

BROUGHT FORWARD

EXECUTIVE

IT 74
Previously filed

3/12/69
Date

NAME Convention Establishing

ORGANIZATION the World Intellectual
Property Organization

EXECUTIVE

IT 74
New File Symbol

5/4/70
Date

FINAL ACTION Ratification of Convention
on Intellectual and
Industrial Property

eln.
BROUGHT FORWARD

EXECUTIVE

IT74

Previously filed

5/4/70

Date

NAME Conventions on Intellectual

ORGANIZATION and Industrial
Property

EXECUTIVE

IT74

New File Symbol

8/12/70

Date

FINAL ACTION Proclamations signed
on Conventions on
Protection of Intellectual
Property

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

(846)

EXECUTIVE

IT 74
769
BEL

27

MEMORANDUM FOR THE PRESIDENT

ACTION

August 8, 1970

FROM: Henry A. Kissinger

SUBJECT: Proclamations of Entry into Force of Two Conventions
on Protection of Intellectual Property

Enclosed for your signature are proclamations of the entry into force of two conventions to which the Senate has already given its advice and consent and which you have already ratified.

The Convention Establishing the World Intellectual Property Organization (W.I.P.O.) will promote the protection of intellectual property (copyrights, patents) and provide a new coordinated administration for the various intellectual property Unions already in existence.

The revision articles of the Paris Convention for the Protection of Industrial Property are designed to bring that Convention and the provisions for its secretariat into accord with modern principles of international organization. (Implementing legislation will be a prerequisite for our ratification of certain other revised portions of this Convention, and a request for such legislation has been submitted to Congress.)

Your message to the Senate on March 12, 1969, requesting its advice and consent to these two Conventions is included in the folder.

RECOMMENDATION

That you sign the two Proclamations in the attached folder.

Attachments

2 Proclamations signed: 8/12/70 - Dated 8/12/70

Posted: 8/13/70

To State Dept, Rm 1828: 8/13/70 (Sandy Sheskin gave the 2 prov. to the Secretary's Office)

Noted
VVS

All necessary info
to Bruce 8/12/75

Check him on 8/13 to see if the White House
is going to say anything or are they going to
allow State to handle.

Secretariat -

Per Mr. Hopkins' office, the President
signed this on August 12 and was forwarded
to State Dept. on August 13.

nancy 10/2

August 8, 1970

MEMO FOR JOHN BROWN

FROM: Bob Houdek

Dr. Kissinger is approving the attached for the President and would like to have it forwarded to Miss Woods for signature.

Attachment

846 - Proclamations of Entry
into force of two conventions on
Protection of Intellectual Property

THE WHITE HOUSE
WASHINGTON

July 31, 1970

TO: Mr. Keogh
FROM: Peter W. Rodman - NSC *PWR*
SUBJECT: Proclamations of Entry into
Force of Two Conventions

Attached for your clearance are copies
of two proclamations of the entry into
force of two routine Conventions.

The proclamations seem to follow a
standard form, and the Presidential
signature will be purely a perfunctory
matter, but I thought you might want to
take a look at them first.

Att.

X 6904

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

20(846)

July 31, 1970

MEMORANDUM FOR DR. KISSINGER

ACTION

FROM: Peter W. Rodman *PR*

SUBJECT: Presidential Proclamations of Entry into Force of Two
Routine Conventions on Protection of Intellectual Property

In the folder are two proclamations, sent us by State (Tab B) for the President's signature, which announce the entry into force of two international conventions relating to protection of copyrights and patent rights ("intellectual property"). The Senate has given its advice and consent to both, at the Administration's request.

RECOMMENDATION

That you sign the memorandum at Tab A which recommends to the President that he sign the proclmations.

Attachments:

Tab A - Memorandum to the President

Tab B - State transmittal memorandum to HAK, July 29.

(Keogh has cleared.)

*HAK - you should check
for Pres.*

MICROFILM	DATA
DO ☒	INIT <i>RJ</i>
OCT 06 1970	DATE
ORIGIN	NSC
TO)	PAF
	WHC ☒
	SUBJ

HK for RN

RECEIVED
OCT 6 1970
CENTRAL FILE
*Machinist
HK*



DEPARTMENT OF STATE

Washington, D.C. 20520

July 29, 1970

10602

MEMORANDUM TO MR. HENRY A. KISSINGER
THE WHITE HOUSE

Subject: Proclamations of the Convention
Establishing the World Intellectual
Property Organization and of Certain
Articles of the Paris Convention for
the Protection of Industrial Property
as Revised at Stockholm on July 14, 1967

Enclosed for signature by the President are proclamations of: (1) the Convention Establishing the World Intellectual Property Organization (W.I.P.O.), and (2) certain articles (the administrative and final provisions) of the revised Paris Convention for the Protection of Industrial Property. Both agreements were signed for the United States at Stockholm on July 14, 1967.

