

(e) Where an application for the registration of an industrial design or model is deposited in a country in virtue of a right of priority based on a previous deposit of an application for registration of a utility model, the period of priority shall only be that fixed for industrial designs and models.

Further, it is permissible to deposit in a country an application for the registration of a utility model in virtue of a right or priority based on the deposit of a patent application and *vice versa*.

(f) If an application for a patent contains multiple priority claims, or if examination reveals that an application contains more than one invention, the competent authority shall at least authorize the applicant to divide the application, subject to such conditions as may be imposed by domestic legislation, and preserving as the date of each part of the application the date of the initial application and, if necessary, the benefit of the right of priority.

ARTICLE 4bis

Patents applied for in the various contracting countries by persons entitled to the benefits of the Union shall be independent of the patents obtained for the same invention in the other countries, whether members of the Union or not.

This stipulation must be strictly interpreted, for example, it shall be understood to mean that patents applied for during the period of priority are independent, in respect of the grounds for refusal and for revocation, as well as in respect of their normal duration.

The stipulation applies to all patents existing at the time when it comes into effect.

Similarly it shall apply, in the case of the accession of new countries, to patents in existence, either on one side or the other, at the time of accession.

ARTICLE 5

The importation by the patentee into the country where the patent has been granted of articles manufactured in any of the countries of the Union shall not entail revocation of the patent.

Nevertheless each of the contracting countries shall have the right to take the necessary legislative measures to prevent the abuses which might result from the exercise of the exclusive rights conferred by the patent, for example, failure to work.

These measures shall not provide for the revocation of the patent unless the grant of compulsory licences is insufficient to prevent such abuses.

In no case can the patent be made liable to such measures before the expiration of at least three years from the date of grant of the patent and then only if the patentee is unable to justify himself by legitimate reasons.

The protection of industrial designs and models may not, under any circumstances, be liable to revocation by reason of the importation of articles corresponding to those which are protected.

No sign or mention of registration shall be required on the goods in order to maintain recognition of the rights given by such registration.

If, in any country, the utilization of a registered trade mark is compulsory, registration cannot be cancelled until after a reasonable period has elapsed, and then only if the person interested cannot justify the causes of his inaction.

ARTICLE 5bis

An extension of time of not less than three months shall be allowed for the payment of the prescribed fees for the maintenance of industrial property rights, on condition (if the national legislation of a country so provides) of the payment of a supplementary fee.