχνικῶν ἔργων, ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος νὰ μεταφράζωσιν ἢ νὰ ἐπιτρέπωσιν τὴν μετάφρασιν τῶν ἔργων, καθ' ὅλην τὴν διάρκειαν τῆς ἰσχύος τῶν δικαιωμάτων τῶν ἐπὶ τῶν πρωτοτύπων ἔργων.

#### Ἄρθρον 9

(1) Οἱ προστατευόμενοι ὑπὸ τῆς παρούσης Συμβάσεως δημιουργοὶ φιλολογικῶν καὶ καλλιτεχνικῶν ἔργων ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος νὰ ἐπιτρέπωσιν τὴν ἀναπαραγωγὴν τῶν ἔργων τῶν, καθ' οἷονδήποτε τρόπον ἢ ὅφ' οἷονδήποτε τύπον,

(2) Ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως νὰ ἐπιτρέπωσιν τὴν ἀναπαραγωγὴν τοιούτων ἔργων εἰς ὠρισμένας εἰδικὰς περιπτώσεις, νοουμένου ὅτι ἡ τοιαύτη ἀναπαραγωγή δὲν ἀντίκειται πρὸς τὴν συνήθη ἐκμετάλλευσιν τοῦ ἔργου οὐδὲ θίγει παραλόγως τὰ νόμιμα συμφέροντα τοῦ δημιουργοῦ.

(3) Πᾶσα ἡχητικὴ ἢ ὀπτικὴ ἐγγραφή λογίζεται ὡς ἀναπαραγωγή ἐν τῇ ἐννοίᾳ τῆς παρούσης συμβάσεως.

#### Ἄρθρον 10

(1) Ἐπιτρέπεται ἡ παράθεσις ἀποσπασμάτων ἐξ ἔργων, ἅτινα νομίμως ἐτέθησαν ἤδη εἰς τὴν διάθεσιν τοῦ κοινοῦ, νοουμένου ὅτι τοιοῦτον τι δὲν ἀντίκειται πρὸς τὴν συνήθη τακτικὴν καὶ ἡ ἔκτασις τῶν προτιθεμένων ἀποσπασμάτων δὲν ὑπερβαίνει τὴν δικαιολογημένην ὑπὸ τοῦ ἐπιδιωκόμενου σκοποῦ, περιλαμβανομένης καὶ τῆς συνοπτικῆς παραθέσεως ἀρθρῶν ἐφημερίδων καὶ περιοδικῶν ὑπὸ μορφήν ἐπισκοπήσεως τοῦ τύπου.

(2) Ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως, ὡς καὶ εἰς τὰς ὕφισταμένας ἢ συνομολογηθησομένας μεταξύ τούτων εἰδικὰς συμφωνίας, νὰ ἐπιτρέπωσιν τὴν εἰς ἔκτασιν δικαιολογουμένην ὑπὸ τοῦ ἐπιδιωκόμενου σκοποῦ χρησιμοποιήσιν φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων διὰ τὴν εἰκονογράφησιν ἢ ἐπεξήγησιν ἐκπαιδευτικοῦ χαρακτήρος δημοσιευμάτων, ραδιοφωνικῶν ἐκπομπῶν ἢ ἡχητικῶν ἢ ὀπτικῶν ἐγγραφῶν, νοουμένου ὅτι ἡ τοιαύτη χρησιμοποιήσις δὲν ἀντίκειται πρὸς τὴν συνήθη τακτικὴν.

(3) Ἐν πάσῃ περιπτώσει χρήσεως ἔργου συμφώνως ταῖς ἀνωτέρω παραγράφοις τοῦ παρόντος ἀρθροῦ, δέον ὅπως μνημονεύωνται ἡ πηγὴ προελεύσεώς του ὡς καὶ τὸ ὄνομα τοῦ δημιουργοῦ, ἐφ' ὅσον τὸ ὄνομα ἀναφέρεται ἐν τῇ πηγῇ προελεύσεως τοῦ ἔργου.

#### Ἄρθρον 10 δις

(1) Ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως νὰ ἐπιτρέπωσιν τὴν διὰ τοῦ τύπου ἀναπαραγωγὴν, τὴν ραδιοφώνησιν ἢ τὴν δι' ἐνσυρμάτου ἐπικοινωνίας δημοσίᾳ μετάδοσιν ἀρθρῶν δημοσιευθέντων εἰς ἐφημερίδας ἢ περιοδικὰ ἐπὶ ἐπικαίρων οἰκονομικῶν, πολιτικῶν ἢ θρησκευτικῶν θεμάτων, πρὸς τούτοις δὲ ραδιοφωνικῶν ἔργων ἀναλόγου χαρακτήρος, εἰς περιπτώσεις, καθ' ἃς δὲν ἀπαγορεύεται ρητῶς ἡ τοιαύτη ἀναπαραγωγή, ραδιοφώνησις ἢ μετάδοσις. Ἐν τούτοις, ἡ πηγὴ τῆς προελεύσεώς των δέον ὅπως ἐν πάσῃ περιπτώσει μνημονεύεται σαφῶς· αἱ ἔννομοι συνέπειαι παραβάσεως τῆς ταιαύτης ὑποχρέσεως θέλουν καθορισθῇ ὑπὸ τῆς νομοθεσίας τῆς χώρας, ἐν ἣ ζητεῖται προστασία.

(2) Ἐναπόκειται ὡσαύτως εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως νὰ καθορίσωσι τοὺς ὅρους ὅφ' οὓς ἐπιτρέπεται ἡ ἐπὶ τῷ τέλει ἀνα-

φορᾶς συμβάντων ἐπικαιρότητος, καὶ εἰς ἑκτασιν δικαιολογουμένην ὑπὸ τοῦ ἐπιδιωκόμενου ἐνημερωτικοῦ σκοποῦ, ἀναπαραγωγή καὶ διάθεσις εἰς τὸ κοινὸν φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων προβληθέντων ἢ ἀκουσθέντων κατὰ τὴν διάρκειαν τοιοῦτου συμβάντος, διὰ τῆς φωτογραφικῆς, τῆς κινηματογραφίας, ραδιοφωνίας ἢ τῆς διὰ τῆς ἐνσυρμάτου ἐπικοινωνίας δημοσίᾳ μεταδόσεως.

#### Ἄρθρον 11

(1) Οἱ δημιουργοὶ δραματικῶν, δραματικομουσικῶν καὶ μουσικῶν ἔργων ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος νὰ ἐπιτρέπωσι—

(i) τὴν δημοσίαν παράστασιν καὶ ἐκτέλεσιν τῶν ἔργων των, δι' οἰουδήποτε τρόπου ἢ μέσου·

(ii) τὴν καθ' οἰονδήποτε τρόπον δημοσίᾳ μεταδόσιν τῆς παραστάσεως καὶ ἐκτελέσεως τῶν ἔργων των.

(2) Οἱ δημιουργοὶ δραματικῶν ἢ δραματικομουσικῶν ἔργων ἀπολαύουσι, καθ' ὅλην τὴν διάρκειαν τῆς ἰσχύος τῶν δικαιωμάτων των ἐπὶ τοῦ πρωτοτύπου ἔργου, τῶν αὐτῶν δικαιωμάτων καὶ καθ' ὅσον ἀφορᾷ εἰς τὰς μεταφράσεις τῶν τοιούτων ἔργων.

#### Ἄρθρον 11 δις

(1) Οἱ δημιουργοὶ φιλολογικῶν καὶ καλλιτεχνικῶν ἔργων ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος νὰ ἐπιτρέπωσι—

(i) τὴν ραδιοφώνησιν τῶν ἔργων των ἢ τὴν δημοσίᾳ μεταδόσιν τούτων δι' οἰουδήποτε ἑτέρου μέσου ἀσυρμάτου ἐκπομπῆς σημάτων, ἤχων ἢ εἰκόνων·

(ii) τὴν δημοσίᾳ μεταδόσιν τοῦ ραδιοφωνουμένου ἔργου δι' ἐνσυρμάτου ἐπικοινωνίας ἢ δι' ἐκ νέου ραδιοφωνήσεως, ὑπὸ ὀργανισμοῦ ἑτέρου ἢ τοῦ ἀρχικοῦ·

(iii) τὴν μεταδόσιν τοῦ ραδιοφωνουμένου ἔργου εἰς τὸ κοινὸν διὰ μεγαφώνου ἢ οἰουδήποτε ἑτέρου ἀναλόγου ὀργάνου, μεταδίδοντος σήματα, ἤχους ἢ εἰκόνας.

(2) Ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως νὰ καθορίσωσι τοὺς ὅρους, ὑφ' οὓς ἴδυνται νὰ ἐνασκῶνται τὰ ἐν τῇ προηγουμένῃ παραγράφῳ μνημονευόμενα δικαιώματα, οὐχ' ἥττον ὁμως οἱ ὡς εἰρηται ὅροι θὰ τυγχάνωσιν ἐφαρμογῆς μόνον ἐν τῇ χώρᾳ, ὑφ' ἧς θεσπίσθωσιν. Ἐν οὐδεμιᾷ περιπτώσει οἱ ὅροι οὗτοι δύνανται νὰ θίξωσι τὸ ἠθικὸν δικαίωμα αὐτοῦ ὅπως τυγχάνῃ δικαίας ἀμοιβῆς καθοριζομένης, ἐλλείψει συμφωνίας, ὑπὸ τῆς ἀρμοδίας πρὸς τοῦτο ἀρχῆς.

(3) Ἐλλείπει ρήτρας περὶ τοῦ ἐναντίου, ἄδεια παρασχεθεῖσα συμφώνως τῇ παραγράφῳ (1) τοῦ παρόντος ἁρθροῦ, δὲν ἐπάγεται τοιαύτην πρὸς ἐγγραφὴν τοῦ ραδιοφωνουμένου ἔργου δι' ὀργάνων ἀποτυπούντων ἤχους ἢ εἰκόνας. Οὐχ' ἥττον ὁμως, ἐναπόκειται εἰς τὰς ἐσωτερικὰς νομοθεσίας τῶν χωρῶν τῆς Ἑνώσεως νὰ καθορίσωσι τὰ τῶν ἐφημέρων ἐγγραφῶν, τῶν γενομένων ὑπὸ ραδιοφωνικοῦ ὀργανισμοῦ διὰ πῶν ἰδίων αὐτοῦ μέσων καὶ διὰ τὰς ἰδίας αὐτοῦ ἐκπομπάς. Αἱ νομοθεσίαι αὗται δύνανται νὰ ἐπιτρέψωσι τὴν διατήρησιν τῶν τοιούτων ἐφημέρων ἐγγραφῶν εἰς τὰ ἐπίσημα ἀρχεῖα, λόγῳ ἐξαιρετικοῦ ἐνδιαφέροντος αὐτῶν.

#### Ἄρθρον 11 τρίς

(1) Οἱ δημιουργοὶ φιλολογικῶν ἔργων ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος ὅπως ἐπιτρέπωσι—

(i) τὴν δημοσίαν ἀπαγγελίαν τῶν ἔργων αὐτῶν, περιλαμβανομένης τοιαύτης δημοσίας ἀπαγγελίας δι' οἰουδήποτε μέσου ἢ μεθόδου·

(ii) οἰανδήποτε δημοσίαν μεταδόσιν τῆς ἀπαγγελίας τῶν ἔργων αὐτῶν.

(2) Οἱ δημιουργοὶ φιλολογικῶν ἔργων ἀπολαύουσι, καθ' ὅλην τὴν διάρκειαν τῶν δικαιωμάτων των ἐπὶ τῶν πρωτοτύπων ἔργων, τῶν αὐτῶν δικαιωμάτων καὶ καθ' ὅσον ἀφορᾷ εἰς τὰς μεταφράσεις τῶν τοιούτων ἔργων.

## "Άρθρον 12

Οί δημιουργοί φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος νά ἐπιτρέπωσι τὰς διασκευάς, προσαρμογὰς καί ἐτέρας μεταλλαγὰς τῶν ἔργων αὐτῶν.

## "Άρθρον 13

(1) Ἐκάστη τῶν χωρῶν τῆς Ἑνώσεως δύναται νά ἐπιβάλῃ, καθ' ὅσον ἀφορᾷ εἰς ταύτην, ἐπιφυλάξεις καί ὅρους ἐπὶ τοῦ ἀποκλειστικοῦ δικαιώματος τοῦ παρεχομένου εἰς τὸν δημιουργὸν μουσικοῦ ἔργου καί εἰς τὸν δημιουργὸν λέξεων, ὧν ἡ φωνογράφησις ὁμοῦ μετὰ τοῦ μουσικοῦ ἔργου ἐπετράπη ἤδη ὑπὸ τοῦ τελευταίου, ὅπως ἐπιτρέπωσι τὴν φωνογράφησιν τοῦ ἐν λόγῳ μουσικοῦ ἔργου ὁμοῦ μετὰ τῶν τοιούτων λέξεων οὐχ' ἥττον ὅμως αἱ τοιαῦται ἐπιφυλάξεις καί ὅροι θὰ τυγχάνωσιν ἐφαρμογῆς μόνον ἐν τῇ χώρᾳ, ὑφ' ἧς ἐθεσπίσθησαν, ἐν οὐδεμιᾷ δὲ περιπτώσει δύνανται νά θίγωσι τὰ δικαιώματα τῶν δημιουργῶν τούτων ὅπως τυγχάνωσι δικαίας ἀμοιβῆς, ἥτις, ἐλλείψει συμφωνίας, καθορίζεται ὑπὸ τῆς ἀρμοδίας πρὸς τοῦτο ἀρχῆς.

(2) Φωνογραφήσεις μουσικῶν ἔργων, γενόμεναι ἐν τινι χώρᾳ τῆς Ἑνώσεως, συμφώνως τῷ ἀρθρῷ 13(3) τῶν Συμβάσεων, αἵτινες ὑπεγράφησαν ἐν Ρώμῃ τῇ 24 Ἰουνίου, 1928, καί ἐν Βρυξέλλαις τῇ 26ῃ Ἰουνίου, 1948, δύνανται νά ἀναπαραχθῶσιν ἐν τῇ χώρᾳ ταύτῃ ἄνευ ἀδείας τοῦ δημιουργοῦ τοῦ μουσικοῦ ἔργου, μέχρι τῆς παρελεύσεως διετίας, ἀφ' ἧς ἡ χώρα αὕτη ἤθελε δεσμευθῇ ὑπὸ τῆς παρουσίας Πράξεως.

(3) Φωνογραφήσεις γενόμεναι συμφώνως ταῖς παραγράφοις (1) καί (2) τοῦ παρόντος ἀρθροῦ καί εἰσαγόμεναι ἄνευ ἀδείας τῶν ἐνδιαφερομένων μερῶν εἰς χώραν ἐνθα αὗται λογίζονται ὡς γενόμεναι κατὰ παράθασιν τῶν δικαιωμάτων πνευματικῆς ἰδιοκτησίας τῶν δημιουργῶν τῶν, ὑπόκεινται εἰς κατάσχεσιν.

## "Άρθρον 14

(1) Οἱ δημιουργοί φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων ἀπολαύουσι τοῦ ἀποκλειστικοῦ δικαιώματος νά ἐπιτρέπωσι—

- (i) τὴν κινηματογραφικὴν διασκευὴν καί ἀναπαραγωγὴν τῶν ἔργων τούτων, ὡς καί τὴν κυκλοφορίαν τῶν οὕτω διασκευασθέντων ἢ ἀναπαραχθέντων ἔργων.
- (ii) τὴν δημοσίᾳ παράστασιν ἢ ἐκτέλεσιν καί τὴν δι' ἐνσυρμάτου ἐπικοινωνίας δημοσίᾳ μετάδοσιν τῶν οὕτω διασκευασθέντων ἢ ἀναπαραχθέντων ἔργων.

(2) Ἡ διασκευή, ὑφ' οἷανδήποτε ἐτέραν καλλιτεχνικὴν μορφήν, κινηματογραφικῶν παραγωγῶν προερχομένων ἐκ φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων, χρήζει, πλὴν τῆς ἀδείας τοῦ δημιουργοῦ τῆς κινηματογραφικῆς παραγωγῆς, καί τῆς ἀδείας τῶν δημιουργῶν τῶν πρωτοτύπων ἔργων.

(3) Αἱ διατάξεις τοῦ ἀρθροῦ 13(1) δὲν τυγχάνουσιν ἐφαρμογῆς.

## "Άρθρον 14 δις

(1) Ἄνευ ἐπηρεασμοῦ τοῦ δικαιώματος πνευματικῆς ἰδιοκτησίας ὑφ' οἷουδήποτε διασκευασθέντος ἢ ἀναπαραχθέντος ἔργου, τὸ κινηματογραφικὸν ἔργον προστατεύεται ὡς πρωτότυπον ἔργον. Ὁ δικαιούχος τῆς πνευματικῆς ἰδιοκτησίας ἐπὶ κινηματογραφικοῦ ἔργου ἀπολαύει τῶν αὐτῶν δικαιωμάτων ὡς καί ὁ δημιουργὸς πρωτοτύπου ἔργου, περιλαμβανομένων καί τῶν μνημονευομένων ἐν τῷ προηγουμένῳ ἀρθρῷ τοιούτων.

(2) (α) Ἐναπόκειται εἰς τὴν ἐσωτερικὴν νομοθεσίαν τῆς χώρας, ἐν ἣ ζητεῖται προστασία, νά καθορίσῃ τὰ τῶν δικαιωμάτων πνευματικῆς ἰδιοκτησίας ἐπὶ κινηματογραφικῶν ἔργων.

(β) Οὐχ' ἦττον ὅμως, εἰς τὰς χώρας τῆς Ἑνώσεως, αἵτινες διὰ τῆς νομοθεσίας των διαλαμβάνουν μεταξύ τῶν δικαιούχων τῆς πνευματικῆς ιδιοκτησίας ἐπὶ κινηματογραφικοῦ ἔργου καὶ δημιουργοὺς οἵτινες συνέβαλον εἰς τὴν κατασκευὴν τοῦ ἔργου οἱ δημιουργοὶ οὗτοι, ἐφ' ὅσον ἀνέλαβον τὴν ὑποχρέωσιν νὰ συμβάλωσιν οὕτω εἰς τὴν κατασκευὴν τοῦ ἔργου, δὲν δύνανται, ἐλλείψει ἀντιθέτου ἢ εἰδικῆς συμφωνίας, νὰ ἀντιταχθῶσι κατὰ τῆς ἀναπαραγωγῆς, κυκλοφορίας, δημοσίᾳ παραστάσεως ἢ ἐκτελέσεως, δημοσίᾳ μεταδόσεως δι' ἑνσχυρμάτου ἐπικοινωνίας, ραδιοφωνήσεως ἢ οἰασδήποτε ἑτέρας δημοσίας μεταδόσεως ἢ κατὰ τῆς χρήσεως ὑποτίτλων ἢ τῆς μεταγλωττίσεως τῶν κειμένων, τοῦ ἔργου.

