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

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

GERMANY

Addendum

The present document reproduces the text<sup>1</sup> of Articles 3 to 10 and Article 34 of the Law to Amend the Right of Representation by Attorneys-at-Law before the Higher Regional Courts of 23 July 2002, as notified by Germany under Article 63.2 of the Agreement by means of a communication from its delegation dated 25 May 2004.

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**Conseil des aspects des droits de propriété  
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES  
À LA PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES  
AU TITRE DE L'ARTICLE 63:2 DE L'ACCORD**

ALLEMAGNE

Addendum

Le présent document contient le texte<sup>1</sup> des articles 3 à 10 et 34 de la Loi du 23 juillet 2002 portant modification du droit de représentation par des avocats devant les tribunaux de grande instance, notifiés par l'Allemagne au titre de l'article 63:2 de l'Accord au moyen d'une communication de sa délégation datée du 25 mai 2004.

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**Consejo de los Aspectos de los Derechos de Propiedad  
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA  
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD  
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

ALEMANIA

Addendum

En el presente documento se reproduce el texto<sup>1</sup> de los artículos 3 a 10 y del artículo 34 de la Ley por la que se modifica el derecho de representación por abogados ante los Tribunales Regionales Superiores, de 23 de julio de 2002, que Alemania ha notificado en virtud del párrafo 2 del artículo 63 del Acuerdo mediante una comunicación de su delegación de fecha 25 de mayo de 2004.

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<sup>1</sup> In English only./En anglais seulement./En inglés solamente.

**Law**  
**to Amend the Right of Representation**  
**by Attorneys-at-Law before the Higher Regional Courts**  
**of 23 July 2002**

The Bundestag [Federal Parliament] has passed the following Law:

**Articles 1 and 2 ...**

**Article 3**

**Amendment of the Patent Law**

Section 143 of the Patent Law in the version published on 16 December 1980 (Federal Law Gazette I p. 1), last amended by Article 4 paragraph 1 of the Law of 19 July 2002 (Federal Law Gazette I p. 2681), shall be amended as follows:

- 1 Subsections (3) and (4) shall be repealed.
2. The previous subsection (5) shall become subsection (3).

**Article 4**

**Amendment of the Utility Model Law**

Section 27 of the Utility Model Law in the version published on 28 August 1986 (Federal Law Gazette I p. 1455), last amended by Article 4 paragraph 2 of the Law of 19 July 2002 (Federal Law Gazette I p. 2681), shall be amended as follows:

1. Subsections (3) and (4) shall be repealed.
2. The previous subsection (5) shall become subsection (3).

**Article 5**

**Amendment of the Trade Mark Law**

Section 140 of the Trade Mark Law of 25 October 1994 (Federal Law Gazette I p. 3082, 1995 I p. 156, 1996 I p. 682), last amended by Article 4 paragraph 3 of the Law of 19 July 2002 (Federal Law Gazette I p. 2681), shall be amended as follows:

1. Subsections (3) and (4) shall be repealed.
2. The previous subsection (5) shall become subsection (3).

## **Article 6**

### **Amendment of the Law Against Unfair Competition**

Section 27 (3) and (4) of the Law Against Unfair Competition in the revised version published in the Federal Law Gazette Part III, No. 43-1, last amended by Article 15 of the Law of 13 December 2001 (Federal Law Gazette I p. 3656), shall be repealed.

## **Article 7**

### **Amendment of the Copyright Law**

Section 105 (4) and (5) of the Copyright Law of 9 September 1965 (Federal Law Gazette I p. 1273), last amended by Article 1 of the Law of 22 March 2002 (Federal Law Gazette I p. 1155), shall be repealed.

## **Article 8**

### **Amendment of the Designs Law**

Section 15 of the Designs Law in the revised version published in the Federal Law Gazette Part III, No. 442-1, last amended by Article 4 paragraph 6 of the Law of 19 July 2002 (Federal Law Gazette I p. 2681), shall be amended as follows:

1. Subsections (3) and (4) shall be repealed.
2. The previous subsection (5) shall become subsection (3).

## **Article 9**

### **Amendment of the Plant Variety Protection Law**

Section 38 of the Plant Variety Protection Law in the version published on 19 December 1997 (Federal Law Gazette I p. 3164), last amended by Article 20 of the Law of 13 December 2001 (Federal Law Gazette I p. 3656), shall be amended as follows:

1. Subsection (3) shall be repealed.
2. The previous subsection (4) shall become subsection (3).
3. The previous subsection (5) shall become subsection (4). In this subsection, the figure "4" shall be replaced by the figure "3".

## **Article 10**

### **Amendment of the Law Against Restrictions on Competition**

Section 93, second sentence, of the Law Against Restrictions on Competition in the version published on 26 August 1998 (Federal Law Gazette I p. 2546), last amended by Article 7 of the Law of 10 November 2001 (Federal Law Gazette I p. 2992), shall be repealed.

## **Articles 11 to 33 ...**

## **Article 34**

### **Entry into Force**

Except as provided in the second and third sentences, this Law shall enter into force on the day following its promulgation. Article 1 paragraph 2 shall enter into force on the first day of the calendar month following promulgation. Article 25 paragraph 2 shall enter into force on 1 July 2005.

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The constitutional rights of the Federal Council have been heeded.

The above Law is hereby executed. It is to be promulgated in the Federal Law Gazette.

Berlin, 23 July 2002

The Federal President  
Johannes Rau

The Federal Chancellor  
Gerhard Schröder

The Federal Minister of Justice  
Daeubler-Gmelin

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