



European Convention on the International Classification of Patents for Invention

Paris, 19.XII.1954

The governments signatory hereto, being members of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose, among others, of facilitating their economic and social progress by agreements and common action in economic, social, cultural, scientific, legal and administrative matters;

Considering that the adoption of a uniform system of classification of patents for inventions is in the common interest and likely to contribute to the harmonisation of national legislation;

Having regard to the Resolution of the Committee of Ministers of the Council of Europe of 12th September 1952, relating to the generalisation of the practice of examination of patent applications for novelty;

Having regard to Article 15 of the Convention for the Protection of Industrial Property signed at Paris on 20th March 1883, revised at Brussels on 14th December 1900, at Washington on 2nd June 1911, at The Hague on 6th November 1925, and at London on 2nd June 1934,

Have agreed as follows:

Article 1

- 1 Subject to the provisions of this Convention, each Contracting Party shall adopt the system of classification of patents for inventions set out in the annex hereto, together with any elaborations or modifications which shall have entered into force in accordance with paragraph 2 of Article 2. This system, including the said elaborations and modifications, is hereinafter referred to as the "International Classification".
- 2 Each Contracting Party shall be at liberty to apply the International Classification either as a principal or as a subsidiary system.

Article 2

- 1 The Committee of Experts on Patents of the Council of Europe shall be responsible for the further elaboration of the International Classification and shall give its opinion to the Contracting Parties on any modification thereof which may be proposed by any of them.

- 2 Any elaboration or modification approved by that committee shall enter into force six months after all the Contracting Parties have been notified of such approval, unless two at least of the Parties have informed the Secretary General of the Council of their objection to the proposed elaboration or modification not less than one month before the expiry of the said period of six months.

Article 3

- 1 The printed patent specifications issued by the Contracting Parties or, in their absence, any extract or similar document which may be issued by a Contracting Party as a substitute for such a printed specification shall, after the expiry of a period of six months from the date on which this Convention enters into force, be marked by the national authorities with the complete symbols of the International Classification.
- 2 Any signatory or acceding government which does not classify patents for the purpose of examining the novelty of inventions may, when signing this Convention or when depositing its instrument of ratification, or when notifying its accession, declare that it does not undertake to mark the printed patent specifications, extracts or similar documents with all or some of the symbols relating to the elaborations of the classification system referred to in Articles 1 and 2. No such reservation may be made in connection with the annex to this Convention or any modification thereof which does not constitute an elaboration.
- 3 The symbols of the International Classification, preceded by the words: "International Classification" or an abbreviation thereof, shall be printed in heavy type in the heading of the document.
- 4 The provisions of the preceding paragraphs shall not prejudice the right of any Contracting Party to require that the printed documents issued by their national authorities shall bear other symbols.

Article 4

- 1 This Convention shall be open for signature by the members of the Council of Europe. It shall be ratified. Instruments of ratification shall be deposited with the Secretary General of the Council of Europe.
- 2 Subject to the provisions of Article 6, this Convention shall enter into force on the first day of the month following the date of deposit of the fourth instrument of ratification.
- 3 Subject to the provisions of Article 6, this Convention shall enter into force, for any signatory government which subsequently ratifies it, on the first day of the month following the date of the deposit of its instrument of ratification.

Article 5

- 1 After its entry into force, this Convention shall be open to accession by any member of the International Union for the Protection of Industrial Property which is not a member of the Council of Europe.
- 2 Accession shall be effected by notifying the Government of the Swiss Confederation through the diplomatic channel, in accordance with the corresponding article of the Convention for the Protection of Industrial Property. That government shall notify such accessions to all other members of the International Union for the Protection of Industrial Property and to the Secretary General of the Council of Europe. Accession shall take effect one month after the date of the notification by the Government of the Swiss Confederation.

Article 6

Any signatory or acceding government may, when signing this Convention or when depositing its instrument of ratification, or when notifying its accession, declare that this Convention shall not come into force, so far as the said government is concerned, until it has been ratified by the Governments of the Federal Republic of Germany, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Article 7

- 1 The Secretary General of the Council of Europe shall notify the members of the Council and the Director of the International Bureau for the Protection of Industrial Property at Berne:
 - a of the date of entry into force of this Convention and the names of any members of the Council which ratify it;
 - b of the approval of any elaborations or modifications of the kind referred to in paragraph 2 of Article 2, of any objections thereto, and of the entry into force of any such elaborations or modifications;
 - c of any notification received in accordance with paragraph 2 of Article 8.
- 2 He shall inform the members of the Council of Europe who are not members of the International Union for the Protection of Industrial Property of each accession notified pursuant to Article 5, and of any notice of denunciation given in accordance with paragraph 3 of Article 8

Article 8

- 1 This Convention shall remain in force indefinitely.
- 2 Any member of the Council of Europe which has signed and ratified this Convention may denounce it by giving one year's notice to this effect to the Secretary General of the Council.
- 3 Any acceding government may denounce this Convention by giving one year's notice to this effect to the Government of the Swiss Confederation through the diplomatic channel, in accordance with the corresponding article of the Convention for the Protection of Industrial Property. That government shall notify such denunciations to all other members of the International Union for the Protection of Industrial Property and to the Secretary General of the Council of Europe.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Paris this 19th day of December 1954, in the English and French languages, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe and of which the Secretary General shall send certified copies to each of the signatory and acceding governments and to the Director of the International Bureau for the Protection of Industrial Property at Berne.