(γ) Ἐναπόκειται εἰς τὴν ἐσωτερικὴν νομοθεσίαν τῆς χώρας, ἔνθα ἔχει τὴν ἔδραν ἢ τὴν συνήθη αὐτοῦ διαμονὴν ὁ κατασκευαστὴς τοῦ κινηματογραφικοῦ ἔργου, νὰ καθορίσῃ κατὰ πόσον ἢ ἀνωτέρω προβλεπομένη ὑποχρέωσις, πρὸς ἐφαρμογὴν τῆς προηγούμενης ὑποπαραγράφου (β), θὰ ἔδει νὰ περιβληθῇ τὸν τύπον ἐγγράφου συμφωνίας ἢ ἑτέρας, ἀναλόγου ἰσχύος ἐγγράφου πράξεως. Οὐχ' ἦττον ὅμως, ἐναπόκειται εἰς τὴν ἐσωτερικὴν νομοθεσίαν τῆς χώρας τῆς Ἑνώσεως, ἔνθα ζητεῖται προστασία, νὰ καθορίσῃ ὅτι ἢ ὡς εἴρηται ὑποχρέωσις δέον ὅπως εἶναι ὑπὸ τύπον ἐγγράφου συμφωνίας ἢ ἑτέρας ἀναλόγου ἰσχύος ἐγγράφου πράξεως. Αἱ χώραι, ὧν ἡ ἐσωτερικὴ νομοθεσία διαλαμβάνει τοιαύτην πρόνοιαν, θέλουν γνωρίσει ταύτην εἰς τὸν Γενικὸν Διευθυντὴν δι' ἐγγράφου δηλώσεως, κοινοποιουμένης ὑπ' αὐτοῦ ἀμελλητί πρὸς πάσας τὰς λοιπὰς χώρας τῆς Ἑνώσεως.

(δ) Ὁ ὅρος «ἀντίθετος ἢ εἰδικὴ συμφωνία» δηλοῖ περιοριστικὸν ὅρον συνάφως πρὸς τὴν προμνησθεῖσαν ὑποχρέωσιν.

(3) Ἐκτὸς δσάκις ἡ ἐσωτερικὴ νομοθεσία προνοῇ ρητῶς περὶ τοῦ ἐναντίου, αἱ διατάξεις τῆς παραγράφου (2) (β) ἀνωτέρω δὲν ἐφαρμόζονται ἐπὶ δημιουργῶν σεναρίων, διαλόγων καὶ μουσικῶν ἔργων, δημιουργηθέντων διὰ τὴν κατασκευὴν τοῦ κινηματογραφικοῦ ἔργου ἢ τοῦ βασικοῦ σκηνοθέτου αὐτοῦ. Οὐχ' ἦττον ὅμως, ἐκεῖναι αἱ χώραι τῆς Ἑνώσεως, ὧν ἡ ἐσωτερικὴ νομοθεσία δὲν διαλαμβάνει κανόνας προνοοῦντας περὶ τῆς ἐφαρμογῆς τῆς εἰρημένης παραγράφου (2) (β) ἐπὶ τοῦ βασικοῦ σκηνοθέτου τοῦ κινηματογραφικοῦ ἔργου, θέλουν γνωρίσει τὸ γεγονὸς εἰς τὸν Γενικὸν Διευθυντὴν δι' ἐγγράφου δηλώσεως, κοινοποιουμένης ὑπ' αὐτοῦ ἀμελλητί πρὸς πάσας τὰς λοιπὰς χώρας τῆς Ἑνώσεως.

#### Ἄρθρον 14 τρις

(1) Ὁ δημιουργὸς ἢ, μετὰ θάνατον αὐτοῦ, τὰ πρόσωπα ἢ ἰδρύματα, ἅτινα κέκτηνται νόμιμον δικαίωμα κατὰ τὴν ἐσωτερικὴν νομοθεσίαν, ἀπολαύουσι, σχετικῶς πρὸς τὰ πρωτότυπα ἔργα τέχνης καὶ τὰ πρωτότυπα χειρόγραφα συγγραφέων καὶ συνθετῶν, τοῦ ἀναπαλλοτριώτου δικαιώματος συμμετοχῆς εἰς τὸ προϊόν οἰασδήποτε πωλήσεως τοῦ ἔργου, ἥτις ἤθελε λάβει χώραν μετὰ τὴν πρώτην ἐκχώρησιν ὑπὸ τοῦ δημιουργοῦ τοῦ ἔργου.

(2) Ἡ προνοουμένη ἐν τῇ προηγούμενῃ παραγράφῳ προστασία δύναται νὰ ζητηθῇ εἰς τινὰ χώραν τῆς Ἑνώσεως, μόνον ἐφ' ὅσον ἡ ἐσωτερικὴ νομοθεσία τῆς χώρας, εἰς ἣν ἀνήκει ὁ δημιουργός, δέχεται τὴν τοιαύτην προστασίαν καὶ ἐν ᾧ μέτρῳ ἐπιτρέπει τοῦτο ἡ νομοθεσία τῆς χώρας, ἐν ἣ ζητεῖται ἡ τοιαύτη προστασία.

(3) Ἡ διαδικασία καὶ τὰ ποσοστὰ τῆς εἰσπράξεως θέλουν καθορισθῇ ὑπὸ τῆς ἐσωτερικῆς νομοθεσίας.

#### Ἄρθρον 15

(1) Οἱ δημιουργοὶ τῶν προστατευομένων ὑπὸ τῆς παρούσης Συμβάσεως φιλολογικῶν ἢ καλλιτεχνικῶν ἔργων, ἵνα θεωρῶνται, μέχρις ἀποδείξεως τοῦ ἐναντίου, ὡς τοιοῦτοι καὶ ἔχωσι τὸ δικαίωμα ν' ἀσκῶσι δίωξιν ἐνώπιον τῶν δικαστηρίων τῶν χωρῶν τῆς Ἑνώσεως κατὰ παντὸς προσβάλλοντος τὰ δικαιώματα αὐτῶν πνευματικῆς ιδιοκτησίας ἐπὶ τῶν τοιούτων ἔργων, ἀρκεῖ τὸ δνόμα

αὐτῶν νὰ ἀναγράφηται ἐπὶ τοῦ ἔργου κατὰ τὸν συνήθη τρόπον. Ἡ παροῦσα παράγραφος τυγχάνει ἐφαρμογῆς ἔστω καὶ ἐὰν τὸ ὄνομα τοῦτο εἶναι ψευδώνυμον, ἐφ' ὅσον τὸ χρησιμοποιηθὲν ψευδώνυμον οὐδεμίαν ἀμφιβολίαν ἀφήνει περὶ τῆς ταυτότητος τοῦ δημιουργοῦ.

(2) Μέχρις ἀποδείξεως τοῦ ἐναντίου, τὸ φυσικὸν ἢ νομικὸν πρόσωπον, οὗτινος τὸ ὄνομα ἐμφανίζεται κατὰ τὸν συνήθη τρόπον ἐπὶ κινηματογραφικοῦ ἔργου, τεκμαίρεται ὡς κατασκευαστὴς τοῦ εἰρημένου ἔργου.

(3) Ἐν τῇ περιπτώσει ἀνωνύμων ἢ ψευδωνύμων ἔργων, πλὴν τῶν ἐν παραγράφῳ (1) ἀνωτέρω, ἀναφερομένων τοιούτων, ὁ ἐκδότης, οὗτινος τὸ ὄνομα ἀναγράφεται ἐπὶ τοῦ ἔργου, λογίζεται, μέχρις ἀποδείξεως τοῦ ἐναντίου, ὡς ἀντιπροσωπεύων τὸν δημιουργὸν καὶ ὑπὸ τὴν ιδιότητα ταύτην δικαιούται νὰ προσπύξῃ καὶ ἐνασκή τὰ δικαιώματα τοῦ δημιουργοῦ. Αἱ διατάξεις τῆς παρούσης παραγράφου παύουν νὰ ἐφαρμόζωνται εὐθὺς ὡς ὁ δημιουργὸς ἤθελεν ἀποκαλύψει τὴν ταυτότητά του καὶ ἀποδείξει τὸν ἰσχυρισμὸν του ὅτι εἶναι ὁ δημιουργὸς τοῦ εἰρημένου ἔργου.

(4) (α) Ἐν τῇ περιπτώσει ὠδημοσιεύτων ἔργων, ὁσάκις δὲν εἶναι μὲν γνωστὴ ἡ ταυτότης τοῦ δημιουργοῦ ὑπάρχουν ὅμως λόγοι ἐνισχύοντες τὴν ἀποψιν ὅτι οὗτος εἶναι ὑπὸ κτὸς χώρας τινὸς τῆς Ἑνώσεως, ἐναπόκειται εἰς τὴν ἐσωτερικὴν νομοθεσίαν τῆς χώρας ταύτης νὰ ὑποδείξῃ τὴν ἀρμοδίαν ἀρχήν, ἥτις θὰ ἀντιπροσωπεύῃ τὸν δημιουργὸν καὶ θὰ δικαιούται νὰ προσπύξῃ καὶ ἐνασκή τὰ δικαιώματα αὐτοῦ εἰς τὰς χώρας τῆς Ἑνώσεως.

(β) Αἱ χώραι τῆς Ἑνώσεως, αἵτινες ἤθελον ὑποδείξει ἀρμοδίαν ἀρχὴν δυνάμει τῶν ὅρων τῆς παρούσης διατάξεως, δεόν ὅπως γνωρίσωσι ταύτην εἰς τὸν Γενικὸν Διευθυντὴν δι' ἐγγράφου δηλώσεως ἐμπεριεχομένης πλήρη στοιχεῖα καθ' ὅσον ἀφορᾷ εἰς τὴν οὕτω ὑποδειχθεῖσαν ἀρχήν. Ὁ Γενικὸς Διευθυντὴς θέλει κοινοποιήσει ἀμελλητί τὴν τοιαύτην δήλωσιν πρὸς πάσας τὰς λοιπὰς χώρας τῆς Ἑνώσεως.

#### Ἄρθρον 16

(1) Πᾶν ἀντίτυπον ἔργου, παραβιάζον τὰ δικαιώματα πνευματικῆς ιδιοκτησίας, ὑπόκειται εἰς κατάσχεσιν εἰς οἰονδήποτε χώραν τῆς Ἑνώσεως ἐν ἣ τὸ ἔργον ἀπολαύει νομικῆς προστασίας.

(2) Αἱ διατάξεις τῆς προηγούμενης παραγράφου ἐφαρμόζονται ὡσαύτως καὶ ἐπὶ ἀντιπαραγωγῶν προερχομένων ἐκ χώρας, ἐν ἣ τὸ ἔργον δὲν τυγχάνει προστασίας ἢ ἔπαυσε νὰ τυγχάνῃ προστασίας.

(3) Ἡ κατάσχεσις ἐνεργεῖται κατὰ τὴν ἐσωτερικὴν νομοθεσίαν μιᾶς ἐκάστης χώρας.

#### Ἄρθρον 17

Αἱ διατάξεις τῆς παρούσης Συμβάσεως δὲν δύνανται καθ' οἰονδήποτε τρόπον νὰ ἐπιπράσωσι τὸ δικαίωμα τῆς Κυβερνήσεως ἐκάστης χώρας τῆς Ἑνώσεως, νὰ ἐπιτρέπῃ, ἐλέγχῃ ἢ ἀπαγορεύῃ, διὰ νόμων ἢ κανονισμῶν, τὴν κυκλοφορίαν, παράστασιν ἢ ἐκθεσιν οἰονδήποτε ἔργου ἢ παραγωγῆς, ἀναφορικῶς πρὸς τὸ ὁποῖον ἡ ἀρμοδία ἀρχὴ ἤθελε κρίνει ἀναγκαῖον νὰ ἀσκήσῃ τὸ δικαίωμα τοῦτο.

#### Ἄρθρον 18

(1) Ἡ παροῦσα Σύμβασις τυγχάνει ἐφαρμογῆς ἐφ' ἀπάντων τῶν ἔργων, ἅτινα, κατὰ τὸν χρόνον τῆς ἐνάρξεως τῆς ἰσχύος αὐτῆς, δὲν περιήλθον εἰσέτι εἰς κοινὴν χρῆσιν ἐν τῇ χώρᾳ τῆς προελεύσεως, συνεπείᾳ παρελεύσεως τῆς χρονικῆς διαρκείας τῆς προστασίας.

(2) Οὐχ' ἦττον ὅμως, ἐὰν ἔν ἔργον, συνεπείᾳ παρελεύσεως τῆς χρονικῆς διαρκείας τῆς προστασίας, ἥτις προηγουμένως τῷ ἀνεγνωρίζετο, περιήλθεν εἰς κοινὴν χρῆσιν ἐν τῇ χώρᾳ, ἐν ἣ ζητεῖται ἡ προστασία, τὸ ἔργον τοῦτο δὲν θέλει τύχει ἐκ νέου προστασίας.

(3) Ἡ ἐφαρμογὴ τῆς ἀρχῆς ταύτης ὑπόκειται εἰς τὰς διατάξεις τὰς περιεχομένας εἰς ὕφισταμένας ἢ συνομολογηθσομένας ἐπὶ τούτῳ εἰδικὰς συμβάσεις μεταξὺ χωρῶν τῆς Ἑνώσεως. Ἐλλείπει τοιούτων διατάξεων, ἐκάστη χώρα θέλει καθορίσει, καθ' ἣν ἔκτασιν τὴν ἀφορᾷ, τοὺς ὅρους ἐφαρμογῆς τῆς ἐν λόγῳ ἀρχῆς.

(4) Αἱ ἀνωτέρω διατάξεις τυγχάνουν ὡσαύτως ἐφαρμογῆς καὶ ἐν τῇ περιπτώσει νέων προσχωρήσεων εἰς τὴν Ἑνωσιν, ὡς καὶ ἐν τῇ περιπτώσει ἐπεκτάσεως τῆς προστασίας κατ' ἐφαρμογὴν τοῦ ἀρθροῦ 7 ἢ δι' ἄρσεως τῶν ἐπιφυλάξεων.

#### Ἄρθρον 19

Αἱ διατάξεις τῆς παρούσης Συμβάσεως οὐδόλως κωλύουσι τὴν διεκδίκησιν μείζονος προστασίας, τυχὸν ἀναγνωριζομένης ὑπὸ τῆς ἐσωτερικῆς νομοθεσίας χώρας τινός τῆς Ἑνώσεως.

#### Ἄρθρον 20

Αἱ Κυβερνήσεις τῶν χωρῶν τῆς Ἑνώσεως ἐπιφυλάσσουν ἑαυταῖς τὸ δικαίωμα ὅπως συνάπτωσι μεταξὺ τῶν εἰδικὰς συμφωνίας, ἐφ' ὅσον αἱ τοιαῦται συμφωνίαι παρέχουσιν εἰς τοὺς δημιουργοὺς εὐρύτερα δικαιώματα τῶν παρεχομένων ὑπὸ τῆς παρούσης Συμβάσεως ἢ ἐφ' ὅσον περιέχουσιν ἐτέρας προνοίας μὴ ἀντικειμένης πρὸς τὴν παροῦσαν Σύμβασιν. Αἱ διατάξεις ὕφισταμένων συμφωνιῶν, αἵτινες πληροῦσι τοὺς ὅρους τούτους, θέλουν παραμεῖνουν ἐν ἰσχύϊ.

#### Ἄρθρον 21

(1) Εἰδικαὶ διατάξεις ἀφορῶσαι εἰς τὰς ἀναπτυσσομένας χώρας περιλαμβάνονται ἐν τῷ συνημμένῳ τῇ παρούσῃ Παραρτήματι.

(2) Τηρουμένων τῶν διατάξεων τοῦ ἀρθροῦ 28(1) (β), τὸ Παράρτημα συνιστᾷ ἀναπόσπαστον μέρος τῆς παρούσης Πράξεως.

#### Ἄρθρον 22

(1) (α) Ἡ Ἑνωσις θὰ ἔχη Συνέλευσιν συγκειμένην ἐξ ἐκείνων τῶν χωρῶν τῆς Ἑνώσεως, αἵτινες δεσμεύονται ὑπὸ τῶν ἀρθρῶν 22 ἕως 26.

(β) Ἡ Κυβέρνησις μιᾶς ἐκάστης χώρας ἀντιπροσωπεύεται ὑφ' ἑνὸς ἀντιπροσώπου, τὸν ὁποῖον δύνανται νὰ βοηθῶσιν ἐναλλασσόμενοι ἀντιπρόσωποι, σύμβουλοι καὶ ἐμπειρογνώμονες.

(γ) Αἱ δαπάναι μιᾶς ἐκάστης ἀντιπροσωπείας θαρύνουσι τὴν διορίσασαν ταύτην Κυβέρνησιν.

(2) (α) Ἡ Συνέλευσις—

(i) ἐπιλαμβάνεται ἀπάντων τῶν ζητημάτων, τῶν ἀφορώντων εἰς τὴν διατήρησιν καὶ ἀνάπτυξιν τῆς Ἑνώσεως καὶ τὴν ἐφαρμογὴν τῆς παρούσης Συμβάσεως·

(ii) ἐκδίδει ὁδηγίας, καθ' ὅσον ἀφορᾷ εἰς τὴν προπαρασκευὴν ἀναθεωρητικῶν διασκέψεων, πρὸς τὸ Διεθνὲς Γραφεῖον Πνευματικῆς Ἰδιοκτησίας (ἐν τοῖς ἐφεξῆς ἀναφερόμενον ὡς τὸ «Διεθνὲς Γραφεῖον»), τὸ μνημονεύμενον ἐν τῇ Συμβάσει περὶ Καθιδρύσεως Παγκοσμίου Ὁργανώσεως Πνευματικῆς Ἰδιοκτησίας (ἐν τοῖς ἐφεξῆς ἀναφερομένην ὡς «ἡ Ὁργάνωσις»), λαμβάνουσα δεόντως ὑπ' ὄψιν τὰ σχόλια, τὰ τυχόν γενόμενα ὑπὸ τῶν χωρῶν, αἵτινες δὲν δεσμεύονται ὑπὸ τῶν ἀρθρῶν 22 ἕως 26·

(iii) ἐξετάζει καὶ ἐγκρίνει τὰς ἐκθέσεις καὶ δραστηριότητας τοῦ Γενικοῦ Διευθυντοῦ τῆς Ὁργανώσεως, ἀναφορικῶς πρὸς τὴν Ἑνωσιν, καὶ παρέχει αὐτῷ πᾶσαν ἀναγκαίαν ὁδηγίαν ἀναφορικῶς πρὸς θέματα ἐμπίπτοντα εἰς τὴν δικαιοδοσίαν τῆς Ἑνώσεως·

(iv) ἐκλέγει τὰ μέλη τῆς Ἐκτελεστικῆς Ἐπιτροπῆς τῆς Συνελεύσεως·

- (v) εξέτάζει και έγκρίνει τας έκθέσεις και δραστηριότητας της Έκτελεστικής αυτής Έπιτροπής και έκδίδει οδηγίας προς την Έπιτροπήν ταύτην·
- (vi) καθορίζει τὸ πρόγραμμα και ἀποδέχεται τὸν τριετὴ προϋπολογισμόν της Ένώσεως, πρὸς τούτοις δὲ έγκρίνει τοὺς τελικοὺς αὐτῆς λογαριασμοὺς·
- (vii) υιοθετεῖ τοὺς οικονομικοὺς κανονισμοὺς της Ένώσεως·
- (viii) καθιδρύει τὰς ἀναγκαίας διὰ τὸ ἔργον της Ένώσεως έπιτροπὰς έμπειρογνομόνων και ομάδας εργασίας·
- (ix) αποφασίζει ποῖαι χώραι μὴ μετέχουσαι της Ένώσεως και ποῖαι διακυβερνητικαὶ και διεθνεῖς οὐχὶ διακυβερνητικαὶ οργανώσεις θέλουν γίνεαι δεκταὶ ὡς παρατηρηταὶ εἰς τὰς συνεδρίας αὐτῆς·
- (x) υιοθετεῖ τροποποιήσεις τῶν ἄρθρων 22 ἕως 26·
- (xi) λαμβάνει οἰονδήποτε περαιτέρω μέτρον ἀποσκοποῦν εἰς τὴν προώθησιν τῶν σκοπῶν της Ένώσεως·
- (xii) ἐνασκεῖ ἐτέρας, προσήκουσας δυνάμει της παρούσης Συμβάσεως, λειτουργίας·
- (xiii) ὑπὸ τὸν ὅρον της ἀποδοχῆς, ἐνασκεῖ τὰ παρεχόμενα αὐτῇ δικαιώματα, ὑπὸ της Συμβάσεως περὶ Καθιδρύσεως της Ὁργανώσεως.

