

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2015 Nr. 38

A. TITEL

Overeenkomst van 's-Gravenhage betreffende het internationaal depot van tekeningen of modellen van nijverheid van 6 november 1925, herzien te Londen op 2 juni 1934 en te 's-Gravenhage op 28 november 1960;

*(met Protocol en Reglement)
's-Gravenhage, 28 november 1960*

B. TEKST

De Franse tekst van de Overeenkomst, met Protocol en Reglement, is geplaatst in *Trb.* 1961, 40.

In dat Tractatenblad dient in de Franse tekst de volgende correctie te worden aangebracht.

Op blz. 20, in het Reglement, artikel 1, derde lid, onderdeel a, dient het woord „discription” te worden vervangen door „description”.

Ingevolge artikel 7 van de in rubriek J hieronder genoemde Aanvullende Akte van 14 juli 1967 zijn de artikelen 19, 20, 21 en 22 van de onderhavige Overeenkomst vervallen. Ingevolge dezelfde bepaling is voorts een aantal wijzigingen in de onderhavige Overeenkomst aangebracht.

C. VERTALING

Zie *Trb.* 1963, 188.

In dat Tractatenblad dienen in de vertaling de volgende correcties te worden aangebracht.

Op blz. 18, in het Reglement, artikel 1, tweede lid, onderdeel b, op een na laatste en laatste regel, dienen de zinsneden „Overeenkomstsluidende Staat” en „Overkomstsluitende Staat” te worden vervangen door „Overeenkomstsluitende Staat”.

D. PARLEMENT

Zie *Trb.* 1984, 100.

E. PARTIJGEGEVENS

Zie rubriek E en rubriek F van *Trb.* 1984, 100.

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Albanië			19-02-2007	T	19-03-2007		
België	28-11-1960		15-02-1979	R	01-08-1984		
Belize			12-06-2003	T	12-07-2003		
Benin			02-10-1986	T	02-11-1986		
Bulgarije			11-11-1996	T	11-12-1996		
Duitsland	28-11-1960		14-03-1983	R	01-08-1984		
Frankrijk	28-11-1960		13-06-1962	R	01-08-1984		
Gabon			18-07-2003	T	18-08-2003		
Georgië			01-07-2003	T	01-08-2003		
Griekenland			18-03-1997	T	18-04-1997		
Heilige Stoel	28-11-1960					04-08-2006	04-08-2007
Hongarije			07-03-1984	T	01-08-1984		

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Italië	28-11-1960		11-05-1987	R	13-06-1987		
Ivoorkust			26-04-1993	T	30-05-1993		
Joegoslavië (< 25-06-1991)	28-11-1960						
Kirgistan			17-02-2003	T	17-03-2003		
Kroatië			12-01-2004	T	12-02-2004		
Liechtenstein	28-11-1960		01-03-1966	R	01-08-1984		
Luxemburg	28-11-1960		23-10-1978	R	01-08-1984		
Macedonië, de voormalige Joegoslavische Republiek			18-02-1997	T	18-03-1997		
Mali			07-08-2006	T	07-09-2006		
Marokko			13-09-1999	T	13-10-1999		
Moldavië			14-02-1994	T	14-03-1994		
Monaco	28-11-1960		13-10-1981	R	01-08-1984		
Mongolië			12-03-1997	T	12-04-1997		
Montenegro			04-12-2006	VG	03-06-2006		
Nederlanden, het Koninkrijk der	28-11-1960		15-02-1979	R	01-08-1984		
Niger			20-08-2004	T	20-09-2004		
Noord-Korea			15-04-1992	T	27-05-1992		
Oekraïne			28-05-2002	T	28-06-2002		
Roemenië			17-06-1992	T	18-07-1992		
Senegal			30-05-1984	T	01-08-1984		
Servië			25-11-1993	R	30-12-1993		
Slovenië			12-12-1994	T	13-01-1995		
Suriname			16-11-1979	T	01-08-1984		
Zwitserland	28-11-1960		31-10-1962	R	01-08-1984		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Verklaringen, voorbehouden en bezwaren

België, 22 februari 1979

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands. have introduced the Uniform Benelux Designs Law into their national legislation by virtue of the provisions of the Benelux Designs Convention, signed at Brussels on October 25, 1966.

In accordance with the provisions of Article 13 of the said Convention, the Convention entered into force on January 1, 1974, and the Uniform Law on January 1, 1975.

Considering Article 30 of the Hague Agreement Concerning the International Deposit of Industrial Designs, as revised at The Hague on November 28, 1960, and amended by Article 7(3) of the Complementary Act of Stockholm of July 14, 1967, to the said Agreement,

Considering Articles 5 and 8 of the Protocol of Geneva to the Hague Agreement Concerning the International Deposit of International Designs, of August 29, 1975,

The Government of the [Kingdom of Belgium] [Grand Duchy of Luxembourg] [Kingdom of the Netherlands] has the honor to notify the Director General of the World Intellectual Property Organization of the following:

1. An Office common to the three Benelux countries (Belgium, Luxembourg, Netherlands) has been instituted under the name "Benelux Designs Office."
The seat of the Office is at The Hague (the Netherlands). The Benelux Designs Office was substituted for the national Office of each Benelux country as from January 1, 1975.
2. The application of the Convention referred to above shall be confined to the territories of the High Contracting Parties in Europe, in accordance with Article 11 thereof. These territories shall be deemed to be a

single State for the application of Articles 2 to 17 of the 1960 Act of the Hague Agreement Concerning the International Deposit of Industrial Designs and for the application of Articles 2 and 3 of the 1975 Geneva Protocol to the said Agreement.

