

ARTICLE VI

Patents issued by the French Government under this Agreement shall in no case affect the right of third parties or their beneficiaries to continue to work them if such third parties or beneficiaries have undertaken in good faith to work an invention prior to November 16, 1946. On the other hand, such patents shall not affect the rights acquired prior to November 16, 1946 by bona-fide holders of patents or applications for patents or by their beneficiaries to work inventions protected by such patents or applications for patents.

ARTICLE VII

Canadian citizens who have paid:

1°—Together with the amount of the supplementary fee for late payment, payable on September 3, 1939, such annual fees on patents as can still validly be paid on the above date,

2°—Without the supplementary fee, annual fees which have fallen due after September 3, 1939,

shall be considered to have made such payments validly if the payments were made prior to May 16, 1948.

ARTICLE VIII

In no case shall this Agreement invalidate a decision of a French Court rendered prior to the date of the coming into force of this Agreement regarding the validity of a patent.

ARTICLE IX

The Canadian Government considers that the terms provided in the foregoing Articles in favour of Canadian citizens constitute reciprocal treatment as required by Section 28 A of the Canadian Patent Act as contained in the Patent Act Amendment Act, 1947. Consequently, the Canadian Government undertakes to validate all applications for patents made out in due form and filed by French nationals prior to November 16, 1947, with the Canadian Patent Office when accompanied by requests for the extensions provided under Section 28 A or when such requests are made prior to May 16, 1948.

ARTICLE X

Each of the two Contracting Governments, in accordance with its own legislation, shall notify the other Government that it has accepted this Agreement and shall take any steps necessary to enable it to carry out its obligations under this Agreement.

ARTICLE XI

This Agreement shall come into force on the date on which notifications are exchanged. If the notifications are given on different dates, this Agreement shall come into force at the date on which the second notification is given.*

DONE in duplicate, at Ottawa, this fifth day of May 1948 in the English and French languages, both texts being equally authentic.

For Canada:

L. B. PEARSON

For France:

F. GAY

* On January 24, 1949, Canada notified France of its acceptance of this Agreement.