(β) Καθ' ὅσον ἀφορᾷ εἰς θέματα κοινοῦ ἐνδιαφέροντος και δι' ἐτέρας Ένώσεις διοικουμένας ὑπὸ της Ὁργανώσεως, ἡ Συνέλευσις λαμβάνει τὰς αποφάσεις αὐτῆς μετὰ προηγουμένην γνωμοδότησιν της Συντονιστικῆς Έπιτροπῆς της Ὁργανώσεως.

(3) (α) Ἐκάστη χώρα μέλος της Συνελεύσεως κέκτηται μίαν ψήφον.

(β) Τὸ ἡμισυ τῶν χωρῶν μελῶν της Συνελεύσεως συνιστᾷ ἀπαρτίαν.

(γ) Ἀνεξαρτήτως τῶν διατάξεων της ὑποπαραγράφου (β) ἐὰν ὁ ἀριθμὸς τῶν ἀντιπροσωπευομένων κατὰ τινὰ σύνοδον χωρῶν εἶναι κατώτερος τοῦ ἡμίσεος ἀλλὰ ἴσος ἢ ἀνώτερος τοῦ ἐνὸς τρίτου τῶν χωρῶν μελῶν της Συνελεύσεως, ἡ Συνέλευσις δύναται νὰ προβῇ εἰς τὴν λήψιν ἀποφάσεων, οὐχ' ἥττον ὁμως, ἐξαιρουμένων τῶν ἀποφάσεων αἵτινες ἀφορῶσιν εἰς διαδικαστικὰ θέματα, ἅπασαι αἱ τοιαῦται ἀποφάσεις καθίστανται ἐνεργοί, μόνον ἐφ' ὅσον ἤθελον πληρωθῇ αἱ κάτωθι προϋποθέσεις. Τὸ Διεθνὲς Γραφεῖον κοινοποιεῖ τὰς ὡς εἴρηται ἀποφάσεις πρὸς τὰς χώρας μέλη της Συνελεύσεως, αἵτινες δὲν εἶχον ἀντιπροσωπευθῇ κατὰ τὴν λήψιν τῶν ἀποφάσεων και καλεῖ ταύτας ὅπως ἐγγράφως ψηφίσωσιν ἢ ἀπόσχωσιν της ψηφοφορίας, ἐντὸς προθεσμίας τριῶν μηνῶν ἀφ' ἧς ἐκοινοποιήσαν αὐταῖς αἱ τοιαῦται ἀποφάσεις. Ἄμα τῇ παρῶδῳ της ἄνω προθεσμίας, ἐφ' ὅσον ὁ ἀριθμὸς τῶν χωρῶν, αἵτινες ἤθελον οὕτω ψηφίσει ἢ ἀπόσχει της ψηφοφορίας, ἐξικνεῖται μέχρι τοῦ ἀριθμοῦ τῶν χωρῶν, ὅστις ὑπελείπετο διὰ τὸν σχηματισμὸν ἀπαρτίας κατὰ τὴν σύνοδον, αἱ ἀποφάσεις αὗται καθίστανται ἐνεργοί, νοουμένου ὅτι διατηρεῖται ἡ ἀπαιτούμενη πλειοψηφία.

(δ) Τηρουμένων τῶν διατάξεων τοῦ ἄρθρου 26(2), διὰ τὴν λήψιν ἀποφάσεων της Συνελεύσεως ἀπαιτεῖται πλειοψηφία τῶν δύο τρίτων τῶν ψήφων.

(ε) Αἱ ἀποχαὶ δὲν λογίζονται ὡς ψήφοι.

(στ) Εἰς ἀντιπρόσωπος δύναται νὰ ἐκπροσωπῇ και νὰ ψηφίζῃ ἐν ὀνόματι μίας μόνον χώρας.

(ζ) Χῶραι της Ένώσεως μὴ μετέχουσαι της Συνελεύσεως γίνονται δεκταὶ κατὰ τὰς συνεδρίας αὐτῆς ὡς παρατηρηταί.

(4) (α) Ἡ Συνέλευσις συνέρχεται ἅπαξ ἀνὰ τριετίαν εἰς τακτικὴν σύνοδον συγκαλουμένην ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ και, ἐλλείψει ἐξαιρετικῶν περιστάσεων, κατὰ τὸν αὐτὸν χρόνον και εἰς τὸν αὐτὸν τόπον ὡς και ἡ Γενικὴ Συνέλευσις της Ὁργανώσεως.

(β) Ἡ Συνέλευσις συνέρχεται εἰς ἑκτακτον σύνοδον συγκαλουμένην ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ, τῇ αἰτήσει τῆς Ἐκτελεστικῆς Ἐπιτροπῆς ἢ τῇ αἰτήσει τοῦ ἑνὸς τετάρτου τῶν χωρῶν τῆς Συνελεύσεως.

(5) Ἡ Συνέλευσις καθορίζει τὸν ἐσωτερικὸν αὐτῆς διαδικαστικὸν κανονισμόν.

### Ἄρθρον 23

(1) Ἡ Συνέλευσις, θὰ ἔχη μίαν Ἐκτελεστικὴν Ἐπιτροπὴν.

(2) (α) Ἡ Ἐκτελεστικὴ Ἐπιτροπὴ σύγκεται ἐκ χωρῶν ἐκλεγομένων ὑπὸ τῆς Συνελεύσεως μετὰ τῶν χωρῶν μελῶν τῆς Συνελεύσεως. Πρὸς τούτοις, τηρουμένων τῶν διατάξεων τοῦ ἀρθροῦ 25(7) (β), ἡ χώρα ἐπὶ τῆς ἐδαφικῆς ἐπικρατίας τῆς ὁποίας ἡ Ὀργάνωσις ἔχει τὴν ἑδραν αὐτῆς, μετέχει τῆς Ἐπιτροπῆς *ex officio*.

(β) Ἡ Κυβέρνησις μιᾶς ἐκάστης χώρας μέλους τῆς Ἐκτελεστικῆς Ἐπιτροπῆς ἀντιπροσωπεύεται ὑφ' ἑνὸς ἀντιπροσώπου, τὸν ὁποῖον δύνανται νὰ βοηθῶσιν ἐνσλασσύμενοι ἀντιπρόσωποι, σύμβουλοι καὶ ἐμπειρογνώμονες.

(γ) Αἱ δαπάναι ἐκάστης ἀντιπροσωπείας βαρύνουσι τὴν διορίσασαν ταύτην Κυβέρνησιν.

(3) Ὁ ἀριθμὸς τῶν χωρῶν μελῶν τῆς Ἐκτελεστικῆς Ἐπιτροπῆς ἀναλογεῖ πρὸς τὸ ἐν τέταρτον τῶν χωρῶν μελῶν τῆς Συνελεύσεως. Διὰ τὸν καθορισμὸν τῶν πληρωθησομένων ἐδρῶν δὲν λαμβάνεται ὑπ' ὄψιν ὁ ἐναπομένων μετὰ τὴν διαίρεσιν εἰς τέσσερα ἀριθμὸς.

(4) Κατὰ τὴν ἐκλογὴν τῶν χωρῶν μελῶν τῆς Ἐκτελεστικῆς Ἐπιτροπῆς ἡ Συνέλευσις δέον ὅπως λαμβάνῃ ὑπ' ὄψιν τὴν σκοπιμότητα τῆς δικαίας γεωγραφικῆς κατανομῆς τῶν ἐδρῶν καὶ τὴν ἀνάγκην ἀντιπροσωπεύσεως παρὰ τῇ ἐκτελεστικῇ ἐπιτροπῇ χωρῶν μετεχουσῶν εἰς Εἰδικὰς Συμφωνίας, αἵτινες θὰ ἠδύναντο νὰ συναφθῶσι συναφῶς πρὸς τὴν Ἐνωσιν.

(5) (α) Ἡ θητεία τῶν χωρῶν μελῶν τῆς Ἐκτελεστικῆς Ἐπιτροπῆς ἀρχεταὶ ἀπὸ τοῦ πέρατος τῆς συνόδου τῆς Συνελεύσεως καθ' ἣν ἐξελέγησαν καὶ λήγει ἅμα τῷ πέρατι τῆς ἐπομένης τακτικῆς συνόδου τῆς Συνελεύσεως.

(β) Τὰ μέλη τῆς Ἐκτελεστικῆς Ἐπιτροπῆς εἶναι ἐπανεκλέξιμα, οὐχὶ ὁμως εἰς ἀριθμὸν ὑπερβαίνοντα τὰ δύο τρίτα τοῦ ἀριθμοῦ αὐτῶν.

(γ) Ἡ Συνέλευσις καθορίζει τὰς λεπτομερείας τῶν κανόνων, τῶν διεπόντων τὴν ἐκλογὴν καὶ δυνατὴν ἐπανεκλογὴν τῶν μελῶν τῆς Ἐκτελεστικῆς Ἐπιτροπῆς.

(6) (α) Ἡ Ἐκτελεστικὴ Ἐπιτροπὴ:

(i) καταρτίζει τὸ προσχέδιον ἡμερησίας διατάξεως τῆς Συνελεύσεως·

(ii) ὑποβάλλει προτάσεις πρὸς τὴν Συνέλευσιν, καθ' ὅσον ἀφορᾷ εἰς τὸ προσχέδιον προγράμματος καὶ τὸν τριετὴ προϋπολογισμόν τῆς Ἐνώσεως, τῶν καταρτισθέντων ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ·

(iii) ἐγκρίνει, ἐντὸς τῶν ὁρίων τοῦ προγράμματος καὶ τοῦ τριετοῦς προϋπολογισμοῦ, τοὺς εἰδικευμένους ἐτησίους προϋπολογισμοὺς καὶ προγράμματα, τὰ καταρτισθέντα ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ·

(iv) ὑποβάλλει, μετὰ τῶν ἀναλόγων σχολίων, πρὸς τὴν Συνέλευσιν, τὰς περιοδικὰς ἐκθέσεις τοῦ Γενικοῦ Διευθυντοῦ, ὡς καὶ τὰς ἐπὶ τῶν λογαριασμῶν ἐτησίαις ἐλεγκτικὰς ἐκθέσεις·

(v) συμφώνως πρὸς τὰς ἀποφάσεις τῆς Συνελεύσεως καὶ λαμβάνουσα ὑπ' ὄψιν τὰς ἀναφυσόμενας μετὰ τῶν δύο τακτικῶν συνόδων τῆς Συνελεύσεως περιστάσεις, λαμβάνει ἅπαντα τὰ ἀναγκαῖα μέτρα ἵνα διασφαλισθῇ ἡ ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ ἐκτέλεσις τοῦ προγράμματος τῆς Ἐνώσεως·

(vi) ἐνασκεῖ τοιαύτας ἐτέρας λειτουργίας, ὡς ἤθελον παραχωρηθῇ αὐτῇ δυνάμει τῆς παρούσης Συμβάσεως.

(β) Καθ' ὅσον ἀφορᾷ εἰς θέματα κοινοῦ ἐνδιαφέροντος καὶ δι' ἑτέρας Ἑνώσεις διοικουμένας ὑπὸ τῆς Ὁργανώσεως, ἡ Ἐκτελεστικὴ Ἐπιτροπὴ λαμβάνει τὰς ἀποφάσεις αὐτῆς μετὰ προηγουμένην γνωμοδότησιν τῆς Συντονιστικῆς Ἐπιτροπῆς τῆς Ὁργανώσεως.

(7) (α) Ἡ Ἐκτελεστικὴ Ἐπιτροπὴ συνέρχεται ἅπαξ τοῦ ἔτους εἰς τακτικὴν σύνοδον συγκαλουμένην ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ, κατὰ προτίμησιν κατὰ τὸν αὐτὸν χρόνον καὶ εἰς τὸν αὐτὸν τόπον, ὡς καὶ ἡ Συντονιστικὴ Ἐπιτροπὴ τῆς Ὁργανώσεως.

(β) Ἡ Ἐκτελεστικὴ Ἐπιτροπὴ συνέρχεται εἰς ἑκτακτον σύνοδον συγκαλουμένην ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ, εἴτε αὐτεπαγγέλτως, εἴτε τῇ αἰτήσῃ τοῦ Προέδρου ἢ τοῦ ἐνὸς τετάρτου τῶν μελῶν αὐτῆς.

(8) (α) Ἐκάστη χώρα μέλος τῆς Ἐκτελεστικῆς Ἐπιτροπῆς κέκτηται μίαν ψήφον.

(β) Τὸ ἡμῖσι τῶν χωρῶν μελῶν τῆς Ἐκτελεστικῆς Ἐπιτροπῆς συνιστᾷ ἀπαρτίαν.

(γ) Αἱ ἀποφάσεις λαμβάνονται δι' ἀπλῆς πλειοψηφίας τῶν ψηφίζουσῶν χωρῶν.

(δ) Αἱ ἀποχαὶ δὲν λογίζονται ὡς ψήφοι.

(ε) Εἰς ἀντιπρόσωπος δύναται νὰ ἐκπροσωπῇ καὶ νὰ ψηφίζῃ ἐν ὀνόματι μιᾶς μόνον χώρας.

(9) Χῶραι τῆς Ἑνώσεως, μὴ μετέχουσαι τῆς Ἐκτελεστικῆς Ἐπιτροπῆς, γίνονται δεκταὶ κατὰ τὰς συνεδρίας αὐτῆς ὡς παρατηρηταί.

(10) Ἡ Ἐκτελεστικὴ Ἐπιτροπὴ καθορίζει τὸν ἐσωτερικὸν αὐτῆς διαδικαστικὸν κανονισμόν.

#### Ἄρθρον 24

(1) (α) Τὸ ἔργον τῆς διοικήσεως τῆς Ἑνώσεως ἀνατίθεται εἰς τὸ Διεθνὲς Γραφεῖον, ὃπερ ἀποτελεῖ συνέχισιν τοῦ Γραφείου τῆς Ἑνώσεως ἡνωμένου μετὰ τοῦ Γραφείου τῆς Ἑνώσεως, τοῦ καθιδρυθέντος δυνάμει τῆς Διεθνούς Συμβάσεως περὶ Προστασίας Βιομηχανικῆς Ἰδιοκτησίας.

(β) Ἰδίᾳ, τὸ Διεθνὲς Γραφεῖον προμηθεύει γραμματειακὸν προσωπικὸν εἰς τὰ διάφορα ὅργανα τῆς Ἑνώσεως.

(γ) Ἀνώτατον ἐκτελεστικὸν ὄργανον τῆς Ἑνώσεως εἶναι ὁ Γενικὸς Διευθυντὴς τῆς Ὁργανώσεως, ὅστις καὶ ἐκπροσωπεῖ τὴν Ἑνωσιν.

(2) Τὸ Διεθνὲς Γραφεῖον συγκεντρώνει καὶ δημοσιεύει πληροφορίας σχετικὰς πρὸς τὴν προστασίαν τῆς πνευματικῆς ἰδιοκτησίας. Ἐκάστη χώρα τῆς Ἑνώσεως θέλει κοινοποιῇσι ἀμελλητὶ πρὸς τὸ Διεθνὲς Γραφεῖον ἅπαντας τοὺς νέους νόμους καὶ ἐπίσημα κείμενα, τὰ ἀφορῶντα εἰς τὴν προστασίαν τῆς πνευματικῆς ἰδιοκτησίας.

(3) Τὸ Διεθνὲς Γραφεῖον ἐκδίδει μηνιαῖον περιοδικόν.

(4) Τὸ Διεθνὲς Γραφεῖον παρέχει, τῇ αἰτήσῃ οἰασδήποτε ἐνδιαφερομένης πρὸς τοῦτο χώρας τῆς Ἑνώσεως, πληροφορίας σχετικὰς πρὸς τὴν προστασίαν τῆς πνευματικῆς ἰδιοκτησίας.

(5) Τὸ Διεθνὲς Γραφεῖον ἀναλαμβάνει μελέτας καὶ παρέχει ὑπηρεσίας, ἀποσκοπούσας εἰς τὴν διευκόλυνσιν τῆς προστασίας τῆς πνευματικῆς ἰδιοκτησίας.

(6) Ὁ Γενικὸς Διευθυντὴς ὡς καὶ πᾶν ἕτερον, ὑπ' αὐτοῦ ὑποδεικνυόμενον μέλος τοῦ προσωπικοῦ, συμμετέχουν, ἄνευ δικαιώματος ψήφου, εἰς πάσας τὰς συνεδρίας τῆς Συνελεύσεως, τῆς Ἐκτελεστικῆς Ἐπιτροπῆς καὶ πάσης ἑτέρας ἐπιτροπῆς ἐμπειρογνομόνων ἢ ομάδος ἐργασίας. Ὁ Γενικὸς Διευθυντής, ἢ ἕτερον, ὑπ' αὐτοῦ ὑποδειχθέν μέλος τοῦ προσωπικοῦ, ἀσκεῖ *ex officio* καθήκοντα γραμματέως τῶν ἐν λόγῳ ὀργάνων.

(7) (α) Συμφώνως πρὸς τὰς ἐκάστοτε παρεχόμενας αὐτῷ ὑπὸ τῆς Συνελεύσεως ὁδηγίας καὶ ἐν συνεργασίᾳ μετὰ τῆς Ἐκτελεστικῆς Ἐπιτροπῆς, τὸ Διεθνὲς Γραφεῖον προβαίνει εἰς τὰς ἀναγκαίας προπαρασκευαστικὰς ἐνεργείας δι' ἀναθεωρητικὰς διασκέψεις τῶν διατάξεων τῆς παρούσης. Συμβάσεως πλὴν τῶν ἄρθρων 22 ἕως 26.

(β) Τὸ Διεθνὲς Γραφεῖον δύναται νὰ συσκέπτηται μετὰ διακυβερνητικῶν καὶ διεθνῶν οὐχὶ διακυβερνητικῶν ὁργανώσεων, καθ' ὅσον ἀφορᾷ εἰς τὴν προπαρασκευαίαν τῶν ἀναθεωρητικῶν διασκέψεων.

(γ) Ὁ Γενικὸς Διευθυντὴς καὶ πρόσωπα ὑποδεικνύμενα ὑπ' αὐτοῦ μετέχουσιν, ἄνευ δικαιώματος ψήφου, εἰς τὰς διεξαγομένας κατὰ τὰς τοιαύτας διασκέψεις συζητήσεις.

(8) Τὸ Διεθνὲς Γραφεῖον ἐκτελεῖ πᾶν ἕτερον ἔργον, ὅπερ ἤθελεν ἐκάστοτε ἀνατεθῆ αὐτῷ.

### Ἄρθρον 25

(1) (α) Ἡ Ἑνωσις θὰ ἔχῃ προϋπολογισμόν.

