

Additional Act of Monaco of November 18, 1961

Article 1

- (1) Over and above the fees established in Article 15 of the Hague Agreement as revised at London, the following additional fees shall be payable in respect of the transactions hereinafter specified, that is to say:
 1. for the deposit of a single design and in respect of the first period of five years: 20 Swiss francs;
 2. for the deposit of a single design, upon expiration of the first period and in respect of the duration of the second period of ten years: 40 Swiss francs;
 3. for a multiple deposit and in respect of the first period of five years: 50 Swiss francs;
 4. for a multiple deposit, upon expiration of the first period and in respect of the duration of the second period of ten years: 200 Swiss francs.
- (2) If the fees prescribed in Article 15.2 and Article 15.4 of the Hague Agreement as revised at London have been paid after the date of this Act but before its entry into force--the latter being determined for each State in accordance with the provisions of paragraphs 7(2) and 7(3) where the first period of protection expires after such entry into force, the person making the deposit must pay the additional prolongation fee specified in items (1)2 and (1)4 of this Article. Upon entry into force of this Act, the International Bureau shall advise the depositors concerned that they must pay the additional fee within a period of six months from the receipt of such notice. If payment is not effected within such period the prolongation shall be deemed to be null and the reference thereto shall be deleted from the Register. In such case, the fee for prolongation already paid shall be refunded.

Article 2

Additional fees of 20 Swiss francs or 10 Swiss francs shall likewise be payable in respect of every other transaction provided for by the Hague Agreement as revised at London and for which the Regulations of the said Agreement prescribe a fee of 5 Swiss francs or 2.50 Swiss francs.

Article 3

- (1) The fees prescribed in Articles 1 and 2 of this Act may be modified on the proposal of the International Bureau or of the Swiss Government, in accordance with the procedure hereinafter defined.
- (2) Such proposals shall be communicated to the Offices of States party to this Act, which shall communicate their views to the International Bureau within a period of six months. If, after that period, a modification of a fee is adopted by a majority of the said Offices without giving rise to any opposition, such modification shall enter into force on the first day of the month following the date of dispatch of the notification thereof by the International Bureau to the aforesaid Offices.

Article 4

- (1) There shall be established from the excess receipts derived from the application of the additional fees a reserve fund not exceeding 50,000 Swiss francs.
- (2) When the reserve fund has reached this amount, any further excess receipts shall be distributed among the States party to this Act in proportion to the number of designs deposited by their nationals, or by the other persons referred to in Article 1 of the Hague Agreement as revised at London.

Article 5

For such time as all countries members of the Union created by the Hague Agreement as revised at London are not party to this Act or to the Hague Agreement of November 28, 1960, the International Bureau shall draw up separate accounts for countries which are party to this Act and for those which are party only to the Hague Agreement as revised at London.

Article 6

- (1) This Act shall remain open for signature until March 31, 1962.
- (2) States party to the Hague Agreement as revised at London which have not signed this Act may accede thereto. In such cases, the provisions of Articles 16 and 16bis of the Paris Convention for the Protection of Industrial Property shall be applicable.

Article 7

- (1) This Act shall be ratified and the instruments of ratification shall be deposited with the Government of the Principality of Monaco. Such deposits shall be notified by the latter Government to the Government of the Swiss Confederation, which shall notify them to the contracting States.
- (2) This Act shall come into force at the expiration of a period of one month from the date of dispatch by the Government of the Swiss Confederation to the contracting States of the notification of the deposit of the second instrument of ratification.
- (3) As regards States which deposit their instruments of ratification subsequently to the deposit of the second such instrument of ratification as is mentioned in the preceding paragraph, this Act shall enter into force upon expiration of a period of one month from the date of dispatch by the Government of the Swiss Confederation to the contracting States of the notification of the deposit of the instrument of ratification concerned.

Article 8

This Act shall be signed in a single copy and shall be deposited in the archives of the Government of the Principality of Monaco. A certified copy thereof shall be sent by the latter to each of the Governments of the countries of the Hague Union.