

The above stipulations shall not prevent the countries from exercising the power given in the third subsection of paragraph 2 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 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.

ARTICLE 7bis

The contracting countries undertake to admit to deposit and to protect marks belonging to associations, the existence of which is not contrary to the law of the country of origin, even if such associations do not possess an industrial or commercial establishment.

Nevertheless, each country shall be the sole judge of the particular conditions under which an association may be allowed to obtain protection for its marks.

ARTICLE 8

A trade name shall be protected in all the countries of the Union without necessity of deposit or registration, whether or not it forms part of a trade mark.

ARTICLE 9

All goods illegally bearing a trade mark or trade name shall be seized on importation into those countries of the Union where this mark or name has a right to legal protection.

Seizure shall be effected equally in the country where the mark or name was illegally applied, or in the country into which the goods bearing it may have been imported.

The seizure shall take place at the request either of the Public Prosecutor or of any other competent authority or of any interested party whether an individual or a body of persons corporate or unincorporate in conformity with the domestic law of each country.

The authorities shall not be bound to effect the seizure of goods in transit. If the laws of a country do not admit of seizure on importation, such seizure shall be replaced by prohibition of importation or seizure within such country.

If the laws of any country do not admit either of seizure upon importation, or of prohibition of importation, or of seizure within the country, and pending the requisite modification of these laws, these measures shall be replaced by the remedies available in such cases to nationals.

ARTICLE 10

The stipulations of the preceding Article shall be applicable to all goods which falsely bear as an indication of origin the name of a specified locality or country, when such indication is joined to a trade name of a fictitious character or used with fraudulent intention.

Any producer, manufacturer or trader, whether an individual or a body of persons corporate or unincorporate, engaged in the production, manufacture, or trade of such goods, and established either in the locality falsely indicated as a place of origin, in the district where the locality is situated, or in the country falsely indicated shall in any case be deemed a party interested.