(β) Ὁ προϋπολογισμὸς θὰ περιλαμβάνῃ τὰς κανονικὰς δαπάνας καὶ ἔσοδα τῆς Ἑνώσεως, τὴν συνεισφορὰν αὐτῆς εἰς τὰς κοινὰς δαπάνας τῶν Ἑνώσεων καί, ὑπὸ τὰς περιστάσεις, τὸ ποσὸν τὸ διατιθέμενον εἰς τὸν προϋπολογισμόν τῆς Διασκέψεως τῆς Ὁργανώσεως.

(γ) Δαπάναι μὴ ἀναλογοῦσαι ἀποκλειστικῶς εἰς τὴν Ἑνωσιν, ἀλλὰ καὶ εἰς μίαν ἢ πλείοντας ἐτέρας Ἑνώσεις διοικουμένας ὑπὸ τῆς Ὁργανώσεως, λογίζονται ὡς κοινὰ δαπάναι τῶν Ἑνώσεων. Ἡ συμβολὴ τῆς Ἑνώσεως εἰς τὰς τοιαύτας κοινὰς δαπάνας θὰ εἶναι ἀνάλογος πρὸς τὸ συμφέρον τῆς Ἑνώσεως εἰς τὰς τοιαύτας δαπάνας.

(2) Ὁ προϋπολογισμὸς τῆς Ἑνώσεως καταρτίζεται λαμβανομένης ὑπ' ὄψιν τῆς ἀνάγκης πρὸς συντονισμόν αὐτοῦ πρὸς τοὺς προϋπολογισμοὺς τῶν λοιπῶν διοικουμένων ὑπὸ τῆς Ὁργανώσεως Ἑνώσεων.

(3) Ὁ Προϋπολογισμὸς τῆς Ἑνώσεως χρηματοδοτεῖται ἐκ τῶν κάτωθι πηγῶν :

- (i) εἰσφοραὶ τῶν χωρῶν τῆς Ἑνώσεως
- (ii) τέλη καὶ δικαιώματα δι' ὑπηρεσίας παρασχεθείσας ὑπὸ τοῦ Διεθνοῦς Γραφείου συναφῶν πρὸς τὴν Ἑνωσιν
- (iii) πωλήσεις ἢ δικαιώματα ἐπὶ δημοσιευμάτων τοῦ Διεθνοῦς Γραφείου ἀναφορικῶς πρὸς τὴν Ἑνωσιν
- (iv) δωρεαί, κληροδοτήματα καὶ ἐπιχορηγήσεις
- (v) μισθώματα, τόκοι καὶ ἕτερα ποικίλα ἔσοδα.

(4) (α) Πρὸς καθορισμόν τῆς συμβολῆς αὐτῆς εἰς τὸν προϋπολογισμόν, ἑκάστη τῶν χωρῶν τῆς Ἑνώσεως θέλει καταταγῇ εἰς τάξιν καὶ καταβάλλει τὰς ἐτησίας αὐτῆς εἰσφορὰς βάσει ἀριθμοῦ μονάδων καθοριζομένων ὡς ἀκολούθως :

|           |         |    |
|-----------|---------|----|
| Τάξις I   | .. .. . | 25 |
| Τάξις II  | .. .. . | 20 |
| Τάξις III | .. .. . | 15 |
| Τάξις IV  | .. .. . | 10 |
| Τάξις V   | .. .. . | 5  |
| Τάξις VI  | .. .. . | 3  |
| Τάξις VII | .. .. . | 1  |

(β) Ἐκτὸς ἐὰν τὸ ἔπραξε προηγουμένως, ἑκάστη χώρα ὀφείλει ὅπως, ἅμα τῇ καταθέσει τοῦ ὄργανου ἐπικυρώσεως ἢ προσχωρήσεώς της δηλώσῃ τὴν τάξιν, εἰς ἣν ἐπιθυμεῖ νὰ καταταγῇ, δύναται δμως ἐν συνεχείᾳ νὰ δηλώσῃ ὅτι ἐπιθυμεῖ νὰ καταταγῇ εἰς ἐτέραν τάξιν. Ἐφ' ὅσον ἤθελεν ἐπιλέξει χαμηλότεραν τάξιν, ἡ χώρα αὕτη ὀφείλει νὰ γνωρίσῃ τοῦτο εἰς τὴν Συνέλευσιν κατὰ τινὰ τῶν τακτικῶν αὐτῆς συνόδων. Πᾶσα τοιαύτη μεταβολὴ καθίσταται ἐνεργὸς ἀπὸ τῆς ἐνάρξεως τοῦ ἡμερολογιακοῦ ἔτους, τοῦ ἀμέσως ἐπομένου τῆς συνόδου.

(γ) Ἡ ἐτήσια εἰσφορὰ ἐκάστης χώρας ἔχει τὸν αὐτὸν λόγον πρὸς τὸ ὅλικόν ποσὸν τῶν ἐνεργηθησομένων εἰς τὸν ἐτήσιον προϋπολογισμόν τῆς Ἑνώσεως εἰσφορῶν πασῶν τῶν χωρῶν, ὡς καὶ ὁ ἀριθμὸς τῶν μονάδων αὐτῆς πρὸς τὸν ὅλικόν ἀριθμὸν τῶν μονάδων πασῶν τῶν εἰσφερουσῶν χωρῶν.

(δ) Αἱ εἰσφοραὶ καθίστανται πληρωτέαι τῇ πρώτῃ ἡμέρᾳ Ἰανουαρίου ἐκάστου ἔτους.

(ε) Χώρα εὐρισκομένη ἐν ὑπερμερίᾳ περὶ τὴν πληρωμὴν τῆς εἰσφορᾶς αὐτῆς, στερεῖται ψήφου εἰς ἅπαντα τὰ ὄργανα τῆς Ἑνώσεως, ὧν αὕτη μετέχει, ἐφ' ὅσον τὸ ἐν ὑπερμερίᾳ ποσὸν ἰσοῦται ἢ ὑπερβαίνει τὸ ποσὸν τὸ ἀναλογοῦν εἰς τὰς εἰσφορὰς αὐτῆς διὰ τὰ δύο προηγούμενα πλήρη ἔτη. Οὐχ' ἦττον ὁμως, οἰονδήποτε τῶν ὀργάνων τῆς Ἑνώσεως δύναται νὰ ἐπιτρέψῃ εἰς τὴν ἐν λόγῳ χώραν νὰ ἀσκήσῃ τὸ δικαίωμα τῆς ψήφου παρὰ τῷ ὀργάνῳ τούτῳ, ἐφ' ὅσον ἤθελεν ἱκανοποιηθῇ ὅτι ἡ τοιαύτη ὑπερμερία ὀφείλεται εἰς ἐξαιρετικὰς καὶ ἀφεύκτους περιστάσεις.

(στ) Ἐὰν ὁ προϋπολογισμὸς δὲν ἐγκριθῇ πρὸ τῆς ἐνάρξεως τῆς νέας οἰκονομικῆς περιόδου, οὗτος θὰ εἶναι τοῦ αὐτοῦ ἐπιπέδου ὡς καὶ ὁ τοῦ προηγούμενου ἔτους, συμφώνως πρὸς τοὺς οἰκονομικοὺς κανονισμοὺς.

(5) Τὸ ποσὸν τῶν τελῶν καὶ δικαιωμάτων, τῶν ὀφειλομένων δι' ὑπηρεσίας παρασχεθείσας ὑπὸ τοῦ Διεθνoῦς Γραφείου συναφῶς πρὸς τὴν Ἑνωσιν, καθορίζεται ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ, ὅστις καὶ ὑποβάλλει ἐπὶ τούτῳ ἔκθεσιν πρὸς τὴν Συνέλευσιν καὶ τὴν Ἐκτελεστικὴν Ἐπιτροπὴν.

(6) (α) Ἡ Ἑνωσις θὰ ἔχη λογαριασμὸν προκαταβολῶν συγκείμενον ἐξ ἐφ' ἅπασι πληρωμῶν γενομένων ὑπὸ μιᾶς ἐκάστης τῶν χωρῶν τῆς Ἑνώσεως. Ἐφ' ὅσον ὁ τοιοῦτος λογαριασμὸς ἤθελε καταστῇ ἀνεπαρκής, αὐξησίς του ἀποφασίζεται ὑπὸ τῆς Συνελεύσεως.

(β) Τὸ ποσὸν τῆς ἀρχικῆς συνδρομῆς μιᾶς ἐκάστης χώρας εἰς τὸν ἐν λόγῳ λογαριασμὸν ἢ τῆς συμμετοχῆς αὐτῆς εἰς τυχόν αὐξησιν αὐτοῦ, ἀποτελεῖ μέρος τῆς εἰσφορᾶς τῆς χώρας ταύτης διὰ τὸ ἔτος, καθ' ὃ συνιστᾶται ὁ τοιοῦτος λογαριασμὸς ἢ ἀποφασίζεται ἢ αὐξησίς του.

(γ) Ἡ ἀναλογία καὶ οἱ ὅροι πληρωμῆς καθορίζονται ὑπὸ τῆς Συνελεύσεως κατόπιν προτάσεως τοῦ Γενικοῦ Διευθυντοῦ καὶ μετὰ προηγούμενην γνωμοδότησιν τῆς Συντονιστικῆς Ἐπιτροπῆς τῆς Ὁργανώσεως.

(7) (α) Εἰς τὴν περὶ ἔδρας συμφωνίαν, τὴν συνομολογουμένην μετὰ τῆς χώρας, ἐπὶ τῆς ἐδαφικῆς ἐπικρατείας τῆς ὁποίας ἡ Ὁργάνωσις ἔχει τὴν ἔδραν αὐτῆς, θέλει διαληφθῇ πρόνοια, δυνάμει τῆς ὁποίας ὁσάκις ὁ λογαριασμὸς προκαταβολῶν εἶναι ἀνεπαρκής, ἡ χώρα αὕτη θέλει παράσχει χορηγήσεις. Τὸ ποσὸν τούτων ὡς καὶ οἱ ὅροι ὑφ' οὓς χορηγοῦνται θέλουν ἀποτελέσει ἐν ἐκάστῃ περιπτώσει τὸ ἀντικείμενον χωριστῶν συμφωνιῶν μεταξὺ τῆς ἐν λόγῳ χώρας καὶ τῆς Ὁργανώσεως. Ἐφ' ὅσον ἡ χώρα αὕτη παραμένει δεσμευμένη ὑπὸ τῆς ὑποχρέωσεως πρὸς παροχὴν χορηγήσεων, αὕτη δικαιούται *ex officio* ἔδρας παρὰ τῇ Ἐκτελεστικῇ Ἐπιτροπῇ.

(β) Τόσον ἡ μνημονευομένη ἐν ὑποπαραγράφῳ (α) χώρα ὅσον καὶ ἡ Ὁργάνωσις κέκτηνται τὸ δικαίωμα καταγγελίας τῆς πρὸς παροχὴν χορηγήσεων, ὑποχρέωσεως, δι' ἐγγράφου ἐπὶ τούτῳ κοινοποιήσεως. Ἡ καταγγελία καθίσταται ἐνεργὸς μετὰ πάροδον τριῶν ἐτῶν ἀπὸ τῆς λήξεως τοῦ ἔτους, καθ' ὃ ἐκοινοποιήθη ἡ πράξις τῆς καταγγελίας.

(8) Ἡ ἐξέλιξις τῶν λογαριασμῶν ἐνεργεῖται ὑπὸ μιᾶς ἢ πλείονων τῶν χωρῶν τῆς Ἑνώσεως ἢ ὑπὸ ἐξωτερικῶν ἐλεγκτῶν, ὡς προνοεῖται ὑπὸ τῶν οἰκονομικῶν κανονισμῶν. Οὗτοι διορίζονται, τῇ συγκαταθέσει αὐτῶν, ὑπὸ τῆς Συνελεύσεως.

#### Ἄρθρον 26

(1) Προτάσεις διὰ τὴν τροποποίησιν τῶν ἀρθρῶν 22, 23, 24, 25 καὶ τοῦ παρόντος ἀρθροῦ, δύνανται νὰ ὑποβληθῶσιν ὑφ' οἰασδήποτε τῶν χωρῶν μελῶν

της Συνελεύσεως, υπό της 'Εκτελεστικής 'Επιτροπής ή υπό του Γενικού Διευθυντού. Αί τοιαύται προτάσεις διαβιβάζονται υπό του Γενικού Διευθυντού προς τās χώρας, μέλη της Συνελεύσεως, εξ τουλάχιστον μηνας πριν ή αὔται ἐξετασθῶσιν υπό της Συνελεύσεως.

(2) Αἱ τροποποιήσεις τῶν ἐν παραγράφῳ (1) μνημονευομένων ἄρθρων ἐνεργοῦνται υπό της Συνελεύσεως, διὰ της πλειοψηφίας τῶν τριῶν τετάρτων τῶν ψήφων, νοουμένου ὅτι οἰαδήποτε τροποποιήσις τοῦ ἁρθρου 22 καὶ της παρούσης παραγράφου χρήζει της πλειοψηφίας τῶν τεσσάρων πέμπτων τῶν ψήφων.

(3) Πᾶσα τροποποίησις τῶν ἐν παραγράφῳ (1) μνημονευομένων ἄρθρων τίθεται ἐν ἰσχύϊ μετὰ πάροδον ἐνὸς μηνός, ἂφ' ἧς ὁ Γενικὸς Διευθυντής ἤθελε λάθει ἔγγραφον ἀποδοχῇ, ἐνεργουμένην κατὰ τὴν συνταγματικὴν αὐτὴν διαδικασίαν, ὑπὸ τῶν τριῶν τετάρτων τῶν χωρῶν, αἵτινες καθ' ὃν χρόνον υἱοθετεῖται ἡ τοιαύτη τροποποίησις εἶναι μέλη της Συνελεύσεως. Τροποποιήσις τῶν ὡς εἴρηται ἄρθρων, οὕτω γενομένη ἀποδεκτή, δεσμεύει πάσας τās χώρας, αἵτινες εἶναι μέλη της Συνελεύσεως κατὰ τὸν χρόνον ἐνάρξεως της ἰσχύος αὐτῆς ἢ αἵτινες θέλουν μετέπειτα καταστή μέλη της Συνελεύσεως, νοουμένου ἐν τούτοις ὅτι οἰαδήποτε τροποποιήσις ἐπαυξάνουσα τās οἰκονομικὰς ὑποχρεώσεις χωρῶν της 'Ενώσεως δεσμεύει μόνον ἐκείνας τῶν χωρῶν, αἵτινες ἤθελον γνωρίσει ἀποδοχῇ της τοιαύτης τροποποιήσεως.

#### "Ἄρθρον 27

(1) Ἡ παρούσα Σύμβασις θέλει ὑποβληθῇ εἰς ἀναθεώρησιν ἐπὶ τῷ τέλει εἰσαγωγῆς τροποποιήσεων ἀποσκοποῦσων εἰς τὴν βελτίωσιν τοῦ συστήματος της 'Ενώσεως.

(2) Ἐπὶ τῷ τέλει τούτῳ θέλουν συγκροτηθῇ ἀλληλοδιαδόχως διασκεψεῖς, ἐν μιᾷ τῶν χωρῶν της 'Ενώσεως μεταξὺ τῶν ἀντιπροσώπων τῶν εἰρημένων χωρῶν.

(3) Τηρουμένων τῶν διατάξεων τοῦ ἁρθρου 26, αἵτινες ἐφαρμόζονται ἐπὶ τροποποιήσεων τῶν ἁρθρῶν 22 ἕως 26, πᾶσα ἀναθεώρησις της παρούσης Πράξεως, περιλαμβανομένου καὶ τοῦ συνημμένου αὐτῇ Παραρτήματος, χρήζει της ὁμοφώνου συγκαταθέσεως πασῶν τῶν ψηφίζουσων χωρῶν.

#### "Ἄρθρον 28

(1) (α) Αἱ ἐκ τῶν χωρῶν της 'Ενώσεως, αἵτινες ὑπέγραψαν τὴν παρούσαν Πράξιν δύνανται νὰ τὴν ἐπικυρώσωσιν, αἱ ἐκ τῶν χωρῶν δὲ της 'Ενώσεως, αἵτινες δὲν ὑπέγραψαν ταύτην δύνανται νὰ προσχωρήσωσιν αὐτῇ. Τὰ ὄργανα ἐπικυρώσεως ἢ προσχωρήσεως κατατίθενται παρὰ τῷ Γενικῷ Διευθυντῇ.

(β) Οἰαδήποτε χώρα της 'Ενώσεως δύναται νὰ δηλώσῃ ἐν τῷ οἰκείῳ ὀργάνῳ ἐπικυρώσεως ἢ προσχωρήσεως ὅτι ἐπικύρωσις ἢ προσχωρήσις της δὲν καλύπτει τὰ ἄρθρα 1 ἕως 21 ὡς καὶ τὸ Παράρτημα, νοουμένου ἐν τούτοις ὅτι, ἐν ἡ περιπτώσει ἡ χώρα αὕτη προέβη προηγουμένως εἰς δήλωσιν δυνάμει τοῦ ἁρθρου VI (1) τοῦ Παραρτήματος, τότε ἐν τῷ οἰκείῳ ὀργάνῳ ἐπικυρώσεως ἢ προσχωρήσεως δύναται νὰ δηλώσῃ μόνον ὅτι ἡ ἐπικύρωσις ἢ προσχωρήσις της δὲν καλύπτει τὰ ἄρθρα 1 ἕως 20.

(γ) Χώρα της 'Ενώσεως, ἥτις, συμφώνως ταῖς διατάξεσι της ὑποπαραγράφου (β), ἀπέκλεισε τὰς ἐν αὐτῇ ἀναφερομένας διατάξεις ἐκ της ἐνεργηθείσης ἐπικυρώσεως ἢ προσχωρήσεως, δύναται ἐν συνεχείᾳ νὰ ἐκτείνῃ τὴν ἰσχύν της ἐπικυρώσεως ἢ προσχωρήσεως καὶ ἐπὶ τῶν εἰρημένων διατάξεων, δι' ἔγγραφου ἐπὶ τούτῳ δηλώσεως κατατιθεμένης παρὰ τῷ Γενικῷ Διευθυντῇ.

(2) (α) Τὰ ἄρθρα 1 ἕως 21 καὶ τὸ Παράρτημα θέλουν τεθῇ ἐν ἰσχύϊ μετὰ πάροδον τριῶν μηνῶν, ἂφ' ἧς ἤθελον πληρωθῇ ἀμφότεροι οἱ κάτωθι ὅροι :

(i) πέντε τουλάχιστον χώραι της 'Ενώσεως ἐπεκύρωσαν ἢ προσχώρησαν τῇ παρούσῃ Πράξει, χωρὶς νὰ προβῶσιν εἰς δήλωσιν δυνάμει της παραγράφου (1) (β).

- (ii) ή Γαλλία, ή 'Ισπανία, τὸ Ἡνωμένον Βασίλειον τῆς Μεγάλης Βρετανίας καὶ Βορείου Ἰρλανδίας καὶ αἱ Ἡνωμένοι Πολιτεῖαι τῆς Ἀμερικῆς ἐδεσμεύθησαν ὑπὸ τῆς Παγκοσμίου Συμβάσεως περὶ Πνευματικῆς Ἰδιοκτησίας, ὡς αὕτη ἀνεθεωρήθη ἐν Παρισίοις τῇ 24ῃ Ἰουλίου, 1971.