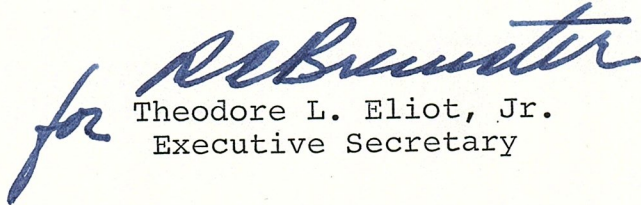
The Senate gave its advice and consent on February 28, 1970; the agreements were ratified by the President on May 4, 1970, except for Articles 1 through 12 of the revised Paris Convention; and instruments of ratification were deposited on May 25, 1970.

The W.I.P.O. Convention will enter into force for the United States on August 25, 1970 and the revised Paris Convention, except for Articles 1 through 12, will enter into force for the United States on September 5, 1970.

The Convention Establishing the World Intellectual Property Organization will provide two significant services. First, it will provide a coordinated administration for the various intellectual property Unions presently administered by the United International Bureau for the Protection of Intellectual Property, and, through such administration, render an economical and efficient service to the Member States and the interests protected by the Unions. Second, it will promote the protection of intellectual property for Contracting States.

The administrative provisions of the revised Paris Convention for the Protection of Industrial Property are designed to bring the structure of that Convention and the provisions for its secretariat into accord with modern principles of international organization.

Implementing legislation for the revised Paris Convention will be necessary with respect to Article 4 which deals with inventors' certificates, and a request for such legislation has been submitted to Congress. Under the terms of Article 25 of the revised Convention we cannot deposit our ratification of Articles 1 through 12 until such implementing legislation has been enacted.


Theodore L. Eliot, Jr.
Executive Secretary

Enclosures:

Two Proclamations.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Paris Convention for the Protection of Industrial Property was revised at Stockholm on July 14, 1967, the text of which revised Convention, as certified by the Head of the Archives, Royal Ministry for Foreign Affairs, Stockholm, is as follows:

The Senate of the United States of America by its resolution of February 28, 1970, two-thirds of the Senators present concurring, gave its advice and consent to ratification of the Convention, and the Convention was ratified by the President of the United States of America on May 4, 1970;

The United States of America deposited its instrument of ratification of the Convention on May 25, 1970, in accordance with the provisions of Article 14(3) of the Convention;

Pursuant to the provisions of Article 15(1) of the Convention, the Convention entered into force initially on April 26, 1970 and will enter into force for the United States of America on August 25, 1970, three months after the deposit of its instrument of ratification;

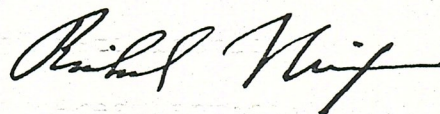
NOW, THEREFORE, I, Richard Nixon, President of the United States of America, proclaim and make public the Convention to the end that it shall be observed and fulfilled with good faith on and after August 25, 1970 by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation
and caused the Seal of the United States of America to be
affixed.

DONE at the city of Washington

12th day of August

our Lord one thousand
nine hundred seventy
and of the Independence
of the United States of
America the one hundred
ninety-fifth.



By the President:

Secretary of State

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Convention Establishing the World Intellectual Property Organization was signed at Stockholm on July 14, 1967, the text of which Convention, as certified by the Head of the Archives, Royal Ministry for Foreign Affairs, Stockholm, is as follows:

The Senate of the United States of America by its resolution of February 28, 1970, two-thirds of the Senators present concurring therein, gave its advice and consent to the ratification of the revised Convention;

The revised Convention, except for Articles 1 through 12, was ratified by the President of the United States of America on May 4, 1970;

The United States of America deposited its instrument of ratification of the revised Convention, except for Articles 1 through 12, on May 25, 1970 and notification of such deposit was given on June 5, 1970 by the Director of the United International Bureaux for the Protection of Intellectual Property, in accordance with the provisions of Article 20(1)(a), (b)(i), and Article 29(5);

Pursuant to the provisions of Article 20 of the revised Convention, the provisions of Articles 13 through 30 of the revised Convention entered into force initially on April 26, 1970, and the provisions of Articles 1 through 12 entered into force initially on May 19, 1970; the provisions of the revised Convention, except for Articles 1 through 12, will enter into force for the United States of America on September 5, 1970, three months after the date of notification by the Director of the United International Bureaux for the Protection of Intellectual Property of the deposit of ratification by the United States of America;

NOW, THEREFORE, I, Richard Nixon, President of the United States of America, proclaim and make public the revised Convention, to the end that it shall be observed and fulfilled

with good faith on and after September 5, 1970, except for Articles 1 through 12, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

12th day of August

our Lord one thousand
nine hundred seventy
and of the Independence
of the United States of
America the one hundred
ninety-fifth.

