

WORLD TRADE ORGANIZATION

RESTRICTED

IP/N/2/FRA/1

19 July 1995

(95-2073)

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

Original: French

NOTIFICATION UNDER ARTICLES 1.3 AND 3.1 OF THE AGREEMENT

France

The following communication, dated 30 June 1995, has been received from the Permanent Delegation of France.

I have been instructed by my Government to communicate France's notification, under Article 3 of the Agreement on Trade-Related Aspects of Intellectual Property Rights, of Article L. 111-4 of the Intellectual Property Code relating to Article 6 of the Berne Convention.

Under Article 3 of the TRIPS Agreement on Intellectual Property Rights, parties to the Agreement may avail themselves of the possibilities provided in Article 6 of the Berne Convention.

French legislation has made use of these possibilities which form the subject of the law of 8 July 1964 reproduced in Article L. 111-4 of the Intellectual Property Code.

I would therefore be grateful if you would notify Article L. 111-4 of the Intellectual Property Code, a copy of which is enclosed, to the Council for TRIPS before 30 June.

Article L. 111-4

Subject to the international conventions to which France is party, in the event that it is ascertained, after consultation with the Minister for Foreign Affairs, that a State does not afford to works disclosed for the first time in France, in any form whatsoever, protection that is adequate and effective, works disclosed for the first time on the territory of such State shall not enjoy the copyright protection afforded by French legislation.

However, neither the integrity nor the authorship of such works may be impaired.

In the cases referred to in the first paragraph above, the royalties shall be paid to general interest bodies designated by decree.