(β) Ἡ ἐν ὑποπαραγράφῳ (α) ἀναφερομένη ἐναρξίς ἰσχύος, τυγχάνει ἐφαρμογῆς μόνον καθ' ὅσον ἀφορᾷ εἰς ἐκείνας τῶν χωρῶν τῆς Ἐνώσεως, αἵτινες τρεῖς τοῦλάχιστον μηνάς πρὸ τῆς εἰρημένης ἐνάρξεως ἰσχύος, ἤθελον καταθέσει ὄργανον ἐπικυρώσεως ἢ προσχωρήσεως μὴ ἐμπεριέχον δήλωσιν γενομένην δυνάμει τῆς παραγράφου (1) (β).

(γ) Καθ' ὅσον ἀφορᾷ εἰς χώρας τῆς Ἐνώσεως μὴ καλυπτομένας ὑπὸ τῆς ὑποπαραγράφου (β), αἵτινες ἐπικυροῦσιν ἢ προσχωροῦσι τῇ παρούσῃ Πράξει χωρὶς νὰ προβῶσιν εἰς δήλωσιν δυνάμει τῆς παραγράφου (1) (β), τὰ ἄρθρα 1 ἕως 21 καὶ τὸ Παράρτημα θέλουν τεθῇ ἐν ἰσχύϊ μετὰ πάροδον τριῶν μηνῶν ἀπὸ τῆς ἡμερομηνίας, καθ' ἣν ὁ Γενικὸς Διευθυντὴς ἐγνωστοποίησε τὴν κατάθεσιν τοῦ οἰκείου ὁργάνου ἐπικυρώσεως ἢ προσχωρήσεως, ἐκτὸς ἐὰν ἐν τῷ κατατιθεμένῳ ὄργανῳ καθορισθῇ μεταγενεστέρα τις ἡμερομηνία. Ἐν τῇ τελευταίᾳ περιπτώσει, τὰ ἄρθρα 1 ἕως 21 καὶ τὸ Παράρτημα θέλουν τεθῇ ἐν ἰσχύϊ, καθ' ὅσον ἀφορᾷ εἰς τὴν ἐν λόγῳ χώραν, κατὰ τὴν οὕτω καθοριζομένην ἡμερομηνίαν.

(δ) Αἱ διατάξεις τῶν ὑποπαραγράφων (α) ἕως (γ) οὐδὲν ἑπηρεάζουσι τὴν ἐφαρμογὴν τοῦ ἄρθρου VI τοῦ Παραρτήματος.

(3) Καθ' ὅσον ἀφορᾷ εἰς οἰανδήποτε χώραν τῆς Ἐνώσεως, ἥτις ἐπικυροῖ ἢ προσχωρεῖ τῇ παρούσῃ Πράξει, μετὰ ἢ ἀνευ δηλώσεως γενομένης δυνάμει τῆς παραγράφου (1) (β), τὰ ἄρθρα 22 ἕως 38 θέλουν τεθῇ ἐν ἰσχύϊ μετὰ πάροδον τριῶν μηνῶν, ἀπὸ τῆς ἡμερομηνίας, καθ' ἣν ὁ Γενικὸς Διευθυντὴς ἐγνωστοποίησε τὴν κατάθεσιν τοῦ οἰκείου ὁργάνου ἐπικυρώσεως ἢ προσχωρήσεως, ἐκτὸς ἐὰν ἐν τῷ κατατιθεμένῳ ὄργανῳ καθορισθῇ μεταγενεστέρα τις ἡμερομηνία. Ἐν τῇ τελευταίᾳ περιπτώσει τὰ ἄρθρα 22 ἕως 38 θέλουν τεθῇ ἐν ἰσχύϊ, καθ' ὅσον ἀφορᾷ εἰς τὴν εἰρημένην χώραν, ἀπὸ τῆς οὕτω καθοριζομένης ἡμερομηνίας.

#### Ἄρθρον 29

(1) Οἰαδήποτε χώρα μὴ μετέχουσα τῆς Ἐνώσεως δύναται νὰ προσχωρήσῃ τῇ παρούσῃ Πράξει καὶ οὕτω νὰ καταστῇ μέρος τῆς παρούσης Συμβάσεως καὶ μέλος τῆς Ἐνώσεως. Τὰ ὄργανα προσχωρήσεως κατατίθενται παρὰ τῷ Γενικῷ Διευθυντῇ.

(2) (α) Τηρουμένης τῆς ὑποπαραγράφου (β), ἡ παρούσα Σύμβασις θέλει τεθῇ ἐν ἰσχύϊ, καθ' ὅσον ἀφορᾷ εἰς χώραν μὴ μετέχουσαν τῆς Ἐνώσεως, μετὰ πάροδον τριῶν μηνῶν, ἀπὸ τῆς ἡμερομηνίας, καθ' ἣν ὁ Γενικὸς Διευθυντὴς ἐγνωστοποίησε τὴν κατάθεσιν τοῦ οἰκείου ὁργάνου προσχωρήσεως, ἐκτὸς ἐὰν ἐν τῷ κατατιθεμένῳ ὄργανῳ καθορισθῇ μεταγενεστέρα τις ἡμερομηνία. Ἐν τῇ τελευταίᾳ περιπτώσει ἡ παρούσα Σύμβασις θέλει τεθῇ ἐν ἰσχύϊ, καθ' ὅσον ἀφορᾷ εἰς τὴν εἰρημένην χώραν, ἀπὸ τῆς οὕτω καθοριζομένης ἡμερομηνίας.

(β) Ἐν αἷς περιπτώσεσιν ἡ ἐναρξίς ἰσχύος συμφώνως τῇ ὑποπαραγράφῳ (α) προηγεῖται τῆς ἐνάρξεως ἰσχύος τῶν ἄρθρων 1 ἕως 21 καὶ τοῦ Παραρτήματος συμφώνως τῷ ἄρθρῳ 28 (2) (α), ἢ ὡς εἴρηται χώρα δεσμεύεται ἐν τῷ μεταξύ, ἀντὶ ὑπὸ τῶν ἄρθρων 1 ἕως 21 καὶ τοῦ Παραρτήματος, ὑπὸ τῶν ἄρθρων 1 ἕως 20 τῆς Πράξεως τῶν Βρυξελλῶν τῆς παρούσης Συμβάσεως.

#### Ἄρθρον 29 δις

Ἐπικύρωσις ἢ προσχώρησις τῇ παρούσῃ Πράξει, ὅφ' οἰαδήποτε χώρας μὴ δεσμευομένης ὑπὸ τῶν ἄρθρων 22 ἕως 38 τῆς Πράξεως τῆς Στοκχόλμης τῆς παρούσης Συμβάσεως, λογίζεται, διὰ τοὺς σκοποὺς καὶ μόνον τοῦ ἄρθρου

14 (2) της Συμβάσεως περί καθιδρύσεως της 'Οργανώσεως, ως επικύρωσις ή προσχώρησις τη ειρημένη Πράξει της Στοκχόλμης, υπό τόν περιορισμόν τόν έκτιθέμενον έν άρθρω 28 (1) (β) (i) αυτής.

### "Άρθρον 30

(1) 'Επιφυλασσομένων τών εξαιρέσεων, τών έπιτρεπομένων υπό της παραγράφου (2) του παρόντος άρθρου, υπό του άρθρου 28 (1) (β), υπό του άρθρου 33 (2) και υπό του Παραρτήματος, ή επικύρωσις ή προσχώρησις, επάγεται αυτόδικαίως άποδοχήν πασών τών διατάξεων και συμμετοχήν εις άπαντα τά έκ της παρούσης Συμβάσεως, άπορρέοντα όφέλη.

(2) (α) Χώρα της 'Ενώσεως, επικυρούσα ή προσχωρούσα τη παρούση Πράξει δύναται, τηρουμένου του άρθρου V (2) του Παραρτήματος, νά διατηρήση τό εύεργέτημα τών προηγουμένων διατυπωθεισών ύπ' αυτής έπιφυλάξεων, υπό τόν όρον ότι αυτή θέλει προβή εις έπί τούτω δήλωσιν κατά τόν χρόνον της καταθέσεως του οικείου όργάνου επικυρώσεως ή προσχωρήσεως.

(β) Χώρα μέ μετέχουσα της 'Ενώσεως δύναται νά δηλώση κατά τόν χρόνον της προσχωρήσεώς της και τηρουμένου του άρθρου V (2) του Παραρτήματος, ότι προτίθεται νά άντικαταστήση, προσωρινώς τουλάχιστον, τό άρθρον 8 της παρούσης Πράξεως, καθ' όσον άφορά εις τό πρός μετάφρασιν δικαίωμα, διά τών προνοιών του άρθρου 5 της περί 'Ενώσεως Συμβάσεως του 1886, ως αυτή συνεπληρώθη έν Παρισίοις τώ 1896, υπό τόν ρητόν όρον ότι αι ειρημέναι πρόνοιαι είναι εφαρμοστέαι μόνον έπί μεταφράσεων εις γλώσσαν κοινής χρήσεως έν τη χώρα ταύτη. Τηρουμένων τών διατάξεων του άρθρου i (5) (β) του Παραρτήματος, οιαδήποτε χώρα κέκτηται τό δικαίωμα όπως εφαρμόζη, αναφορικώς πρός τό δικαίωμα μεταφράσεως έργων, ών ή χώρα προελεύσεως έπωφελείται της τοιαύτης έπιφυλάξεως, προστασίαν ίσοδύναμον πρός την παρεχομένην υπό της τελευταίας χώρας.

(γ) 'Εκάστη χώρα δύναται έν παντί χρόνω νά ανακαλέση τās τοιαύτας έπιφυλάξεις, δι' έπί τούτω πράξεως κοινοποιουμένης τώ Γενικώ Διευθυντή.

### "Άρθρον 31

(1) Οιαδήποτε χώρα δύναται νά δηλώση έν τώ όργάνω της επικυρώσεως ή προσχωρήσεως της ή καθ' οιονδήποτε μετέπειτα χρόνον νά γνωρίση έγγραφως εις τόν Γενικόν Διευθυντήν, ότι ή παρούσα Σύμβασις θά τυγχάνη εφαρμογής έφ' άπάντων ή τινών τών καθοριζομένων έν τη δηλώσει ή τη γνωστοποιήσει έδαφών, τών όποιών αυτή φέρει την ευθύνην της διεθνούς εκπροσωπήσεώς των.

(2) Χώρα, ήτις προέβη εις τοιαύτην δήλωσιν ή γνωστοποίησιν, δύναται έν παντί χρόνω νά γνωρίση έγγραφως εις τόν Γενικόν Διευθυντήν ότι ή παρούσα Σύμβασις θά πάυση εφαρμοζομένη έφ' άπάντων ή τινών τών ειρημένων έδαφών.

(3) (α) Δήλωσις γενομένη δυνάμει της παραγράφου (1) καθίσταται ένεργός κατά την αυτήν ήμερομηνίαν ως και ή επικύρωσις ή προσχώρησις, έν ή αυτή διαλαμβάνεται, γνωστοποίησις δέ γενομένη δυνάμει της έν λόγω παραγράφου καθίσταται ένεργός μετά πάροδον τριών μηνών, άφ' ής ό Γενικός Διευθυντής ήθελε γνωστοποιήσει λήψιν αυτής.

(β) Γνωστοποίησις γενομένη δυνάμει της παραγράφου (2) καθίσταται ένεργός μετά πάροδον δώδεκα μηνών, από της λήψεως αυτής υπό του Γενικού Διευθυντού.

(4) Τό παρόν άρθρον δέον όπως μη έρμηνευθή ως καθ' οιονδήποτε τρόπον επαγόμενον την άναγνώρισιν ή την σιωπηράν παραδοχήν υπό χώρας της 'Ενώσεως, της παραματικής καταστάσεως αναφορικώς πρός έδαφικήν περιοχήν, έφ' ής ή παρούσα Σύμβασις καθίσταται εφαρμοστέα υπό έτέρας χώρας της 'Ενώσεως δυνάμει δηλώσεως γενομένης συμφώνως τη παραγράφω (1).

## "Άρθρον 32

(1) Ἡ παρούσα Πράξις θέλει ἀντικαταστήσει, ἐν ταῖς σχέσεσι μεταξὺ τῶν χωρῶν τῆς Ἑνώσεως, καὶ καθ' ἣν ἔκτασιν αὕτη ἐφαρμόζεται, τὴν Σύμβασιν τῆς Βέρνης τῆς 9ης Σεπτεμβρίου, 1886 ὡς καὶ τὰς μεταγενεστέρας Πράξεις ἀναθεωρήσεώς της. Αἱ προγενεστέρας ἐν ἰσχύϊ Πράξεις θὰ ἐξακολουθήσωσιν ἐφαρμοζόμεναι, ἐν τῇ ὁλότητι τῶν ἢ καθ' ἣν ἔκτασιν ἡ παρούσα Πράξις δὲν ἀντικαθιστᾷ ταύτας δυνάμει τῆς προηγουμένης προτάσεως, εἰς τὰς σχέσεις μετὰ χωρῶν τῆς Ἑνώσεως, αἵτινες δὲν ἤθελον κυρώσει τὴν παρούσαν Πράξιν ἢ προσχωρήσει αὐτῇ.

(2) Χῶραι μὴ μετέχουσαι τῆς Ἑνώσεως, αἵτινες καθίστανται μέρη τῆς παρούσης Πράξεως, θὰ ἐφαρμόζωσι ταύτην, τηρουμένων τῶν διατάξεων τῆς παραγράφου (3). ἀναφορικῶς πρὸς οἰανδήποτε χώραν τῆς Ἑνώσεως, ἥτις δὲν δεσμεύεται ὑπὸ τῆς παρούσης Πράξεως ἢ ἥτις, καίτοι δεσμεύεται ὑπ' αὐτῆς, προέβη εἰς δήλωσιν συμφώνως τῷ ἄρθρῳ 28 (1) (β). Αἱ τοιαῦται χῶραι ἀναγνωρίζουν ὅτι ἡ ὡς εἴρηται χώρα τῆς Ἑνώσεως, εἰς τὰς σχέσεις της μετ' αὐτῶν—

(i) δύναται νὰ ἐφαρμόζη τὰς διατάξεις τῆς πλέον προσφάτου Πράξεως, ὅφ' ἥς αὕτη δεσμεύεται· καὶ

(ii) τηρουμένων τῶν διατάξεων τοῦ ἄρθρου 1 (6) τοῦ Παραρτήματος κέκτηται τὸ δικαίωμα νὰ προσαρμόσῃ τὴν προστασίαν πρὸς τὸ ἐπίπεδον τῆς προνοουμένης ἐν τῇ παρούσῃ Πράξει.

(3) Χώρα ποιουμένη χρῆσιν οἰασδήποτε τῶν εὐχερειῶν, τῶν προνοουμένων ἐν τῷ Παραρτήματι, δύναται νὰ ἐφαρμόζη τὰς διατάξεις τοῦ Παραρτήματος, τὰς ἀφορώσας εἰς τὴν ἢ τὰς εὐχερείας, ὧν αὕτη ποιεῖται χρῆσιν, εἰς τὰς σχέσεις αὐτῆς μετ' οἰασδήποτε ἐτέρας χώρας τῆς Ἑνώσεως μὴ δεσμευομένης ὑπὸ τῆς παρούσης Πράξεως, νοουμένου ὅτι ἡ τελευταία χώρα ἀπεδέχθη τὴν ἐφαρμογὴν τῶν εἰρημένων διατάξεων.

## "Άρθρον 33

(1) Οἰαδήποτε διαφορά, ἥτις ἤθελεν ἀναφυῇ μεταξὺ δύο ἢ πλείονων χωρῶν τῆς Ἑνώσεως, καθ' ὅσον ἀφορᾷ εἰς τὴν ἑρμηνεῖαν ἢ τὴν ἐφαρμογὴν τῆς παρούσης Συμβάσεως, ἥτις δὲν ἤθελε διευθετηθῇ δι' ἀπ' εὐθείας διαπραγματεύσεων, δύναται νὰ παραπεμφθῇ, ὅφ' οἰασδήποτε τῶν ἐνδιαφερομένων χωρῶν, ἐνώπιον τοῦ Διεθνoῦς Δικαστηρίου, δι' ἐπὶ τούτῳ αἰτήσεως ὑποβαλλομένης συμφώνως τῷ Καταστατικῷ τοῦ Δικαστηρίου, ἐκτὸς ἐὰν αἱ ἐνδιαφερόμεναι χῶραι ἔλθωσιν εἰς συμφωνίαν ἐπὶ ἐτέρας μεθόδου διακανονισμοῦ τῆς ἀναφυεῖσης διαφοράς. Ἡ παραπέμπουσα τὴν διαφορὰν ἐνώπιον τοῦ Δικαστηρίου χώρα θέλει γνωρίσει τοῦτο εἰς τὸ Διεθνὲς Γραφεῖον, ὅπερ καὶ πληροφορεῖ σχετικῶς τὰς λοιπὰς χώρας τῆς Ἑνώσεως.

(2) Ἐκάστη χώρα δύναται, εἴτε καθ' ὃν χρόνον ὑπογράφει, τὴν παρούσαν Πράξιν, εἴτε καθ' ὃν χρόνον καταθέτει τὸ οἰκεῖον ὄργανον ἐπικυρώσεως ἢ προσχωρήσεως, νὰ δηλώσῃ ὅτι δὲν θεωρεῖ ἑαυτὴν δεσμευομένην ὑπὸ τῶν διατάξεων τῆς παραγράφου (1). Καθ' ὅσον ἀφορᾷ εἰς διαφορὰς ἀναφυομένας μεταξὺ τῆς χώρας ταύτης καὶ οἰασδήποτε ἐτέρας χώρας τῆς Ἑνώσεως, αἱ διατάξεις τῆς παραγράφου (1) δὲν θὰ τυγχάνωσιν ἐφαρμογῆς.

(3) Χώρα, ἥτις ἤθελε προβῇ εἰς δήλωσιν συμφώνως ταῖς διατάξεσι τῆς παραγράφου (2), δύναται ἐν παντὶ χρόνῳ νὰ ἀνακαλέσῃ ταύτην δι' ἐπὶ τούτῳ γνωστοποιήσεως ἀπευθυνομένης πρὸς τὸν Γενικὸν Διευθυντήν.

## "Άρθρον 34

(1) Τηρουμένου τοῦ ἄρθρου 29 δὲς, οὐδεμία χώρα δύναται νὰ κυρώσῃ προγενεστέρας Πράξεις τῆς παρούσης Συμβάσεως, οὐδὲ νὰ προσχωρήσῃ εἰς αὐτάς, ἀφ' ἥς ἤρξατο ἡ ἰσχὺς τῶν ἄρθρων 1 ἕως 21 καὶ τοῦ Παραρτήματος.

(2) Ἀφ' ἥς ἤρξατο ἡ ἰσχὺς τῶν ἄρθρων 1 ἕως 21 καὶ τοῦ Παραρτήματος, οὐδεμία χώρα δύναται νὰ προβῇ εἰς δήλωσιν δυνάμει τοῦ ἄρθρου 5 τοῦ συνημμένου τῇ Πράξει τῆς Στοκχόλμης Πρωτοκόλλου περὶ Ἀναπτυσσομένων Χωρῶν.

