

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

COM.IND/4/Corr.1
26 September 1968

Limited Distribution

Committee on Industrial Products

INVENTORY OF NON-TARIFF BARRIERS

Corrigendum

1. The United Kingdom has requested that a change be made in its notification. In the consolidated text this involves deletion of the material in the left-hand column of page 108, beginning "The Italian Act on Patents ..." and substitution of the following:

Article 5(A)(3) of the Paris Convention for the Protection of Industrial Property provides:

"Forfeiture of the patent shall not be prescribed except in cases where the grant of compulsory licences would not have been sufficient to prevent such abuses. No proceeding for the forfeiture or revocation of a patent may be instituted before the expiration of two years from the grant of a first compulsory licence."

Italian Patent Law, Decree No. 1127 of 1939, amended by Law 514 of 1959, conflicts with Article 5 of the Paris Convention of which both Italy and the United Kingdom are members. The Decree provides that a patent may be declared invalid if the invention has not been worked within three years from the date of the grant or, if started, working is discontinued for three years: it provides also that importation of goods manufactured abroad does not constitute working. There is no provision for compulsory licensing.

2. In addition, the word "Various" should be inserted in the second column (Products affected) to clarify that this is a new item and not a continuation of the material on pharmaceuticals.

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