

**法規名稱：**AGREEMENT ON PROTECTION OF INDUSTRIAL PROPERTY RIGHTS BETWEEN THE NATIONAL INSTITUTE FOR INDUSTRIAL PROPERTY OF FRANCE AND THE INTELLECTUAL PROPERTY OFFICE OF TAIWAN

**簽訂日期：**民國 93 年 04 月 02 日

Considering the necessity of establishing a co-operation aiming at promoting more appropriate conditions for the protection on a reciprocal basis and for the exploitation of industrial property rights, the National Institute for Industrial Property of France (hereinafter referred to as INPI) and the Intellectual Property Office of Taiwan (hereinafter referred to as TIPO) have agreed as follows:

#### Article 1

INPI and TIPO shall carry out the cooperation in the field of industrial property in various ways, notably through:

- a) Regular exchange of information available, as regards invention patents, industrial designs, and trademarks, including but not limited to legislation, regulation, executive decisions, operational practices, judicial judgement and official publications of each party. As to other intellectual property rights related areas, which are beyond the authority of INPI or TIPO, either party shall do its best in referring the concerns raised by the other party to the competent authority for response;
- b) Regular exchange of information available, as regards various subjects on intellectual property rights currently deliberated on the floors of European Union, World Intellectual Property Organization (WIPO), Patent Co-operation Treaty (PCT), Madrid Protocol, European Patent Office, and Asia Pacific Economic Co-operation (APEC);
- c) Exchange of technicians or experts (hereinafter called "specialist");
- d) Jointly studying patent-and-trademark-related disputes and problems and working out solutions;

- e) Jointly carrying out studies or projects;
- f) Furthering the training of the staff through special subject programs or training courses ; and
- g) Organizing and sponsoring of lectures, courses or seminars.

#### Article 2

There shall be established between INPI and TIPO a joint commission in charge of the implementation of this Agreement.

The joint commission shall be composed of representatives, whose number shall be settled upon mutual agreement, and who shall be appointed by the Director General of INPI and by the Director General of TIPO for each party.

It shall be called together, as a rule once a year, in turns at the headquarters of INPI and that of TIPO, or any other places as agreed upon.

Director General of INPI or Director General of TIPO shall preside over the session as Chairman when he hosts it. In case of prevention, the Chairman shall appoint a deputy to represent him .

#### Article 3

The joint commission shall lay down the program of the cooperation and supervise the implementation thereof.

#### Article 4

The INPI and TIPO shall each submit the name and curricula vitae of the specialist on mission to the other party for prior approval.

The specialist on mission shall not be entitled to have any activity that is paid or not within the framework for his functions without prior consent of INPI and TIPO.

At the end of the mission, the specialist shall submit to INPI and TIPI a report on his activities in the host country.

#### Article 5

This Agreement shall be notified by each party to its supervising authority as well as to the authority in charge of auditing,

#### Article 6

Each Party to this Agreement shall notify the other Party of the completion of domestic legal procedures, which it requires for the implementation of this Agreement, which will come into force on the day of reception of the last notification.

This Agreement shall remain in force until terminated by either party upon six months prior written notice to the other party.

This Agreement may be amended at any time, through the written accord of both parties.

In witness whereof, the undersigned, being duly authorized, have signed this Agreement.

Done in Paris on April 2, 2004, in duplicate in the Chinese and French languages.

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Daniel Hangard

Director General

National Institute for

Industrial Property of France

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Lien-Sheng Tsai

Director General

Intellectual Property Office of

Taiwan