Richard Nixon

By the President:

Secretary of State

CONVENTION ESTABLISHING THE WORLD IN-
TELLECTUAL PROPERTY ORGANIZATION AND
PARIS CONVENTION FOR THE PROTECTION OF
INDUSTRIAL PROPERTY, AS REVISED

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE CONVENTION ESTABLISHING THE WORLD INTEL-
LECTUAL PROPERTY ORGANIZATION, SIGNED AT
STOCKHOLM ON JULY 14, 1967, AND THE PARIS CON-
VENTION FOR THE PROTECTION OF INDUSTRIAL
PROPERTY, AS REVISED AT STOCKHOLM ON JULY 14,
1967



MARCH 12, 1969.—Conventions were read the first time and, together
with the message and accompanying papers, were referred
to the Committee on Foreign Relations and ordered
to be printed for use of the Senate

U.S. GOVERNMENT PRINTING OFFICE

98-118

WASHINGTON : 1969

*for the file -
Jacey 1st pass
of this doc.
quipped for
identifying
purp -
(original document
sent out to Pres.)*

THE WHITE HOUSE

WASHINGTON

ACTION

April 30, 1970

EXECUTIVE

IT 74

409

BELG

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*SUBJECT: Ratification of Conventions on Intellectual and
Industrial PropertyIssue

The Department of State has forwarded for your signature instruments of ratification of (1) the Convention establishing the World Intellectual Property Organization and (2) the revision of the Paris Convention for the Protection of the Industrial Property. The U.S. signed the Conventions in July 1967. In March 1969 you requested the Senate to approve, and it gave its advice and consent on February 28, 1970.

Background

The Conventions are the product of the 1967 Stockholm Intellectual Property Conference. This was the most important diplomatic gathering in this field in the last twenty years. It attempted to bring up to date the administration of nineteenth century agreements on patents, trademarks and copyrights. The Stockholm Conference had four major results:

1. It created the World Intellectual Property Organization to coordinate the common administrative activities of the 1883 Paris Convention on patents and trademarks -- of which the U.S. is a member -- and the 1886 Berne Convention on copyright -- of which the U.S. is not a member.

2. It reorganized the administration of the two conventions as well as of five other similar agreements, giving the member states power to establish policy and transferring to them administrative powers now held by the government of Switzerland.

3. It revised the Paris Convention substantially to recognize East European inventors' certificates as a means of establishing priority of registration in other nations. This gives the inventor twelve months in which to register his invention in member states, provided the East European countries give national treatment to foreign inventors.

4. It made a substantive revision of the Berne copyright Convention.

Sgt 5/4/70 -- Handle notified

2 Instruments (an duplicate) dated 5/4/70 - To State Dept, Am 7512:5/5/70

The two ratifications recommended by State would embody the first three results of the Stockholm Convention, since the fourth affects an agreement to which the U.S. does not belong.

Though implementing legislation will be necessary on the inventors' certificates, our ratifications of the administrative and final provisions of the Paris Convention will need to be deposited before we can participate in the meetings establishing new administrative structures (in September).

The interested executive agencies favor ratification as do the American Bar Association's Patent, Trademark and Copyright Section, the United States Chamber of Commerce, the American Group of the International Patent and Trademark Association and several other legal and business organizations.

Your March 1969 message of transmittal and Secretary Rogers' letter submitting these Conventions to the Senate contain further details (Tab B).

RECOMMENDATION:

That you ratify the conventions by signing the instruments at Tab A. Each of the two instruments is in duplicate.

HAK for Pres -



5445

DEPARTMENT OF STATE

Washington, D.C. 20520

9169
April 10, 1970

MEMORANDUM TO MR. HENRY A. KISSINGER
THE WHITE HOUSE

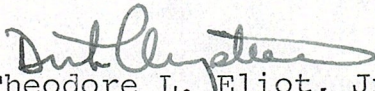
Subject: Ratifications of the Convention
Establishing the World Intellectual
Property Organization and of Certain
Articles of the Paris Convention
for the Protection of Industrial
Property as Revised at Stockholm
on July 14, 1967

Enclosed for signature by the President are the instruments of ratification, each in duplicate, of: (1) the Convention Establishing the World Intellectual Property Organization, and (2) certain articles (the administrative and final provisions) of the revised Paris Convention for the Protection of Industrial Property. Both agreements were signed for the United States at Stockholm on July 14, 1967, and the Senate gave its advice and consent on February 28, 1970.