## "Άρθρον 35

- (1) Ἡ παρούσα Σύμβασις θέλει παραμείνει ἐν ἰσχύϊ ἐπ' ἀόριστον χρόνον.
- (2) Ἐκάστη χώρα δύναται νά καταγγεῖλῃ τὴν παρούσαν Πράξιν δι' ἐπὶ τούτῳ γνωστοποιήσεως ἀπευθυνομένης πρὸς τὸν Γενικὸν Διευθυντὴν. Ἡ τοιαύτη καταγγελία ἐπάγεται ὡσαύτως καὶ τὴν καταγγελίαν πασῶν τῶν προγενεστέρων Πράξεων, δὲν ἐπιρεάζει ὅμως εἰμὴ μόνον τὴν καταγγέλλουσαν χώραν, τῆς Συμβάσεως ἐξακολουθοῦσης νά παραμένῃ ἐν πλήρει ἰσχύϊ, καθ' ὅσον ἀφορᾷ εἰς τὰς λοιπὰς χώρας τῆς Ἑνώσεως.
- (3) Ἡ καταγγελία καθίσταται ἐνεργὸς μετὰ πάροδον ἐνὸς ἔτους ἀπὸ τῆς λήψεως τῆς ἐπὶ τούτῳ γνωστοποιήσεως ὑπὸ τοῦ Γενικοῦ Διευθυντοῦ.
- (4) Τὸ προνοούμενον ἐν τῷ παρόντι ἄρθρῳ δικαίωμα καταγγελίας δὲν δύναται νά ἀσκηθῇ ὑφ' οἰασδήποτε χώρας πρὸ τῆς παρόδου πενταετίας, ἀφ' ἧς ἡ χώρα αὕτη κατέστη μέλος τῆς Ἑνώσεως.

## "Άρθρον 36

- (1) Ἐκάστη χώρα μέρος τῆς παρούσης Συμβάσεως ἀναλαμβάνει τὴν ὑποχρέωσιν ὅπως, κατὰ τὴν συνταγματικὴν αὐτῆς διαδικασίαν, προβῇ εἰς τὴν λήψιν τῶν ἀναγκαίων πρὸς ἐφαρμογὴν τῶν διατάξεων τῆς παρούσης Συμβάσεως μέτρων.
- (2) Νοεῖται ὅτι, κατὰ τὸν χρόνον τῆς δεσμεύσεως χώρας τινός ὑπὸ τῆς παρούσης Συμβάσεως, αὕτη δεόν ὅπως εἶναι εἰς θέσιν, θάσῃ τῆς ἐσωτερικῆς αὐτῆς νομοθεσίας, νά θέσῃ ἐν ἐφαρμογῇ τὰς διατάξεις τῆς παρούσης Συμβάσεως.

## "Άρθρον 37

- (1) (α) Ἡ παρούσα Πράξις θέλει ὑπογραφῇ εἰς ἓν καὶ μόνον ἀντίτυπον, εἰς τὴν Γαλλικὴν καὶ τὴν Ἀγγλικὴν ὅπερ, τηρουμένης τῆς παραγράφου (2), θέλει κατατεθῇ παρὰ τῷ Γενικῷ Διευθυντῇ.
- (β) Ὁ Γενικὸς Διευθυντής, ἐν συνεννοήσει μετὰ τῶν ἐνδιαφερομένων Κυβερνήσεων, θέλει μεριμνήσῃ διὰ τὴν σύνταξιν ἐπισημῶν κειμένων εἰς τὴν Ἀραβικὴν, τὴν Γερμανικὴν, τὴν Ἰταλικὴν, τὴν Πορτογαλικὴν καὶ τὴν Ἰσπανικὴν, ὡς καὶ εἰς οἰασδήποτε ἑτέραν γλῶσσαν ἥθελεν ἡ Συνέλευσις καθορίσῃ.
- (γ) Ἐν περιπτώσει ἀμφισβήτησεως περὶ τὴν ἐρμηνείαν τῶν διαφόρων κειμένων, θέλει ὑπερισχύσῃ τὸ Γαλλικὸν κείμενον.
- (2) Ἡ παρούσα Πράξις θέλει παραμείνῃ ἀνοικτὴ πρὸς ὑπογραφήν μέχρι τῆς 31ης Ἰανουαρίου, 1972. Μέχρι τῆς ἡμερομηνίας ταύτης, τὸ ἐν παραγράφῳ (1) (α) μνημονευόμενον ἀντίτυπον θὰ εἶναι κατατεθειμένον παρὰ τῇ Κυβερνήσει τῆς Γαλλικῆς Δημοκρατίας.
- (3) Ὁ Γενικὸς Διευθυντής θέλει ἐπικυρώσῃ καὶ διαθιβάσῃ δύο ἀντίγραφα τοῦ ὑπογεγραμμένου κειμένου τῆς Πράξεως πρὸς τὰς Κυβερνήσεις πασῶν τῶν χωρῶν τῆς Ἑνώσεως καί, κατόπιν αἰτήσεως, πρὸς τὴν Κυβέρνησιν οἰασδήποτε ἑτέρας χώρας.
- (4) Ὁ Γενικὸς Διευθυντής θέλει καταχωρήσῃ τὴν παρούσαν Πράξιν παρὰ τῇ Γραμματείᾳ τῶν Ἠνωμένων Ἐθνῶν.
- (5) Ὁ Γενικὸς Διευθυντής θέλει κοινοποιήσῃ πρὸς τὰς Κυβερνήσεις πασῶν τῶν χωρῶν τῆς Ἑνώσεως τὰς ὑπογραφάς, τὰς καταθέσεις ὀργάνων ἐπικυρώσεως καὶ προσχωρήσεως, τὰς δηλώσεις τὰς διαλαμβανομένας ἐν τοῖς τοιούτοις ὀργάνοις ἢ τὰς γενομένας συμφώνως τοῖς ἀρθροῖς 28(1)(γ), 30(2)(α) καὶ (β) καὶ 33(2), τὴν ἡμερομηνίαν ἐνάρξεως τῆς ἰσχύος οἰωνδήποτε τῶν διατάξεων τῆς παρούσης Πράξεως, τὰς καταγγελίας ὡς καὶ τὰς γνωστοποιήσεις τὰς γενομένας συμφώνως τοῖς ἀρθροῖς 30(2)(γ), 31(1) καὶ (2), 33(3) καὶ 38(1) ὡς καὶ τὸ Παράρτημα.

## "Άρθρον 38

(1) Χώραι της Ένώσεως, αίτινες δέν έπεκύρωσαν την παρούσαν Πράξιν ούδέ προσεχώρησαν αὐτῇ καί αίτινες δέν δεσμεύονται ὑπό τῶν άρθρων 22 ἕως 26 τῆς Πράξεως τῆς Στοκχόλμης τῆς παρύσης Συμβάσεως, δύνανται, ἐφ' ὅσον τό ἐπιθυμῶσι, νά ἐνασκήσῃ, μέχρι τῆς 26ης Ἀπριλίου, 1975, τά δυνάμει τῶν ὡς εἴρηται άρθρων προνοούμενα δικαιώματα, ὡς ἐάν ἐδεσμεύοντο ὑπ' αὐτήν. Χώρα ἐπιθυμοῦσα νά ἐνασκή τά τοιαῦτα δικαιώματα ὀφείλει νά γνωρίσῃ τοῦτο ἐγγράφως εἰς τόν Γενικόν Διευθυντήν ἢ τοιαύτη γνωστοποίησις καθίσταται ἐνεργός ἄμα τῇ λήψει αὐτῆς. Αἱ τοιαῦτα χώραι λογίζονται μέχρι τῆς ἀνωτέρω ἡμερομηνίας ὡς μέλη τῆς Συνελεύσεως.

(2) Μέχρις οὗ ἅπασαι αἱ χώραι τῆς Ένώσεως καταστῶσι Μέλη τῆς Ὁργανώσεως, τό Διεθνές Γραφεῖον τῆς Ὁργανώσεως θά λειτουργῇ ὡσαύτως καί ὡς Γραφεῖον τῆς Ένώσεως, ὁ δέ Γενικός Διευθυντής, ὡς Διευθυντής τοῦ εἰρημένου Γραφείου.

(3) Ἀφ' ἧς στιγμῆς ἅπασαι αἱ χώραι τῆς Ένώσεως ἤθελον καταστή Μέλη τῆς Ὁργανώσεως, τά δικαιώματα, αἱ ὑποχρεώσεις καί ἡ περιουσία τοῦ Γραφείου τῆς Ένώσεως θά περιέλθωσιν εἰς τό Διεθνές Γραφεῖον τῆς Ὁργανώσεως.

## ΠΑΡΑΡΤΗΜΑ

## "Άρθρον 1

(1) Χώρα λογιζομένη ὡς ἀναπτυσσομένη τοιαύτη κατὰ τήν καθιερωμένην πρακτικήν τῆς Γενικῆς Συνελεύσεως τῶν Ἑνωμένων Ἐθνῶν, ἣτις ἤθελεν ἐπικυρώσει ἢ προσχωρήσει τῇ παρούσῃ Πράξει, ἧς τό παρὸν Παράρτημα συνιστᾷ ἀναπόσπαστον μέρος, καί ἣτις, λαμβανόμενων ὑπ' ὄψιν τῆς οἰκονομικῆς αὐτῆς καταστάσεως καί τῶν κοινωνικῶν καί πολιτιστικῶν αὐτῆς ἀναγκῶν, δέν θεωρεῖ ἑαυτήν ὡς οὖσαν εἰς θέσιν νά ἀναγνωρίσῃ παραχρῆμα τήν προστασίαν ἀπάντων τῶν δικαιωμάτων, ὡς προνοεῖται ἐν τῇ παρούσῃ Πράξει, δύναται διὰ γνωστοποίησεως κατατιθεμένης παρὰ τῷ Γενικῷ Διευθυντῇ κατὰ τόν χρόνον τῆς καταθέσεως τοῦ οἰκείου ὄργανου ἐπικυρώσεως ἢ προσχωρήσεως ἢ, τηρουμένου τοῦ άρθρου V(1)(γ), καθ' οἷονδήποτε μετέπειτα χρόνον νά δηλώσῃ ὅτι ἐπιθυμεῖ νά ποιῆται χρῆσιν τῆς ἐν άρθρῳ II προνοουμένης εὐχερείας ἢ τῆς προνοουμένης ἐν άρθρῳ III τοιαύτης ἢ ἀμφοτέρων τῶν τοιούτων εὐχερειῶν. Οἰαδήποτε τοιαύτη χώρα δύναται, ἀντὶ νά ἐπωφεληθῇ τῆς ἐν άρθρῳ II προνοουμένης εὐχερείας, νά προβῇ εἰς δήλωσιν συμφώνως τῷ άρθρῳ V (1)(α).

(2) (α) Δήλωσις γενομένη δυνάμει τῆς παραγράφου (1) καί γνωστοποιουμένη πρὸ τῆς παρελεύσεως περιόδου δέκα ἐτῶν ἀπὸ τῆς ἐνάρξεως τῆς ἰσχύος τῶν άρθρων 1 ἕως 21 καί τοῦ παρόντος Παραρτήματος συμφώνως τῷ άρθρῳ 28(2), θέλει παραμείνει ἐνεργός μέχρι τῆς παρελεύσεως τῆς εἰρημένης περιόδου. Πᾶσα τοιαύτη δήλωσις δύναται νά ἀνανεοῦται ἐν ὅλῳ ἢ ἐν μέρει διὰ δεκαετεῖς περαιτέρω περιόδους, δυνάμει γνωστοποίησεως κατατιθεμένης παρὰ τῷ Γενικῷ Διευθυντῇ, οὐχὶ ἐνωρίτερον τῶν δεκαπέντε μηνῶν καί οὐχὶ θραδύτερον τῶν τριῶν μηνῶν πρὸ τῆς παρελεύσεως τῆς τότε διανυομένης δεκαετοῦς περιόδου.

(β) Δήλωσις γενομένη δυνάμει τῆς παραγράφου (1) καί γνωστοποιουμένη μετὰ τήν παρέλευσιν τῆς περιόδου τῶν δέκα ἐτῶν ἀπὸ τῆς ἐνάρξεως τῆς ἰσχύος τῶν άρθρων 1 ἕως 21 καί τοῦ παρόντος Παραρτήματος συμφώνως τῷ άρθρῳ 28(2), θέλει παραμείνει ἐνεργός μέχρι τῆς παρελεύσεως τῆς τότε διανυομένης δεκαετοῦς περιόδου. Πᾶσα τοιαύτη δήλωσις δύναται νά ἀνανεοῦται ὡς προνοεῖται ἐν τῇ δευτέρᾳ προτάσει τῆς ὑποπαραγράφου (α).

(3) Χώρα τῆς Ένώσεως, ἣτις ἤθελε παύσει λογιζομένη ὡς ἀναπτυσσομένη τοιαύτη κατὰ τὰς προνοίας τῆς παραγράφου (1), δέν θά δικαιουται πλέον νά ἀνανεώσῃ δήλωσιν τῆς ὡς προνοεῖται ἐν παραγράφῳ (2) καί, ἀνεξαρτήτως ἐάν καί τυπικῶς ἀπέσπυρε τήν δήλωσιν τῆς, ἡ χώρα αὕτη κωλύεται νά ποιῆται χρῆσιν τῶν ἐν παραγράφῳ (1) προνοουμένων εὐχερειῶν ἀπὸ τῆς πα-

πελεούσεως της τότε διακινούμενης δεκαετούς περιόδου ή από της παρελεύσεως τριετούς περιόδου, άρχομένης, άφ' ης αύτη έπαυσε λογιζομένη ως άναπτυσσομένη χώρα, έν πάση περιπτώσει λαμβανομένης ύπ' όψιν της θραδύτερον έκπνεούσης περιόδου.

(4) Έάν, καθ' όν χρόνον ή γενομένη δύναμει της παραγράφου (1) ή (2) δήλωσις έπαυσε νά ίσχύη, ύπάρχωσιν εισέτι άποθέματα άντιτύπων έκδοθέντων δύναμει άδείας χορηγηθείσης συμφώνως τώ παρόντι Παραρτήματι, έπιτρέπεται ή κυκλοφορία των τοιούτων άντιτύπων μέχρις οδ έξαντληθί τώ άποθέμα των.

(5) Έκάστη χώρα δεσμευομένη υπό των διατάξεων της παρούσης Πράξεως, ήτις ήθελε καταθέσει δήλωσιν ή γνωστοποίησιν συμφώνως τώ άρθρω 31 (1), καθ' όσον άφορά εις την έφαρμογήν της παρούσης Πράξεως εις συγκεκριμένην έδαφικήν περιοχήν, ή κατάστασις της όποίας δύναται νά θεωρηθί ως άνάλογος πρός την των χωρών των αναφερομένων έν παραγράφω (1), δύναται, άναφορικώς πρός την τοιαύτην έδαφικήν περιοχήν, νά προβή εις την περί ης ή παράγραφος (1) δήλωσιν και την γνωστοποίησιν άνανεώσεως, περί ης ή παράγραφος (2). Καθ' ό διάστημα ή τοιαύτη δήλωσις ή γνωστοποίησις έξακολουθεί νά παραμένη έν ίσχύϊ, αί διατάξεις του παρόντος Παραρτήματος θά έφαρμόζονται επί της έδαφικής περιοχής, άναφορικώς πρός ήν έγένητο ή τοιαύτη δήλωσις ή γνωστοποίησις.

(6) (α) Τό γεγονός ότι χώρα τις ποιεΐται χρΐσιν οΐασδήποτε των έν παραγράφω (1) αναφερομένων εύχειριών, δέν παρέχει τώ δικαίωμα εις έτέρας χώρας νά παρέχωσιν εις έργα έχοντα ως χώραν προελεύσεως την πρώτον μνησθείσαν χώραν, έλάσσονα προστασίαν εκείνης, ήν ύποχρεοΰνται νά παρέχωσι δύναμει των άρθρων 1 έως 20.

(β) Μέχρι της παρελεύσεως της έφαρμοστέας δύναμει του άρθρου 1 (3), περιόδου, τώ δικαίωμα πρός έφαρμογήν της άρχης της άμοιβαΐότητας, τώ προνοούμενον έν τη δευτέρα προτάσει του άρθρου 30(2) (β), δέν δύναται νά ένασκήται άναφορικώς πρός έργα έχοντα ως χώραν προελεύσεως την χώραν ήτις προέβη εις δήλωσιν συμφώνως τώ άρθρω V(1) (α).

#### Άρθρον 11

(1) Η χώρα, ήτις ήθελε προβή εις δήλωσιν ότι έπιθυμεί νά ποιήται χρΐσιν της έν τώ παρόντι άρθρω προνουμένης εύχειρίας, κέκτηται τώ δικαίωμα όπως, άναφορικώς πρός έργα έντύπως έκδοθέντα ή δημοσιευθέντα δι' άναλόγου τρόπου άναπαραγωγής, άντικαταστήσιν τώ άποκλειστικόν δικαίωμα μεταφράσεως, τώ προνοούμενον έν άρθρω 8, διά συστήματος — ούχί άποκλειστικών και μη έπιδεκτικών — έκχωρήσεως άδειών, χορηγούμενων υπό της άρμοδίας άρχης, υπό τους κάτωθι όρους και υπό την έπιφύλαξιν του άρθρου IV.

(2) (α) Τηρουμένης της παραγράφου (3), εάν μετά την παρέλευσιν τριετούς περιόδου ή έτέρας μεγαλυτέρας περιόδου καθοριζομένης υπό της έσωτερικής νομοθεσίας της ως ειρηται χώρας και άρχομένης από της ήμερομηνίας της πρώτης δημοσιεύσεως του έργου, δέν δημοσιευθί μεταφράσις του έργου εις γλώσσαν κοινής χρήσεως έν τη χώρα ταύτη υπό του δικαιούχου του πρός μεταφρασιν δικαιώματος ή τη έξουσιοδοτήσει αύτου, οΐοσδήποτε ύπήκοος της, έν λόγω χώρας δύναται νά λάθη άδειαν μεταφράσεως του έργου εις την ως ειρηται γλώσσαν και νά προβή εις την έντυπον έκδοσιν της μεταφράσεως ή εις την δι' έτέρου άναλόγου τρόπου άναπαραγωγής, δημοσιεύσιν της.

(β) Δύναται πρός τούτοις νά παρασχεθί άδεια υπό τους έν τώ παρόντι άρθρω προνουμένους όρους, έφ' όσον ήθελον έξαντληθί άπασαι αί έκδόσεις των δημοσιευθεισών εις την γλώσσαν ταύτην μεταφράσεων.

(3) (α) Έν τη περιπτώσει μεταφράσεων εις γλώσσαν ούχί κοινής χρήσεως εις μίαν ή πλείονας άνεπτυγμένας χώρας μέλη της Ένώσεως, ή έν παραγράφω 2 (α) μνημονευομένη τριετής περίοδος θέλει άντικατασταθί διά περίοδον ένός μόνον έτους.

(β) Ἐκάστη χώρα, μνημονευομένη ἐν παραγράφῳ (1), δύναται, τῇ ὁμοφώνῳ συμφωνίᾳ τῶν ἀνεπτυγμένων χωρῶν μελῶν τῆς Ἑνώσεως, αἰτίνες ἔχουσι τὴν αὐτὴν γλῶσσαν κοινῆς χρήσεως, νὰ ἀντικαταστήσῃ, διὰ μεταφράσεις εἰς τὴν γλῶσσαν ταύτην, τὴν ἐν παραγράφῳ 2 (α) προνοουμένην τριετὴ περίοδον, διὰ θραχυτέρας τοιαύτης, ὡς ἤθελεν ἑκάστοτε συμφωνηθῇ ὡς ἐν τοῖς ἀνωτέρῳ, ἥτις ὅμως καὶ οὐδεμίᾳ περιπτώσει δύναται νὰ εἶναι θραχυτέρα τοῦ ἐνὸς ἔτους. Οὐχ' ἦττον ὅμως, αἱ ἐν τῇ προηγουμένη προτάσει διαλαμβανόμεναι διατάξεις δὲν θὰ τυγχάνωσιν ἐφαρμογῆς ἐφ' ὅσον ἡ περὶ ἧς πρόκειται γλῶσσα εἶναι ἡ Ἀγγλική, Γαλλικὴ ἢ Ἰσπανικὴ. Αἱ συνομολογοῦσαι τοιαύτην συμφωνίαν Κυβερνήσεις θέλουν κοινοποιήσῃ ταύτην εἰς τὸν Γενικὸν Διευθυντὴν.

