

# WORLD TRADE ORGANIZATION

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**Council for Trade-Related Aspects of  
Intellectual Property Rights**

Original: English

## MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS NOTIFIED UNDER ARTICLE 63.2 OF THE AGREEMENT

### Italy

By means of a communication from the Permanent Representation of Italy dated 26 June 1996, Italy has notified the following laws and regulations as a supplement to its earlier notification under Article 63.2 of the Agreement (distributed as document IP/N/1/ITA/1):

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LEGISLATIVE DECREE No. 204 OF 15 MARCH 1996

**Amendments and additions to legislative decree no. 685 of 16 November 1994  
concerning right of lease and other copyright-related rights**

THE PRESIDENT OF THE REPUBLIC

Having regard to articles 76 and 87 of the Constitution;

Having regard to legislative decree no. 685 of 16 November 1995, for the implementation of Directive 92/100/EEC of 19 November 1992 concerning right of lease, right of loan and certain rights relating to copyright in intellectual property matters;

Considering that it is necessary to issue provisions supplementing those of article 17 in the aforesaid legislative decree no. 685 of 1994;

Having regard to para. 5 of article 1 and para. 1 of article 6 of Law no. 146 of 22 February 1994;

Having regard to the resolution adopted by the Council of Ministers on 12 March 1996;

On proposal by the Minister for Balance and Economic Planning, responsible for the coordination of European Union policies, in agreement with the Minister for Foreign Affairs, the Minister of Justice, the Minister for the Treasury and the Minister for Culture and Environment;

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the following legislative decree:

**Article 1**

1. The following paragraph shall be added to article 171-*ter* of Law no. 633 of 22 April 1941, as introduced by article 17 of legislative decree no. 685 of 16 November 1994:

‘3-*bis*. The sums resulting from the enforcement of the pecuniary penalties as per paragraphs 1 and 2 shall be paid to the National Authority for Insurance and Assistance of Painters and Sculptors, Musicians, Writers and Playwrights.’.

This decree, provided with the State's seal, shall be included in the Official Collection of laws and decrees of the Italian Republic. All concerned shall have to comply with it and to cause it to be complied with.

Done in Rome on the fifteenth day of March 1996.

LEGISLATIVE DECREE No. 205 of 15 MARCH 1996

**Amendments to legislative decree no. 518 of 29 December 1992  
concerning the legal protection of computer programs**

THE PRESIDENT OF THE REPUBLIC

Having regard to articles 76 and 87 of the Constitution;

Having regard to legislative decree no. 518 of 29 December 1992, concerning the implementation of Council Directive 91/250/EEC of 14 May 1991 on the legal protection of computer programs;

Considering that it is necessary to issue provisions amending articles 5, 8 and 10 of the aforesaid legislative decree no. 518 of 1992;

Having regard to para. 5 of article 1 and para. 1 of article 6 of Law no. 146 of 22 February 1994;

Having regard to the resolution adopted by the Council of Ministers on 12 March 1996;

On proposal by the Minister for Balance and Economic Planning, responsible for the coordination of European Union policies, in agreement with the Minister for Foreign Affairs, the Minister of Justice and the Minister for the Treasury;

PROMULGATES

the following legislative decree:

**Article 1**

1. For the second sentence of paragraph 3 of article 64-*ter* of Law no. 633 of 22 April 1941, as introduced by paragraph 1 of article 5 of legislative decree no. 518 of 29 December 1992, there shall be substituted the following: 'Any contractual clauses infringing the provisions of this paragraph and paragraph 2 shall be void.'

**Article 2**

1. For paragraph 3 of article 64-*quater* of Law no. 633 of 22 April 1941, as introduced by paragraph 1 of article 5 of legislative decree no. 518 of 29 December 1992, there shall be substituted the following:

'3. Any contractual clauses infringing paragraphs 1 and 2 shall be void.'

### Article 3

1. In the final paragraph of article 161 of Law no. 633 of 22 April 1941, as introduced by paragraph 1 of article 8 of legislative decree no. 518 of 29 December 1992, for the word: 'disconnection' there shall be substituted the following: 'elusion'.

### Article 4

1. In the first sentence of paragraph 1 of article 171-*bis* of Law no. 633 of 22 April 1941, as introduced by paragraph 1 of article 10 of legislative decree no. 518 of 20 December 1992, for the words: 'of between 500,000 and 6,000,000 liras.' there shall be substituted the following: 'of between 1,000,000 and 10,000,000 liras.'.

2. In the third sentence of paragraph 1 of article 171-*bis* of Law no. 633 of 22 April 1941, as introduced by paragraph 1 of article 10 of legislative decree no. 518 of 20 December 1992, for the words: 'of 1,000,000 liras' there shall be substituted the following: 'of 3,000,000 liras'.

This decree, provided with the State's seal, shall be included in the Official Collection of laws and decrees of the Italian Republic. All concerned shall have to comply with it and to cause it to be complied with.

Done in Rome on the fifteenth day of March of 1996.