The Convention Establishing the World Intellectual Property Organization will provide two significant services. First, it will provide a coordinated administration for the various intellectual property Unions presently administered by the United International Bureau for the Protection of Intellectual Property, and, through such administration, render an economical and efficient service to the Member States and the interests protected by the Unions. Second, it will promote the protection of intellectual property for Contracting States.

The administrative provisions of the revised Paris Convention for the Protection of Industrial Property are designed to bring the structure of that Convention and the provisions for its secretariat into accord with modern principles of international organization.

Implementing legislation for the revised Paris Convention will be necessary with respect to Article 4 which deals with inventors' certificates, and a request for such legislation will be submitted to Congress. Under the terms of Article 25 of the revised Convention we cannot deposit our ratification of Articles 1 through 12 until such implementing legislation has been enacted. We can, however, deposit our ratification of the administrative and final provisions. In the hearings before the Senate we stated that we proposed to take such action when it appeared desirable to do so. It has now become important that we take such action in order to participate in September in the first meetings to be held under the revised Convention, at which meetings the new structure established under the revision will be put into effect.


for Theodore L. Eliot, Jr.
Executive Secretary

Enclosures:

Two instruments of
ratification, each
in duplicate.

RICHARD NIXON

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CONSIDERING THAT:

The Paris Convention for the Protection of Industrial Property was revised at Stockholm on July 14, 1967; and

The Senate of the United States of America by its resolution of February 28, 1970, two-thirds of the Senators present concurring therein, gave its advice and consent to the ratification of the Convention as thus revised;

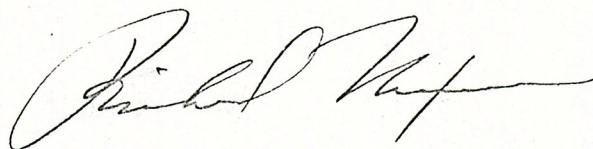
NOW, THEREFORE, I, Richard Nixon, President of the United States of America, ratify and confirm the Convention, as thus revised, except for Articles 1 through 12.

IN TESTIMONY WHEREOF, I have signed this ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

our Lord one thousand
nine hundred seventy
and of the Independence
of the United States of
America the one hundred
ninety-fourth.

By the President:

A handwritten signature in dark ink, appearing to be "Richard Nixon", written in a cursive style.

Secretary of State

RICHARD NIXON

President of the United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

CONSIDERING THAT:

The Convention Establishing the World Intellectual Property Organization was signed at Stockholm on July 14, 1967; and

The Senate of the United States of America by its resolution of February 28, 1970, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Convention;

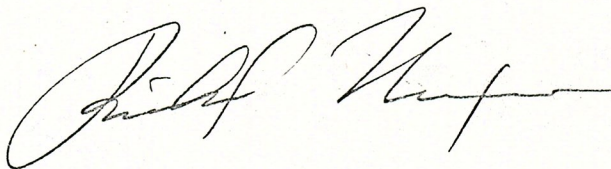
NOW, THEREFORE, I, Richard Nixon, President of the United States of America, ratify and confirm the Convention.

IN TESTIMONY WHEREOF, I have signed this ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

our Lord one thousand
nine hundred seventy
and of the Independence
of the United States of
America the one hundred
ninety-fourth.

By the President:

A handwritten signature in dark ink, appearing to be "Richard Nixon", written in a cursive style.

Secretary of State

JK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Convention Establishing the World Intellectual Property Organization was signed at Stockholm on July 14, 1967, the text of which Convention, as certified by the Head of the Archives, Royal Ministry for Foreign Affairs, Stockholm, is as follows:

The Senate of the United States of America by its resolution of February 28, 1970, two-thirds of the Senators present concurring, gave its advice and consent to ratification of the Convention, and the Convention was ratified by the President of the United States of America on May 4, 1970;

The United States of America deposited its instrument of ratification of the Convention on May 25, 1970, in accordance with the provisions of Article 14(3) of the Convention;

Pursuant to the provisions of Article 15(1) of the Convention, the Convention entered into force initially on April 26, 1970 and will enter into force for the United States of America on August 25, 1970, three months after the deposit of its instrument of ratification;

NOW, THEREFORE, I, Richard Nixon, President of the United States of America, proclaim and make public the Convention to the end that it shall be observed and fulfilled with good faith on and after August 25, 1970 by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation
and caused the Seal of the United States of America to be
affixed.

DONE at the city of Washington

our Lord one thousand
nine hundred seventy
and of the Independence
of the United States of
America the one hundred
ninety-fifth.