(4) (α) Οὐδεμία ἄδεια παραχωρητέα μετὰ παρέλευσιν τριῶν ἐτῶν θέλει παρασχεθῇ δυνάμει τοῦ παρόντος ἄρθρου, μέχρις οὗ παρέλθῃ περαιτέρω περίοδος ἑξ μηνῶν καὶ οὐδεμία ἄδεια παραχωρητέα μετὰ παρέλευσιν ἐνὸς ἔτους θέλει παρασχεθῇ δυνάμει τοῦ παρόντος ἄρθρου, μέχρις οὗ παρέλθῃ περαιτέρω περίοδος ἐννέα μηνῶν—

- (i) ἀπὸ τῆς ἡμερομηνίας, καθ' ἣν ὁ αἰτούμενος τὴν ἄδειαν ἤθελε συμμορφωθῇ πρὸς τὰς προϋποθέσεις τοῦ ἄρθρου IV (1), ἢ
- (ii) ὡσάκις ἡ ταυτότης ἢ ἡ διεύθυνσις τοῦ δικαιούχου τοῦ πρὸς μετάφρασιν δικαιώματος δὲν εἶναι γνωστὴ, ἀπὸ τῆς ἡμερομηνίας, καθ' ἣν ὁ αἰτούμενος τὴν ἄδειαν ἤθελεν ἀποστείλῃ, ὡς προνοεῖται ἐν ἄρθρῳ IV (2), ἀντίγραφα τῆς αἰτήσεώς του, τῆς ὑποβληθείσης εἰς τὴν ἀρμοδίαν πρὸς χορήγησιν τῆς ἀδείας ἀρχήν.

(β) Ἀπαγορεύεται ἡ χορήγησις ἀδείας δυνάμει τοῦ παρόντος ἄρθρου ἐὰν ἐντὸς τῆς εἰρημένης περιόδου τῶν ἑξ ἢ ἐννέα μηνῶν δημοσιευθῇ ὑπὸ τοῦ δικαιούχου τοῦ πρὸς μετάφρασιν δικαιώματος ἢ τῇ ἐξουσιοδοτησῇ αὐτοῦ, μετάφρασις εἰς τὴν γλῶσσαν, δι' ἣν ὑπεβλήθη ἡ αἴτησις.

(5) Ἄδεια δυνάμει τοῦ παρόντος ἄρθρου θέλει χορηγηθῇ μόνον διὰ σκοποῦς διδασκαλίας, μορφώσεως ἢ ἐρεύνης.

(6) Ἐὰν δημοσιευθῇ μετάφρασις ἔργου ὑπὸ τοῦ δικαιούχου τοῦ πρὸς μετάφρασιν δικαιώματος ἢ τῇ ἐξουσιοδοτησῇ αὐτοῦ, εἰς τιμὴν ἀνάλογον πρὸς τὴν συνήθως κρατοῦσαν ἐν τῇ χώρᾳ ταύτῃ δι' ἀνάλογα ἔργα, θέλει τερματισθῇ ἡ ἰσχὺς ἀδείας παρασχεθείσης δυνάμει τοῦ παρόντος ἄρθρου, ἐφ' ὅσον ἡ μετάφρασις εἶναι εἰς τὴν αὐτὴν γλῶσσαν καὶ οὐσιαστικῶς τοῦ αὐτοῦ περιεχομένου ὡς καὶ ἡ δημοσιευθεῖσα δυνάμει τῆς ἀδείας μετάφρασις. Οὐχ' ἦττον ὅμως, ἐπιτρέπεται ἡ κυκλοφορία ἀντιτύπων ἐκδοθέντων πρὶν ἢ τερματισθῇ οὕτω ἡ ἰσχὺς τῆς ἀδείας, μέχρις οὗ ἐξαντληθῶσι τὰ ὑφιστάμενα ἀποθέματά των.

(7) Δι' ἔργα συγκείμενα κυρίως ἐξ εἰκονογραφήσεων, δύναται νὰ χορηγηθῇ ἄδεια μεταφράσεως τοῦ κειμένου καὶ δημοσιεύσεως αὐτῆς καὶ ἀναπαραγωγῆς καὶ δημοσιεύσεως τῶν εἰκονογραφήσεων μόνον ἐφ' ὅσον πληροῦνται πρὸς τοὺς καὶ οἱ ὅροι τοῦ ἄρθρου III.

(8) Ἀπαγορεύεται ἡ χορήγησις ἀδείας δυνάμει τοῦ παρόντος ἄρθρου, ἐν ἣ περιπτώσει ὁ δημιουργὸς ἀπέσυρεν ἐκ τῆς κυκλοφορίας ἅπαντα τὰ ἀντίτυπα τοῦ ἔργου του.

(9) (α) Δύναται πρὸς τούτοις νὰ χορηγηθῇ ἄδεια πρὸς μετάφρασιν ἔργου ἐντύπως ἐκδοθέντος ἢ δημοσιευθέντος δι' ἀνάλογον τρόπον ἀναπαραγωγῆς, εἰς ὁργανισμὸν ραδιοφωνίας, ἔχοντα τὴν ἔδραν αὐτοῦ εἰς τινα τῶν ἀναφερομένων ἐν παραγράφῳ (1) χωρῶν ἢ ἄδεια θέλει χορηγηθῇ ἐφ' ὅσον ὁ τοιοῦτος ὁργανισμὸς ὑποβάλλῃ ἐπὶ τούτῳ αἰτήσιν πρὸς τὴν ἀρμοδίαν ἀρχὴν τῆς ἐν λόγῳ χώρας, νοουμένου ὅτι πληροῦνται ἅπαντες οἱ κάτωθι ὅροι :

- (i) ἡ μετάφρασις γίνεται ἐξ ἀντιτύπου κατασκευασθέντος καὶ κτηθέντος συμφώνως πρὸς τὴν νομοθεσίαν τῆς εἰρημένης χώρας·
- (ii) ἡ μετάφρασις θέλει χρησιμοποιηθῇ μόνον εἰς ραδιοφωνικὰς ἐκπομπὰς ἀποσκοποῦσας ἀποκλειστικῶς εἰς τὴν διδασκαλίαν ἢ τὴν μετάδοσιν τῶν ἀποτελεσμάτων ἐιδικευμένων τεχνικῶν ἢ ἐπιστημονικῶν ἐρευνῶν εἰς ἐμπειρογνώμονας εἰδικοῦ τινος ἐπαγγέλματος·

- (iii) ή μετάφρασις θέλει χρησιμοποιηθῇ αποκλειστικῶς διὰ τοὺς ἐν ὄρω (ii) μνημονευομένους σκοπούς, διὰ ραδιοφωνικῶν ἐκπομπῶν νομίμως ἐνεργουμένων καὶ προοριζομένων διὰ δέκτας εὐρισκομένους ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τῆς εἰρημένης χώρας, περιλαμβανομένων καὶ ἐκπομπῶν ἐνεργουμένων δι' ἡχητικῶν ἢ ὁπτικῶν ἐγγραφῶν νομίμως καὶ αποκλειστικῶς γενομένων διὰ τοὺς σκοπούς τῶν τοιούτων ἐκπομπῶν·
- (iv) ἅπασαι αἱ γενόμεναι χρήσεις τῆς μεταφράσεως στεροῦνται ἐμπορικοῦ σκοποῦ.

(β) Τηρουμένων τῶν ἐν ὑποπαραγράφῳ (α) μνημονευομένων ὄρων καὶ τῇ συγκαταθέσει τοῦ ἐνδιαφερομένου οργανισμοῦ ραδιοφωνίας, αἱ ἡχητικαὶ ἢ ὁπτικαὶ ἐγγραφαὶ μεταφράσεως γενομένης ὑπὸ τοῦ τοιούτου οργανισμοῦ δυνάμει ἀδείας χορηγηθείσης συμφώνως τῇ παρούσῃ παραγράφῳ, δύνανται νὰ χρησιμοποιηθῶσιν ὡσαύτως καὶ ὑφ' οἰουδήποτε ἐτέρου οργανισμοῦ ραδιοφωνίας ἔχοντος τὴν ἔδραν αὐτοῦ ἐν τῇ χώρᾳ, ἀρμοδίᾳ ἀρχῇ τῆς ὁποίας παρεχώρησε τὴν τοιαύτην ἀδειαν.

(γ) Νοουμένου ὅτι πληροῦνται ἅπαντα τὰ κριτήρια καὶ οἱ ὅροι, οἵτινες ἐκτίθενται ἐν ὑποπαραγράφῳ (α), δύναται πρὸς τοῦτοις νὰ χορηγηθῇ ἀδεια εἰς ὀργανισμὸν ραδιοφωνίας πρὸς μετάφρασιν οἰουδήποτε κειμένου ἐνσωματωμένου εἰς ἀκουστικο-ἐποπτικὴν ἀποτύπωσιν, ἐφ' ὅσον αὕτη παρεσκευάσθῃ καὶ ἐδημοσιεύθῃ διὰ τὸν ἀποκλειστικὸν σκοπὸν χρήσεως τῆς συναφῶς πρὸς συστηματικὰς ἐκπαιδευτικὰς δραστηριότητας.

(δ) Τηρουμένων τῶν διατάξεων τῶν ὑποπαραγράφων (α) ἕως (γ), αἱ διατάξεις τῶν προηγουμένων παραγράφων θὰ ἐφαρμόζωνται καὶ ἐπὶ τῆς παραχώρησεως καὶ ἀσκήσεως οἰαοδήποτε ἀδείας χορηγηθείσης δυνάμει τῆς παρούσης παραγράφου.

### Ἄρθρον ΙΙΙ

(1) Χώρα, ἥτις ἤθελε προῦθι εἰς δῆλωσιν ὅτι ἐπιθυμεῖ νὰ ποιῇται χρῆσιν τῆς ἐν τῷ παρόντι ἁρθρῷ προνοουμένης εὐχερείας, κέκτηται τὸ δικαίωμα ὅπως ἀντικαταστήσῃ τὸ προνοούμενον ἐν ἁρθρῷ 9 ἀποκλειστικὸν δικαίωμα ἀναπαραγωγῆς διὰ συστήματος οὐχὶ ἀποκλειστικῶν καὶ μὴ ἐπιδεκτικῶν ἐκχωρήσεως ἀδειῶν, χορηγουμένων ὑπὸ τῆς ἀρμοδίας ἀρχῆς ὑπὸ τοὺς κάτωθι ὁρους καὶ ὑπὸ τὴν ἐπιφύλαξιν τοῦ ἁρθροῦ IV.

(2) (α) Καθ' ὅσον ἀφορᾷ εἰς ἔργον ὑποκείμενον εἰς τὰς διατάξεις τοῦ παρόντος ἁρθροῦ δυνάμει τῆς παραγράφου (7), ἐὰν μετὰ τὴν παρέλευσιν—

(i) τῆς καθοριζομένης ἐν παραγράφῳ (3) σχετικῆς περιόδου, ἀρχομένης ἀπὸ τῆς ἡμερομηνίας τῆς πρώτης δημοσιεύσεως εἰδικῆς ἐκδόσεως τοῦ ἔργου, ἢ

(ii) οἰαοδήποτε μεγαλύτερας περιόδου καθοριζομένης ὑπὸ τῆς ἐσωτερικῆς νομοθεσίας τῆς ἐν παραγράφῳ (1) ἀναφερομένης χώρας, τῆς περιόδου ταύτης ἀρχομένης ἀπὸ τῆς αὐτῆς ἡμερομηνίας,

δὲν ἐκυκλοφόρησαν ἀντίτυπα τῆς τοιαύτης ἐκδόσεως ἐν τῇ εἰρημένῃ χώρᾳ πρὸς τὸ κοινὸν ἐν γένει ἢ συναφῶς πρὸς συστηματικὰς ἐκπαιδευτικὰς δραστηριότητας, ὑπὸ τοῦ δικαιούχου τοῦ πρὸς ἀναπαραγωγὴν τοῦ ἔργου δικαιώματος ἢ τῇ ἐξουσιοδοτήσει αὐτοῦ, εἰς τιμὴν ἀνάλογον πρὸς τὴν συνηθῶς ἐν τῇ χώρᾳ ταύτῃ κρατοῦσαν δι' ἀνάλογα ἔργα, οἰοσδήποτε ὑπὸ τῆς ἐν λόγω χώρας δύναται νὰ λάβῃ ἀδειαν ἀναπαραγωγῆς καὶ δημοσιεύσεως τῆς τοιαύτης ἐκδόσεως εἰς τὴν τιμὴν ταύτην ἢ χαμηλοτέραν τοιαύτην, πρὸς χρῆσιν τοῦ ἔργου συναφῶς πρὸς συστηματικὰς ἐκπαιδευτικὰς δραστηριότητας.

(β) Ἡ ἀδεια ἀναπαραγωγῆς καὶ δημοσιεύσεως ἐκδόσεως, ἥτις ἐκυκλοφόρησεν ὡς περιγράφεται ἐν παραγράφῳ (α), δύναται ὡσαύτως νὰ χορηγηθῇ ὑπὸ τοὺς ὁρους τοὺς προνοουμένους ἐν τῷ παρόντι ἁρθρῷ ἐὰν, μετὰ τὴν παρέλευσιν τῆς ἐφαρμοστέας περιόδου, καὶ διὰ περίοδον ἑξ μηνῶν δὲν διετίθεντο πρὸς πώλησιν ἐξουσιοδοτημένα ἀντίτυπα τῆς τοιαύτης ἐκδόσεως ἐν τῇ

ειρημένη χώρα, πρὸς τὸ κοινὸν ἐν γένει ἢ συναφῶς πρὸς συστηματικὰς ἐκπαιδευτικὰς δραστηριότητας, εἰς τιμὴν ἀνάλογον πρὸς τὴν συνήθως ἐν τῇ χώρᾳ ταύτῃ κρατοῦσαν δι' ἀνάλογα ἔργα.

(3) Ἡ ἐν παραγράφῳ (2)(α)(i) προβλεπομένη περίοδος εἶναι πενταετής, οὐχ' ἦττον ὁμως—

- (i) δι' ἔργα τῶν φυσικῶν ἐπιστημῶν, περιλαμβανομένων καὶ τῶν μαθηματικῶν, καὶ τῆς τεχνολογίας, ἡ περίοδος αὕτη θὰ εἶναι τριετής·
- (ii) διὰ μυθιστορήματα, ποιητικὰ ἔργα, δράματα, μουσικὰ ἔργα καὶ βιβλία τέχνης, ἡ περίοδος αὕτη θὰ εἶναι ἑπταετής.

(4) (α) Οὐδεμία ἄδεια παραχωρητέα μετὰ παρέλευσιν τριῶν ἐτῶν θέλει παρασχεθῇ δυνάμει τοῦ παρόντος ἄρθρου, μέχρις οὗ παρέλθῃ περαιτέρω περίοδος ἑξ μηνῶν—

- (i) ἀπὸ τῆς ἡμερομηνίας καθ' ἣν ὁ αἰτούμενος τὴν ἄδειαν ἤθελε συμμορφωθῇ πρὸς τὰς προϋποθέσεις τοῦ ἄρθρου IV(1), ἢ
- (ii) ὁσάκις ἡ ταυτότης ἢ ἡ διεύθυνσις τοῦ δικαιούχου τοῦ πρὸς ἀναπαραγωγὴν τοῦ ἔργου δικαιώματος δὲν εἶναι γνωστή, ἀπὸ τῆς ἡμερομηνίας, καθ' ἣν ὁ αἰτούμενος τὴν ἄδειαν ἤθελεν ἀποστείλει, ὡς προνοεῖται ἐν ἄρθρῳ IV(2), ἀντίγραφα τῆς αἰτήσεώς του, τῆς υποβληθείσης εἰς τὴν ἀρμοδίαν πρὸς χορήγησιν τῆς ἀδείας ἀρχῆς.

(β) Ἐν αἷς πεοιπτώσεσιν ἡ ἄδεια δύναται νὰ παραχωρηθῇ μετὰ παρέλευσιν ἐτέρων περιόδων, εἶναι δὲ ἐφαρμοστέαι αἱ διατάξεις τοῦ ἄρθρου IV(2), ἀπαγορεύεται ἡ χορήγησις τῆς ἀδείας μέχρις οὗ παρέλθῃ περαιτέρω περίοδος τριῶν μηνῶν ἀπὸ τῆς ἡμερομηνίας τῆς ἀποστολῆς ἀντιγράφων τῆς πρὸς χορήγησιν τῆς ἀδείας αἰτήσεως.

(γ) Ἀπαγορεύεται ἡ χορήγησις ἀδείας δυνάμει τοῦ παρόντος ἄρθρου, ἐὰν ἐντὸς τῆς εἰρημένης περιόδου τῶν ἑξ ἢ τριῶν μηνῶν, τῆς προβλεπομένης ἐν ὑποπαραγράφῳ (α) καὶ (β), λάθῃ χώραν κυκλοφορία ὡς περιγράφεται ἐν παραγράφῳ 2(α).

(δ) Ἀπαγορεύεται ἡ χορήγησις ἀδείας δυνάμει τοῦ παρόντος ἄρθρου, ἐν ἡ περιπτώσει ὁ δημιουργὸς ἀπέσυρεν ἐκ τῆς κυκλοφορίας ἅπαντα τὰ ἀντίτυπα τῆς ἐκδόσεως, διὰ τὴν ἀναπαραγωγὴν καὶ δημοσίευσιν τῆς ὁποίας ζητεῖται ἡ ἄδεια.

(5) Ἀπαγορεύεται ἡ χορήγησις ἀδείας δυνάμει τοῦ παρόντος ἄρθρου πρὸς ἀναπαραγωγὴν καὶ δημοσίευσιν μεταφράσεως ἔργου, εἰς τὰς κάτωθι περιπτώσεις:

- (i) ὁσάκις ἡ μετάφρασις δὲν ἐδημοσιεύθῃ ὑπὸ τοῦ δικαιούχου τοῦ πρὸς μετάφρασιν δικαιώματος ἢ τῇ ἐξουσιοδοτήσῃ αὐτοῦ· ἢ
- (ii) ὁσάκις ἡ μετάφρασις δὲν εἶναι εἰς γλῶσσαν κοινῆς χρήσεως ἐν τῇ χώρᾳ, ἐν ἣ ζητεῖται ἡ ἄδεια.

