

2. The prohibition of the utilization 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 utilized for the same or similar classes of goods.

3. For the application of these stipulations the countries of the Union 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 country of the Union shall forthwith make the lists so communicated available to the public.

4. Any country of the Union 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.

5. In the case of State emblems which are well known the measures prescribed by paragraph I shall apply solely to marks registered after the 6th November, 1925.

6. 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 communications provided for in paragraph 3.

7. In cases of bad faith, however, each country shall be entitled to cause removal of marks, even though registered before the 6th November, 1925, if they contain State emblems, signs or hall-marks.

8. 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.

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

10. The above stipulations shall not prevent the countries from exercising the power given in the third subsection of paragraph I of Clause B of Article 6, to refuse or to cancel the registration of marks containing, without authorization, the armorial bearings, flags, decorations and other State emblems or official signs or hall-marks adopted by a country of the Union.

ARTICLE 6 quater

1. When, in conformity with the legislation of a country of the Union, the assignment of a trade mark is valid only if it takes place simultaneously with the transfer of the business or goodwill to which the mark belongs, it shall be sufficient to establish validity if the portion of the business or goodwill situated in that country, together with the exclusive right of manufacturing or selling in that country the goods bearing the mark assigned, is transferred to the assignee.

2. This provision does not impose upon the countries of the Union any obligation to consider valid the assignment of any mark of which the use by the assignee would, in fact, be of such a nature as to deceive the public, in particular as regards the origin, nature or substantial qualities of the goods to which the mark is applied.

ARTICLE 7

The nature of the goods to which the trade mark is to be applied can, in no case, form an obstacle to the registration of the mark.