

ARTICLE 7 bis

1. The countries of the Union undertake to admit to deposit and to protect association 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.

2. Each country shall be the sole judge of the particular conditions under which an association mark shall be protected and may refuse protection if the mark is contrary to public interest.

3. Nevertheless, the protection of these marks may not be refused to any association of which the existence is not contrary to the law of the country of origin on the ground that such association is not established in the country where protection is sought or is not constituted according to the legislation of the latter country.

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

1. 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.

2. 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.

3. 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.

4. The authorities shall not be bound to effect the seizure of goods in transit.

5. 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.

6. 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

1. 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.

2. 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 the place of origin, in the district where the locality is situated, or in the country falsely indicated, or in the country where the false indication of origin is used, shall in any case be deemed a party interested.