

The stipulations of paragraph 1 do not exclude the right of requiring from a depositor a certificate of due registration, issued by the competent authority of the country of origin, but no legal authentication of such certificate shall be required.

ARTICLE 6bis

The contracting countries undertake to refuse or to cancel, either administratively if their legislation so permits, or at the request of an interested party, the registration of any trade mark which is a reproduction of or an imitation capable of creating confusion with a mark considered by the competent authority of the country of registration to be well-known in that country as being already the mark of a person within the jurisdiction of another contracting country, and utilised for the same or similar classes of goods.

A period of at least three years shall be allowed for claiming the removal of such marks. This period shall run from the date of registration of the mark.

There shall be no limit to the period within which application may be made for the removal of marks registered in bad faith.

ARTICLE 6ter

The contracting countries agree to refuse or to cancel the registration, and to prohibit by appropriate measures the utilisation, without authorisation by the competent authorities, either as trade marks or as elements of trade marks, of armorial bearings, flags and other State emblems of the contracting countries, official signs and hall-marks indicating control or warranty adopted by them, and all imitations thereof from an heraldic point of view.

The prohibition of the utilisation of official signs and hall marks indicating control or warranty shall apply solely in cases where the marks which contain them are intended to be utilised for the same or similar classes of goods.

For the application of these stipulations the contracting countries agree to communicate mutually through the medium of the International Bureau of Berne, the list of State emblems and official signs and hall-marks indicating control or warranty which they desire, or may hereafter desire, to place wholly or within certain limits, under the protection of the present Article, and all subsequent modifications of this list. Each contracting country shall forthwith make the lists so communicated available to the public.

Any contracting country may, within a period of twelve months from the receipt of the communication, transmit any objections which it may desire to offer to the country concerned through the medium of the International Bureau.

In the case of State emblems which are well-known the measures prescribed by paragraph 1 shall apply solely to marks registered after the signature of the present Convention.

As regards State emblems which are not well-known and official signs and hall-marks such stipulations shall be applicable only to marks registered more than two months after the receipt of the communication provided for in paragraph 3.

In cases of bad faith, however, each country shall be entitled to cause removal of marks, even though registered before the signature of the present Convention if they contain State emblems, signs or hall-marks.

The nationals of each country who have been authorized to make use of State emblems, signs or hall-marks of their country, may continue to use them even though they are similar to those of another country.

The contracting countries undertake to prohibit the unauthorized use in trade of the State armorial bearings of the other contracting countries, when such use is of a nature to cause deception as to the origin of the goods.