(6) Ἐφ' ὅσον ἤθελον κυκλοφορῆσαι ἀντίτυπα ἐκδόσεως ἔργου ἐν τῇ μνημονευομένῃ ἐν παραγράφῳ (1) χώρᾳ, πρὸς τὸ κοινὸν ἐν γένει ἢ συναφῶς πρὸς συστηματικὰς ἐκπαιδευτικὰς δραστηριότητας, ὑπὸ τοῦ δικαιούχου τοῦ πρὸς ἀναπαραγωγὴν δικαιώματος ἢ τῇ ἐξουσιοδοτήσῃ αὐτοῦ, εἰς τιμὴν ἀνάλογον πρὸς τὴν συνήθως ἐν τῇ χώρᾳ ταύτῃ κρατοῦσαν δι' ἀνάλογα ἔργα, θέλει τερματισθῇ ἡ ἰσχὺς ἀδείας παρασχεθείσης δυνάμει τοῦ παρόντος ἄρθρου, ἐὰν ἡ τοιαύτη ἐκδοσις εἶναι εἰς τὴν αὐτὴν γλῶσσαν καὶ οὐσιαστικῶς τοῦ αὐτοῦ περιεχομένου ὡς καὶ ἡ δημοσιευθεῖσα δυνάμει τῆς ὡς εἴρηται ἀδείας ἐκδοσις. Οὐχ' ἦττον ὁμως, ἐπιτρέπεται ἡ κυκλοφορία ἀντιτύπων ἡδὴ ἐκδοθέντων πρὶν ἢ τερματισθῇ οὕτω ἡ ἰσχὺς τῆς ἀδείας, μέχρις οὗ ἐξαντληθῶσι τὰ ὑφιστάμενα ἀποθέματά των.

(7) (α) Τηρουμένων τῶν διατάξεων τῆς ὑποπαραγράφου (β), εἰς τὰς διατάξεις τοῦ παρόντος ἄρθρου ὑπόκεινται ἀποκλειστικῶς ἔργα ἐντύπως ἐκδοθέντα ἢ δημοσιευθέντα δι' ἀναλόγου τρόπου ἀναπαραγωγῆς.

(β) Το παρόν άρθρον θά τυγχάνη πρὸς τούτοις ἐφαρμογῆς καὶ ἐπὶ τῆς ἀναπαραγωγῆς, ὑπὸ ἀκουστικο-ἐποπτικὴν μορφήν, νομίμως γενομένων ἀκουστικο-ἐποπτικῶν ἀποτυπώσεων, περιλαμβανομένων οἰωνδήποτε προστατευομένων ἔργων ἐνσωματωμένων ἐν αὐταῖς, ὡς καὶ ἐπὶ τῆς μεταφράσεως οἰωνδήποτε ἐνσωματωμένου κειμένου, εἰς γλῶσσαν κοινῆς χρήσεως ἐν τῇ χώρᾳ, ἐν ἣ ζητεῖται ἡ ἄδεια, νοουμένου ἐν πάσῃ περιπτώσει ὅτι αἱ περὶ οὗ ὁ λόγος ἀκουστικο-ἐποπτικαὶ ἀποτυπώσεις παρεσκευάσθησαν καὶ ἐδημοσιεύθησαν ἀποκλειστικῶς καὶ μόνον ἐπὶ τῷ τέλει χρήσεως τῶν συναφῶς πρὸς συστηματικὰς ἐκπαιδευτικὰς δραστηριότητας.

#### Ἄρθρον IV

(1) Ἡ ἄδεια δυνάμει τοῦ ἁρθροῦ II ἢ τοῦ ἁρθροῦ III δύναται νὰ χορηγηθῇ μόνον ἐφ' ὅσον ὁ αἰτούμενος ταύτην ἤθελεν ἀποδείξει, κατὰ τὴν διαδικασίαν τῆς ἐνδιαφερομένης χώρας, εἴτε ὅτι ἐζήτησε τὴν ἐξουσιοδότησιν τοῦ δικαιοῦχου τοῦ δικαιώματος πρὸς μετάφρασιν καὶ δημοσίευσιν τοῦ ἔργου ἢ, ἀναλόγως τῆς περιπτώσεως, πρὸς ἀναπαραγωγὴν καὶ δημοσίευσιν τῆς ἐκδόσεως, καὶ ὅτι δικαιοῦχος τοῦ τοιούτου δικαιώματος ἠρνήθη νὰ παράσχη τὴν τοιαύτην ἐξουσιοδότησιν, εἴτε ὅτι, καίτοι κατέβαλε πᾶσαν δυνατὴν πρὸς τοῦτο προσπάθειαν, δὲν ἠδυνήθη νὰ ἀνεύρῃ τὸν δικαιοῦχον τοῦ δικαιώματος. Οὗτος ὀφείλει ὅπως συγχρόνως πληροφρήσῃ περὶ τούτου καὶ τὰ ἐν παραγράφῳ (2) ἀναφερόμενα ἐθνικὰ ἢ διεθνῇ κέντρᾳ πληροφοριῶν.

(2) Ἐὰν δὲν καταστῇ δυνατόν νὰ ἐξευρεθῇ ὁ δικαιοῦχος τοῦ δικαιώματος, ὁ αἰτούμενος τὴν χορήγησιν τῆς ἀδείας θέλει ἀποστείλῃ διὰ συστημένης ἀεροπορικῆς ἐπιστολῆς ἀντίγραφα τῆς αἰτήσεως, τῆς υποβληθείσης πρὸς τὴν ἀρμοδίαν πρὸς χορήγησιν τῆς ἀδείας ἀρχήν, πρὸς τὸν ἐκδότην, οὗτινος τὸ ὄνομα ἀναγράφεται ἐπὶ τοῦ ἔργου καὶ πρὸς οἰωνδήποτε ἐθνικὸν ἢ διεθνὲς κέντρον πληροφοριῶν, ὅπερ ἤθελε καθορισθῇ εἰς ἐπὶ τούτῳ γνωστοποιήσιν κατατιθεμένην παρὰ τῷ Γενικῷ Διευθυντῇ ὑπὸ τῆς Κυβερνήσεως τῆς χώρας, εἰς ἣν πιστεύεται ὅτι ὁ ἐκδότης ἔχει τὴν ἔδραν τῶν ἐπιχειρήσεων του.

(3) Τὸ ὄνομα τοῦ δημιουργοῦ δέον ὅπως ἀναγράφεται ἐφ' ἀπάντων τῶν ἀντιτύπων τῆς μεταφράσεως ἢ ἀναπαραγωγῆς, τῶν δημοσιευθέντων δυνάμει ἀδείας χορηγηθείσης συμφώνως τῷ ἁρθρῷ II ἢ III. Ἐφ' ἀπάντων τῶν τοιούτων ἀντιτύπων δέον ὅπως ἐμφαίνηται ὁ τίτλος τοῦ ἔργου, προκειμένου δὲ περὶ μεταφράσεως ἐμφαίνηται ἐν πάσῃ περιπτώσει καὶ ὁ πρωτότυπος τοιοῦτος.

(4) (α) Ἡ ἄδεια χορηγούμενη δυνάμει τοῦ ἁρθροῦ II ἢ III δὲν καλύπτει καὶ τὴν ἐξαγωγήν ἀντιτύπων, ἰσχύει δὲ μόνον καθ' ὅσον ἀφορᾷ εἰς τὴν δημοσίευσιν τῆς μεταφράσεως ἢ ἀναλόγως τῆς περιπτώσεως, τῆς ἀναπαραγωγῆς, ἐν τῇ ἐδαφικῇ ἐπικρατείᾳ τῆς χώρας εἰς ἣν ἐζήτηθη.

(β) Διὰ τοὺς σκοποὺς τῆς ὑποπαραγράφου (α), ὁ ὅρος «ἐξαγωγή» διαλαμβάνει καὶ τὴν ἀποστολὴν ἀντιτύπων ἐξ οἰασδήποτε ἐδαφικῆς περιοχῆς πρὸς τὴν χώραν ἥτις, ἀναφορικῶς πρὸς τὴν περιοχὴν ταύτην, προέβη εἰς δήλωσιν δυνάμει τοῦ ἁρθροῦ I (5).

(γ) Ἡ ἀποστολὴ ἀντιτύπων μεταφράσεως δημοσιευθείσης δυνάμει ἀδείας παρασχεθείσης συμφώνως τῷ ἁρθρῷ II εἰς γλῶσσαν ἑτέραν ἢ τὴν Ἀγγλικήν, τὴν Γαλλικὴν ἢ τὴν Ἰσπανικὴν, ἢ ἐνεργουμένη ὑπὸ κυβερνητικοῦ ἢ ἑτέρου δημοσίου ὀργανισμοῦ τῆς χώρας, ἥτις παρεχώρησε τὴν τοιαύτην ἄδειαν, εἰς ἑτέραν τινὰ χώραν, δὲν λογίζεται ὡς συνιστῶσα ἐξαγωγήν ἐν τῇ ἐννοίᾳ τῆς ὑποπαραγράφου (α), ἐφ' ὅσον πληροῦνται ἅπαντες οἱ κάτωθι ὅροι :

- (i) οἱ παραλήπται τῶν ἀντιτύπων εἶναι ὑπὸ τὴν ἐξουσίαν τῆς χώρας, ἀρμοδία ἀρχὴ τῆς ὁποίας παρεχώρησε τὴν ἄδειαν ἢ ὀργανώσεις συγκροτούμεναι ὑπὸ τοιούτων ὑπηρεσιῶν
- (ii) τὰ ποστελλόμενα ἀντίτυπα θέλουν χρησιμοποιηθῇ μόνον διὰ σκοποὺς διδασκαλίας, μὲρψώσεως ἢ ἐρεῦνης
- (iii) στεροῦνται ἐμπορικοῦ σκοποῦ τόσον ἡ ἀποστολὴ τῶν ἀντιτύπων ὅσον καὶ ἡ μετέπειτα κυκλοφορία τούτων μεταξὺ τῶν παραληπτῶν καὶ

(iv) ή χώρα, εις ήν απευτάλησαν τὰ αντίτυπα συνεφώνησε μετά της χώρας, αρμοδία αρχή της οποίας παρεχώρησε την άδειαν, όπως επιτρέψη την παραλαβήν ή την κυκλοφορίαν των αντίτυπων ή αμφοτέρω, ή δέ Κυβέρνησις της χώρας ήτις παρεχώρησε την άδειαν γνώρισεν έγγράφως εις τον Γενικόν Διευθυντήν την τοιαύτην συμφωνίαν.

(5) Έφ' άπάντων των αντίτυπων, άτινα δημοσιεύονται δυνάμει άδειάς παρασχεθείσης συμφώνως τῷ άρθρῳ II ή III, δέον όπως αναγράφηται εις την αρμόζουσαν γλώσσαν τὸ γεγονός ὅτι τὰ τοιαῦτα αντίτυπα διατίθενται πρὸς κυκλοφορίαν μόνον ἐν τῇ χώρᾳ, εἰς ἣν ἰσχύει ἡ ὡς εἴρηται ἄδεια.

(6) (α) Έν τῇ ἐσωτερικῇ νομοθεσίᾳ δέον ὅπως διαληφθῇ πρόνοια διασφαλίζουσα ὅτι—

(i) ή άδεια προβλέπει, ἐπ' ὀφέλει τοῦ δικαιούχου τοῦ πρὸς μετάφρασιν ή, ἀναλόγως τῆς περιπτώσεως, πρὸς ἀναπαραγωγὴν δικαιώματος, δικαίαν ἀμοιβὴν συνάδουσαν πρὸς τὰ ἐπίπεδα τῶν δικαιωμάτων, άτινα συνήθως ἰσχύουσιν ἐπὶ ἀδειῶν παραχωρουμένων κατόπιν ἐλευθέρων διαπραγματεύσεων μεταξύ προσώπων εἰς τὰς δύο ἐνδιαφερομένης χώρας· καί

(ii) τὰ της πληρωμῆς καὶ της μεταβιβάσεως της ἀμοιβῆς. Έν αἷς περιπτώσεσιν ἥθελεν ἀναφυῇ κώλυμα μεταβιβάσεως της τοιαύτης ἀμοιβῆς ὡς ἐκ της ἐφαρμογῆς τῶν ἐν τῇ χώρᾳ ταύτῃ κρατούντων περὶ ἐθνικοῦ νομίματος Κανονισμῶν, ή ἀρμοδία ἀρχή θέλει καταβάλλει πᾶσαν δυνατὴν προσπάθειαν, διὰ της χρήσεως διεθνoῦς μηχανισμοῦ, ἵνα διασφαλίσῃ τὴν μεταβίβασιν ταύτης εἰς διεθνῶς μετατρέψιμον νόμισμα ή τὸ ἰσοδύναμόν του.

(β) Έν τῇ ἐσωτερικῇ νομοθεσίᾳ δέον ὅπως διαληφθῇ πρόνοια διασφαλίζουσα τὴν πιστὴν μετάφρασιν τοῦ ἔργου ή, ἀναλόγως τῆς περιπτώσεως, τὴν ἐπακριβῆ ἀναπροσαρμογὴν της συγκεκριμένης ἐκδόσεως.

#### “Άρθρον V

(1) (α) Χώρα ἔχουσα τὸ δικαίωμα νὰ προβῇ εἰς δήλωσιν ὅτι ἐπιθυμεῖ νὰ ποιῇται χρῆσιν της ἐν ἄρθρῳ II προνοουμένης εὐχερείας, δύναται ἀντὶ τοῦτου, κατὰ τὸν χρόνον της ἐπικυρώσεως ή προσχωρήσεώς της εἰς τὴν παρούσαν πράξιν :

(i) ἐφ' ὅσον μὲν πρόκειται περὶ χώρας ὑποκειμένης εἰς τὰς διατάξεις τοῦ ἄρθρου 30 (2) (α). νὰ προβῇ εἰς δήλωσιν δυνάμει τῶν ὡς εἴρηται διατάξεων, καθ' ἣν ἔκτασιν ἀφορᾷ εἰς τὸ πρὸς μετάφρασιν δικαίωμα·

(ii) ἐφ' ὅσον δὲ πρόκειται περὶ χώρας μὴ ὑποκειμένης εἰς τὰς διατάξεις τοῦ ἄρθρου 30 (2) (α), καὶ ἐὰν ἔτι αὕτη δὲν εἶναι χώρα μὴ μετέχουσα της Ένώσεως, νὰ προβῇ εἰς δήλωσιν ὡς προνοεῖται ἐν τῇ πρώτῃ προτάσει τοῦ ἄρθρου 30 (2) (β).

(β) Δήλωσις γενομένη συμφώνως τῇ παρουσίᾳ παραγράφῳ, ὑπὸ χώρας ήτις παύει νὰ θεωρῇται ὡς ἀναπτυσσομένη τοιαύτη ἐν τῇ ἐννοίᾳ τοῦ ἄρθρου I (1), ἐξακολουθεῖ νὰ εἶναι ἐνεργὸς μέχρι της ἡμερομηνίας, καθ' ἣν ἤθελεν ἐκπνεύσει ή ἐφαρμοστέα δυνάμει τοῦ ἄρθρου I (3) περίοδος.

(γ) Ἡ χώρα, ήτις ἤθελε προβῇ εἰς δήλωσιν συμφώνως τῇ παρουσίᾳ παραγράφῳ, δὲν δύναται ἐν συνεχείᾳ, καὶ ἐὰν ἔτι ἀνακαλέσῃ τὴν τοιαύτην δήλωσιν, νὰ ἐπωφεληθῇ της ἐν ἄρθρῳ II προνοουμένης εὐχερείας.

(2) Τηρουμένης της παραγράφου (3), χώρα ποιουμένη χρῆσιν της ἐν ἄρθρῳ II προνοουμένης εὐχερείας δὲν δύναται ἐν συνεχείᾳ νὰ προβῇ εἰς δήλωσιν συμφώνως τῇ παραγράφῳ (1).

(3) Χώρα, ήτις παύει νὰ θεωρῇται ὡς ἀναπτυσσομένη τοιαύτη ἐν τῇ ἐννοίᾳ τοῦ ἄρθρου I (1), δύναται, οὐχὶ θραδύτερον τῶν δύο ἐτῶν πρὸ της ἐκπνοῆς της ἐφαρμοστέας δυνάμει τοῦ ἄρθρου I (3) περιόδου, νὰ προβῇ εἰς δήλωσιν ἔχουσαν τὰς ἐν τῇ πρώτῃ προτάσει τοῦ ἄρθρου 30 (2) (β) ἐννόμους συνεπειάς, παρὰ τὸ γεγονός ὅτι αὕτη δὲν εἶναι χώρα μὴ μετέχουσα της Ένώσεως. Ἡ τοιαύτη δήλωσις θέλει καταστῇ ἐνεργὸς κατὰ τὴν ἡμερομηνίαν, καθ' ἣν ἐκπνέει ή δυνάμει τοῦ ἄρθρου I (3) ἐφαρμοστέα περίοδος.

## "Άρθρον VI

(1) Ἐκάστη χώρα τῆς Ἑνώσεως δύναται νὰ προβῇ εἰς τὴν κάτωθι δήλωσιν, ἀπὸ τῆς ἡμερομηνίας τῆς παρούσης Πράξεως καὶ ἐν παντὶ χρόνῳ πρὶν ἢ αὕτη δεσμευθῇ ὑπὸ τῶν ἀρθρῶν 1 ἕως 21 καὶ τοῦ παρόντος Παραρτήματος :

(i) ἐφ' ὅσον μὲν πρόκειται περὶ χώρας, ἣτις, ἐὰν ἐδεσμεύετο ὑπὸ τῶν ἀρθρῶν 1 ἕως 21 καὶ τοῦ παρόντος Παραρτήματος, θὰ ἐδικαιούτο νὰ ποιεῖται χρῆσιν τῆς ἐν ἀρθρῷ 1 (1) προνοουμένης εὐχερείας, ὅτι θέλει ἐφαρμόσει τὰς διατάξεις τοῦ ἀρθροῦ II ἢ III ἢ ἀμφοτέρων, ἐπὶ ἔργων ἐλκόντων τὴν προέλευσιν τῶν ἐκ χώρας ἣτις, συμφώνως τῇ ὑποπαραγράφῳ (ii) κατωτέρω, ἀποδέχεται τὴν ἐφαρμογὴν τῶν ἐν λόγῳ ἀρθρῶν ἐπὶ τῶν ἔργων τούτων ἢ ἣτις δεσμεύεται ὑπὸ τῶν ἀρθρῶν 1 ἕως 21 καὶ τοῦ παρόντος Παραρτήματος· ἡ τοιαύτη δήλωσις δύναται νὰ ἀναφέρηται εἰς τὸ ἀρθρον V ἀντὶ τοῦ ἀρθροῦ II·

(ii) ὅτι ἀποδέχεται τὴν ἐφαρμογὴν τοῦ παρόντος Παραρτήματος ἐπὶ ἔργων ἐλκόντων τὴν προέλευσιν τῶν ἐν αὐτῇ, ὑπὸ χωρῶν, αἵτινες προέβησαν εἰς δήλωσιν δυνάμει τῆς ἀνωτέρω ὑποπαραγράφου (i) ἢ εἰς γνωστοποιήσιν δυνάμει τοῦ ἀρθροῦ I.

(2) Πᾶσα δήλωσις γενομένη δυνάμει τῆς παραγράφου (1) δέον ὅπως εἶναι ἔγγραφος, κατατίθεται δὲ παρὰ τῷ Γενικῷ Διευθυντῇ· αὕτη θέλει καταστῇ ἐνεργὸς ἀπὸ τῆς ἡμερομηνίας τῆς παρὰ τῷ Γενικῷ Διευθυντῇ καταθέσεώς της.

Εἰς ΠΙΣΤΙΝ ΤΩΝ ΑΝΩΤΕΡΩ, οἱ ὑπογεγραμμένοι, δεόντως πρὸς τοῦτο ἐξουσιοδοτημένοι, ὑπέγραψαν τὴν παροῦσαν Πράξιν.

ΕΓΕΝΕΤΟ ἐν Παρισίοις, τῇ 24ῃ Ἰουλίου, 1971.