By the President:

Secretary of State

JK

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

CONSIDERING THAT:

The Paris Convention for the Protection of Industrial Property was revised at Stockholm on July 14, 1967, the text of which revised Convention, as certified by the Head of the Archives, Royal Ministry for Foreign Affairs, Stockholm, is as follows:

The Senate of the United States of America by its resolution of February 28, 1970, two-thirds of the Senators present concurring therein, gave its advice and consent to the ratification of the revised Convention;

The revised Convention, except for Articles 1 through 12, was ratified by the President of the United States of America on May 4, 1970;

The United States of America deposited its instrument of ratification of the revised Convention, except for Articles 1 through 12, on May 25, 1970 and notification of such deposit was given on June 5, 1970 by the Director of the United International Bureaux for the Protection of Intellectual Property, in accordance with the provisions of Article 20(1)(a), (b)(i), and Article 29(5);

Pursuant to the provisions of Article 20 of the revised Convention, the provisions of Articles 13 through 30 of the revised Convention entered into force initially on April 26, 1970, and the provisions of Articles 1 through 12 entered into force initially on May 19, 1970; the provisions of the revised Convention, except for Articles 1 through 12, will enter into force for the United States of America on September 5, 1970, three months after the date of notification by the Director of the United International Bureaux for the Protection of Intellectual Property of the deposit of ratification by the United States of America;

NOW, THEREFORE, I, Richard Nixon, President of the United States of America, proclaim and make public the revised Convention, to the end that it shall be observed and fulfilled

with good faith on and after September 5, 1970, except for Articles 1 through 12, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

IN TESTIMONY WHEREOF, I have signed this proclamation and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington

our Lord one thousand
nine hundred seventy
and of the Independence
of the United States of
America the one hundred
ninety-fifth.

By the President:

Secretary of State

To Senate 3/12/69

EXECUTIVE
IT74
BE 6
409

TO THE SENATE OF THE UNITED STATES:

I transmit herewith, for the advice and consent of the Senate to ratification, (1) a copy of the Convention Establishing the World Intellectual Property Organization, signed at Stockholm on July 14, 1967, and (2) a copy of the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967. I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the Conventions.

The Conventions remained open for signature until January 13, 1968. During that period the Convention Establishing the World Intellectual Property Organization was signed on behalf of 51 States, including the United States, and the Paris Convention was signed on behalf of 46 States, including the United States. Both Conventions remain open for accession.

(1) Convention Establishing a World Intellectual Property Organization. Two significant services will be rendered by the new organization. First, it will provide a coordinated administration for the various intellectual property Unions presently administered by the Secretariat, the United International Bureaus for the Protection of Intellectual Property, and through such administration, render an economical and efficient service to the Member States and the interests protected by the Unions. Second, it will promote the protection of intellectual property, not only for Member States of the intellectual property Unions, but also for the states which, while not members of the Unions, are parties to the World Intellectual Property Organization Convention. This is of particular importance since a forum will thus be provided for the advancement of industrial property and copyright protection on a world-wide basis.

(2) Revision of the Paris Convention For the Protection of Industrial Property. Administrative and structural reforms in the Paris

Delivered to the Senate: 3/12/69 (11 AM)

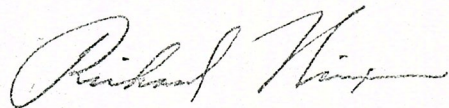
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MAR 20 1969
CENTRAL FILES

NOTED
3/12/69
TWO

Convention have long been overdue, and the modernization of the Union which has been accomplished by the Stockholm revision will be of importance in expanding the protection of industrial property.

A limited amendment to one substantive provision of the Paris Convention was also effected at the Conference. This amendment would accord to applications for inventors' certificates of the Eastern European countries the right of priority presently accorded to patent applications, provided that the Eastern European countries maintain a dual system of both inventors' certificates and patents and that both are available to foreign nationals. Inclusion of this provision is considered helpful to furthering industrial property relations with Eastern European countries.

The Stockholm Act of the Paris Convention and the World Intellectual Property Organization Convention will make a significant contribution to the protection of the foreign intellectual property rights of American nationals. I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to their ratifications.



Enclosures:

1. Report of the Secretary of State
2. Copy of Convention Establishing the World Intellectual Property Organization
3. Copy of Paris Convention as revised at Stockholm

THE WHITE HOUSE,
March 12, 1969

file

March 11, 1969

MEMORANDUM TO STEPHEN BULL

FROM: Richard M. Moose

The State Department has reviewed the revised version of the letter of transmittal to the Senate of Convention Establishing the World Intellectual Property Organization and Paris Convention for the Protection of Industrial Property, as revised at Stockholm.

Their only comment was to suggest that the last sentence be changed to read: "I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to ratification".

We concur in this suggestion.

RMM:amc

re: Log No. 933

*For
Blem add to the
file*

March 11, 1969

MEMORANDUM FOR THE PRESS OFFICE:

President Nixon will transmit to the Senate for advice and consent to ratification the (1) Convention Establishing the World Intellectual Property Organization, signed at Stockholm on July 14, 1967, and (2) the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967.

Tom has the
other copies of the
Convention
WDR



3168

DEPARTMENT OF STATE

Washington, D.C. 20520

March 10, 1969

MEMORANDUM FOR DR. HENRY A. KISSINGER
THE WHITE HOUSE

Subject: Revised draft of letter of transmittal to the Senate of Convention Establishing the World Intellectual Property Organization and Paris Convention for the Protection of Industrial Property, as revised at Stockholm

With reference to the White House request of Mr. Moose, March 7, it is suggested that the last sentence of the above-mentioned draft letter of transmittal be changed to read: "I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to ratification".

John P. Walsh
John P. Walsh

Acting Executive Secretary

Enclosure:

White House draft.

THE WHITE HOUSE
WASHINGTON

Cal Haig
Joan:

Steve Bull gave me this in the hall.

There have been some minor changes and
thought HAK should see it.

Sally

*He does work
for Haldeman*

His extension is x 2168

THE WHITE HOUSE

WASHINGTON

March 7, 1969

MEMORANDUM

TO: Dick Moose

Attached is the original draft of the President's letter of transmittal to the Senate. It was revised by Jim Keogh, a copy of which is in your possession now. Would you please expedite review and approval of Mr. Keogh's draft so that it can be presented to the President for his signature this afternoon.

Thank you.


Stephen Bull

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

933
3168

March 7, 1969

MEMORANDUM TO STATE SECRETARIAT

FROM: Richard M. Moose

Attached is a revised draft of a letter of transmittal to the Senate for the Convention Establishing the World Intellectual Property Organization. Would you please give it an urgent review and inform me whether it can be submitted to the President in its new form.



THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

MAR 5 1969

MEMORANDUM FOR: The President

SUBJECT: Request for Senate Ratification of International Agreements on Copyrights and Patents

The Department of Commerce concurs in the views of the Department of State (attached) recommending that the President seek the advice and consent of the Senate to ratification of a Convention Establishing the World Intellectual Property Organization (WIPO) and of the Stockholm revision of the Paris Convention for the Protection of Industrial Property.

The WIPO Convention does not alter the substantive provisions of the Paris Convention of which the United States has been a member since 1887. It would provide a much needed organizational structure for administrative coordination among the various countries who are members of the Intellectual Property Unions and would also provide a forum for discussing problems and promotion of the Unions.

The revision of the Paris Convention for the Protection of Industrial Property makes certain administrative reforms in the Paris Convention which will have the effect of modernizing the Union. In addition, an amendment is provided in Article 4 I which would accord to applicants for so-called "inventor's certificates" of Eastern European countries a right of priority presently accorded to applicants for patent protection, but only if patent protection is optionally available to applicants in the State offering "inventor's certificates." This Department agrees with the Department of State that the inclusion of this slight substantive revision may be a factor in furthering industrial property relations with Eastern European countries.

Accordingly, this Department recommends that the President sign a message transmitting the Conventions to the Senate for advice and consent to ratification.

Maurice H. Stans

Maurice H. Stans

Attachment

pc sent 1- Ronnefeldt 4,
2- Pat. 17

1 + 2 sent further
work for the essays
of price - 1000

Printers' Cys 1 + 2 sent to Tom Jones
Haphius

THE WHITE HOUSE
WASHINGTON

March 3, 1969

FOR: The President
FROM: John D. Ehrlichman
RE: International Agreements on Copyrights and Patents

After reviewing the proposed agreements on copyrights and patents, I know of no reason why you should not send to the Senate for ratification.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

February 28, 1969

TO: Ken Cole
FROM: Jim Keogh

Our redraft of the Copyrights and Patents letter of transmittal is attached. We found the draft sent to us very obscure and unfortunate in its repeated use of WIPO and BIRPI. Since the press and others could have a lot of fun jibing at this usage, I think it should be avoided.

Ehrlichman and Kissinger should have a look at the new draft.

THE WHITE HOUSE

WASHINGTON

FOR: ACTION: Sec. M. Stans *3-6 10:50 a.m.* cc (for information):
J. Ehrlichman *3-5 10 a.m.*
B. Harlow *- 9:30*
J. Keogh *- 9:30*

FROM THE STAFF SECRETARY

SUBJECT (see attached): Request for Senate Ratification of International
Agreements on Copyrights and Patents.

ACTION AND REMARKS:

☐ For Necessary Action	☐ Draft Reply
☐ Prepare Agenda and Brief	☐ Draft Remarks
☐ For Your Comments	☐ For Your Information
☒ For Your Recommendations	

Other:Secretary Stans, J. Ehrlichman, B. Harlow:

Please review the attachments and offer your recommendations
of the advisability of the President proceeding as requested.