One consequence of territorial unification to which attention should be drawn is that a renunciation – limited to part of the Benelux territory – of protection resulting from an international deposit shall be effective throughout that territory, notwithstanding any statement to the contrary made by the proprietor (Article 18(2) of the Uniform Benelux Law).

Similarly, assignments or other transfers not made for the entire Benelux territory shall be null and void (Article 13 of the Uniform Benelux Law).

In addition, no limitation of a license, other than a restriction as to its duration, shall have any effect regarding the application of the Uniform Law (Article 13(2) of the Uniform Benelux Law).

The Benelux Designs office shall in future be entitled to receive payment on behalf of the three Countries of the fees referred to in Article 15, paragraph (1), item 2, of the 1960 Act of The Hague Agreement, which is applicable also by virtue of the 1975 Geneva Protocol, it being understood that those countries shall not be treated as separate countries for the application of the said provision. The three Governments shall demand to be officially notified of the total amounts distributed according to this procedure.

3. It is evident that the three Benelux countries shall remain three separate countries with respect to their representation in the Assembly of the Hague Special Union. They express the wish that their common Office, that is, the Benelux Designs Office, may be represented by its Director, in the capacity of observer in the said Assembly and at meetings concerning The Hague Union.
4. With a view to simplifying access to documentation concerning international deposits, Belgium and Luxembourg express the wish that publications and notifications from the International Bureau may be addressed also to their Industrial Property Services in Brussels and Luxembourg.

Hongarije, 7 maart 1984

[...] Hungary does not consider itself bound by the Protocol annexed to the Hague Act (1960).

Luxemburg, 22 februari 1979

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands. have introduced the Uniform Benelux Designs Law into their national legislation by virtue of the provisions of the Benelux Designs Convention, signed at Brussels on October 25, 1966.

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Nederlanden, het Koninkrijk der, 22 februari 1979

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G. INWERKINGTREDING

Zie *Trb.* 1984, 100.

Het Protocol is nog niet in werking getreden.

Het Reglement van uitvoering bij de Akte van 1999 en de Akte van 1960 bij de Overeenkomst van 's-Gravenhage, zoals laatstelijk gewijzigd in 2014, waarvan de Engelse en de Franse tekst zijn gepubliceerd in *Trb.* 2015, 39, is op 1 januari 2015 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, geldt het Reglement, evenals de Overeenkomst, alleen voor Nederland (het Europese deel).

Koninkrijk der Nederlanden

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		01-08-1984		
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Curaçao				
Sint Maarten				

J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens, zie *Trb.* 1961, 40, *Trb.* 1963, 188, *Trb.* 1984, 100 en *Trb.* 1998, 279.

Verbanden

De Overeenkomst is aangevuld, gewijzigd en gedeeltelijk beëindigd door de:

Titel : Akte van Stockholm van 14 juli 1967 ter aanvulling van de Schikking van 's-Gravenhage betreffende het internationaal depot van tekeningen en modellen van nijverheid, van 6 november 1925, herzien te Londen op 2 juni 1934 en te 's-Gravenhage op 28 november 1960 en aangevuld door de Aanvullende Akte van Monaco van 18 november 1961; Stockholm, 14 juli 1967

Laatste *Trb.* : *Trb.* 2006, 160

De Overeenkomst is aangevuld door en wordt uitgevoerd door het Reglement bij de:

Titel : Akte van Genève bij de Overeenkomst van 's-Gravenhage betreffende de internationale inschrijving van tekeningen of modellen van nijverheid; Genève, 2 juli 1999

Tekst : *Trb.* 2000, 102 (Engels en Frans)
Trb. 2008, 55 (vertaling)

Laatste *Trb.* : *Trb.* 2015, 39

Overige verwijzingen

Titel : Overeenkomst van 's-Gravenhage van 6 november 1925 betreffende het internationaal depot van tekeningen of modellen van nijverheid, herzien te Londen op 2 juni 1934; Londen, 2 juni 1934

Laatste *Trb.* : *Trb.* 2013, 59

Titel : Aanvullende Akte bij de Overeenkomst van 's-Gravenhage van 6 november 1925 betreffende het internationaal depot van tekeningen of modellen van nijverheid, herzien te Londen op 2 juni 1934; Monaco, 18 november 1961

Laatste *Trb.* : *Trb.* 2013, 60

Titel : Verdrag van Parijs tot bescherming van de industriële eigendom van 20 maart 1883, zoals herzien te Brussel op 14 december 1900, te Washington op 2 juni 1911, te 's-Gravenhage op 6 november 1925, te Londen op 2 juni 1934, te Lissabon op 31 oktober 1958 en te Stockholm op 14 juli 1967; Stockholm, 14 juli 1967

Laatste *Trb.* : *Trb.* 2006, 157

Uitgegeven de *dertiende* maart 2015.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS