

法規名稱：[EXCHANGE OF LETTERS BETWEEN NATIONAL BUREAU OF STANDARDS, MINISTRY OF ECONOMIC AFFAIRS, IN TAIPEI AND NATIONAL INSTITUTE FOR INDUSTRIAL PROPERTY IN PARIS CONCERNING THE MUTUAL GRANTING OF A PRIORITY RIGHT AS REGARDS PATENTS, DESIGNS AND TRADEMARKS, AND COOPERATION] (AD.1996.07.01)

簽訂日期：民國 85 年 07 月 01 日

生效日期：民國 85 年 09 月 01 日

Taipei, July 1 st, 1996

Monsieur TCHEN Tso Tchen

Director General

National Bureau of Standards, MOEA

19th Fl., No. 185, hsin Hai Road, Sec. 2,

Taipei, TAIWAN

Dear Director General,

With reference to the latest communications between my Institute and the Centre Asiatique de Promotion Economique et Commerciale (CAPEC) as well as to the recent contacts between your Bureau and the French Institute in Taiwan concerning the mutual granting of a priority right as regards patents, trademarks and industrial designs, I have the pleasure to notify you of the fact that the National Institute for Industrial Property in Paris is willing to enter with the National Bureau of Standards, Ministry of Economic Affairs, in Taipei into an Agreement in this field under the following conditions:

1. National Institute for Industrial Property in Paris (INPI), and National Bureau of Standards, Ministry of Economic Affairs, in Taipei (NBS), hereinafter referred to as "the Parties", record formally that each of the parties shall accept priority claims in relation to applications for patents of invention, for utility model patents or utility certificates, and for design patents, or designs and models, based on a first filing effected with the other Party by its nationals on or after the date of which this Agreement takes effect. The Parties note that the reciprocity condition provided for in both statutes is complied with and accordingly shall exempt the applicants from producing proof thereof.
2. This exchange of letters is a reciprocity Agreement as regards priority in the field of trademarks. Applicants with each of the Parties can avail themselves of this Agreement as of right. Each of the Parties shall accept priority claims deriving from a first application for the registration of a trademark effected with the other Party on or after the date on which this Agreement takes effect.
3. For the purpose of the implementation of the preceding Provisions, notably of the definition and of the time limits, both Parties shall refer to Article 4 of the Paris Convention for

the Protection of Industrial Property.

4. At their convenience and on terms to be agreed upon between the Directors General of the Parties, INPI and NBS shall exchange:

a) Information and Experience:

- on their respective organization and management
- on their procedures (search and examination, notably)

b) Technical documentation publications

c) Trainees.

5. Both Parties shall keep each other informed of the way in which the Agreement is implemented as well as the difficulties with implementation which may be encountered. The Parties shall exchange views on the evolution of national laws and on any issue related to industrial property rights protection.

If the above-mentioned provisions suit you, I have the pleasure, Sir, to suggest that this letter and your acceptance reply constitute an Agreement in this field between our two offices which shall enter into force on September 1st, 1996.

Yours sincerely,

[Signed]

Daniel HANGARD

Director General

French National Institute
for Industrial Property

Taipei, July 1st, 1996

Mr. Daniel HANGARD

Director General

National Institute for Industrial Property

Dear Director General,

It is my honor to acknowledge the receipt of your letter today which reads as follows:

"Dear Director General,

With reference to the latest communications between my institute and the Centre Asiatique de Promotion Economique et Commerciale (CAPEC) as well as to the recent contacts between your Bureau and the French Institute in Taiwan concerning the mutual granting of a priority right as regards patents, trademarks and industrial designs, I have the pleasure to notify you of the fact that the National Institute for Industrial Property in Paris is willing to enter with the National Bureau of Standards, Ministry of Economic Affairs, in Taipei into an Agreement in this field under the following conditions:

1. National Bureau of Standards, Ministry of Economic Affairs, in Taipei (NBS) and National Institute for Industrial Property in Paris (INPI), hereinafter referred to as "the Parties", record formally that each of the Parties shall accept priority cl-

aims in relation to applications for patents of invention, for utility model patents or utility certificates, and for design patents, or designs and models, based on a first filing effected with the other Party by its nationals on or after the date of which this Agreement takes effect. The Parties note that the reciprocity condition provided for in both statutes is complied with and accordingly shall exempt the applicants from producing proof thereof.

2. This exchange of letters is a reciprocity Agreement as regards priority in the field of trademarks. Applicants with each of the Parties can avail themselves of this Agreement as of right. Each of the Parties shall accept priority claims deriving from a first application for the registration of a trademark effected with the other Party on or after the date on which this Agreement takes effect.

3. For the purpose of the implementation of the preceding Provisions, notably of the definitions and of the time limits, both Parties shall refer to Article 4 of the Paris Convention for the Protection of Industrial Property.

4. At their convenience and on terms to be agreed upon between the Directors General of the Parties, NBS and INPI shall exchange:

a) Information and Experience:

- on their respective organization and management
- on their procedures (search and examination, notably)

b) Technical documentation and publications

c) Trainees.

5. Both Parties shall keep each other informed of the way in which the Agreement is implemented as well as the difficulties with the implementation which may be encountered. The Parties shall exchange views on the evolution of national laws and on any issue related to industrial property rights protection.

If the above-mentioned provisions suit you, I have the pleasure, Sir, to suggest that this letter and your acceptance reply constitute an agreement in this field between our two offices which shall enter into force on September 1st, 1996. "

In reply, I have the pleasure to accept, on behalf of the National Bureau of Standards, Ministry of Economic Affairs, in Taipei, the foregoing proposals of INPI contained in your letter and to confirm that your letter and this letter in reply shall constitute an Agreement between our two offices which shall enter into force on September 1st, 1996.

I avail myself of this opportunity to renew to you the assurances of my highest consideration.

Yours sincerely,

[Signed]

Tchen-Tso TCHEN

Director General

National Bureau of Standards
Ministry of Economic Affairs