J. Keogh: Please review the attached letter of transmittal
to the Senate and approve or redraft as necessary.

*OK
to proceed*

*BW Harlow
3/1/69*

extension granted to March 5

DUE: Date: March 1, 1969

Time: 2:00 P.M.

3/16 to RN for RN

Please attach this copy to material submitted.

If you have any questions or if you anticipate a delay in
submitting the required material, please telephone the
Staff Secretary immediately.

KRCole
K. R. COLE, JR.
For the President

RECEIVED
MAR 13 1969
CENTR.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

ACTION

February 20, 1969

MEMORANDUM FOR THE PRESIDENT

FROM: Henry A. Kissinger *HK*

SUBJECT: Request for Senate Ratification of International
Agreements on Copyrights and Patents

The Department of State has proposed that you ask the Senate to advise and consent to ratification of (1) a Convention establishing the World Intellectual Property Organization (WIPO), and (2) a revision of the Paris Convention for the Protection of Industrial Property (Tab A). These two agreements are designed to introduce long-needed administrative and structural reforms in the international recording and protection of copyrights and patents.

The Department of State and the Patent Office have consulted with knowledgeable individuals and with a broad cross-section of the most influential industrial and legal groups having an interest in these questions. None has expressed opposition to the ratification of the Conventions.

The United States Delegation to the international meeting in Stockholm in July 1967, where the provisions of these Conventions were agreed, included Senator Burdick of the Senate Judiciary Committee, and Representative Kastenmeier of the House Judiciary Committee, as well as one staff member from each of those Congressional Committees. They did not oppose the objectives of the Conventions, their provisions, or United States support of them.

While I am not familiar with the technical provisions of the Conventions, I find the Department of State memorandum persuasive, and I believe our national interests would be served by ratification.

RECOMMENDATION:

That you sign the attached message (Tab B) transmitting the Conventions to the Senate with your request for advice and consent to ratification.

Attachments

Signed 3/10

THE WHITE HOUSE
WASHINGTON

STAFF SECRETARY
Route Slip

SUBJECT: International

Agreement on Copyrights & Patent

<u>Name</u>	<u>Approval</u>	<u>Date</u>
<u>Har</u>	<u>✓</u>	<u>3/1/69</u>
<u>E</u>	<u>✓</u>	<u>3/7/69</u>
<u>K</u>	<u>✓</u>	<u>2/20/69</u>
<u>Keo</u>	<u>✓</u>	<u>2/28/69</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>



S/S 1095

DEPARTMENT OF STATE

Washington, D.C. 20520

February 7, 1969

MEMORANDUM FOR DR. HENRY A. KISSINGER

THE WHITE HOUSE

Subject: Convention Establishing the World Intellectual Property Organization and Paris Convention for the Protection of Industrial Property as revised at Stockholm

There is enclosed for signature by the President a message transmitting to the Senate for advice and consent to ratification (1) the Convention Establishing the World Intellectual Property Organization (WIPO) and (2) the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967.

(1) Convention Establishing a World Intellectual Property Organization.

There has been a great need for the new Organization both as regards administrative coordination and substantive intellectual property protection. The organization will serve two main purposes: First, it will constitute the framework of a coordinated administration for the various intellectual property unions presently administered by the Secretariat, the United International Bureaux for the Protection of Intellectual Property (BIRPI), and, through such administration, constitute an economical and efficient service to the Member States and the interests protected by the Unions. Second, it will constitute the framework for the general promotion of the protection of intellectual property, not only for States members of the intellectual property unions, but also for States parties to the WIPO Convention which are not members of the Unions.

(2) Revision of the Paris Convention for the Protection of Industrial Property.

The revision institutes administrative and structural reforms in the Paris Convention which have been long

overdue. It is considered that the modernization of the Union which has been accomplished by the revision will be of importance in furthering the protection of industrial property. A limited amendment of one substantive provision of the Paris Convention was also effected. This amendment would accord to applications for inventors' certificates of the Eastern European countries the right of priority presently accorded to patent applications. Inclusion of the provision is considered an important factor in furthering industrial property relations with Eastern European countries.

In developing a United States position on provisions proposed for inclusion in the Conventions, the Department, in coordination with the Patent Office, consulted informally with knowledgeable representatives of individual U.S. Companies, and met with interested industry and legal groups. Following signature of the Conventions at the Stockholm Conference, copies of the Conventions were made available to interested organizations for study. Favorable action on the two Conventions has now been taken by the American Bar Association's Patent, Trademark and Copyright Section; the United States Chamber of Commerce; the American Group of the International Patent and Trademark Association; the Pharmaceutical Manufacturers Association; the American Patent Law Association; the Chicago Bar Association's Committee on Patents; and the Boston Patent Law Association's Committee on Foreign Patents. To the best of our knowledge no organization is opposed to ratification.

The Senate Judiciary Committee was represented on the United States Delegation by Senator Burdick and the House Judiciary Committee by Representative Kastenmeier. In addition, a staff member from each Committee served on the Delegation. We have had no expression of Congressional opinion other than that of the Congressional members on the Delegation, who indicated no opposition to the objectives of the two Conventions, to the means of pursuing such objectives, and to United States Government support for the Conventions.

BHR

Benjamin H. Read
Executive Secretary

Enclosure:

Message to the Senate for
signature by the President.

TO THE SENATE OF THE UNITED STATES:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith (1) a copy of the Convention Establishing the World Intellectual Property Organization, signed at Stockholm on July 14, 1967, and (2) a copy of the Paris Convention for the Protection of Industrial Property, as revised at Stockholm on July 14, 1967. I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the Conventions.

The Conventions remained open for signature until January 13, 1968. During that period the Convention Establishing the World Intellectual Property Organization (W.I.P.O.) was signed in behalf of 51 States, including the United States, and the Paris Convention was signed in behalf of 46 States, including the United States. Both Conventions remain open for accession.

(1) Convention Establishing a World Intellectual Property Organization. There has been a great need for the new Organization both as regards administrative coordination and substantive intellectual property protection. The organization will serve two main purposes:

First, it will constitute the framework of a coordinated administration for the various intellectual property Unions presently administered by the Secretariat, the United International Bureaux for the Protection of Intellectual Property (BIRPI) and, through such administration, constitute an economical and efficient service to the Member States and the interests protected by the Unions. Second, it will constitute the framework for the general promotion of the protection of intellectual property, not only for States members of the intellectual property Unions, but also for States parties to the W.I.P.O. Convention which are not members of the Unions. This is of special importance since a forum would thus be provided oriented toward advancement of industrial property and copyright protection on a world-wide basis.

(2) Revision of the Paris Convention for the Protection of Industrial Property. The institution of administrative and structural reforms in the Paris Convention has been long overdue and it is considered that the modernization of the Union which has been accomplished by the Stockholm revision will be of importance in furthering the protection of industrial property.

A limited amendment of one substantive provision of the Paris Convention was also effected at the Conference. This amendment would accord to applications for inventors'

certificates of the Eastern European countries the right of priority presently accorded to patent applications, provided that the Eastern European countries maintain a dual system of both inventors' certificates and patents and that either one would be available to foreign nationals. Inclusion of the proposed provision is considered an important factor in furthering industrial property relations with Eastern European countries.

The Stockholm Act of the Paris Convention and the W.I.P.O. Convention will make a significant contribution to the attainment of an important United States objective, that is, effective protection for the foreign intellectual property rights of American nationals. I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to their ratification.

Enclosures:

1. Report of the Secretary of State.
2. Copy of Convention Establishing the World Intellectual Property Organization.
3. Copy of Paris Convention as revised at Stockholm.

THE WHITE HOUSE,



TO THE SENATE OF THE UNITED STATES:

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X _____

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THE WHITE HOUSE,

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(2) Revision of the Paris Convention For the Protection of Industrial Property. Administrative and structural reforms in the Paris

Convention have long been overdue, and the modernization of the Union which has been accomplished by the Stockholm revision will be of importance in expanding the protection of industrial property.

A limited amendment to one substantive provision of the Paris Convention was also effected at the Conference. This amendment would accord to applications for inventors' certificates of the Eastern European countries the right of priority presently accorded to patent applications, provided that the Eastern European countries maintain a dual system of both inventors' certificates and patents and that both are available to foreign nationals. Inclusion of this provision is considered helpful to furthering industrial property relations with Eastern European countries.

The Stockholm Act of the Paris Convention and the World Intellectual Property Organization Convention will make a significant contribution to the protection of the foreign intellectual property rights of American nationals. I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to their ratifications.

Suggest change

Enclosures:

1. Report of the Secretary of State
2. Copy of Convention Establishing the World Intellectual Property Organization
3. Copy of Paris Convention as revised at Stockholm

THE WHITE HOUSE,

March 12, 1969

OFFICE OF THE WHITE HOUSE PRESS SECRETARY

THE WHITE HOUSE

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more

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The Stockholm Act of the Paris Convention and the World Intellectual Property Organization Convention will make a significant contribution to the protection of the foreign intellectual property rights of American nationals. I recommend that the Senate give early and favorable consideration to the Conventions submitted herewith and give its advice and consent to their ratifications.

RICHARD NIXON

#

TO THE SENATE OF THE UNITED STATES:

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